



Committee of the Whole Meeting Agenda

CW#01-18

Monday, January 22, 2018, 4:30 p.m.

Council Chambers

225 East Beaver Creek Road

Richmond Hill, Ontario

Chair, Godwin Chan, Councillor Ward 6

Pages

1. Call to Order
2. Council Announcements
3. Introduction of Emergency/Time Sensitive Matters
4. Adoption of Agenda
5. Disclosure of Pecuniary Interest and General Nature Thereof
6. Identification of Items Requiring Separate Discussion
7. Adoption of Remainder of Agenda Items
8. Public Hearing
9. Presentations
 - 9.1 Presentation by Vlad Gaiu, Manager, Energy and Waste, regarding an update on the Corporate Energy Management and LED Project
(Please note this is a 10 minute presentation)
10. Delegations
11. Committee and Staff Reports
 - 11.1 Minutes - Youth Action Committee meetings held on November 22, 2017 and December 6, 2017

The Youth Action Committee presents its Reports for its meetings held on November 22, 2017 and December 6, 2017, and respectfully recommends that the minutes be adopted as circulated.

- 11.2 Extract - Heritage Richmond Hill Committee HRH#08-17 held on December 5, 2017 15
- SRPRS.17.209 - Application to Demolish House at 41 Elgin Mills Road East - File Number D12-07172
- (Staff Report SRPRS.17.209 is attached for Committee's reference)
- That the Heritage Richmond Hill Committee recommends to Council:**
- a) That the application to demolish the William Neal House located at 41 Elgin Mills Road East be denied;**
- b) That prior to issuance of a Building Demolition Permit for only the accessory structures occupying 41 Elgin Mills Road East, the owner be required to install a 6 foot tall secured chain link fence encircling (at a distance of 2 metres from) the William Neal House to the Town's satisfaction.**
- 11.3 SRPRS.18.006 – 41 Elgin Mills Road East - Heritage Designation By-law 21
- a) That By-law 2-18, attached as Appendix A to staff report SRPRS.18.006 be adopted to designate Erin Mills Road East (site of the William Neal House) as being a property of cultural heritage value or interest under Part IV, Section 29, of the *Ontario Heritage Act*;**
- b) That Notice of Passing of the By-law be mailed to the Ontario Heritage Trust and the property owner.**
- 11.4 SRCAO.18.01 – Review of Policies Under Section 270 of the Municipal Act, 2001 – Revised Delegation Policy 57
- a) That the revised Delegation Policy attached as Appendix "B" to SRCAO.18.01 be approved.**
- b) That the required by-law(s) to give effect to the revisions to existing delegated authorities set out in Appendix "C" to staff report SRCAO.18.01 as well as to any further revisions required due to organizational changes be enacted.**
- c) That the Clerk be authorized to:**

i. update Schedule A of the Delegation Policy attached as Appendix B to SRCAO.18.01 upon the approval, revision or the revocation of any delegation by Council; and

ii. make any clerical revisions required to ensure the accuracy and completeness of Schedule A.

d) That the Chief Administrative Officer (CAO) be delegated the authority to approve the entry into, and to execute, confidentiality agreements and other agreements or documents where the CAO deems the subject-matter of the agreements or documents to be of a minor nature.

e) That By-law 255-81, being Chapter 165 of the Town's Municipal Code, as amended, be further amended as follows:

i. By deleting Section 2(h), being Section 165.2.8 of the Municipal Code and replacing with:

"The Chief Administrative Officer shall be responsible for the appointment, employment, suspension and dismissal of Department Heads and shall have all the necessary ancillary powers and duties that are required in connection with the administration of such responsibilities, including the negotiation and execution of any and all agreements and documents"; and

ii. By adding the following provision:

"Notwithstanding any other provision of this by-law, the Chief Administrative Officer may further delegate the following power and duties as set out below:

.1 the power to appoint and employ any employee to any Commissioner or Director whose department the employee reports to;

.2 the power to suspend any employee to any Commissioner whose department the employee reports to;

.3 the power to dismiss:

A. non full-time employees to any Commissioner whose department the employee reports to; and

B. full-time employees jointly to any Commissioner whose department the employee reports in conjunction with the

Commissioner of Corporate and Financial Services.

Such further delegation must be made in writing and any limitation on the delegation must be expressly set out in the written delegation.”

f) That the Clerk be authorized to complete and execute the Alcohol and Gaming Commission’s prescribed forms in connection with the approval of a liquor license subject to consultation with other appropriate Town staff.

11.5 SRCFS.18.001 - Semi-Annual Report - Non Competitive Acquisitions 121

a) That staff report SRCFS.18.001, regarding semi-annual report for non-competitive acquisitions, be received for information purposes only.

11.6 SRCFS.18.004 - Approval of Non-Competitive Acquisition for IT Professional Resources 129

a) That the contract for the provision of professional resources for the implementation of specific IT projects to be carried out in 2018, be awarded non-competitively to TEEMA Solutions Group for a cost not exceeding \$500,000 (exclusive of taxes) to provide Town of Richmond Hill external resources (Project Manager, Change Manager, Business Analyst, Quality Assurance) to work on the 2018 approved projects, pursuant to Procurement Policy By-Law 113-16, Appendix “B”, item (g) as the purchase is exceptionally advantageous to the Town;

b) That the Mayor and the Clerk be authorized to execute any and all necessary documentation to effect the contract upon the recommendation of the Commissioner of Corporate and Financial Services.

11.7 SRCS.18.02 - 2018 Community and Cultural Grant Program 135

a) That the Community and Cultural Grant applications listed in Appendix “A” to staff report SRCS.18.02, be received;

b) That Community and Cultural Grants totaling \$65,000 be provided to the following organizations and individual artists:

- Elgin West Seniors Association - \$2,000**

- Home on the Hill Supportive Housing - \$3,500
- ImprovAbility! - \$2,100
- Richmond Hill Canoe Club - \$3,500
- Richmond Hill Lawn Bowling Club - \$1,400
- The Amici Circle of Friends - \$2,800
- York Region Senior Tamils' Centre - \$3,000
- Andrea End - \$1,400
- Bindu Shah - \$3,000
- Habon Jibril - \$1,000
- Josephine Vaccaro-Chang - \$600
- Lilita Tannis - \$2,500
- Oleg Samokhin - \$1,500
- Artucate Canada - \$3,000
- Association of Iranian Canadians For Nowruz Festivals - \$2,000
- Chorus York - \$4,000
- High Notes Avante Productions - \$3,500
- International Watercolour Society - \$4,000
- Opera York - \$4,500
- Richmond Hill Centennial Pipe Band - \$1,500
- Richmond Hill Concert Band - \$1,500
- Richmond Hill Group of Artists - \$1,500
- Richmond Hill Philharmonic Orchestra - \$3,000
- Shadowpath Theatre Productions - \$3,000
- Toronto Chinese Ai Yue Philharmonic Arts Center - \$2,500
- York Region Chamber Music - \$2,700

11.8 SRPRS.18.008 – Request for Approval – Zoning By-law Amendment –
Joseph Simao and Vivian Chan Simao - 94 and 98 Bond Crescent –
Town File D02-17010

161

a) That the Zoning By-law Amendment application submitted by Joseph Simao and Vivian Chan Simao for the lands known as Lots 1 and 2, Registered Plan 561 (Municipal addresses: 94 and 98 Bond Crescent), Town File D02-17010, be approved, subject to the following:

i) That the subject lands be rezoned from Residential Urban (RU) Zone under By-law 1275, as amended, to Single Detached Six (R6) Zone, under By-law 313-96, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPRS.18.008;

b) That the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment.

11.9 SRPRS.18.011 - Request for Approval – Zoning By-law Amendment and Site Plan Amendment Applications – 1857481 Ontario Inc. - 386, 396 and 400 Highway 7 East – Town Files D02-17025 and D06-17064 191

a) That the Zoning By-law Amendment application submitted by 1857481 Ontario Inc. to remove the Holding (H) provisions from the Zoning By-law affecting the lands known as Part of Lot 11, Concession 2, E.Y.S (Municipal Addresses: 386, 396 and 400 Highway 7 East), Town File D02-17025, be approved;

b) That Council approve servicing allocation for 354 persons equivalent population (172 units) to the subject lands;

c) That all comments concerning the related Site Plan Amendment application, Town File D06-17064, be referred back to staff.

11.10 SRPRS.18.012 - Request for Approval – Draft Plan of Condominium – Siteline (9211 Bayview) Inc. - 9211 Bayview Avenue – Town File D05-12007 (19CDM(R)-12007) 225

a) That the proposed draft Plan of Condominium (Common Element) submitted by Siteline (9211 Bayview Ave) Inc. for lands known as Block 1, Registered Plan 65M-4501 (Municipal Address: 9211 Bayview Avenue), Town File D05-12007 (19CDM(R)-12007), be draft approved subject to the following conditions:

i) That draft approval be subject to the conditions as set out in Appendix “A” to staff report SRPRS.18.012;

ii) That prior to draft approval being granted, the applicant pay the

applicable processing fees in accordance with the Town's Tariff of Fees By-law 79-17;

iii) That the Mayor and Clerk be authorized to execute the Condominium Agreement referred to in Appendix "A" to staff report SRPRS.18.012.

- 11.11 SRPRS.18.020 – Request for Approval – Zoning By-law Amendment 247
Application – Jebraeil Vossoughi – 36 Portage Avenue - Town File D02-16015
- a) That the Zoning By-law Amendment application submitted by Jebraeil Vossoughi for lands known as Lots 492 and 493, Plan 133 (Municipal Address: 36 Portage Avenue), Town File D02-16015, be approved, subject to the following:**
- i) That the subject lands be rezoned from the provisions of By-law 986, as amended, to Semi-Detached One (RD1) Zone, under By-law 313-96, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in staff report SRPRS.18.020;**
- ii) That the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment.**
- 11.12 SRPRS.18.024- Request for Approval – Zoning By-law Amendment 283
Application – Carol Wilkinson - 23 Long Hill Drive – Town File D02-17023
- a) That the Zoning By-law Amendment application submitted by Carol Wilkinson for lands known as Lot 17, Plan 5509, municipally known as 23 Long Hill Drive, Town File D02-17023, be approved, subject to the following;**
- i) That the subject lands be rezoned from Rural Residential (RR1) Zone under By-law 2325-68, as amended, to Single Detached Six (R6) Zone, under By-law 235-97, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPRS.18.024; and,**
- ii) That the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment.**
- 11.13 SRPRS.18.023 - Request for Approval – Private Street Naming 315
Application – Stateview Homes (Rialto Towns) Inc. - 168 and 176 Elgin

Mills Road West – Town File D15-17054

a) That staff report SRPRS.18.023 regarding a Private Street Naming Application submitted by Stateview Homes (Rialto Towns) Inc. for the lands known as Part of Lots 4 and 5, Registered Plan 2404, Town File Number D15-17054, be approved subject to the following:

i) That the proposed private street names (Deep River Lane (P) and Rainy River Lane (P)) be approved in accordance with SRPRS.18.023;

ii) That staff be directed to bring forward a by-law to a regularly scheduled Council meeting to implement the proposed private street names.

11.14 SRPRS.18.014 - Authorization To Acquire Easement - Corsica Development Inc. - Town File D03-10001

329

a) That the Town acquire an easement over lands being:

Part of Block 463, Plan 65M–4547, designated as Part 1, Plan 65R–37361, Part of Block 462, Plan 65M–4547, designated as Part 2, Plan 65R–37361, Part of Block 461, Plan 65M–4547, designated as Part 3, Plan 65R–37361, Part of Block 460, Plan 65M–4547, designated as Part 4, Plan 65R–37361, Part of Block 459, Plan 65M–4547, designated as Part 5, Plan 65R–37361, Part of Block 458, Plan 65M–4547, designated as Part 6, Plan 65R–37361, Part of Block 457, Plan 65M–4547, designated as Part 7, Plan 65R–37361, Part of Block 456, Plan 65M–4547, designated as Part 8, Plan 65R–37361, free of all costs and encumbrances.

b) That part of the foot reserve on Plan 2260, described as Part 4, Plan 65R-10984 be established as a public highway to become part of Hillsvie Drive.

11.15 SRPRS.18.001 - Assumption of Municipal Services - Great Land (Yonge 16th) Inc. - Related Site Plan File: D06-08038 - Town Files L03-GR and L03 -11003

339

a) That the assumption of the external sanitary sewer, located within the existing right of way of 16th Avenue, the 16th Avenue Service Road, and within a Town easement over Part of Lot 41, Concession 1, described as Parts 1 to 4 on Plan 65R-35815, be approved.

11.16

347

SRPRS.18.005 - Assumption of Municipal Services - North Valley Developments Ltd - Plan 65M-4321 - File 19T-05008 - Town File D03-05008

a) That the assumption of the aboveground and belowground municipal services within Plan 65M-4321 (Subdivision File 19T-05008), be approved;

b) That the assumption of the external aboveground municipal services within the Bloomington Road road allowance, associated with Subdivision File 19T-05008, be approved;

c) That the assumption of the external aboveground municipal services within the Paradelle Drive road allowance, and aboveground and belowground municipal services within the Worthington Avenue road allowance, associated with Subdivision File 19T-05008, be approved;

d) That Finesse Court within the limits of Plan 65M-4321 (Subdivision File 19T-05008), be assumed as public highway.

11.17 SRPRS.18.040 - Budget Approval for Town Contribution towards Storm Drainage Works - 22 Elm Grove Avenue - Town File B043/16

357

a) That the Town approve a budget in the amount of \$100,000.00 as a Town contribution towards storm drainage works required at 22 Elm Grove Avenue, as a condition of approval for the related consent application;

b) That the source of funding for this budget be the Water Quality Protection Charge Reserve.

12. Other Business

13. Emergency/Time Sensitive Matters

14. Closed Session

15. Adjournment



Youth Action Committee Meeting Minutes

November 22, 2017

4:30 p.m. to 6:00 p.m.

M.L. McConaghy Seniors' Centre

Members in attendance:

M. Astroff, S. Bansal, C. Chen, N. Jessica Chen, N. Chung-Hun, M. Chopra, A. Coutinho, J. Cui, S. Dia-Sircout, M. Distefano, A. Lee, V. Leung, J. Lu, C. Mark, R. Farhadpour, V. Fernandes, H. Kulasingham, E. Pang, T. Rafi, A. Rashidi, E. Shen, J. Tsai, I. Wang, K. Wang, J. Wu, J. Wu, J. Xia, A. Xing, C. Yen, K. Yip, J. Zenobio, A. Zhang, Z. Zheng.

Staff in attendance: L. Gervasi, E. Wilson

Regrets: A.Li, C. T.Rafi, J.Tsai,

Call to Order:

E. Wilson called the meeting to order at 4:40 p.m.

Agenda Topic 1: Hill After Dark

- Committee provided feedback for the event and started to come up with event ideas

Agenda Topic 2: Santa Claus Parade Recap

- Committee members provided feedback on the event day.
- The meeting was adjourned by E. Wilson at 6:00pm, with the next meeting to be held **on Wednesday, December 6th, 2017 at 4:30pm at M.L. McConaghy Seniors' Centre.**



Youth Action Committee Meeting Minutes

December 6th, 2017
4:30 p.m. to 6:00 p.m.
M.L. McConaghy Seniors' Centre

Members in attendance:

M. Astroff, S. Bansal, C. Chen, N. Jessica Chen, N. Chung-Hun, M. Chopra, A. Coutinho, J. Cui, S. Dia-Sircout, M. Distefano, A. Lee, V. Leung, J. Lu, C. Mark, R. Farhadpour, V. Fernandes, H. Kulasingham, E. Pang, T. Rafi, A. Rashidi, E. Shen, J. Tsai, I. Wang, K. Wang, J. Wu, J. Wu, J. Xia, A. Xing, C. Yen, K. Yip, J. Zenobio, A. Zhang, Z. Zheng.

Staff in attendance: L. Gervasi, E. Wilson

Regrets: A.Li, C. T.Rafi, J.Tsai,

Call to Order:

E. Wilson called the meeting to order at 4:40 p.m.

Agenda Topic 1: Hill After Dark

- Committee provided feedback for the event and voted on a theme for the event, Blooming Flowers

Agenda Topic 2: Sweater Orders

- E. Pang reviewed the staff sweater orders

The meeting was adjourned by E. Wilson at 6:00pm, with the next meeting to be held **on Wednesday, January 10th, 2018 at 4:30pm at M.L. McConaghy Seniors' Centre.**

**Extract From
Heritage Richmond Hill Meeting
HRH#08-17 held December 5, 2017**

2. Application to Demolish House at 41 Elgin Mills Road East – File Number D12-07172 – (Staff Report SRPRS.17.209)

Moved by: Councillor Cilevitz

Recommendation 1

That the Heritage Richmond Hill Committee recommends to Council:

- a) That the application to demolish the William Neal House located at 41 Elgin Mills Road East be denied;
- b) That prior to issuance of a Building Demolition Permit for only the accessory structures occupying 41 Elgin Mills Road East, the owner be required to install a 6 foot tall secured chain link fence encircling (at a distance of 2 metres from) the William Neal House to the Town's satisfaction.

Carried



Staff Report for Heritage Richmond Hill

Date of Meeting: December 5, 2017

Report Number: SRPRS.17.209

Department: Planning and Regulatory Services

Division: Policy Planning

Subject: SRPRS.17.209 Application to Demolish House at 41
Elgin Mills Road East (Town File No.: D12-07172)

Purpose:

To seek the Heritage Richmond Hill Committee's consideration regarding an application for demolition of the William Neal House located at 41 Elgin Mills Road East. This property was the subject of a "Notice of Intent to Designate" (under Part IV of the *Ontario Heritage Act*) published on October 10, 2013.

Recommendation(s):

1. That Heritage Richmond Hill recommends to Council that the application to demolish the William Neal House located at 41 Elgin Mills Road East be denied; and
2. That Heritage Richmond Hill recommends to Council that prior to issuance of a Building Demolition Permit for only the accessory structures occupying 41 Elgin Mills Road East, the owner be required to install a 6 foot tall secured chain link fence encircling (at a distance of 2 metres from) the William Neal House to the Town's satisfaction.

Contact Person:

Isa James, Urban Designer/ Heritage Planner, phone number 905 771-5529 and/or Joanne Leung, Manager of Heritage and Urban Design, phone number 905-771-5498

Report Approval:

Submitted by:

"Original signed by P.Lee, Director, Policy Planning, is on file in the Office of the Clerk"

Kelvin Kwan

Commissioner of Planning and Regulatory Services

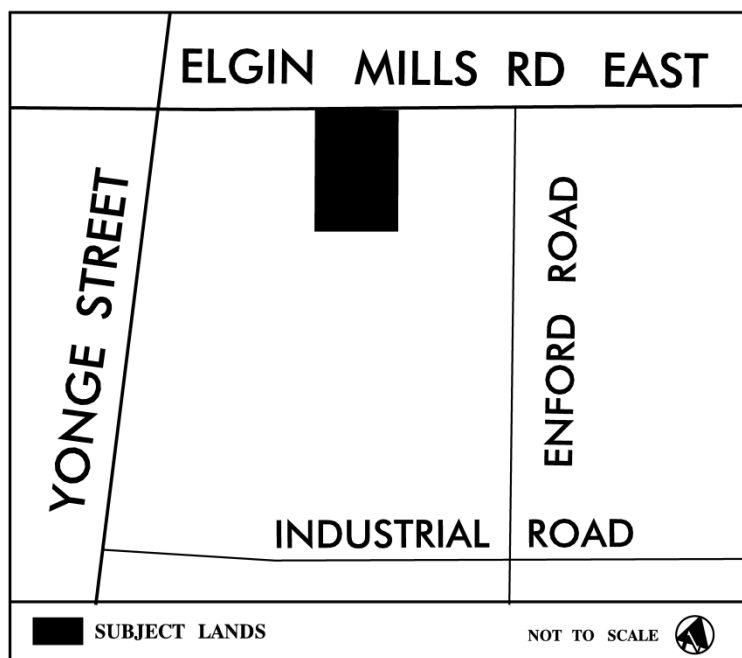
Approved by:

"Signed version on file in the Office of the Clerk"

Neil Garbe
Chief Administrative Officer

Location Map:

Below is a map illustrating the location of the subject property. Should you require an alternative format, call the person listed under "Contact" above.



Background:

The subject property is located on the south side of Elgin Mills Road East between Yonge Street and Enford Road. An application for demolition of the house and bank barn on the property was submitted on August 16, 2012. Heritage Richmond Hill recommended designation of 41 Elgin Mills Road East and refusal of the demolition application for the occupying structures on September 25, 2012. On September 23, 2013 Council voted to adopt the HRH and staff recommendation to designate the subject lands under Part IV of the *Heritage Act*. Notice of Intent to designate the property was published and issued to the owner and the Ontario Heritage Trust on October 10, 2013.

The owners filed an appeal to the Conservation Review Board of Ontario, who heard the matter and made recommendations in their report of December 24, 2014 in favour of designating the property. On October 19, 2015, Council deferred voting on the adoption of the designation by-law for 6 months in order to allow for the completion of a Flood Remediation Class EA Study that might have had an effect on the subject lands.

The Flood Remediation Class EA Study is now complete. It is projected that as a result of the implementation of the proposed remediation activities, 41 Elgin Mills will no longer fall within a flood hazard area. Council's resolution to defer adoption of the subject heritage designation by-law until post completion of the Flood Remediation Class EA Study for the area has been realized. A draft heritage designation by-law will be forwarded to Council for approval in January of 2018.

New Demolition Permit Submitted

An application to demolish the William Neal House (the heritage attribute of the property) as well as accessory structures, at 41 Elgin Mills Road East was submitted on November 14, 2017. Since Council has previously published "Intent to Designate", upon receipt of a demolition application, under Section 30(2) of the *Heritage Act*, the house is protected as if the designation process had been completed. Therefore, upon receipt of a demolition application, Council has 90 days in which to consult with the Municipal Heritage Committee and issue a decision in regard to the demolition application.

As the accessory structures are not identified in the Designation By-law, staff has no objection to their removal. Staff is, however, concerned about accidental damage to the house itself and is therefore recommending that it be securely fenced prior to issuance of a demolition permit.

Appeal Process

If Council denies this application and should the owner wish to pursue the demolition further, the owner would have the opportunity to appeal the decision to the Ontario Municipal Board.

Financial/Staffing/Other Implications:

The recommendations in this report will have no financial or staffing implications.

Relationship to the Strategic Plan:

This protection of the William Neal House at of 41 Elgin Mills Road East, is consistent with Goal 3 – Outcome 1 of the Strategic Plan which is to "Respect the past through promoting the awareness of the Town's heritage, in part by showcasing local history." This project also implements the direction to achieve Goal 3, "A More Vibrant Richmond Hill," specifically, by "stewarding Richmond Hill's heritage resources."

Conclusion:

William Neal played a significant role in the evolution of Richmond Hill in the 20th Century, through his civic and business activities. Mr. Neal proudly represented the residents of the village throughout the 1940s until the 1960s, during which time he served as the Town's first Mayor in 1957. He is also closely associated with the rise of the automobile in Richmond Hill through his operation of the first Dodge dealership in Canada which he opened in Richmond Hill in 1931, and as the operator of the first vehicle licencing office north of Toronto in 1934.

The reasons for designation of the William Neal House remain valid and the House should be preserved.

Attachments:

There are no attachments to this report.



Staff Report for Committee of the Whole Meeting

Date of Meeting: January 22, 2018

Report Number: SRPRS.18.006

Department: Planning and Regulatory Services

Division: Policy Planning

Subject: **SRPRS.18.006 – 41 Elgin Mills Road East;
Heritage Designation By-law**

Purpose:

The purpose of this report is to seek Council's adoption of the heritage designation by-law (attached as Appendix A) for the property located at 41 Erin Mills Road thereby completing the previously-initiated designation process. The passing of the subject by-law had been delayed to allow for completion of a Flood Remediation Class EA study taking place in the area that included the subject property.

Recommendation(s):

1. That By-law 2-18, attached as Appendix A to SRPRS.18.006 be adopted to designate Erin Mills Road East (site of the William Neal House) as being a property of cultural heritage value or interest under Part IV, Section 29, of the *Ontario Heritage Act*; and
2. That Notice of Passing of the By-law be mailed to the Ontario Heritage Trust and the property owner.

Contact Person:

Isa James, Heritage / Urban Design Planner, phone number 905-771-5529 and/or Joanne Leung, Manager of Heritage and Urban Design, phone number 905-771-5498

Report Approval:

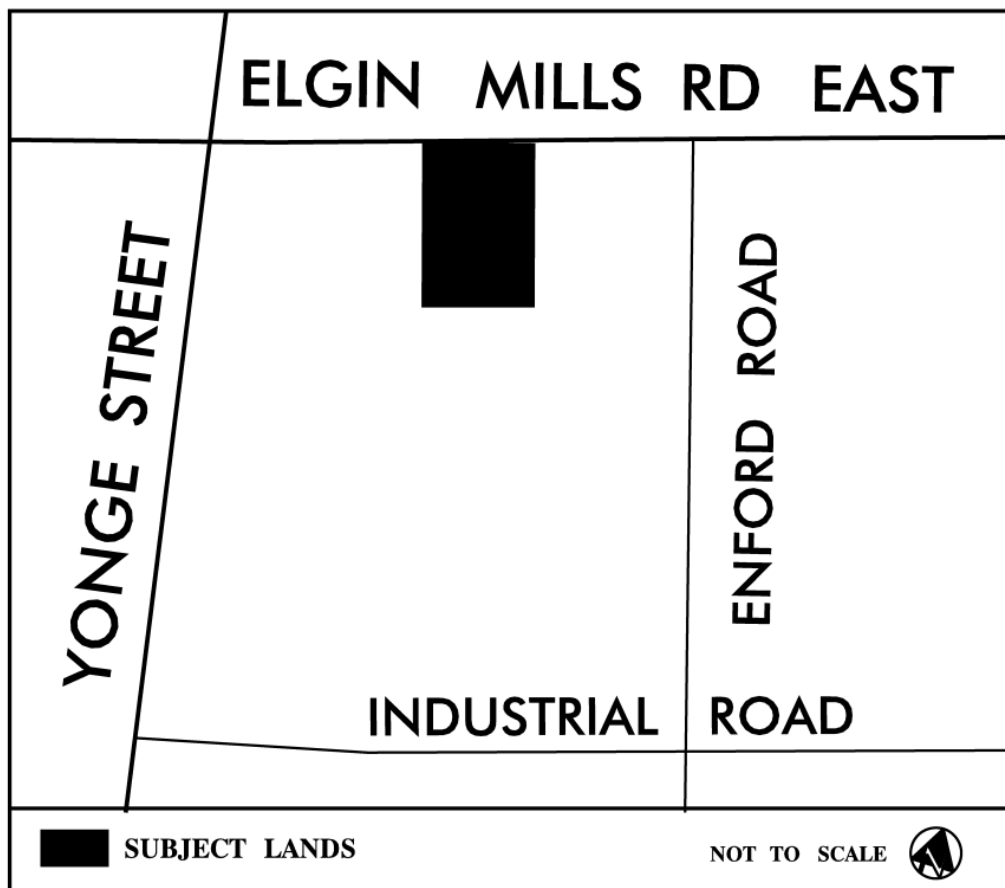
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

Location Map:

Below is a map illustrating the location of the subject property. Should you require an alternative format, call the person listed under “Contact” above.



Background:

Heritage Richmond Hill originally recommended designation of 41 Elgin Mills Road East on September 25, 2012. On September 23, 2013 Council voted to adopt the HRH and staff recommendation to designate the subject lands under Part IV of the *Heritage Act*. Notice of Intent to designate the property was published and issued to the owner and the Ontario Heritage Trust on October 10, 2013.

The owners filed an appeal to the Conservation Review Board of Ontario (CRB), who heard the matter. In their report of December 24, 2014 (see Appendix B) the CRB noted:

“[68] The Review Tribunal finds that:

- The Property has associative value because it has direct association with William Neal who was, and is, significant to the community of Richmond Hill; and
- The William Neal House is the primary physical attribute on the Property that is directly associated with William Neal and, therefore, in relation to its associative value.”

The CRB recommended that the “Statement of Cultural Heritage Value or Interest” be reviewed and that reference to “architectural” value be removed therefrom (action completed) and that the Town of Richmond Hill proceed with the designation of 41 Elgin Mills Road East under s. 29 of the *Ontario Heritage Act*.

On October 19, 2015, staff brought forward the designating by-law for Council’s consideration. At the request of the property owner, Council deferred voting on the adoption of the designation by-law for 6 months in order to allow for the completion of a Flood Remediation Class EA Study that might have had an effect on the subject lands.

The Flood Remediation Class EA Study is now complete. The remediation works that are to take place on the subject lands will not affect the site of the heritage building. It is projected that as a result of the implementation of the proposed remediation activities, 41 Elgin Mills will no longer fall within a flood hazard area. Council’s resolution to defer adoption of the subject heritage designation by-law until post completion of the Flood Remediation Class EA Study for the area has been realized.

New Demolition Permit Submitted

An application to demolish the William Neal House at 41 Elgin Mills Road East was submitted on November 14, 2017. Since Council has previously published “Intent to Designate”, under Section 30(2) of the *Heritage Act*, the house is protected as if the designation process had been completed. Therefore, upon receipt of an application for demolition, Council has 90 days in which to consult with the municipal heritage committee and to respond to the demolition application. February 12, 2018 will mark the end of the 90 day maximum Council response period.

At its December 5, 2017 Heritage Richmond Hill meeting, the Committee recommended that the demolition request be denied. Concurrent with this staff report, the HRH recommendations from the December meeting is included in this Committee of the Whole agenda.

Financial/Staffing/Other Implications:

The recommendations in this report will have no financial or staffing implications.

Relationship to the Strategic Plan:

This designation of 41 Elgin Mills Road East under Part IV of the *Ontario Heritage Act*, is consistent with Goal 3 – Outcome 1 of the Strategic Plan which is to “Respect the past through promoting the awareness of the Town’s heritage, in part by showcasing

local history.” This project also implements the direction to achieve Goal 3, “A More Vibrant Richmond Hill,” specifically, by “stewarding Richmond Hill’s heritage resources.”

Conclusion:

William Neal played a significant role in the evolution of Richmond Hill in the 20th Century, through his civic and business activities. Mr. Neal proudly represented the residents of the village throughout the 1940s until the 1960s, during which time he served as the Town’s first Mayor in 1957. He is also closely associated with the rise of the automobile in Richmond Hill through his operation of the first Dodge dealership in Canada which he opened in Richmond Hill in 1931, and as the operator of the first vehicle licencing office north of Toronto in 1934.

The reasons for deferral of the resolution by Council have been realized. The passing of the Heritage Designation By-law completes Council’s decision to designate the subject lands. From a process perspective, it is necessary to complete the designation process which was directed by Council in 2015.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Appendix A - 41 Elgin Mills Road East Heritage Designation By-law 2-18
- Appendix B - Conservation Review Board Report

Report Approval Details

Document Title:	SRPRS.18.006.docx
Attachments:	- SRPRS.18.006AppendixA .docx - SRPRS.18.006AppendixB.pdf
Final Approval Date:	Jan 9, 2018

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

Patrick Lee - Dec 22, 2017 - 3:19 PM

Kelvin Kwan - Jan 9, 2018 - 3:59 PM

Neil Garbe - Jan 9, 2018 - 4:12 PM

The Corporation of the Town of Richmond Hill

By-law 2-18

A By-law to Authorize the Designation of
41 Elgin Mills Road East
(The William Neal House)
Under the *Ontario Heritage Act*

Whereas Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18 authorizes the Council of a municipality to enact by-laws to designate real property to be of cultural heritage value or interest;

And Whereas the Council of The Corporation of the Town of Richmond Hill has caused to be served on the owners of the lands and premises known as 41 Elgin Mills Road East, Richmond Hill, and upon the Ontario Heritage Trust, a Notice of Intention to Designate the aforesaid real property and has caused such Notice of Intention to Designate to be published in a newspaper having general circulation in the municipality;

And Whereas the Statement of Cultural Heritage Value or Interest and the Description of Heritage Attributes are set out in Schedule “A” and attached to By-law 2-18;

And Whereas the Conservation Review Board in its Report dated December 24, 2014 made recommendations to amend the Description of the Heritage Attributes in the Reasons for Designation;

And Whereas Council at its meeting of October 26, 2015 adopted the recommendation of the Committee of the Whole Meeting in Staff Report SRPRS.15.147 pertaining to the historical designation of the William Neal House;

The Council of The Corporation of The Town of Richmond Hill enacts as follows:

1. That the real property located at 41 Elgin Mills Road East, being Lot 59, Plan 10030, Richmond Hill, Regional Municipality of York [PIN NO. 03171-0122 (LT)], is hereby designated under Part IV of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, as being of cultural heritage value or interest.
2. That the Town Clerk is hereby authorized to cause a copy of the By-law, together with a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property to be served on the owner of the property and on the Trust, and publish a Notice of the Passing of the By-law in a newspaper having general circulation in the municipality.

3. That the Town Solicitor is hereby authorized to cause a copy of this By-law to be registered against the property described in Schedule "A" in the Land Registry Office.
4. That Schedule "A" attached to By-law 2-18 is declared to form a part of this By-law.

Passed this 29th day of January, 2018.

Dave Barrow
Mayor

Stephen M.A. Huycke
Town Clerk

SCHEDULE “A” TO BY-LAW 2-18

REASONS FOR DESIGNATION

41 Elgin Mills Road East
The William Neal House

Statement of Cultural Heritage Value or Interest

The subject property at 41 Elgin Mills Road East contains direct architectural and associative/historical value as the home of William Neal, the first mayor of the Town of Richmond Hill and a businessman who was closely associated with the rising significance of the automobile within Richmond Hill.

William Neal served in World War I, and returned to Richmond Hill after being wounded at the Battle of Petit Vimy. He served on Richmond Hill Council in the 1940's and later as Reeve of the Village of Richmond Hill from 1944 to 1947 and again in 1951. He became the first mayor of the Town of Richmond Hill in 1957 and served again in 1963. When he was inducted as mayor, Richmond Hill had a population of less than 8,500 residents. During his tenure he oversaw the addition of 164 houses in the Beverly Acres subdivision, developed plans for a new town swimming pool, and was significantly involved with the founding of York Central Hospital.

As a businessman, William opened one of the first Dodge dealerships in Canada in 1931, on the east side of Yonge Street, just south of Lorne Avenue. In 1934, he was appointed Richmond Hill's first and only motor vehicle licence issuer. The office was the first to open north of Steeles Avenue, in what was then a mostly rural area and continued to operate until its closure in 1997.

In the early 1970's, William and his family relocated north of Richmond Hill to 41 Elgin Mills Road East where he subdivided the parcel into three smaller lots to contain his dealership, licencing office, and personal dwelling respectively.

The property contains a unique historic mixture of automotive and residential uses that link directly to William Neal. William Neal's residence is the primary physical attribute associated with the first Mayor of the Town of Richmond Hill.

Description of Heritage Attributes

Key exterior and interior attributes that contribute to the design value of 41 Elgin Mills Road East (the William Neal House) include the following:

- The two-and-a-half storey American foursquare house with broad-eaved hip roof.

Conservation Review Board

Commission des biens culturels



ISSUE DATE: December 24, 2014

CASE NO(S).: CRB 1310

PROCEEDING COMMENCED UNDER subsection 29(5) of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, as amended

Owner/Objector: Arash Development Limited
 Objector: Greg Price
 Subject: Notice of Intention to Designate
 Property Address: 41 Elgin Mills Road East (also known as the William Neal House)
 Legal Description: Lot 59, Judge's Plan 10030
 Municipality: Town of Richmond Hill
 CRB Case No.: CRB1310

Heard: November 17, 2014, at the Town of Richmond Hill, Ontario

APPEARANCES:

Parties

Counsel

Arash Development Limited	Joel D. Farber
Town of Richmond Hill	Alexis Alyea
Greg Price	Self-represented

REPORT OF THE CONSERVATION REVIEW BOARD DELIVERED BY STUART HENDERSON AND ROBERT V. WRIGHT

OVERVIEW

[1] The Town of Richmond Hill (the "Town") seeks to designate 41 Elgin Mills Road East in the Town of Richmond Hill (the "Property"), as a property of cultural heritage value or interest under the *Ontario Heritage Act* (the "Act") and Ontario Regulation 9/06:

Criteria for Determining Cultural Heritage Value or Interest (“Regulation 9/06”). The Property includes the “William Neal House”, a car dealership and a cinder block building that was formerly used as a motor vehicle licensing office. The William Neal House is the only structure on the Property that is referred to in the Description of Heritage Attributes in the Notice of Designation.

[2] Arash Development Limited (the “Owner”) and Greg Price (a resident of Richmond Hill) object to the designation.

[3] A hearing by the Conservation Review Board (the “Review Board”) was convened under s. 29 of the Act for the purpose of reporting to the Town Council the Review Board’s recommendation whether or not the Property should be designated to be of cultural heritage value or interest. For the reasons that follow, the Review Board recommends that the Property be so designated.

BACKGROUND

[4] The Property is on the south side of Elgin Mills Road East, east of Yonge Street, in an Urban Settlement Area under the Town’s Official Plan. The William Neal House is a two-storey residence that is listed on the Town of Richmond Hill’s Inventory of Buildings of Architectural and Historical Importance. A photograph of the William Neal House was put in evidence and is attached as Schedule 1.

[5] At the commencement of the hearing the parties filed an “Agreed Statement of Facts” that is incorporated by reference into this report, copy of which is attached as Schedule 2.

[6] The Agreed Statement of Facts incorporates portions of a report by Goldsmith Borgal & Company Ltd. Report to Armstrong Hunter & Associates, dated August 15, 2007 (the “2007 GBCA Report”) that describes the William Neal House as follows:

Exterior Description

The basic mass is a 2-storey approximately 32' x 50' brick building with a broad-eaved hip roof covered in asphalt shingles. There is a sunroom projecting from the west (front) façade and a rear extension housing the kitchen and garage attached to the rear of the building to the east.

The bricks were laid in "common bond" with headers every sixth course and randomly alternated between dark brown and light brown to create a decorative effect. The first floor is elevated about 40" above the ground on a coursed rough stone base and was originally accessed in the front by three stone steps leading to a porch. The porch is covered by a moderate hip roof supported by columns and surrounded on the three sides by a half wall – as is the case with many buildings of this period, the porch has been enclosed.

The windows are 2/2 sash as is typical for a building of this period and design.

Interior Description

The interior is largely intact from the original with examples of the dark wood trim typical of its date of construction and wood graining on interior doors. The stair newels and the balustrades are original and intact. Some original light fixtures remain. The kitchen has been significantly renovated, with cupboards with plywood doors typical of renovations carried out in the late 1950's and early 1960's period; a fireplace was added in the living room during the same period and a bathroom was added in the early 1950's at the second floor.

...

Condition

Settlement cracks were noted on the south wall and several joists in the basement were observed to have been cracked as a result of structural movement. While the exterior masonry was in good condition in areas where movement had not occurred, exterior wood trim and windows were in only fair to poor condition and the roof shingles have met the end of their service life. The garage addition was found to be in poor condition.

[7] Regarding the history of William Neal and the Town, the Agreed Statement of Facts provides:

- William Neal served on Richmond Hill Council in the 1940s and later as Reeve of the Village of Richmond Hill from 1944 to 1947 and again in 1951.
- He became the first mayor of the Town of Richmond Hill in 1957 and served again in 1963 until 1964. After 1964, William Neal did not hold any public office.
- As a businessman, William Neal opened a Dodge car dealership, and, with his wife, also opened a motor vehicle licensing office.

- His Dodge dealership opened in 1931, on the East side of Yonge Street, just south of Lorne Street, and was one of the first in Canada.
- In 1934, he was appointed Richmond Hill's first and only motor vehicle license issuer, and opened the Town's first motor vehicle licensing office.
- His motor vehicle license office was the first to open north of Steeles Avenue, in what was then mostly rural area.
- William Neal and his family moved to the subject property in 1972.
- He subdivided the subject property into three smaller lots; being the dealership, the licensing office, and subject house, respectively.
- He resided at the house and continued to operate the licensing office at the subject property with his wife into his 70's.
- William Neal passed away on June 15, 1979 at the age of 82.

[8] The agreed procedural history is as follows:

- On August 16, 2012, the Owner filed a Notice of Intention to Demolish the Property.
- The Town's Heritage and Urban Design staff prepared a report (the "2012 Staff Report") that recommended designation of the William Neal House under Part IV of the Act. The recommendation of the 2012 Staff Report was confirmed by Heritage Richmond Hill at its September 25, 2012 meeting.
- On November 5, 2012, the Town's Committee of the Whole received a letter from the Owner's planner withdrawing the Notice of Intent to Demolish the Property until a further evaluation.
- In February 2013 the Owner submitted a Supplementary Heritage Evaluation that was prepared by Joan Burt Architect (the "2013 Burt Report").
- The Town staff provided an additional report to the Committee of the Whole on September 16, 2013. On September 23, 2013, Town Council adopted staff's recommendation for designation of the Property under Part IV of the Act.

[9] On October 10, 2013 the Town of Richmond Hill sent out a Notice of Intention to Designate the Property under Part IV s.29 of the Act. The Owner and Mr. Price filed Notices of Objection with the Town on November 6, 2013 and October 15, 2013, respectively.

[10] Pre-hearing conferences were held by telephone conference calls on April 15 and July 8, 2014.

[11] Notice of the hearing was served by the Review Board on the parties on October 16, 2014, and public notice of the hearing was published by the Town on November 6, 2014 in the *Richmond Hill Liberal*, which has general circulation in the Town.

[12] The hearing was held on Monday, November 17, 2014, in a Committee Room at the Town's offices at 225 East Beaver Creek Road, Richmond Hill.

[13] On the morning of the hearing, the parties and their representatives, and the Review Board panel members, attended a site visit of the Property including the exterior of the William Neal House.

[14] At the hearing, the Town and the Owner called one witness each. Mr. Price testified as well. No other members of the public attended the hearing. A list of the exhibits filed at the hearing is attached as Schedule 3.

RELEVANT LEGISLATION AND REGULATION

[15] *Ontario Heritage Act*

Designation of Properties by Municipalities

Designation by municipal by-law

29. (1) The council of a municipality may, by by-law, designate a property within the municipality to be of cultural heritage value or interest if,
 (a) where criteria for determining whether property is of cultural heritage value or interest have been prescribed by regulation, the property meets the prescribed criteria; and

(b) the designation is made in accordance with the process set out in this section.

Ontario Regulation 9/06:

Criteria

1. (1) The criteria set out in subsection (2) are prescribed for the purposes of clause 29 (1) (a) of the Act. O. Reg. 9/06, s. 1 (1).

(2) A property may be designated under section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. The property has design value or physical value because it,
 - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,
 - ii. displays a high degree of craftsmanship or artistic merit, or
 - iii. demonstrates a high degree of technical or scientific achievement.
2. The property has historical value or associative value because it,
 - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
 - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
 - iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
3. The property has contextual value because it,
 - i. is important in defining, maintaining or supporting the character of an area,
 - ii. is physically, functionally, visually or historically linked to its surroundings, or
 - iii. is a landmark.

ISSUE

[16] The issue is whether the Property should be designated as a property of cultural value or interest under s. 29 of the Act because it has associative value under s. 1.(2)2 of Regulation 9/06.

CASE FOR THE MUNICIPALITY

[17] Matthew Somerville was called as a witness by the Town. He gave oral evidence and filed his witness statement as an exhibit. He has seven years of heritage conservation and urban design/architectural experience. This work included restoring historic structures and architectural and urban renewal. He has been the Town's Heritage and Urban Design Planner since May of 2011, in which position he provides advice on heritage and urban design planning matters. He was qualified by the Review Board as an expert in heritage planning. His qualification as an expert witness was not opposed by the other parties.

[18] Mr. Somerville acknowledged that most of the information that he provided in his evidence, and except as specifically noted, was derived from the various reports of other individuals that are referred to herein.

[19] Mr. Somerville further described the William Neal House as "a brown brick two-storey residence design in a variation of the 'American Foursquare' style" with an interior "Georgian revival plan that provided for a central hall that divided the main floor." According to the 2007 GBCA Report, as noted above, the interior was largely intact in 2007.

[20] While the Notice of Intention to Designate the Property asserts that the Property contains direct architectural and associative/historical value as the home of William Neal, the first Mayor of the Town of Richmond Hill and a businessman who was closely associated with the rising significance of the automobile within Richmond Hill, and that the William Neal House is a variant example of the American Foursquare design aesthetic, the Town did not pursue the architectural value criterion at the hearing.

[21] Mr. Somerville related that the 2007 GBCA Report was peer reviewed by Su Murdoch Historical Consulting, at the Town's request. Her conclusion in her report, dated December 7, 2007, was that the 2007 GBCA Report was limited to "a visual

inspection of the physical structure and its context” and did not consider the appropriate criteria for evaluating the cultural heritage value of interest of the Property. Ms. Murdoch described the 2007 GBCA Report as a preliminary and incomplete evaluation of the property and noted that the report itself recommended further study and assessment.

[22] The procedural steps regarding the Property, beginning in 2012, are set out in the Background above.

[23] Mr. Somerville testified as to his research regarding the associative value of the Property and the Regulation 9/06 criteria. Much of that information is also set out above in the Background. He added that information contained in speeches made at the official opening of the William Neal Park on June 7, 2008, assisted Town staff in becoming aware of the Property’s direct associative value with William Neal.

[24] Mr. Somerville’s opinion is that “the proposed designation of the William Neal House should proceed as it constitutes good heritage planning.” His opinion is based on the reasons provided in the Town staff reports and, in particular, that the Property is “directly associated with William Neal who was both an important business owner within the community, a local Reeve for the Village of Richmond Hill as well as the first mayor of the Town in 1957”. He says that the William Neal House is “the primary physical attribute on the site which directly relates to its associated value.”

[25] Mr. Somerville gave examples of other properties that have been designated as having heritage value, or have heritage significance because they have residences “in which a member of the community of significance lived there at various points in their life and is now either designated or noted as a place of significance.” They are: the Sir Frederick Banting Homestead, Agnes Macphail House, Mackenzie House and the Meighen Estate.

[26] The Frederick Banting Homestead, located in the Town of Alliston, was designated in 2007 for its associative value. Dr. Banting was one of the inventors of insulin, used in the treatment of diabetes. The property was Dr. Banting's birthplace and childhood home. Mr. Somerville said that the Review Board made a finding that his childhood home "influenced his perception of the world and fostered his interest in exploration and science." Mr. Somerville pointed out that his notable achievements occurred after his childhood at the farm.

[27] Mr. Somerville describes Agnes Macphail as "Canada's first female member of Provincial Parliament and female Federal Member of Parliament. Her house at 720 Millwood Road in Toronto was designated for its architectural, associative and contextual value. She lived in the house from 1948 until her death in 1954. Mr. Somerville's evidence was: "Her association with the house was both during and after her primary achievements."

[28] William Lyon Mackenzie was the first Mayor of Toronto in 1837 and a leader of the Upper Canada Rebellion. He lived at 820 Bond Street upon his return to Toronto in 1858, having been exiled as a consequence of his involvement in the rebellion. He died there in 1861. Mr. Somerville said: "While the house is recognised for its historic associative value, due to its ownership by the City of Toronto the municipality has never completed a Part IV designation of the property."

[29] Arthur Meighen became the eighth Prime Minister of Canada in 1921. The Arthur Meighen Estate is located in Perth South. He was born at the farmhouse on the property in 1874 and lived there with his family until 1886. Mr. Somerville said: "Similar to William Neal, Arthur Meighen did not live at the property during the period of his political activity".

[30] Mr. Somerville stated that the William Neal House is the only house remaining that is directly associated with William Neal and that, in his opinion, the Property meets one of the criteria of Regulation 9/06 and, therefore, should be designated under s. 29 of the Act.

[31] On cross-examination, Mr. Somerville said that for the purpose of the associative value criterion it was his opinion that it does not matter if a person lived in a residence before, during or after their tenure as a significant person.

[32] Ms. Alyea submits that the Property should be designated because it meets Regulation 9/06 criteria 1.(2)2.i and ii. Ms. Alyea submits that the Property has a direct association with William Neal, a person who is significant to Richmond Hill, and it yields information that contributes to an understanding of its community.

[33] Ms. Alyea submits that the William Neal House is the last remaining house of the first Mayor of the Town of Richmond Hill. Mr. Neal was a member of Council, Reeve for two terms and the Town's first Mayor in 1964.

[34] In addition, Ms. Alyea argues that Mr. Neal was an important business leader who began the first Dodge dealership and the first motor vehicle licensing office north of Steeles Avenue. The residence is adjacent to his relocated car dealership and licensing office and they are where he conducted business and spent the remaining years of his life. Ms. Alyea argues that Mr. Neal's influence on the development of Richmond Hill did not stop when he ceased to be Mayor and that his influence on the automotive industry continued. She submits that it is not in dispute that Mr. Neal was a significant person in relation to the Richmond Hill community and the disagreement with the Owner is whether he is sufficiently associated within the meaning of the criteria.

[35] Ms. Alyea argues that the Review Board should accept the opinion of Mr. Somerville and that Ms. Burt used a standard of "uniqueness" which is not a requirement of the associative value criterion.

[36] Ms. Alyea further submits that the Property, and its key attribute, the William Neal House, should be protected from future development because it is associated with William Neal as his last residence, which will have more meaning when attached to a residential structure.

CASE FOR ARASH DEVELOPMENT LIMITED

[37] Joan Burt was called as a witness by the Owner. She gave oral evidence and filed as exhibits two reports that she prepared, and a one-page hearing note. She has worked as an architect since 1958 and has particular experience in the restoration of downtown Toronto districts and buildings. She describes the scope of this work to include restoration, dismantling and reconstruction of heritage buildings, restoration of the exterior and interior, and making alterations and additions. She was qualified by the Review Board as an expert in architecture and heritage planning. Her qualification as an expert witness was not opposed by the Town.

[38] The two reports that Ms. Burt prepared are entitled the "Supplementary Heritage Evaluation" dated February 2013, and "Comments Pertaining to SRPRS.13.166" dated September 12, 2013.

[39] Ms. Burt noted that the 2007 GBCA Report and 2012 Staff Report both stated that the building is of "moderate architectural interest" and the Staff Report also does not make reference to contextual value in those reports regarding in its conclusion. Therefore, Ms. Burt states in her Supplementary Heritage Evaluation that it addresses the conclusion that there is direct association with a person and Regulation 9/06 criterion 1.(2)2.i.

[40] Ms. Burt's evidence was that William Neal made significant contributions to the Town through his business and civic activities in the period of 1931 to 1963. It is her evidence that Dominion House at 59, 61 and 65 Yonge Street South, the location of his Dodge dealership (one of the first in Canada), and his motor vehicle licensing office (the first north of Toronto), is the property with a strong association with the work or life of William Neal. Dominion House itself, formerly Dalby's Tavern, was demolished (the date was not specified in the evidence).

[41] Ms. Burt's research further indicates that William Neal lived at residences on Yonge Street South at various dates between 1944 and 1963, when he was Reeve and the Mayor of Richmond Hill. It is her opinion: "These are the residences that have a strong or special association with the life of William Neal." She goes on to state that it was likely in 1972 that he moved the car dealership to the south-east corner of Yonge Street and Elgin Mills Road East and moved his family residence to an existing farm house at 41 Elgin Mills Road East.

[42] Ms. Burt states in her Supplementary Heritage Evaluation report: "There is no direct association of the property with the significance of William Neal. He moved to this farmhouse in 1972 sometime after he was Mayor of Richmond Hill. The house was not involved nor did it contribute to his activities as Mayor." It is also her evidence that the William Neal House is not "uniquely" associated with the automobile industry nor automotive history of Richmond Hill. In her opinion "41 Elgin Mills does not meet the Criteria for Designation based on associative value, in this case, direct association with a person, William Neal."

[43] In her report, Ms. Burt contrasted the situation here with the Heritage Tool Kit example of the house of the 13th Mayor of Peterborough. It was the residence of the Mayor while he held that office, as well as being where he entertained the elite of his constituency for 40 years. She says in that case: "The association between the person and the building is direct, strong, and clear."

[44] In her “Comments” report Ms. Burt compares the situation in this case with the Sir Frederick Banting Homestead, Agnes McPhail House, and Mackenzie House, examples for which Mr. Somerville gave evidence.

[45] Ms. Burt distinguishes the Review Board’s designation of the Banting homestead on the basis “that there was a clear connection between the farm, Banting and the discovery of insulin” whereas there is no evidence that the William Neal House at 41 Elgin Mills Road East “contributed in any way to Neal being Mayor of Richmond Hill.”

[46] Ms. Burt distinguishes the Review Board’s recommendation to designate the Agnes McPhail House because it is “the house that she occupied during her significant contributing years”, whereas William Neal did not occupy the subject house when he was Mayor or when he first opened his car dealership. In addition, it was designated for architectural, associative and contextual value.

[47] Ms. Burt distinguishes the Mackenzie House as it has not been designated and, therefore, not known for what value(s) it would be designated, e.g., for its architectural, associative or contextual value.

[48] Ms. Burt’s opinion is that “direct association” as the term is used in the Act requires a “more meaningful association” than a person just having lived in a house. In her “Comments” report she observes:

Associative value needs to be more than the person lived in the house after their significant contribution was made. If someone moved several times after their contribution, this would mean that all those properties would qualify as designated properties. This would not be a reasonable application of this designation criteria.

[49] In cross-examination Ms. Burt said that the significance of the car dealership and the motor vehicle licensing businesses is their beginnings and not their continuation. She said that “from a heritage sense, it all happened at Dominion House.” She stressed in her oral evidence that “there should be a connection between the building and the

event.” Her Supplementary Heritage Evaluation states her opinion this way:

The property at 41 Elgin Mills Road East is not the property that has a strong or special association with the life or work of William Neal. This property has no connection with the events for which William Neal was historically significant. He moved to 41 Elgin Mills Road East after the historically significant events took place.

[50] Mr. Farber submits, for the Owner, that the Town was uncertain as to the basis for designation in 2007 and even at the hearing raised s.1.(2)2.ii of Regulation 9/06 for the first time. He argues that this undermines the validity of the Town’s proposed designation.

[51] Mr. Farber submits that the proposed designation for associative value under s.1.(2)2.i is the heart of the matter. He argues that it is not sufficient that Mr. Neal lived in the house and that “there has to be something more.” He says that while Mr. Neal was a significant person in the community of Richmond Hill, he only lived in the house on the Property a short time, that it was not where he established his business and the house played no unique role. He submits that only Dominion House is “uniquely associated” with William Neal.

[52] Mr. Farber submits that none of the examples of properties with residences given by Mr. Somerville are comparable. He argues that the Banting farm was directly associated with Dr. Banting because it was how he learned about science, that Agnes Macphail lived in her house when she was a politician, that McKenzie house has not been designated, and the Meighen property was an original Crown grant to the Meighen family and where Arthur Meighen was born and raised.

[53] Mr. Farber submits that it is not relevant that this is the last remaining house of the first Mayor of Richmond Hill and that “designation cannot be by default”. He argues that Ms. Burt’s evidence and opinions should be preferred over Mr. Somerville’s because the Town did not do sufficient research or call appropriate witnesses.

CASE FOR GREG PRICE

[54] Greg Price is a resident of Richmond Hill. He has lived there since 1956 and attended school with the youngest son of Mr. Neal. He was familiar with the former Dominion House building. He testified that a member of the Neal family told him that, in the words of Mr. Price, the William Neal House “should have been torn down years ago” and that it was “strictly a business investment.”

[55] On cross-examination by Ms. Alyea, Mr. Price confirmed that the cinder block building still adjacent to the Property was operated by Mr. Neal as a motor vehicle licensing office but mainly run by his son.

ANALYSIS

[56] There is no conflict in the evidence or submissions that William Neal is a significant person to the community of Richmond Hill. The question here is whether the Property has associative value because it has direct association with William Neal within the meaning of Regulation 9/06, s.1.(2)2.i.

[57] Under this criterion, a property can have associative value for the following direct associations: “a theme, event, belief, person, activity, organization or institution”. In this case, the Town relies on direct association with a “person”. In considering direct association in the context of the objections to the designation in this case, it is useful to step back and consider the framework of the criteria prescribed by Regulation 9/06 under the Act.

[58] Municipalities intending to designate a property may rely on one or more of the three main heads of criteria in Regulation 9/06, i.e., design value or physical value, historical value or associative value, and contextual value. For instance, the Macphail House property was designated for architectural, associative and contextual value. It was implicit in the parties’ evidence and submissions that a designating municipality

may also rely upon just one of the matters to establish one of the main criterion, i.e., direct association in the Sir Frederick Banting Homestead designation and, as asserted by the Town in this case, the William Neal House.

[59] The main thrust of Ms. Burt's evidence and Mr. Farber's submissions is that William Neal lived in the residence on the Property when he was no longer the Mayor, or other municipal representative, and after he had already set up a car dealership and motor vehicle licensing office. They say that simply living in a house is not enough to establish associative value; that there must be something "unique". In her oral evidence Ms. Burt stressed that (emphasis added) "there should be a connection between the building and the event", and in her Supplementary Heritage Evaluation she states: "This property has no connection with the events for which William Neal was historically significant. He moved to 41 Elgin Mills Road East after the historically significant events took place."

[60] Ms. Burt cannot be referring to "event(s)" as the word is used in the list of direct associations with a property in s.1.(2)2.i because the direct association at issue here is to a "person", i.e., Mr. Neal's significance to the community of Richmond Hill. Therefore, the "event(s)" that she refers to do not need to be directly associated with the Property, which includes the William Neal House. In this case there is a connection between the house and William Neal, and, through William Neal, there is a connection between the "event(s)" and the Property, including the William Neal House. Although not a requirement of the Act or the associative value criterion under Regulation 9/06, this is a "unique" connection. As is required under s.1.(2)2.i, the direct association is made through a person, William Neal.

[61] Furthermore, and although not required, there was some continuity of the business activities which, in part, make William Neal a person significant to the community. William Neal lived in the house while he continued to operate the car dealership and the motor vehicle licensing office at their new locations, on the Property and adjacent to the William Neal House, where he lived out the balance of his life.

[62] The Review Board does not agree with the evidence and submission on behalf of the Owner that where a municipality is relying upon direct association with a person then, in all cases, the significant events in that person's life must have occurred while the person lived or worked on the subject property. Clearly this is a highly relevant and important factor, but the Review Board finds that it is not determinative in all cases – there has to be a weighing of all of the relevant factors. Again, in this case the Town is relying upon the direct association of the person with the Property and his significance to the community, not his direct association with a specific event or series of events in relation to the Property or the house. Neither Mr. Neal's significance as a person to the community nor his direct association with the Property, including the house, the car dealership and the motor vehicle licensing office, were not diminished by his moving to 41 Elgin Mills Road East.

[63] Whether a person achieved significance while residing at a property, or before or after, is an important consideration of direct association, but not necessarily determinative of the association. All relevant factors have to be considered. For instance, if Dominion House still existed, or the Property was not adjacent to the car dealership and motor vehicle licensing office operated by Mr. Neal, or Mr. Neal had only lived in the house on the Property for a year and lived the rest of his life on another property, then the Town might not have given Notice of Intention to Designate or the balance might have shifted in the determination of the Property's associative value.

[64] The Review Board also disagrees with Mr. Somerville's opinion that it does not matter whether a person lived on the Property before, during or after being a significant person. It may well matter, could be an important factor to be considered, and in some cases it may be determinative of associative value, but it is not determinative across the board, and not determinative in this case.

[65] The Review Board acknowledges Ms. Burt's concern that several residences could be designated as having direct association with a person significant to a community. However, the Review Board is of the view that a weighing of relevant factors protects associative value on the basis of direct association with a person in appropriate cases. For instance, if several residences have the potential for designation then that will be a factor that is revealed in the investigative process and the direct association of the person with the various properties may be weighed on the intended designation of one or more of them.

[66] In the matters of the Sir Frederick Banting Homestead, Agnes Macphail House, Mackenzie House and Meighen Estate properties, the factors relevant to direct association with the person are particularly compelling. In respect of Agnes Macphail, some of the events that made her significant in the community occurred when she lived on the property. These matters reflect the different considerations that can arise in matters involving the associative criterion and direct association with a person. The Review Board must consider all of the evidence and make its recommendations based on its findings.

[67] In this case, there not being a dispute in the evidence as to William Neal being a person of significance to the community of Richmond Hill, the Review Board finds that there is compelling evidence of his direct association with the Property because:

- William Neal House is the last remaining house of the first Mayor of the Town of Richmond Hill;
- Mr. Neal continued the business operations of the car dealership and the motor vehicle licensing office at the Property. Those business operations are a basis for his significance to the community; and
- the business operations and the residence (William Neal House) were inextricably intertwined as he lived and worked on the Property.

[68] The Review Tribunal finds that:

- the Property has associative value because it has direct association with William Neal who was, and is, significant to the community of Richmond Hill; and
- the William Neal House is the primary physical attribute on the Property that is directly associated with William Neal and, therefore, in relation to its associative value.

[69] Regarding s.1.(2)2.ii of Regulation 9/06, and whether the property has associative value because it yields, or has potential to yield, information that contributes to an understanding of a community or culture, due to the above finding on s.1(2)2.i the Review Board does not consider it necessary to make a further finding on either the Owner's objection that the Town did not raise s.1.(2)2.ii prior to the hearing or its substantive merit.

[70] The Review Board adds that the evidence of both expert witnesses was of a high standard and of great help in preparing this report. This case raises the difficult matter of determining direct association with a person who was largely significant at a local community scale.

[71] The Review Board also wishes to commend Mr. Price for taking the time and making the effort to express his views on the matter.

RECOMMENDATION

[72] The Conservation Review Board recommends that the "Statement of Cultural Heritage Value or Interest" in the Notice of Intention to Designate be reviewed and revised to eliminate the references to "architectural" value.

[73] Following the above review, and any revisions, the Review Board recommends that the Town of Richmond Hill proceed with the designation of the property at 41 Elgin Mills Road East in the Town of Richmond Hill as being of cultural heritage value or interest under s. 29 of the *Ontario Heritage Act*.

“Stuart Henderson”

STUART HENDERSON
MEMBER

“Robert V. Wright”

ROBERT V. WRIGHT
VICE-CHAIR

Schedule 1 – Photograph of the William Neal House (exhibit 3 cover page)

Schedule 2 – Agreed Statement of Facts

Schedule 3 – List of Exhibits

Conservation Review Board

A constituent tribunal of Environment and Land Tribunals Ontario

Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

SCHEDULE 1

**SUPPLEMENTARY
HERITAGE EVALUATION**



**41 ELGIN MILLS ROAD EAST
RICHMOND HILL, ONTARIO**

**PREPARED BY
JOAN BURT ARCHITECT
FOR
ARASH DEVELOPMENTS LTD.**

FEBRUARY 2013

SCHEDULE 2

JULY 29, 2014

Agreed Statement of Facts

*Submitted by the Town of Richmond Hill and
Arash Development Limited*

Ontario Heritage Review Board Hearing CRB1310

Notice of Intent to Designate 41 Elgin Mills Road East

Property Background

1. The property at 41 Elgin Mills Road East legally described as Lot 59 Judges Plan 10030 (the “**subject property**”) is located on the south side of Elgin Mills Road East, east of Yonge Street.
2. The Richmond Hill Official Plan identifies the subject property as being located in an Urban Settlement Area.
3. The subject property contains one structure and one site element, which are described as follows (from west to east):
 - a. two-storey residence (the “**House**”); and,
 - b. an element that is identified as a rubblestone and concrete foundation remnant of a former bank barn located south east of the House.
4. The House is a structure of interest to the Town of Richmond Hill (the “**Town**”), and the subject of this CRB hearing (CRB1310).
5. The physical description of the House is as set out in the Goldsmith Borgal & Company Ltd. Report to Armstrong Hunter & Associates, dated August 15th, 2007, on page 2 and the first three paragraphs of page 3, as well as shown in the photos at pages 7, 8, 9, 10 and 11.

The History of William Neal and the Town of Richmond Hill

6. William Neal served on Richmond Hill Council in the 1940s and later as Reeve of the Village of Richmond Hill from 1944 to 1947 and again in 1951.
7. He became the first mayor of the Town of Richmond Hill in 1957 and served again in 1963 until 1964. After 1964, William Neal did not hold any public office.
8. As a businessman, William Neal opened a Dodge car dealership, and, with his wife, also opened a motor vehicle licensing office.
9. His Dodge dealership opened in 1931, on the East side of Yonge Street, just south of Lorne Street, and was one of the first in Canada.
10. In 1934, he was appointed Richmond Hill's first and only motor vehicle license issuer, and opened the Town's first motor vehicle licensing office.
11. His motor vehicle license office was the first to open north of Steeles Avenue, in what was then a mostly rural area.

12. William Neal and his family moved to the subject property in 1972.
13. He subdivided the subject property into three smaller lots; being the dealership, the licensing office, and subject House, respectively.
14. He resided at the House and continued to operate the licensing office at the subject property with his wife into his 70's.
15. William Neal passed away On June 15, 1979 at the age of 82.

Investigation of the William Neal House

16. In 2007, in connection with a proposed development application, GBCA Architects ("**GBCA**") authored a Heritage Impact Assessment Statement dated August 15, 2007 (the "**2007 GBCA Report**") which was provided to the Town.
17. The 2007 GBCA Report was considered by Richmond Hill's Heritage Advisory Committee ("**Heritage Richmond Hill**") at its meeting held on October 9, 2007.
18. The Town of Richmond Hill commissioned Su Murdoch Historical Consulting to undertake a peer review of the 2007 GBCA Report, which review was completed and submitted to the Town on December 7, 2007 (the "**Murdoch Review**").

Procedural History of Listing and the Notice of Demolition

19. On August 16, 2012, the current owner of 41 Elgin Mills Road East submitted a Notice of Intent to Demolish for the subject property.
20. In August, 2012, at the time of the submission of the Notice of Intent to Demolish, Council was on summer recess. As such, the Town's CAO's Office was delegated authority to provide receipt of any Notice of Intent to Demolish received during the summer. On August 21st, 2012 the CAO's office issued a Notice of Receipt, which was provided to the owner.
21. Heritage and Urban Design staff prepared a staff report SRPRS.12.173 (the "**2012 Staff Report**") which was presented to Heritage Richmond Hill at its September 25, 2012 meeting.
22. The 2012 Staff Report provided background information and a consideration of the potential cultural heritage value of the William Neal House and recommended designation of the House under Part IV.
23. At its meeting held September 25, 2012, Heritage Richmond Hill recommended that "41 Elgin Mills Road East" be designated under Part IV of the *Act*.

24. At the October 1, 2012 Committee of the Whole meeting, a decision was made to defer the matter, which was brought back to Committee of the Whole for consideration on November 5, 2012.
25. At the November 5, 2012 Committee of the Whole meeting, a letter from the owner's planner, dated October 23, 2012, was presented. The letter withdrew the Notice of Intent to Demolish the property until further evaluation of the property could be conducted.
26. In February of 2013, the owner submitted a Supplementary Heritage Evaluation that was prepared by Joan Burt Architect (the "**2013 Burt Report**").
27. On September 16, 2013 staff provided an additional report being SRPRS.13.166 to the Committee of the Whole.
28. On September 16th 2013, Council voted to defer consideration of the matter until September 23, 2013.
29. At the September 23, 2013 Council meeting, the Town of Richmond Hill adopted staff's recommendation for designation of the House under Part IV of the *Act*.

SCHEDULE 3

- Exhibit 1: Declaration of Service of Notice of Hearing on the Parties and Publication.
- Exhibit 2: Document Book of the Town of Richmond Hill.
- Exhibit 3: Supplementary Heritage Evaluation prepared by Joan Burt Architect, dated February 2013.
- Exhibit 4: Comments Pertaining to SRPRS. 13.166, prepared by Joan Burt Architect, dated Sept. 12, 2013.
- Exhibit 5: Agreed Statement of Facts, dated July 29, 2014.
- Exhibit 6: Witness Statement – Matthew Somerville, undated.
- Exhibit 7: Hearing Note – Joan Burt, undated.



Staff Report for Committee of the Whole Meeting

Date of Meeting: January 22, 2018

Report Number: SRCAO.18.01

Department: Office of the Chief Administrative Officer

Subject: **SRCAO.18.01 – Review of Policies Under
Section 270 of the Municipal Act, 2001 –
Revised Delegation Policy**

Purpose:

The purpose of this report is to present Council with an updated Delegation Policy. The report also recommends revisions to various existing delegations as well as new delegations to the Clerk in connection with this Delegation Policy and to the Chief Administrative Officer in relation to approving certain agreements and documents.

Recommendation(s):

1. That the revised Delegation Policy attached as Appendix “B” to SRCAO.18.01 be approved.
2. That the required by-law(s) to give effect to the revisions to existing delegated authorities set out in Appendix “C” as well as to any further revisions required due to organizational changes be enacted.
3. That the Clerk be authorized to:
 - i. update Schedule A of the Delegation Policy attached as Appendix B to SRCAO.18.01 upon the approval, revision or the revocation of any delegation by Council; and
 - ii. make any clerical revisions required to ensure the accuracy and completeness of Schedule A.
4. That the Chief Administrative Officer (CAO) be delegated the authority to approve the entry into, and to execute, confidentiality agreements and other agreements or documents where the CAO deems the subject-matter of the agreements or documents to be of a minor nature.
5. That By-law 255-81, being Chapter 165 of the Town’s Municipal Code, as amended, be further amended as follows:

- i. By deleting Section 2(h), being Section 165.2.8 of the Municipal Code and replacing with:

“The Chief Administrative Officer shall be responsible for the appointment, employment, suspension and dismissal of Department Heads and shall have all the necessary ancillary powers and duties that are required in connection with the administration of such responsibilities, including the negotiation and execution of any and all agreements and documents”; and

- ii. By adding the following provision:

“Notwithstanding any other provision of this by-law, the Chief Administrative Officer may further delegate the following power and duties as set out below:

- .1 the power to appoint and employ any employee to any Commissioner or Director whose department the employee reports to;
- .2 the power to suspend any employee to any Commissioner whose department the employee reports to;
- .3 the power to dismiss:
 - A. non full-time employees to any Commissioner whose department the employee reports to; and
 - B. full-time employees jointly to any Commissioner whose department the employee reports in conjunction with the Commissioner of Corporate and Financial Services.

Such further delegation must be made in writing and any limitation on the delegation must be expressly set out in the written delegation.”

6. That the Clerk be authorized to complete and execute the Alcohol and Gaming Commission’s prescribed forms in connection with the approval of a liquor license subject to consultation with other appropriate Town staff.

Contact Person:

Tricia Myatt, Manager, Policy and Intergovernmental Affairs, ext. 5463
Stephen M.A. Huycke, Director, Legislative Services/Town Clerk, ext. 2529

Andreea Adari, Assistant Town Solicitor, ext. 3820

Report Approval:

Submitted by: Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

Background:

Section 270 of the *Municipal Act, 2001* requires that municipalities adopt policies with respect to the following matters:

- sale and disposition of land;
- hiring of employees;
- procurement of goods and services;
- the circumstances in which the municipality shall provide notice to the public and, if notice is to be provided, the form, manner and times notice shall be given;
- the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public; and

the delegation of authority of its powers and duties.

Richmond Hill has policies in place regarding each of these areas. As identified in Staff Report SRCAO.15.16, staff was undertaking a review of these policies. Council adopted a revised Accountability and Transparency on October 24, 2016, a new Procurement and Financial Control Framework on December 12, 2016 and a new Sale and Other Disposition of Land Policy on July 10, 2017.

Richmond Hill's Current Delegation of Powers and Duties Policy

On December 10, 2007, Council approved the Delegation of Powers and Duties Policy attached as Appendix A to SRCAO.18.01. This Policy sets out the principles governing the delegation of powers and duties, which are reflective of the applicable provisions of the *Municipal Act, 2001*. The Policy also sets out the parameters within which powers and duties may and may not be delegated.

A Review of Other Municipalities' Delegation of Powers and Duties Policies

Similar delegation policies of a number of municipalities (Brampton, Oakville, Ottawa, London, Vaughan, Peterborough and Welland) were reviewed. Given that the manner in which Council can delegate its powers is highly prescribed in the *Municipal Act, 2001*, the policies are generally consistent, but there are some variations. For instance, some policies reiterate the provisions of the Act (as does the Town's), while others simply state that the Act must be complied with. Staff are proposing that the Town not change its approach as including all applicable parameters for delegations make for a more comprehensive and clear policy.

Staff have noted that other municipalities' policies include items not currently included in the Town's policy, such as an inventory of delegated powers and duties, definitions and roles and responsibilities. Based on the review, staff recommend that the Town's Delegation of Powers Policy be expanded to add similar provisions, including the addition of a scope section to clearly define the application of the Policy as well as a responsibilities section. In addition, staff recommend that a consolidated list of existing

delegated powers and duties be included and amended from time to time by the Clerk to ensure its accuracy and to incorporate new, revised or revoked delegations. The proposed revised policy is attached as Appendix B to this staff report SRCAO.18.01, and includes the list of existing delegated powers in Schedule “A” of Appendix B.

Revisions to Existing Delegations

In compiling the inventory of existing delegations attached to the updated Delegation of Powers and Duties Policy (Schedule A to Appendix B of SRCAO.18.01), staff have noted some delegations that are not reflective of current practices and require revisions. Additionally, Council recently received Staff Report No. SRCAO.17.23 regarding the implementation of the Management Structure Review which will require further revisions. Accordingly, staff recommend that the Clerk be directed to bring forward any necessary by-law(s) to effect the revised delegations set out in Schedule C and any further revisions that may be required due to organizational changes.

New Proposed Delegated Powers

Pursuant to the *Municipal Act, 2001*, the Chief Administrative Officer (CAO) is responsible for exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality and is also responsible for performing such other duties as assigned. Although there have been various duties delegated to the CAO as set out in the list of delegated powers in Schedule A to Appendix B of this Staff Report SRCAO.18.01, the CAO does not have any general delegated authority for signing agreements on behalf of the Town. From time to time, various agreements and documents require Town representative’s signatures, such as confidentiality agreements in association with procurement and other matters, as well as other various agreements or documents that would be considered non-contentious or routine. At this time, separate staff reports are required for all agreements and documents, regardless of their substance, other than those for which there already exists express delegated authority.

It is the view of staff that providing the CAO with a general delegated authority similar to that given to the CAO during summer recess for entering into agreements or signing documents where the CAO deems the subject-matter of the agreement or document to be of a minor nature would enable the CAO exercise better control and management of the affairs of the Town, result in further streamlining of administrative matters and allow Council to focus on more substantive and strategic responsibilities.

The current by-law that delegates various duties to the CAO is fairly outdated having been passed in the early 1980s when the organization was much smaller in size. In the current organization, the CAO still has direct accountability for the numerous operational matters that are administered by and/or that have been delegated over time to each of the organization’s departments led by Commissioners (i.e. Department Heads). To ensure the CAO has full control over the operations for which the CAO is ultimately accountable, it is recommended that the CAO be delegated all the responsibilities in

connection with the appointment, employment, suspension and dismissal of Commissioners that currently with Council.

Additionally, the CAO's by-law does not provide for the ability to further delegate any of the CAO's powers. The ability of the CAO to further delegate certain powers to Commissioners and Directors, particularly those for employment-related decision making in their departments or divisions, would enable the CAO to make those with more direct operational control accountable for these decisions. Accordingly, it is recommended that the CAO's By-law be further amended to provide for such further delegation.

Lastly, staff recommend that a new delegation to the Clerk be added to confirm the existing practices related to the issuance of liquor licences by the Alcohol and Gaming Commission of Ontario (AGCO). There are two forms regularly required to be signed in support of liquor license applications. The first of these, a Municipal Information form requires the Clerk to confirm the status of the municipality as a "wet" municipality in connection with the liquor license application on the basis of no by-law having been passed to the contrary. The second form requires the signature of an approving official confirming that the Town has no objections to the use of the facility that is the subject of the application as a licensed premises. The Clerk would only execute this form upon confirmation from the Building and Fire Departments that there are no concerns.

Financial/Staffing/Other Implications:

There are no financial, staffing or other implications with respect to this report.

Relationship to the Strategic Plan:

Undertaking a review of the Town's Delegation of Powers and Duties and proceeding in the manner recommended by this report aligns with Goal 4 of the Strategic Plan, "Wise Management of Resources in Richmond Hill".

Conclusion:

The review of the Delegation of Powers and Duties Policy has provided an opportunity to determine what, if any, changes are needed to the current Policy so it continues to meet the needs of the Corporation and the intent of the *Municipal Act, 2001*. This review included benchmarking of other municipal policies, as well as, an opportunity to identify a number of new actions the Town has taken with respect to delegation of powers and duties since the Policy was first approved in 2007. The proposed updated policy reflects these changes. Additionally, the approval of the delegations outlined in this report will result in further streamlining of certain administrative matters and will allow Council to focus on more substantive and strategic responsibilities.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Appendix A: Richmond Hill's Current Delegation of Powers and Duties Policy
- Appendix B: Proposed Updated Delegation of Powers and Duties Policy
- Schedule "A" of Appendix B – Consolidated List of Existing Delegated Powers and Duties
- Appendix C: Proposed Revisions to Existing Delegations

Report Approval Details

Document Title:	SRCAO.18.01.docx
Attachments:	<ul style="list-style-type: none">- APPENDIX A TO SRCAO 18 01.pdf- AODA - Appendix B to SRCAO 18 01 - Delegation Policy.docx- AODA - Schedule A of Appendix B to SRCAO 18 01 - Delegation Policy 2018 - Consolidation of Existing Delegations.docx- APPENDIX C TO SRCAO.18.01.docx
Final Approval Date:	Jan 8, 2018

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

Neil Garbe - Jan 8, 2018 - 3:24 PM



TOWN OF RICHMOND HILL

DELEGATION OF POWERS AND DUTIES POLICY

Effective Date: January 1, 2008

Date of Last Revision:

PURPOSE

The *Municipal Act, 2001* requires that all municipalities adopt and maintain a policy with respect to the delegation of Council's legislative and administrative authority. This policy outlines what Council should consider before any delegation of some of its powers and duties and the requirements, conditions and restrictions for Council to authorize any delegation. The purpose of this policy is to establish principles governing delegation of the powers and duties by Council. This policy applies to all committees of Council, departments and staff. This policy has been developed in accordance with the *Municipal Act, 2001* in order to comply with its other applicable sections, including section 270.

POLICY STATEMENT

The Council of the Town, as a duly elected municipal government is directly accountable to its constituents for its legislative decision making, policies, and administrative functions. Council's decisions are generally expressed by by-law or resolution of Council carried by a majority vote. The efficient management of the Town and the need to respond to issues in a timely fashion require Council to entrust certain powers and duties to committees and staff while concurrently maintaining accountability, which can be effectively accomplished through the delegation of legislative and administrative functions. Council authority will be delegated within the context set out in the *Municipal Act, 2001* and will respect the applicable restrictions outlined in the *Municipal Act, 2001*.

POLICY PRINCIPLES

Council may delegate its powers and duties under the *Municipal Act, 2001*, the *Planning Act* or any other legislation that confers powers and/or imposes duties on Council subject to this policy and the requirements of section 23 of the *Municipal Act, 2001*, as amended.

Administrative Powers and Duties

Administrative powers include all matters required for the management of the corporation which do not involve discretionary decision-making.

1. Council may delegate any of its administrative powers and duties.
2. In order for Council to authorize the delegation of any of its administrative powers and duties, it shall first approve the conditions and limitations of the delegation by the adoption of a by-law.
3. Council shall approve policy and procedures for the delegation which includes measures for the monitoring and accountability of the delegate and the transparency of the delegate's actions and decision.
4. Any delegation of administrative powers may be subject to any regulation made by the Minister.

Legislative and Quasi-Judicial Powers

Legislative powers includes all matters where Council acts in a legislative or quasi-judicial function including enacting by-laws, setting policies, and exercising decision-making authority.

1. Legislative and quasi-judicial powers can only be delegated to the following:
 - One or more members of municipal council or a council committee
 - A body having at least two (2) members of whom 50% are members of its council, individuals appointed by its council or a combination of
 - An individual who is an officer, employee or agent of the municipality (if the power delegated is of a minor nature)

Delegation of Powers and Duties Policy

Page 3

2. Council shall approve the conditions and limitations for the delegation of any of its legislative and quasi-judicial powers by the adoption of a by-law.
3. Council shall approve policy and procedures for the delegation which includes measures for the monitoring and accountability of the delegate and the transparency of the delegate's actions and decision.
4. Council shall only delegate legislative and quasi-judicial powers which are minor in nature to an officer, employee or agent of the municipality, Council, in determining whether or not a power is of a minor nature, should consider a number of factors, which should include the number of people, the size of the geographic area and the time period affected by an exercise of the power.
5. Subject to section 7 below, the delegation of legislative and quasi-judicial powers of Council are restricted to powers found in the *Planning Act* or a private Act relating to the municipality and such other Acts as may be prescribed.
6. No delegation of legislative or quasi-judicial powers to a corporation is permitted.
7. Where a municipality is required to hold a hearing or provide an opportunity to be heard before making a decision or taking a step, Council is authorized to delegate the power to hold a hearing, as well as the power to implement the decision which is the subject matter of the hearing. Where Council delegates the power to hold a hearing only,
 - (a) the municipality is not required to hold a second hearing; and
 - (b) If the decision or step constitutes the exercise of a statutory power of decision to which the *Statutory Powers Procedure Act* applies, that Act, except sections 17, 17.1, 18 and 19, applies to the delegated person or body and to the hearing conducted by the person or body (as it would apply to Council if Council conducted the hearing).
8. Any delegation of legislative or quasi-judicial powers may be subject to any regulation made by the Minister.

SCOPE OF POWER

1. A delegation may be revoked at any time without notice unless the delegation by-law specifically limits the municipality's power to revoke the delegation.
2. A delegation shall not limit the right to revoke the delegation beyond the term of the council which made the delegation.
3. A delegation may provide that only the delegate can exercise the delegated power or that both the municipality and the delegate can exercise the power.
4. A delegation or deemed delegation under paragraph 6 of this section of a duty results in the duty being a joint duty of the municipality and the delegate.
5. A delegation may be made subject to such conditions and limits as the council considers appropriate. Council shall outline the procedures that the delegate is required to follow and specific measures for accountability of the delegate and the transparency of the delegate's actions.
6. Where a power is delegated, the power is deemed to be delegated subject to any limits on the power and to any procedural requirements including conditions, approvals and appeals which apply to the power and any duties related to the power are deemed to be delegated with the power.

RESTRICTIONS OF DELEGATION

Council is not authorized to delegate any of the following powers and duties:

- To appoint or remove from office an officer of the municipality whose appointment is required by the *Municipal Act, 2001*
- To pass a by-law under section VIII, IX and X of the *Municipal Act, 2001* relating to taxes
- To incorporate corporations
- To adopt an official plan or an amendment to an official plan under the *Planning Act*
- To pass a zoning by-law under the *Planning Act*
- To pass a by-law related to small business counseling and municipal capital facilities
-

Delegation of Powers and Duties Policy

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- To adopt a community improvement plan if the plan includes the exercise of certain powers as set out in the *Municipal Act, 2001*.
- To adopt or amend the municipal budget
- Any other power that may be prescribed by the Province

APPEAL BODY

Subject to Section 284.1 of the *Municipal Act, 2001*, Council may provide for the review or appeal of a decision made by a person or body exercising a delegated authority, and may establish an appeal body to conduct the reviews or hear such appeals if it deems necessary.



Policy

APPENDIX "B" TO SRCAO.18.01

Policy Name: Delegation of Powers and Duties Policy

Policy Owner: Council

Approved by: Council

Effective Date: January 1, 2018

Date of Last Revision: January 1, 2008

Purpose:

The Municipal Act, 2001 requires that all municipalities adopt and maintain a policy with respect to the delegation of Council's legislative and administrative authority. The purpose of this policy is to establish principles governing delegation of the powers and duties by Council. This policy outlines what Council should consider before any delegation of some of its powers and duties and the requirements, conditions and restrictions for Council to authorize any delegation.

Policy Principles:

The Council of the Town, as a duly elected municipal government is directly accountable to its constituents for its legislative decision making, policy, and administrative functions. Council's decisions are generally expressed by by-law or resolution of Council carried by a majority vote. The efficient management of the Town and the need to respond to issues in a timely fashion require Council to entrust certain powers and duties to committees and staff while concurrently maintaining accountability, which can be effectively accomplished through the delegation of legislative and administrative functions. Council authority will be delegated within the context set out in the Municipal Act, 2001 and will respect the applicable restrictions outlined in the Municipal Act, 2001 and this policy.

Definitions:

"administrative powers" mean powers and duties related to the management of the corporation which do not involve discretionary decision-making.

"Council" means the Council of the Town.

"discretionary decision-making" means using reason and judgment to choose from among acceptable alternatives.

"legislative powers" means those powers and duties that are related to Council's legislative or quasi-judicial functions, including enacting by-laws, setting policies, and discretionary decision-making.

"member of Council" means a current member of the Council of the Town.

“staff” means, all full-time and part-time persons hired by the Town including the Chief Administrative Officer, Commissioners, Directors, Managers, Supervisors, Salaried Employees’ Association staff, members of C.U.P.E. Local 905.16 Richmond Hill Unit, members of the Richmond Hill Professional Fire Fighters Association, Local 1957, administrative staff, contract and temporary employees, students, secondments, and co-op placement staff.

“Town” means The Corporation of the Town of Richmond Hill.

Scope:

This policy applies to Council and to all members of Council, staff, agents and committees or bodies appointed by Council to exercise delegated authority.

Policy:

Council may delegate any of its administrative powers and certain legislative powers and duties in accordance with the restrictions set out in under the Municipal Act, 2001, as amended.

General Rules Applicable to Scope of Power Pursuant to a Delegation By-law

1. A delegation may be revoked by Council at any time without notice unless the delegation by-law specifically limits the municipality’s power to revoke the delegation.
2. A delegation shall not limit the right to revoke the delegation beyond the term of the council which made the delegation.
3. A delegation may provide that only the delegate can exercise the delegated power or that both the municipality and the delegate can exercise the power.
4. A delegation or deemed delegation under paragraph 6 of this section of a duty results in the duty being a joint duty of the municipality and the delegate.
5. A delegation may be made subject to such conditions and limits as the council considers appropriate including procedures that the delegate is required to follow and specific measures for accountability of the delegate and the transparency of the delegate’s actions.
6. Where a power is delegated, the power is deemed to be delegated subject to any limits on the power and to any procedural requirements including conditions, approvals and appeals which apply to the power and any duties related to the power are deemed to be delegated with the power.

Restrictions on Delegating Legislative Powers

The following rules apply to the delegation of legislative powers:

1. Only those legislative powers found in the Municipal Act, 2001, the Planning Act or a private Act relating to the municipality and such other Acts as may be prescribed in a regulation made under the Municipal Act, 2001 may be delegated.
2. Legislative powers can only be delegated to the following:
 - (a) One or more members of Council or a Council committee

- (b) A body having at least two (2) members of whom 50 per cent are members of its council, individuals appointed by its council or a combination of
 - (c) An individual who is an officer, employee or agent of the municipality (if the power delegated is of a minor nature)
3. Council shall only delegate legislative powers which are minor in nature to an officer, employee or agent of the municipality. Council, in determining whether or not a power is of a minor nature, should consider a number of factors, which should include the number of people, the size of the geographic area and the time period affected by an exercise of the power.
 4. No delegation of legislative powers to a corporation established by the Town in accordance with the Municipal Act, 2001 is permitted.
 5. Where a municipality is required to hold a hearing or provide an opportunity to be heard before making a decision or taking a step, Council is authorized to delegate the power to hold a hearing, as well as the power to implement the decision which is the subject matter of the hearing. Where Council delegates the power to hold a hearing only,
 - (a) the municipality is not required to hold a second hearing; and
 - (b) If the decision or step constitutes the exercise of a statutory power of decision to which the Statutory Powers Procedure Act applies, that Act, except sections 17, 17.1, 18 and 19, applies to the delegated person or body and to the hearing conducted by the person or body (as it would apply to Council if Council conducted the hearing).
 6. Any delegation of legislative powers may be subject to any regulation made pursuant to the Municipal Act, 2001.

Powers that cannot be delegated

Council is not authorized to delegate any of the following powers and duties:

- To appoint or remove from office an officer of the municipality whose appointment is required by the Municipal Act, 2001
- To pass a by-law under section VIII, IX and X of the Municipal Act, 2001 relating to taxes
- To incorporate corporations
- To adopt an official plan or an amendment to an official plan under the Planning Act
- To pass a zoning by-law under the Planning Act
- To pass a by-law related to small business counseling and municipal capital facilities
- To adopt a community improvement plan if the plan includes the exercise of certain powers as set out in the Municipal Act, 2001.
- To adopt or amend the municipal budget
- Any other power that may be prescribed by the Province.

Appeal Body

Subject to the Municipal Act, 2001, Council may provide for the review or appeal of a decision made by a person or body exercising a delegated authority, and may establish an appeal body to conduct the reviews or hear such appeals if it deems necessary.

Consolidation of Delegations

All delegations by Council shall be listed in Schedule A which shall be amended as required to incorporate ongoing determinations of Council with respect to such delegations and additions of new delegations.

Roles and Responsibilities:

Council

Council shall consider appropriate delegations from time to time that are in accordance with the principles set out in this policy.

Members, Staff and other Individuals

In exercising delegated authority, members, staff and other individuals acting on their own behalf or as part of a committee or other body, and in the supervision of others who exercise delegated authority, must ensure that the parameters of this policy are adhered to; that the scope of any delegated authority they exercise is not exceeded; and where required by the specific delegated authority, timely reports are submitted to Council.

Clerk

The Clerk shall update Schedule A upon the approval, revision or the revocation of any delegations by Council.

Related Documents

Municipal Act, 2001

Planning Act

Statutory Powers Procedure Act

All by-laws referred to in Schedule A, as amended

SCHEDULE A OF APPENDIX B TO SRCAO.18.01

**Schedule A
Delegation of Powers and Duties Policy
Consolidation of Delegations**

Person or Body to Whom the Authority has been Delegated¹	Authorizing By-law No.²/ Municipal Code Chapter	Authorizing By-law Title or Description	Description of Delegated Authority	Conditions of, or Limitations on, Exercise of the Delegated Authority
All Employees	114-16 (replaces Chapter 285)	Financial Control By-law	<u>Purchasing Goods & Services</u> Making P-Card purchases in accordance with related policies If delegated by staff with authority in writing, approving payment for goods and services valued under \$10,000	There must be a budget for the goods/services being acquired Any contract provision limiting the supplier's liability (e.g. a cap on the quantum or type of damages that the supplier will be responsible for; indemnification by the Town of the supplier) must be separately approved by Commissioner or CAO
All Managers	114-16 (replaces Chapter 285)	Financial Control By-law	<u>Purchasing Goods & Services</u> <ul style="list-style-type: none"> • Making a commitment (enter into contracts) for the acquisition of goods and services valued between \$0 and \$249,999.99 that are (if over \$10,000) competitively acquired or exempt from Town's Purchasing Policy • Approving payment for goods and services valued between \$0 and \$249,999.99 • Upon written delegation by their director, approving contingency expenditures of up to 15 per cent of the Term Value of a contract, provided each is under \$15,000 	<ul style="list-style-type: none"> • There must be a budget for the goods/services being acquired and all contingencies • Any contract provision limiting the supplier's liability (e.g. a cap on the quantum or type of damages that the supplier will be responsible for; indemnification by the Town of the supplier) must be separately approved by the Commissioner or CAO • The Chief Purchasing Official (CPO) or Treasurer co-sign any contract
All Directors	114-16	Financial	<u>Purchasing Goods &</u>	<ul style="list-style-type: none"> • There must be a budget

¹ Person or body to whom authority in by-law has been delegated may differ in originating by-law referenced. Titles have been revised by omnibus by-law nos. 31-07 and 55-10 as well as the Delegation By-law 145-08.

² All by-law references are to originating by-law. Amendments may have been made to originating by-law.

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Person or Body to Whom the Authority has been Delegated ¹	Authorizing By-law No. ^{2/} Municipal Code Chapter	Authorizing By-law Title or Description	Description of Delegated Authority	Conditions of, or Limitations on, Exercise of the Delegated Authority
	(replaces Chapter 285)	Control By-law	<u>Services</u> <ul style="list-style-type: none"> • Initiating acquisitions of goods and services of any value • Making a commitment (enter into contracts) for the acquisition of goods and services valued under \$500,000 that are (if over \$10,000) competitively acquired or exempt from Town's Purchasing Policy • Approving payment for goods and services of any value signed pursuant to commitment authority • Approving contingency expenditures of up to 15 per cent of the term value of a contract, provided each is under \$15,000 • Approving revenue generating arrangements 	for the goods/services being acquired and all contingencies <ul style="list-style-type: none"> • Any contract provision limiting the supplier's liability (e.g. a cap on the quantum or type of damages that the supplier will be responsible for; indemnification by the Town of the supplier) must be separately approved by Commissioner or CAO • The CPO or Treasurer must co-sign any contract • Revenue generating arrangements approved with parties other than non-profit organizations may not result in revenue in excess of \$500,000
All Commissioners	113-16 (replaces Chapter 285)	Procurement Policy By-law	<u>Procurement Process</u> <ul style="list-style-type: none"> • Awarding non-competitive acquisitions valued under \$50,000 and signing related agreements along with CPO • Disqualifying suppliers from participating in a current process for prohibited conduct (collusion, lobbying, etc.) • Suspending suppliers from participating in future procurements 	<ul style="list-style-type: none"> • Non-competitive purchases may only be approved in the circumstances described in the Procurement Policy and CPO must provide confirmation • Disqualification and suspension is to be approved jointly with CAO
	114-16 (replaces Chapter 285)	Financial Control By-law	<u>Purchasing Goods & Services</u> <ul style="list-style-type: none"> • Initiating acquisitions of goods and services of any value 	<ul style="list-style-type: none"> • There must be a budget for the goods/services being acquired and all contingencies or scope

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			<ul style="list-style-type: none"> • Making a commitment (enter into contracts) for the acquisition of goods and services of any value that are (if over \$10,000) competitively acquired or exempt from Town's Purchasing Policy • Approving payment for goods and services of any value signed pursuant to commitment authority • Approving contingency expenditures of up to 30 per cent of the term value of a contract • Approving scope changes of maximum 10 per cent of contract value or \$100,000 for competitive contracts only • Approving limitations of liability • Approving variance of insurance provided • Exercise early termination provisions in contracts • Approving revenue generating arrangements 	<p>changes</p> <ul style="list-style-type: none"> • The CPO or Treasurer must co-sign any contract • Non-competitive purchases may only be approved in the circumstances described in the Procurement Policy and CPO must provide confirmation • Termination must be exercised jointly with CAO • Variance of insurance may only be approved jointly with Commissioner of Corporate and Financial Services • Revenue generating arrangements approved with parties other than non-profit organizations may not result in revenue in excess of \$500,000 unless offered to the public through a competitive process
Animal Control Officers	15-01, as amended by 84-14 (Chapter 314)	Dog Licensing – Keeping Bylaw	<p><u>Enforcement of Dog Licensing By-law</u></p> <ul style="list-style-type: none"> • Seize and impound dog found running at large • Destroy or sell a dog that is unclaimed for three days or that is ill or injured and incapable of being cured in the opinion of the Animal Control Officer 	<ul style="list-style-type: none"> • Destruction is subject to the requirements of the <i>Animals for Research Act</i>
Chief	255-81, as	CAO Duties	<u>Employment, Suspension,</u>	<ul style="list-style-type: none"> • Decisions re employees

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Administrative Officer (CAO)	amended by 296-93 and 85-15 (Chapter 165)	By-law	<u>Dismissal</u> <ul style="list-style-type: none"> Appointing, employing, suspending or dismissing any employee other than department heads (i.e. Commissioners) not covered by a collective bargaining agreement Appoint an employee or other person in accordance with procedures in applicable collective bargaining agreement and suspend or dismiss such employee for cause Appoint acting department heads or CAO on a <i>pro tempore</i> basis 	not covered by collective agreements other than department heads are subject to: <ul style="list-style-type: none"> the complement, earnings, fringe benefits and working conditions approved by Council the right of employee to appeal to Council in respect of suspension or dismissal
	91-02	Indemnity By-law	<u>Limited Administration</u> <ul style="list-style-type: none"> To approve legal counsel retained by an individual prior to reimbursement To review legal accounts on a monthly basis To approve commencement of third party proceedings as part of a defence of a covered proceeding To approve payment of up to \$5,000 of a retainer or defence costs incurred in successfully defending (and being acquitted of) a charge under the Criminal Code, Highway Traffic Act or any act or failure to act in good faith performance of duties 	<ul style="list-style-type: none"> Payment of any monies prior to determination of guilt (i.e. retainer costs) is subject to written agreement by individual to repay Town if convicted, all costs of defence or representation, including execution of an indemnity
	36-09 as amended by 153-09	Confirmatory By-law of March 23,	<u>Commercial Leasing Authority</u> <ul style="list-style-type: none"> to manage non-Town- 	n/a

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Person or Body to Whom the Authority has been Delegated ¹	Authorizing By-law No. ² / Municipal Code Chapter	Authorizing By-law Title or Description	Description of Delegated Authority	Conditions of, or Limitations on, Exercise of the Delegated Authority
		2009 Council Meeting	<p>occupied space within 225 East Beaver Creek and within other commercial Town-owned buildings and properties as well as any lands where the Town is a tenant and subleases the use of those lands to third parties to the Chief Administrative Officer, including:</p> <ul style="list-style-type: none"> (a) authorizing the Manager of Real Estate to: <ul style="list-style-type: none"> (i) market space, including the placement of a suitable commercial “For Lease” sign in front of 225 East Beaver Creek (ii) negotiate amendments to all term or conditions of leases, including for revised leased space and early termination and (iii) negotiate new leasing arrangements with new or existing tenants (b) waiving rental arrears and/or penalties where he deems such action warranted or necessary; (c) approving of and authorizing the use of contractual or other remedies in the event that leases are 	

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Person or Body to Whom the Authority has been Delegated ¹	Authorizing By-law No. ² / Municipal Code Chapter	Authorizing By-law Title or Description	Description of Delegated Authority	Conditions of, or Limitations on, Exercise of the Delegated Authority
			breached, including the repossession of leased premises and commencement of legal proceedings; (d) approving alterations to configuration of space to improve marketability of space provided there is funding available from an approved budget source; and (e) authorizing the entering into and execution of any agreements, amending agreements, settlement agreements or any other documentation necessary to implement and effect the actions set out in (a) through (d)	
	137-09 (Chapter 413)	Site Plan Control Area by-law	<u>Site Plan Approvals</u> <ul style="list-style-type: none"> Exercise Council's powers under Section 41 of the <i>Planning Act</i>, save and except the powers to define classes of development which may be undertaken without Site Plan Approval 	<ul style="list-style-type: none"> No authority to grant approval or refuse unless applicant has: <ul style="list-style-type: none"> (a) attended a pre-consultation meeting as per by-law 123-08; (b) submitted a completed application, plans and drawings in sufficient detail to enable refusal or granting of the application; and requisite fees

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	114-11	Confirmatory By-law of November 14, 2011 Council Meeting	<u>Property Acquisitions and Disposals</u> <ul style="list-style-type: none"> • To retain any real estate advisor or agent to facilitate acquisitions and execute any agreements • To authorize obtaining of any appraisals required for the purpose of considering an acquisition provided there is a source of funding • To approve the acquisition of any lands by the Town, provided the Treasurer determines that there is an approved source of funding and if acquisition is in accordance with such direction as may be given by Council or COW from time to time and authorize the execution of or execute any agreements required for such acquisition • To accept any offer and sign back any offer on Town-owned lands which have been declared surplus and approved for sale, provided offers are conditional on Council approval 	<ul style="list-style-type: none"> • Approval of acquisition must be in accordance with Council/COW direction • Acceptance of offers for purchase of Town-owned lands must be subject to Council approval
	113-16 (replaces Chapter 285)	Procurement Policy By-law	<u>Procurement Process Authorities</u> <ul style="list-style-type: none"> • Awarding non-competitive acquisitions valued under \$100,000 and signing related agreements along with CPO • Disqualifying suppliers from process for prohibited 	<ul style="list-style-type: none"> • Non-competitive purchases may only be approved in the circumstances described in the Procurement Policy and CPO must provide confirmation. • Disqualification and

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Person or Body to Whom the Authority has been Delegated ¹	Authorizing By-law No. ² / Municipal Code Chapter	Authorizing By-law Title or Description	Description of Delegated Authority	Conditions of, or Limitations on, Exercise of the Delegated Authority
			conduct <ul style="list-style-type: none"> Suspending non-performing suppliers from future procurements 	suspension is to be conducted jointly with the Commissioner of CFS
	114-16 (replaces Chapter 285)	Financial Control By-law	<u>Financial Authorities</u> <ul style="list-style-type: none"> Initiating acquisitions of goods and services of any value Making a commitment (enter into contracts) for the acquisition of goods and services of any value that are (if over \$10,000) competitively acquired or exempt from Town's Purchasing Policy Approving payment for goods and services of any value signed pursuant to commitment authority Approving contingency of any value Approving scope changes of max. 10% of contract value or \$100,000 for competitive contracts only Exercise early termination provisions in contracts Approving limitation of liability provisions Approving funding commitments Approving revenue generating arrangements 	<ul style="list-style-type: none"> There must be a budget for the goods/services being acquired and all contingencies or scope changes The CPO or Treasurer must co-sign any contract Termination must be exercised jointly with Commissioner of CFS Funding commitments must be signed jointly with the Treasurer Revenue generating arrangements approved with parties other than non-profit organizations may not result in revenue in excess of \$500,000 unless offered to the public through a competitive process
	76-17	Confirmatory By-law of July 10, 2017 Council Meeting	<u>Sale and Other Disposition of Land</u> <ul style="list-style-type: none"> To authorize the disposition of the following lands: <ul style="list-style-type: none"> (a) any limited interest; (b) land that is being 	n/a

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			conveyed to the Region (c) land that is 0.3 meters in width and is being conveyed to the adjoining owner (d) a daylighting triangle	
	79-17	Tariff of Fees By-law	<u>Determining Rate of Annual Adjustments/ Waiving & Reducing Fees</u> <ul style="list-style-type: none"> Determining the rate of the annual adjustment of, and waive or reduce, fees set out in Schedule "I" 	n/a
Chief Building Official	15-90 (Chapter 340)	Demolition Control Area By-law	<u>Issuance of Building Permit in Demolition Control Area</u> <ul style="list-style-type: none"> Issuing and imposing conditions as permitted under section 33 of the <i>Planning Act</i>, 	<ul style="list-style-type: none"> Building for which demolition permit is sought may not be designated or on the register pursuant to the <i>Ontario Heritage Act</i>
	140-90 (Chapter 973)	Fence Height and Pool Enclosures By-law	<u>Administration of By-law</u> <ul style="list-style-type: none"> Permit a fence exceeding 1.8 meters on land used for or abutting a railway right of way, a hydro, telephone or utility installation or a public works installation hazardous to safety Permit swimming pool enclosures 	<ul style="list-style-type: none"> Any approval of a fence abutting a park or open space must be received from the Commissioner of Community Services Commissioner of Environment & Infrastructure Services must approve all fences other than those approved pursuant to a site plan or subdivision agreement
	95-98	Conditional Building Permit Agreement By-law	<u>Conditional building Permit Agreements</u> <ul style="list-style-type: none"> To execute conditional building permit agreements 	<ul style="list-style-type: none"> Agreements must be in accordance with the provisions of the OBCA and the Building Code
	79-99, as amended by 145-08 (Chapter 1010)	Property Standards By-law	<u>Permits and Approvals</u> <ul style="list-style-type: none"> Issue permits for structural repairs or modifications Issue permits for altering method of operation of a 	n/a

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			heating system •	
	53-04	Confirmatory By-law of Feb. 23, 2004 Council Meeting	<u>Limiting Distance Agreements</u> • Execution of Limiting Distance Agreements as per Building Code	• Does not include authority to execute agreements where Town is an owner of a property that is the subject of the Limiting Distance Agreement
	20-11	Confirmatory By-law of Feb. 28, 2011 Council Meeting	<u>Private Sanitary Sewer Agreements</u> • Creating and authorizing the execution of private sanitary sewer agreements with owners of private sanitary sewers that will traverse other private property to connect to the municipal sewer system	n/a
Chief Purchasing Official (CPO)	113-16 (replaces Chapter 285)	Procurement Policy By-law	<u>Procurement Process</u> • Administration of competitive procurement for goods and services of \$10,000 and greater that are subject to the Policy • Establishing procedures to supplement Policy • Making revisions to Appendix "B" (and supporting procedures) in order to ensure that the Town's non-competitive procurement is made in accordance with Trade Agreements	n/a
	114-16 (replaces Chapter 285)	Financial Control By-law	<u>Financial Control</u> • Co-signatory on commitments (contracts) for acquisitions of \$10,000 and over to verify Policy compliance • Provides confirmation of Procurement Policy	• Treasurer may also co-sign and confirm exemption from Policy

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			exemptions	
Clerk	13-01	Bingo, Lottery, Raffle Licence By-law	<u>Appointment</u> <ul style="list-style-type: none"> Appointing Lottery Licensing Officer 	<ul style="list-style-type: none"> Clerk includes the Deputy Clerk
	136-10, as amended by 83-12 and 36-13	Confirmatory By-law of December 20, 2010 Council Meeting	<u>Execution of Acquisition Agreements</u> <ul style="list-style-type: none"> To execute agreements required to meet a condition of provisional consent given by the Committee of Adjustment and recommended by Commissioner of Planning & Regulatory Services or CFS, or their designate To execute subdivision agreements where draft approval has been given, the agreement does not provide for the deferral of any development charges and the Commissioner of Planning & Regulatory Services recommends execution To execute subdivision amending agreements to add utility coordination drawings where such were not available upon execution of subdivision agreement and plan not yet registered and Commissioner of Planning & Regulatory Services or designate recommends To execute subdivision amending agreements where plan not yet 	<ul style="list-style-type: none"> To be exercised jointly with Mayor Subdivision agreement may not provide for deferral of development charges Amending Subdivision Agreements to add utility drawing not available at subdivision agreement execution only where plan not yet registered Title to lands may not be accepted subject to encumbrances unless Council has approved or CAO has waived this requirement upon written recommendation from the Town Solicitor to such waiver and/or as to what encumbrance should be permitted to remain development charge credit transfer agreement may only be signed provided any credit so transferred is only to be given by the Town in relation to the by-law to which the credit relates and not against another development charge by-law and where the Commissioner of Planning and Regulatory Services and the Commissioner of

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			<p>registered and amendment is required to satisfy a condition of draft approval or to obtain a clearance of a condition and Commissioner of Planning & Regulatory Services (or designate) recommends</p> <ul style="list-style-type: none"> • To execute development charge credit transfer agreements with registered owners of lands that are the subject of a subdivision or site plan agreement not yet executed and holder of credits 	Corporate and Financial Services, or their designate, both recommend execution of the agreement
	74-12	Procedural By-law	<p><u>Execution of Agreements</u></p> <ul style="list-style-type: none"> • If Council has approved the entry into an agreement, the Mayor and Clerk shall execute that agreement 	<ul style="list-style-type: none"> • Jointly exercised with Mayor
	67-16	Delegation of Duties of Head By-law	<p><u>MFIPPA</u></p> <ul style="list-style-type: none"> • To exercise all powers and duties vested in head under MFIPPA 	n/a
	68-16	Designation of Head under <i>Ombudsman Act</i>	<p><u>Ombudsman Act</u></p> <ul style="list-style-type: none"> • To exercise all powers and duties under section 18(1) and 25(2) of the <i>Ombudsman Act</i> 	n/a
Commissioner of Community Services	16-83 (Chapter 942)	Parks Use By-law	<p><u>Parks Use</u></p> <ul style="list-style-type: none"> • To issue permits for horse leading/riding; camping; discharge firearms/airguns/bow-arrows/catapults or similar mechanisms; setting off fire crackers, rockets, torpedoes or other fireworks; lighting or using open fire; playing 	<ul style="list-style-type: none"> • Various conditions set out in by-law

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			<p>organized league sports (other than casual team sports) in designated areas; distributing or posting posters and other written material; dumping garden refuse; selling merchandise or services; activities to be conducted between 11:30 pm to 7 am; operating remote control toys; gatherings of 25+ people; operating commercial vehicles; overnight parking; and washing or repairing vehicles</p> <ul style="list-style-type: none"> • To close any park (or part thereof) if conditions warrant and to delegate this authority to employees, servants and agents of the Town • To exempt unlicensed vehicles operating in designated areas from requirement for a minimum of 1 headlight and one rear red light 	
	140-90 (Chapter 973)	Fence Height and Pool Enclosures By-law	<p><u>Fences Abutting Parks</u></p> <ul style="list-style-type: none"> • Approve and authorize all fences abutting parks or open space areas 	<ul style="list-style-type: none"> • Fence must meet requirements of by-law

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	40-07 (Chapter 821)	Tree Planting By-law	<u>Enforcement and Care and Maintenance of Trees</u> <ul style="list-style-type: none"> • Appoint Tree Preservation By-law Officers • Care, maintain, protect, preserve and remove trees as set out in the by-law • Approve the injury, destruction or the carrying out of work within the dripline of a tree and impose conditions on approval • To ask for and to receive security guaranteeing the good condition of an injured tree up to 5 years after injury • Approve planting location, species, size and condition of trees on Town streets in accordance with Town specifications and request monetary deposit as security 	n/a
	41-07 (Chapter 1015)	Tree Preservation By-law	<u>Administration of By-law</u> <ul style="list-style-type: none"> • Receive certificates, application, fees and issue or refuse to issue permits, including imposing conditions thereon and revoking permits • Inspect for pests and take action, including tree removal • Appoint Tree Preservation By-law Officers to administer and enforce by-law • Waive fees for owners living below the low-income 	

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			cut-off as determined by Statistics Canada	
	23-10	Confirmatory By-law of February 22, 2010 Council Meeting	<u>Agreements at Arenas</u> <ul style="list-style-type: none"> • Authorizing the entry into and execution of any agreements, amending agreements or any other documentation necessary to implement and effect agreements with prospective third party uses at the Town's arena facilities 	n/a
	54-10	Temporary Road Closure By-law	<u>Temporary Road Closures</u> <ul style="list-style-type: none"> • Depending on the general nature of the event, to temporarily close a highway 	<ul style="list-style-type: none"> • Commissioner of Environment & Infrastructure Services and Commissioner of Planning and Regulatory Services also share this delegated authority
	65-11	Confirmatory By-law of June 27, 2011 Council Meeting	<u>Consents re Town Marks</u> <ul style="list-style-type: none"> • To provide consents to third parties in relation to the Town Marks in Appendix A to SRS.11.11, including the execution of consent documents 	<ul style="list-style-type: none"> • n/a
	94-11 (Chapter 1190)	Waterworks and Wastewater System By-law	<u>Administration/ Enforcement</u> <ul style="list-style-type: none"> • Operate/manage/supervise waterworks distribution system and wastewater system owned by the Town, including approval or denial of applications for installation of water services, including: <ul style="list-style-type: none"> ○ Approve connection to the Town's water services and turn on supply to private property ○ Order installation of 	<ul style="list-style-type: none"> • Exercised jointly with Commissioner of Environment & Infrastructure • Enforcement not including meter services and billing and collection of water and wastewater related charges • Denied applications may be brought to Council for consideration

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			<p>devices on private property to avoid contamination or backflow</p> <ul style="list-style-type: none"> ○ Shut off water for various reasons as set out in the by-law ○ Enforce provision of by-law other than those relating to meters services and billing and collection of water and wastewater charges ○ Consent to flat rate billings ○ Determine charges for water loss caused by leak in private water service 	
	79-17	Tariff of Fees By-law	<p><u>Determining Rate of Annual Adjustments/ Waiving & Reducing Fees</u></p> <ul style="list-style-type: none"> • To determine the rate of the annual adjustment of, and waive or reduce, fees set out in Schedules “A”, “B”, “C” and “D” 	n/a
Commissioner of Corporate & Financial Services	58-13	Parkland Dedication By-law	<p><u>Cash-in-Lieu Land Value</u></p> <ul style="list-style-type: none"> • To establish the value of land for the purpose of calculating any required payment pursuant to by-law 	<ul style="list-style-type: none"> • Commissioner’s decision pursuant to the Commissioner’s delegated authority must not be contrary to or inconsistent with any resolution of Council passed at any time prior to issuance of a building permit
	88-15	Confirmatory By-law of June 22, 2015 Council Meeting	<p><u>Tax Adjustments</u></p> <ul style="list-style-type: none"> • To conduct all meetings required to be held for division of land and apportionment of taxes and 	n/a

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			partial payments on divided parcels in respect of applications made under Section 356 of the Municipal Act, 2001	
	79-17	Tariff of Fees By-law	<u>Determining Rate of Annual Adjustments/ Waiving & Reducing Fees</u> <ul style="list-style-type: none"> To determine the rate of the annual adjustment of, and waive or reduce, fees set out in Schedules "E" and "F" 	n/a
Commissioner of Environment & Infrastructure Services	17-78 as amended by 226-93. 145-08, 74-09 and 54-10 (Chapter 801)	Highway Obstruction By-law	<u>Administration of By-law</u> <ul style="list-style-type: none"> Permitting or refusing to permit those obstructions on highways that require permits, and imposing terms and conditions on such permits Authorizing the entry into and execution of encroachment agreements Permitting excavations for sprinkler systems and low level herbaceous plants Permit temporarily closure of a highway Granting permits for use of a highway for a vehicle(s) in excess of the dimensional limits set out in section 109 of the <i>Highway Traffic Act</i> 	<ul style="list-style-type: none"> Obstruction must conform to by-law in order for permit to be issued Applicants must enter into agreements for maintenance of obstructions that conform to by-law requirements
	402-89 (Chapter 1116)	Parking By-law	<u>Administer By-law</u> <ul style="list-style-type: none"> Place and erect signs as are required to give effect to by-law 	n/a
	140-90	Fence Height	<u>Approval of Fences</u>	<ul style="list-style-type: none"> fence must be in

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	(Chapter 973)	and Pool Enclosures By-law	<ul style="list-style-type: none"> • approve all fences other than those approved pursuant to a site plan or subdivision agreement 	accordance with by-law requirements or permitted by CBO under CBO's delegated authority
	63-95 (Chapter 1050)	Light Pollution By-law	<u>Administer By-law</u> <ul style="list-style-type: none"> • Approve lighting plans and methods of installation for lighting to be installed in connection with construction for commercial uses, including parking lots, industrial uses, institutional uses, recreational or athletic uses or residential uses of five or more dwelling units 	n/a
	91-05 (Chapter 865)	Newspaper Boxes By-law	<u>Seizure and removal of Newspaper Boxes</u> <ul style="list-style-type: none"> • To seize and remove newspaper boxes from highway and place in storage at expense of person who placed it contrary to by-law or a license/license agreement 	n/a
	83-07	Confirmatory By-law of June 12, 2007 Council Meeting	<u>TRCA Applications</u> <ul style="list-style-type: none"> • Commissioner or designate to sign applications for approval from TRCA under O. Reg. 166/06 or the Department of Fisheries and Oceans under section 35(1) of the Federal <i>Fisheries Act</i> 	<ul style="list-style-type: none"> • Must be related to a development application for which conditions of approval have been adopted by Council or are related to a Capital Works project for which funding has been approved by Council
	159-07	Waste Collection By-law	<u>Administration of By-law</u> <ul style="list-style-type: none"> • Designating eligible properties for purpose of waste collection services • Designating large appliances, organic materials, recycling 	n/a

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			<ul style="list-style-type: none"> • To administer, including authorization to delegate duties • Permit interference with household waste, setting out waste/refuse on public property, • Determine scheduling of services, designate collection locations, discontinue services when unsafe, require participation in waste diversion programs, require owner of multi-family property to distribute information to units, suspend services, establish site specific conditions and storage requirements for multi-family and IC&I properties • Approve process for handling and storing waste in multi-family residential and IC&I properties • Approve recyclable and organic material containers 	
	39-08	Lawn Watering By-law	<u>Watering Bans</u> <ul style="list-style-type: none"> • Imposing total watering bans during extreme drought conditions • Granting exemptions from compliance with by-law to owners equipped with automatic lawn sprinklers systems installed prior to July 20, 1998 	
	117-08 (Chapter 1000)	Driveway By-law	<u>Administration of Driveway By-law</u> <ul style="list-style-type: none"> • Receiving applications and fees and authorizing or 	<ul style="list-style-type: none"> • Proposed widening, etc. must conform to standards set out in the by-law

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			refusing to authorize the widening of a driveway apron and/or curb depressions, including conditions thereto	<ul style="list-style-type: none"> Applicant is responsible for costs of utility relocation, work, application fees and associated restoration costs Alteration of Town Infrastructure Services requires road occupancy permit
	54-10	Temporary Road Closures By-law	<u>Temporary Road Closures</u> <ul style="list-style-type: none"> Depending on the general nature of the event, to temporarily close a highway 	<ul style="list-style-type: none"> Commissioner of Community Services and Commissioner of Planning and Regulatory Services also share this delegated authority
	94-11	Waterworks and Wastewater System By-law	<u>Administration/ Enforcement</u> <ul style="list-style-type: none"> Operate/manage/supervise waterworks distribution system and wastewater system owned by the Town, including approval or denial of applications for installation of water services, including: <ul style="list-style-type: none"> Approve connection to the Town's water services and turn on supply to private property Order installation of devices on private property to avoid contamination or backflow Shut off water for various reasons as set out in the by-law Enforce provision of by-law other than those relating to meters services and billing and 	<ul style="list-style-type: none"> Exercised jointly with Commissioner of Community Services Enforcement not including meter services and billing and collection of water and wastewater related charges

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			collection of water and wastewater charges <ul style="list-style-type: none"> ○ Consent to flat rate billings ● Determine charges for water loss caused by leak in private water service 	
	24-17	Confirmatory By-law of February 27, 2017 Council Meeting	<u>Cell Tower/Antennas on Town-Owned Lands</u> <ul style="list-style-type: none"> ● To review and approve applications involving Town-owned property so they may proceed through the public consultation process as set out in the Town's protocol, including: <ul style="list-style-type: none"> (a) To establish site-specific licensing terms; and (b) Authorize the entry and execution by the Mayor and Clerk of licensing agreements for cellular equipment on Town lands once approved by Industry Canada 	<ul style="list-style-type: none"> ● Fees for applications and placement are set out in the Tariff of Fees by-law ● Subject to provisions of Cell Towers/ Antennas on Town-Owned Property Policy
	76-17	Confirmatory By-law of July 10, 2017 Council Meeting	<u>Administration of Community Garden Policy</u> <ul style="list-style-type: none"> ● Commissioner or designate may administer 	<ul style="list-style-type: none"> ● Subject to necessary budget approvals
	79-17	Tariff of Fees By-law	<u>Determining Rate of Annual Adjustments/ Waiving & Reducing Fees</u> <ul style="list-style-type: none"> ● Determining the rate of the annual adjustment of, and waive or reduce, fees set out in Schedules "G" and "H" 	n/a
Commissioner of Planning & Regulatory	159-82, as amended by 226-93	Noise By-law	<u>Exemptions</u> <ul style="list-style-type: none"> ● Approve exemptions from by-law for a period 	<ul style="list-style-type: none"> ● Applicant must be afforded right to be heard

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Services	and 145-08		not in excess of 6 months and impose conditions on exemption	
	218-90	Yard Lot Clearing (Chapter 1022)	<u>Appointment</u> • Reference to appointment of by-law enforcement officers	n/a
	952-92 (Chapter 955)	Boarding Abandoned Vacant Buildings	<u>Appointment</u> • Reference to appointment of by-law enforcement officers	n/a
	217-96	Weed Grass Control Cutting	<u>Appointment</u> • Reference to appointment of by-law enforcement officers and weed inspectors	n/a
	79-99, as amended by 145-08 (Chapter 1010)	Property Standards By-law	<u>Appointment</u> • To appoint Property Standards Officers to administer and enforce the by-law	n/a
	15-01, as amended by 145-08 and 84-14 (Chapter 314)	Dog Licensing – Keeping By-law	<u>Animal Control Officers</u> • Appointing Animal Control Officers to enforce the Dog Licensing By-law	n/a
	133-04, as amended by 145-08 (Chapter 882)	Taxi & Limousine Licensing By-law	<u>Licensing Officers</u> • Appointing Licensing Officers to administer and enforce the by-law	n/a
	187-05, 188-05, 189-05, 190-05, 191-05, 192-05, 193-05, 194-05 and 195-05 as	Various Licensing By-laws	<u>Licensing Officers</u> • Appointing Licensing Officers to issue licenses for horse riding establishments, kennels, bowling alleys, tobacco shops, hawker/peddlers, places of amusement/video arcades; adult entertainment parlour	• Licensees must meet and maintain criteria set out for license in applicable by-law

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	amended by 145-08 and re-enacted by by-law 78-11		owners, operators and entertainers; adult video store owners/operators; operating billiard, pool or bagatelle halls/areas; owning/operating body rub parlours; refreshment carts/vehicles and selling of second-hand goods <ul style="list-style-type: none"> • Appointing by-law enforcement officers to enforce refreshment cart/vehicle by-law 	
	69-07	Anti-graffiti By-law (Chapter 950)	<u>Appointment</u> <ul style="list-style-type: none"> • Appointment of by-law enforcement officers 	n/a
	166-07, as amended by 82-08 and 145-08 (Chapter 967)	Site Alteration By-law	<u>Administration of By-law</u> <ul style="list-style-type: none"> • approve persons to act as the Arborist • to administer and enforce by-law and appoint by-law enforcement officers and inspectors to administer and enforce by-law • to receive permit applications and fees and issue same subject to conditions, necessary to protect public safety or to prevent the creation of a public nuisance and to enter into site alteration agreements • to waive any of the application submission requirements set out in the by-law • to delegate any of the Commissioner's powers and duties to an inspector • to provide relief from requirements of Tree 	<ul style="list-style-type: none"> • Commissioner must satisfy themselves that various prerequisites are met as set out in the by-law, including that the purpose of the site alteration is permitted by the applicable zoning by-law • Relief from Tree Protection Policies may be provided but only in consultation with Commissioner of Community Services

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			Protection Policies <ul style="list-style-type: none"> authorize the entry into agreements under this by-law 	
	146-08	A by-law to delegate certain functions of Council of the Town to specified individual employees of the Town	<u>Appointment of By-law Enforcement Officers</u> <ul style="list-style-type: none"> To appoint, suspend, revoke or terminate the appointment of any individual for the purpose of enforcing any or all of the by-laws of the Town pursuant to Section 15 of the <i>Police Services Act</i> 	<ul style="list-style-type: none"> For non-employees, appointments are subject to execution of an agreement with individual or company that employs individual, which must stipulate that: <ol style="list-style-type: none"> Individuals to be appointed must be trained to satisfaction of Commissioner Individual must comply with direction of Commissioner even if conflicts with employer's direction Company and individual must comply with any limitations specified by Commissioner on activities Town will be fully indemnified for any actions, etc. arising from appointment Evidence of insurance in form satisfactory to Treasurer must be provided
	52-09	Sign By-law	<u>Administration of Sign By-law</u> <ul style="list-style-type: none"> Receive permit and variance applications and fees Issue permits for signs that conform to requirements of by-law 	<ul style="list-style-type: none"> Signs, to be issued a permit, must conform with and satisfy Ontario Building Code Permits may be revoked if <ol style="list-style-type: none"> issued in error; sign does not conform to by-law or conditions of a

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			<ul style="list-style-type: none"> • Refuse to issue permits for signs that do not conform • Approve or deny variances • Revoke permits • Issue orders, including to remove sign • Remove signs 	<p>variance, OBC or other applicable law; or (c) issued as the result of false, mistaken, incorrect or misleading statements, information or undertaking</p> <ul style="list-style-type: none"> • Variance may be authorized if general intent and purpose of by-law are maintained – regard must be had for (a) special circumstances or conditions; (b) whether strict application of by-law would result in unusual hardship; (c) pre-existing special circumstances not created by applicant; and (d) whether essential character of area or premises will be altered due to the authorizing of the variance
	137-09 (Chapter 413)	Site Plan Control Area By-law	<p><u>Site Plan Approvals</u></p> <ul style="list-style-type: none"> • Exercise Council's powers under Section 41 of the Planning Act, save and except the powers to define classes of development which may be undertaken without Site Plan Approval • Require entry into a Site Plan Agreement, including posting of necessary securities, and authorize signing by Mayor and Clerk 	<ul style="list-style-type: none"> • Applicants must: <ol style="list-style-type: none"> 1. have attended a pre-consultation meeting as described in Town's By-law No. 123-08 2. completed an application form 3. submitted plans and drawings 4. submitted requisite fees • Approval expires in 1 year unless applicants draw a building permit or an extension is granted by the Commissioner of up to 1 additional year
	54-10	Temporary Road	<p><u>Temporary Road Closures</u></p> <ul style="list-style-type: none"> • Depending on the general 	<ul style="list-style-type: none"> • Commissioner of Community Services and

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		Closures By-law	nature of the event, to temporarily close a highway	Commissioner of Environment & Infrastructure Services also share this delegated authority
	66-10	Subdivision/ Condo Approvals By-law	<p><u>Condominium & Subdivision Approvals</u></p> <ul style="list-style-type: none"> • Approvals of descriptions under the <i>Condominium Act</i> • Exemptions of descriptions from Section 51 and 51.1. of <i>Planning Act</i> except those re public meeting • Draft approvals of plans of subdivision under Planning Act and endorsement of notice of decision of Council • Final approvals of plans of subdivision 	<ul style="list-style-type: none"> • Proposed plan of condominium is the subject of an executed site plan agreement with the Town and has been circulated for comments in accordance with the <i>Planning Act</i> and Council procedures and conditions of other circulated agencies being imposed • Exemption of description if all conditions which would have been imposed are satisfied; proposed use is in conformity with Official Plan and permitted by applicable zoning by-law; and draft plan has been circulated for comments and all agencies have requested routine conditions or indicated no objection or approval • Notice of decision of Council for a draft approval must contain all conditions imposed by Council • Final approval is subject to all conditions having been satisfied and the final plan being in conformity with the approved draft plan
	93-10, as varied by	Confirmatory By-law of	<u>Legal Representation at OMB</u>	<ul style="list-style-type: none"> • In the event that an applicant files an appeal

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	42-12	September 13, 2010 Council Meeting	<ul style="list-style-type: none"> • To authorize the Town Solicitor to provide legal representation before the Ontario Municipal Board in support of a position taken by staff with respect to Committee of Adjustment applications where the decision of the Committee was in support of the staff position and that decision has been appealed to the Board; • To file appeals on behalf of the Town of Richmond Hill to the Ontario Municipal Board from decisions of the Committee of Adjustment where the time for filing such appeals does not, in the sole opinion of the Commissioner, allow for obtaining Council authority; and • to provide all instructions to staff lawyers and for outside legal counsel retained by the Town with respect to any planning matter before the Ontario Municipal Board save and except where the Council position on the matter is contrary to the advice and recommendation(s) from the Planning and Regulatory Services Department. 	to the OMB against Town's denial of application(s), the Legal Division and Commissioner of Planning & Regulatory Services staff must provide Council with regular written or verbal updates, in closed session, on the progress of the application(s)
	58-13	Parkland Dedication By-law	<p><u>Administration of By-law</u></p> <ul style="list-style-type: none"> • To: <ul style="list-style-type: none"> ○ Determine whether to require the dedication of 	<ul style="list-style-type: none"> • Commissioner's decision pursuant to the Commissioner's delegated authority must

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			land, the payment of money or a combination of land and money <ul style="list-style-type: none"> ○ Establish the location and configuration of land required to be conveyed ○ Establish procedures for calculating applicable reductions 	not be contrary to or inconsistent with any resolution of Council passed at any time prior to issuance of a building permit
	65-13	Confirmatory By-law of May 27, 2013 Council Meeting	<u>Temporary Parking Fees</u> <ul style="list-style-type: none"> • To waive temporary parking fees 	n/a
	82-13	Confirmatory By-law of June 24, 2013 Council Meeting	<u>Pet Licenses</u> <ul style="list-style-type: none"> • To initiate and continue an application system to allow vendors to seek and be approved to sell pet licenses on the Town's behalf 	n/a
	119-13	Confirmatory By-law of October 28, 2013 Council Meeting	<u>Tow Truck Fees</u> <ul style="list-style-type: none"> • To waive the initial tow truck owner license fee for non-competitive tow enterprises (such as CAA) and instead to apply the renewal fee referenced in Section 8.7 of the By-law 	n/a
	70-14	Confirmatory By-law of April 7, 2014 Council Meeting	<u>Conservation Easements</u> <ul style="list-style-type: none"> • To grant permissions associated with activities otherwise prohibited by the terms of a conservation easement 	n/a
	69-16	Administrative Penalty By-law	<u>Administration of AMPS</u> <ul style="list-style-type: none"> • Establish procedures consistent with by-law • Prescribe forms and notices, including Penalty Notice and amend as necessary 	n/a

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	70-16	Screening and Hearing Officer By-law (AMPS)	<u>Appointment & Other</u> <ul style="list-style-type: none"> To appoint Screening Officers to support the Administrative Monetary Penalty System To establish the rate of remuneration for the Hearing Officer 	n/a
	98-16	Confirmatory By-law of September 12, 2016 Council Meeting	<u>AMPS Policies</u> <ul style="list-style-type: none"> To make clerical revisions to the 6 policies approved by Council as required from time to time 	n/a
	79-17	Tariff of Fees by-law	<u>Determining Rate of Annual Adjustments/ Waiving & Reducing Fees</u> <ul style="list-style-type: none"> Determining the rate of the annual adjustment of, and waive or reduce, fees set out in Schedules "J", "K", "L", "M" and "N" 	n/a
Committee of Adjustment	194-84	A By-law to Delegate the Authority for the giving of Consents to the Committee of Adjustment for The Corporation of the Town of Richmond Hill	<u>Section 53 Planning Act Consents</u> <ul style="list-style-type: none"> Authority for giving consents under section 53 of the Planning Act 	<ul style="list-style-type: none"> Committee must hold a public hearing for all consent application In addition to notice required under O.Reg. 922, all assessed owners of land within 60 meters, or in the case of a condo, the condo corporation, shall be notified by notice at least 10 days prior to hearing, which notice is to be given by prepaid first class mail
Committee of the Whole	264-00 as amended by 145-08	Taxes - Hearing	<u>Tax Hearings</u> <ul style="list-style-type: none"> To conduct all meetings in respect of applications under section 356, 357, 358 and 359 of the 	n/a

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			<i>Municipal Act, 2001</i> and make the decision instead of Council, including rejecting the application or exercising any of the powers set out in the aforementioned sections	
Deputy Fire Chief	19-95	A by-law to continue a fire department	<u>Absence of Fire Chief</u> <ul style="list-style-type: none"> • Same duties, responsibilities and authority as the Fire Chief in the Fire Chief's absence 	n/a
Director of Development Engineering	66-10	A by-law respecting the delegation of Council's authority under Section 51 of the <i>Planning Act</i>	<u>Condominium & Subdivision Approvals</u> <ul style="list-style-type: none"> • Exercise all authority of the Commissioner of Commissioner of Planning & Regulatory Services under by-law in the Commissioner's absence 	<ul style="list-style-type: none"> • Same as applicable to exercise by Commissioner of Commissioner of Planning & Regulatory Services
Director of Development Planning	66-10	A by-law respecting the delegation of Council's authority under Section 51 of the <i>Planning Act</i>	<u>Condominium & Subdivision Approvals</u> <ul style="list-style-type: none"> • Exercise all authority of the Commissioner of Commissioner of Planning & Regulatory Services under the by-law in the Commissioner's absence 	<ul style="list-style-type: none"> • Same as applicable to exercise by Commissioner of Planning & Regulatory Services
Director of Human Resources	113-16 (replaces Chapter 285)	Procurement Policy By-law	<u>Legal and Recruitment Services</u> <ul style="list-style-type: none"> • Award of contracts for legal retainers, legal support services and recruitment services pursuant to the exemption in Policy 	<ul style="list-style-type: none"> • Jointly with CAO if valued at \$10,000 or greater
Fire Chief	51-72	A by-law to provide for the participation of the Town of Richmond Hill Fire	<u>Leave Limits of Richmond Hill</u> <ul style="list-style-type: none"> • At the Fire Chief's or designee's discretion, the TRH Fire Department may leave the limits of the Town to respond to calls for 	n/a

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		Department in the Region of York Mutual Assistance System	assistance from other municipal fire departments authorized to participate in the Region of York Mutual Assistance Program	
	61-72, as amended by 226-93	A by-law to prescribe times and precautions for setting fires in Richmond Hill	<u>Notices and Supervision</u> <ul style="list-style-type: none"> To receive notices and to impose requirements for additional supervision 	n/a
	54-79, as amended by 226-93	A by-law for the preservation of life and for preventing the spread of fires	<u>Issue Orders</u> <ul style="list-style-type: none"> Issue orders to owners of rooming houses to put their building and yards in a safe condition 	n/a
	185-90	The Smoke Alarm By-law	<u>Assignment of Fire Prevention Officers</u> <ul style="list-style-type: none"> Assign Fire Prevention Officers to administer and enforce the by-law 	n/a
	19-95	A by-law to continue a fire department	<u>Appointment of Members</u> <ul style="list-style-type: none"> Appoint qualified persons as members 	<ul style="list-style-type: none"> Exercise of power is subject to hiring policies of the corporation.
	245-99	A by-law to prescribe maintenance and occupancy standards for dwelling units with respect to carbon monoxide alarms	<u>Administration and Enforcement</u> <ul style="list-style-type: none"> To administer and enforce by-law and instruct Fire Prevention Officers to do same 	n/a
	51-05	A by-law to Prescribe Conditions and Times for	<u>Permit Issuance</u> <ul style="list-style-type: none"> Fire Chief or designate (Chief Fire Official) to issue fire burning permits 	n/a

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		Permitting Open Air Burning		
	117-09	Confirmatory By-law of October 13, 2009 Council Meeting	<u>Fire Training Centre</u> <ul style="list-style-type: none"> To enter into and execute agreements, amending agreements or other documentation necessary to implement and effect agreements with prospective third party uses of the Fire Training Centre located at 1200 Elgin Mills Road East 	n/a
	23-10	Confirmatory By-law of February 22, 2010 Council Meeting	<u>Management of Fire Dispatch Centre</u> <ul style="list-style-type: none"> Manage Fire Dispatch Centre located at 191 Major Mackenzie Drive West, including authorizing designate to (i) market fire dispatch services provided at the Fire Dispatch Centre; and (ii) negotiate agreements, including amendments to all terms of such agreements, with prospective fire departments for the purpose of providing dispatch services 	<ul style="list-style-type: none"> No permit may be issued until an inspection of the burn site has been made
	77-10	Fireworks By-law	<u>Fireworks Discharge</u> <ul style="list-style-type: none"> Approve form of application for discharge and vendors 	n/a
Hearing Officer	69-16	Administrative Penalty By-law	<u>Review of Screening Decisions</u> <ul style="list-style-type: none"> Holding hearings in accordance with by-law and <i>Statutory Powers and Procedures Act</i> Confirm Screening Decision or cancel, reduce 	n/a

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Person or Body to Whom the Authority has been Delegated ¹	Authorizing By-law No. ² / Municipal Code Chapter	Authorizing By-law Title or Description	Description of Delegated Authority	Conditions of, or Limitations on, Exercise of the Delegated Authority
			or extend time for payment on specified grounds <ul style="list-style-type: none"> Other powers and duties as set out in the by-law in connection with hearing 	
	50-17	Confirmatory By-law of May 8, 2017 Council Meeting	<u>Dog Muzzling Hearings</u> <ul style="list-style-type: none"> Hold hearings in accordance with the Council approved "Hearing Procedure By-law" 	n/a
Licensing Officers	133-04	Taxi/ Limousine By-law	<u>Issuance of Taxi/Limousine Licenses</u> <ul style="list-style-type: none"> Issue licenses that meet requirements of by-law 	<ul style="list-style-type: none"> Licensees must comply with conditions in by-law.
	91-05	Newspaper Box By-law	<u>Issuance of Newspaper Box Licenses</u> <ul style="list-style-type: none"> Issue licenses that meet requirements of the By-law 	<ul style="list-style-type: none"> License holder must have entered into an agreement stipulating various matters set out in the by-law, including indemnification and insurance
	187-05, 188-05, 189-05, 190-05, 191-05, 192-05, 193-05, 194-05 and 195-05 as amended by 145-08 and re-enacted by by-law 78-11	Various Licensing By-laws	<u>Issuance of Licenses/Enforcement of By-law</u> <ul style="list-style-type: none"> Determine whether an applicant is entitled to a license for horse riding establishments, kennels, bowling alleys, tobacco shops, hawker/peddlers, places of amusement/video arcades; adult entertainment parlour owners, operators and entertainers; adult video store owners/operators; operating billiard, pool or bagatelle halls/areas; owning/operating body rub parlours; refreshment carts/vehicles and selling of second-hand goods recommend refusal, 	<ul style="list-style-type: none"> Licensees must comply with conditions in by-law.

SCHEDULE A OF APPENDIX B TO SRCAO.18.01

**Schedule A
Delegation of Powers and Duties Policy
Consolidation of Delegations**

Person or Body to Whom the Authority has been Delegated ¹	Authorizing By-law No. ² / Municipal Code Chapter	Authorizing By-law Title or Description	Description of Delegated Authority	Conditions of, or Limitations on, Exercise of the Delegated Authority
			revocation or suspension to Council in accordance with the provisions of the by-law	
License Hearings Committee	91-05	Newspaper Boxes	<u>Hearings re Newspaper Boxes</u> <ul style="list-style-type: none"> • Holds hearings relating to refusal, revocation or suspension of newspaper box licenses and make recommendations to Council 	n/a
	187-05, 188-05, 189-05, 190-05, 191-05, 192-05, 193-05, 194-05 and 195-05 as amended by 145-08 and re-enacted by by-law 78-11	Various Licensing By-laws	<u>Holding Hearings</u> <ul style="list-style-type: none"> • Holds hearings relating to refusal, revocation or suspension of licenses and make recommendations to Council for licenses for horse riding establishments, kennels, bowling alleys, tobacco shops, hawker/peddlers, places of amusement/video arcades; adult entertainment parlour owners, operators and entertainers; adult video store owners/operators; operating billiard, pool or bagatelle halls/areas; owning/operating body rub parlours; refreshment carts/vehicles and selling of second-hand goods 	n/a
Lottery Licensing Officers (Includes Clerk and Deputy Clerk)	13-01	Bingo – Lottery – Raffle License By-law	<u>Lottery Licenses, etc.</u> <ul style="list-style-type: none"> • To issue licenses for bingo, raffles, lotteries, etc. 	<ul style="list-style-type: none"> • Licensee and conduct of licensed activities must be in compliance with all by-law requirements
Manager of By-	54-13	Tow-Truck	<u>Administration of</u>	<ul style="list-style-type: none"> • As set out in by-law

Schedule A
Delegation of Powers and Duties Policy
Consolidation of Delegations

Person or Body to Whom the Authority has been Delegated ¹	Authorizing By-law No. ² / Municipal Code Chapter	Authorizing By-law Title or Description	Description of Delegated Authority	Conditions of, or Limitations on, Exercise of the Delegated Authority
law and Licensing Enforcement		By-law	<u>Provisions of Tow-Truck By-law</u> <ul style="list-style-type: none"> • Powers of a Licensing Enforcement Officer 	
Manager of Real Estate	By-law 76-17	Confirmatory By-law of July 10, 2017 Council Meeting	<u>Waive Notice, Determine Sale Process, Permissions to Enter</u> <ul style="list-style-type: none"> • Determine that land is not developable except in conjunction with other lands for purpose of non-application of the public notice requirement for a proposed sale • Where land has been declared surplus, to determine the manner or process by which sale or other disposition will be carried out, including public tender, proposal call, MLS listing, direct advertising and direct negotiations with abutting owner and notifying of other agencies • Authorize entry onto Town land by third parties for purposes of facilitating work on the lands on adjacent or surrounding lands • Authorize the entry into and execution of permission to enter agreements 	<ul style="list-style-type: none"> • In carrying out a sale or other disposition, where the sale is intended to a particular person or for a particular purpose, the manner of sale shall be consistent with the particular circumstances or as otherwise specified by Council • When carrying out a sale or disposition by public tender, reserve bid must be equal to or higher than appraised value of the land • When carrying out a sale or disposition through MLS, list price must be equal to or higher than the appraised value of the land • Sale or Dispositions are subject to final Council approval • Manager of RE must consult staff responsible for operation of maintenance of lands and ensure that persons granted permission agrees to restore land indemnify the Town with respect to the entry and provide Town with adequate insurance to the benefit of the Town
Mayor	136-10, as	Confirmatory	<u>Execution of Acquisition</u>	<ul style="list-style-type: none"> • To be exercised jointly

Schedule A
Delegation of Powers and Duties Policy
Consolidation of Delegations

Person or Body to Whom the Authority has been Delegated ¹	Authorizing By-law No. ^{2/} Municipal Code Chapter	Authorizing By-law Title or Description	Description of Delegated Authority	Conditions of, or Limitations on, Exercise of the Delegated Authority
	amended by 83-12	By-law of December 20, 2010 Council Meeting	<p><u>Agreements</u></p> <ul style="list-style-type: none"> • To execute agreements required to meet a condition of provisional consent given by the Committee of Adjustment and recommended by Commissioner of Planning & Regulatory Services or Corporate & Financial Services, or their designate • To execute subdivision agreements where draft approval has been given, the agreement does not provide for the deferral of any development charges and the Commissioner of Planning & Regulatory Services recommends execution • To execute subdivision amending agreements to add utility coordination drawings where such were not available upon execution of subdivision agreement and plan not yet registered and Commissioner of Planning & Regulatory Services or designate recommends execution • To execute subdivision amending agreements where plan not yet registered and amendment is required to satisfy a condition of draft approval or to obtain a clearance of a condition and 	<p>with Clerk</p> <ul style="list-style-type: none"> • Subdivision agreement may not provide for deferral of development charges • Amending subdivision agreements to add utility drawing not available at SA execution only where plan not yet registered • Title to lands may not be accepted subject to encumbrances unless Council has approved or CAO has waived this requirement upon written recommendation from the Town Solicitor to such waiver and/or as to what encumbrance should be permitted to remain • Development charge credit transfer agreement may only be signed provided any credit so transferred is only to be given by the Town in relation to the by-law to which the credit relates and not against another development charge by-law and where the Commissioner of Planning and Regulatory Services and the Commissioner of Corporate and Financial Services, or their designate, both recommend execution of the agreement

Schedule A
Delegation of Powers and Duties Policy
Consolidation of Delegations

Person or Body to Whom the Authority has been Delegated ¹	Authorizing By-law No. ^{2/} Municipal Code Chapter	Authorizing By-law Title or Description	Description of Delegated Authority	Conditions of, or Limitations on, Exercise of the Delegated Authority
			Commissioner of Commissioner of Planning & Regulatory Services (or designate) recommends execution <ul style="list-style-type: none"> To execute development charge credit transfer agreements with registered owners of lands that are the subject of a subdivision or site plan agreement not yet executed and holder of credits 	
	74-12	Procedural By-law	<u>Execution of Agreements</u> <ul style="list-style-type: none"> If Council has approved the entry into an agreement, the Mayor and Clerk shall execute that agreement 	<ul style="list-style-type: none"> Jointly exercised with Clerk
	93-12	Confirmatory By-law of September 10, 2012 Council Meeting	<u>Proclamations</u> Approvals in accordance with Proclamation Policy	n/a
Permit Officers	77-10	Fireworks By-law	<u>Issue Permits</u> <ul style="list-style-type: none"> Issue and revoke permits under by-law to sell or discharge fireworks and attach conditions to permits Require additional documents with permit applications Conduct inspections 	<ul style="list-style-type: none"> Requirements of by-law must be met
Provincial Offences Officer appointed as such by Council or delegated Commissioner pursuant to	260-99, as amended by 84-14	A by-law to regulate various matters relating to the control of dogs	<u>Conduct Dangerous Dog Inquiry</u> <ul style="list-style-type: none"> On their own initiative or as a result of a complaint, conduct an inquiry into whether dog should be designated as dangerous and designate such dog 	<ul style="list-style-type: none"> Where the Provincial Offences Officer designates a dog, the Provincial Offences Officer must serve a notice in a form specified in the by-law and requiring the owner to comply with certain requirements, also

Schedule A
Delegation of Powers and Duties Policy
Consolidation of Delegations

Person or Body to Whom the Authority has been Delegated ¹	Authorizing By-law No. ^{2/} Municipal Code Chapter	Authorizing By-law Title or Description	Description of Delegated Authority	Conditions of, or Limitations on, Exercise of the Delegated Authority
Section 15 of the <i>Police Services Act</i>				as set out in the by-law <ul style="list-style-type: none"> The designation is subject to a right of appeal by the owner of the dog to Council or to an individual or body to whom Council has delegating the power to hold a hearing
Risk Manager	66-07	Confirmatory By-law of May 7, 2007 Council Meeting	<u>Settlement Authority</u> <ul style="list-style-type: none"> To settle: <ul style="list-style-type: none"> third party claims or legal proceedings less than or equal to the Town's insurance deductible subrogation claims for the recovery of damage to Town property caused by a third party all legal proceedings not identified above for which the settlement will not result in liability to the Town of an amount greater than \$10,000 	<ul style="list-style-type: none"> Town Solicitor also has same delegated authority and can exercise it independent of Risk Manager
	113-16 (replaces Chapter 285)	Procurement Policy By-law	<u>Legal Services for Insured Matters</u> <ul style="list-style-type: none"> Award of contracts for legal retainers and legal support services pursuant to the exemption in Policy 	<ul style="list-style-type: none"> Jointly with Commissioner of Risk Division if valued at \$10,000 or greater
Screening Officer	69-16	Administrative Penalty By-law	<u>Review of Administrative Penalty</u> <ul style="list-style-type: none"> Review administrative penalties and affirm or cancel reduce or extend time for payment on grounds set out in by-law Other duties in connection with a screening review as 	n/a

Schedule A
Delegation of Powers and Duties Policy
Consolidation of Delegations

Person or Body to Whom the Authority has been Delegated ¹	Authorizing By-law No. ² / Municipal Code Chapter	Authorizing By-law Title or Description	Description of Delegated Authority	Conditions of, or Limitations on, Exercise of the Delegated Authority
			set out in the by-law	
Theatre Manager	132-07	Confirmatory By-law of September 10, 2007 Council Meeting	<u>Contract Signing Authority</u> <ul style="list-style-type: none"> • To sign all facility rental contracts for the RH Centre for the Performing Arts on behalf of the Town • To sign all contracts related to artistic services at the RH Centre for the Performing Arts up to a maximum of \$50,000 alone or contracts above this threshold with the Commissioner of Community Services 	<ul style="list-style-type: none"> • Contracts for artistic services exceeding \$50,000 must be co-signed by Commissioner of Community Services
Town Solicitor	66-07	Confirmatory By-law of May 7, 2007 Council Meeting	<u>Settlement Authority</u> <ul style="list-style-type: none"> • To settle: <ul style="list-style-type: none"> ○ third party claims or legal proceedings less than or equal to the Town's insurance deductible ○ subrogation claims for the recovery of damage to Town property caused by a third party ○ all legal proceedings not identified above for which the settlement will not result in liability to the Town of an amount greater than \$10,000 	<ul style="list-style-type: none"> • Risk Manager also has same delegated authority and can exercise it independent of Town Solicitor
	66-10	Subdivision/ Condo Approvals By-law	<u>Condominium & Subdivision Approvals</u> <ul style="list-style-type: none"> • Various administrative responsibilities in connection with receipt of department and external clearances of conditions and approval and registration of final plans 	<ul style="list-style-type: none"> • Authority can be exercised by a designate
	136-10, as amended	Confirmatory By-law of	<u>Acquisition of Lands and Easements</u>	<ul style="list-style-type: none"> • Title to lands may not be accepted subject to

Schedule A
Delegation of Powers and Duties Policy
Consolidation of Delegations

Person or Body to Whom the Authority has been Delegated ¹	Authorizing By-law No. ² / Municipal Code Chapter	Authorizing By-law Title or Description	Description of Delegated Authority	Conditions of, or Limitations on, Exercise of the Delegated Authority
	by 36-13	December 20, 2010 Council Meeting ³	<ul style="list-style-type: none"> To acquire lands or easements required by the Town pursuant to provisional CoA consent; condition of minor variance as per CoA; condition of site plan agreement; condition of subdivision agreement; condition of an agreement entered into to meet a condition of consent as per CoA; condition of grading or drainage agreement; or that are required by the Town in connection with servicing or other agreements previously authorized by Council 	encumbrances unless Council has approved or CAO has waived this requirement upon written recommendation from the Town Solicitor to such waiver and/or as to what encumbrance should be permitted to remain
	113-16 (replaces Chapter 285)	Procurement Policy By-law	<u>Legal Services</u> <ul style="list-style-type: none"> Award of contracts for legal retainers and legal support services pursuant to the exemption in Policy 	<ul style="list-style-type: none"> Jointly with CAO if valued at \$10,000 or greater
	79-17	Tariff of Fees By-law	<u>Duplication of Fees Payable</u> <ul style="list-style-type: none"> To reduce fees payable in relation to services if there is a duplication in the fees payable and the related additional charges to be charged in relation to the costs incurred by the Town for retaining outside legal services 	n/a
Town Solicitor and other solicitors	39-01	Confirmatory By-law of December 10,	<u>Electronic Registration</u> <ul style="list-style-type: none"> To execute and register electronically transfers 	<ul style="list-style-type: none"> Execution of documents requiring registration may also be done by law clerks

Schedule A
Delegation of Powers and Duties Policy
Consolidation of Delegations

Person or Body to Whom the Authority has been Delegated ¹	Authorizing By-law No. ² / Municipal Code Chapter	Authorizing By-law Title or Description	Description of Delegated Authority	Conditions of, or Limitations on, Exercise of the Delegated Authority
		2001 Council Meeting	<p>where acquisition, disposition or release of an interest in land has been authorized by by-law</p> <ul style="list-style-type: none"> • To execute documents requiring registration at Land Registry Office • To execute and Document Registration Agreement pertaining to electronic registration • To electronically transfer funds from an account established by the Commissioner of Finance to the Teranet deposit account 	and other designated persons
Treasurer	79-03	A by-law to delegate authority relating to property assessment and taxation appeal matters to staff	<p><u>Property Assessment and Taxation</u></p> <ul style="list-style-type: none"> • Treasurer or the Treasurer's designate may: • initiate and file notices of appeal with the Assessment Review Board (ARB) where property is considered to be wrongly assessed or omitted from the assessment roll • attend before the ARB on property assessment or taxation appeals filed by the Town or another person • execute settlement agreements reached in the course of a taxation or property assessment appeal and in accordance with MPAC's recommendation • withdraw any appeal filed by the Town if it is 	n/a

SCHEDULE A OF APPENDIX B TO SRCAO.18.01

**Schedule A
Delegation of Powers and Duties Policy
Consolidation of Delegations**

Person or Body to Whom the Authority has been Delegated¹	Authorizing By-law No.^{2/} Municipal Code Chapter	Authorizing By-law Title or Description	Description of Delegated Authority	Conditions of, or Limitations on, Exercise of the Delegated Authority
			determined not in the Town's best interest to proceed	
	94-11	A by-law to enact rules and regulations governing the maintenance and operations of the waterworks and wastewater system	<u>Administration of Meter Services</u> <ul style="list-style-type: none"> • operate/manage/supervise meter services and billing and collection of water and wastewater charges • enforce provision of by-law relating to meter services and billing • receive applications for water supply • apply administrative credits where staff fail to execute standard procedures which contributes to water wastage • set and waive water meter testing fees • waive administration fees related to transferred balances to tax roll 	n/a
	114-16 (replaces Chapter 285)	Financial Control By-law	<u>Financial Control</u> <ul style="list-style-type: none"> • Co-signatory on commitments (contracts) for acquisitions of \$10,000 and over to verify Policy compliance • Provides confirmation of Procurement Policy exemptions 	<ul style="list-style-type: none"> • CPO may also co-sign commitments and confirm exemption
Tree Preservation By-law Officers	40-07	Tree Planting By-law	<u>Enforcement</u> <ul style="list-style-type: none"> • to enforce Tree Planting by-law, including issuing orders to discontinue a contravention and/or do work to correct 	n/a
	41-07	A by-law to prohibit or regulate the	<u>Enforcement</u> <ul style="list-style-type: none"> • to enforce Tree Planting by-law, including reviewing, 	<ul style="list-style-type: none"> • permits must comply with by-law requirements • no permit shall be

SCHEDULE A OF APPENDIX B TO SRCAO.18.01

Schedule A
Delegation of Powers and Duties Policy
Consolidation of Delegations

Person or Body to Whom the Authority has been Delegated¹	Authorizing By-law No.²/ Municipal Code Chapter	Authorizing By-law Title or Description	Description of Delegated Authority	Conditions of, or Limitations on, Exercise of the Delegated Authority
		injuring or destruction of trees on private property in the Town of Richmond Hill	issuing and refusing to issue permits, conducting inspections	approved where approval is inconsistent with an approved tree preservation plan

APPENDIX C TO SRCAO.18.01

Proposed Revisions to Existing Delegations of Authority

1. The references in the following by-laws (as amended) to the Commissioner of Community Services should be changed to refer to the Commissioner of Planning and Regulatory Services:
 - (a) By-law no. 40-07 (Trees Planting By-law).
2. The references in the following by-laws (as amended) to the Commissioner of Environment and Infrastructure should be changed to refer to the Commissioner of Community Services:
 - (a) By-law no. 17-78 (Highway Obstruction By-law);
 - (b) By-law no. 402-89 (Parking By-law), save and except the reference in Section 2.1 that authorizes the placement, erection and maintenance of authorized signs as set out in Section 3 below;
 - (c) By-law no. 140-90 (Fence Height/Pool Enclosures By-law);
 - (d) By-law no. 91-05 (Newspaper Box By-law);
 - (e) By-law no. 39-08 (Lawn Watering By-law);
 - (f) By-law no. 117-08 (Driveway By-law); and
 - (g) By-law no. 45-10 (Temporary Road Closures By-law).
 - (h) By-law no. 94-11 (Wastewater By-law).
3. The references in the following by-laws (as amended) to the Commissioner of Environment and Infrastructure should be changed to refer to the Commissioner of Planning and Regulatory Services:
 - (a) By-law no. 402-89 (Parking By-law), but only the reference in Section 2.1 that authorizes the placement, erection and maintenance of authorized signs; and
 - (b) By-law no. 63-95 (Light Pollution By-law), save and except the reference in the definition of By-law enforcement officer as set out in Section 4 below.
4. The references in the following by-laws (as amended) to the Commissioner of Planning and Regulatory Services should be changed to refer to the Commissioner of Community Services:
 - (a) By-law no. 159-82 (Noise By-law);
 - (b) By-law no. 218-90 (Yard Lot Clearing);
 - (c) By-law no. 92-92 (Boarding Abandoned Vacant Buildings By-law);
 - (d) By-law no. 63-95 (the Light Pollution By-law), but only the reference in the definition of By-law enforcement officer
 - (e) By-law no. 217-96 (Weed Grass Control Cutting);
 - (f) By-law no. 79-99 (Property Standards By-law);
 - (g) By-law no. 15-01 (Dog Licensing and Keeping By-law);
 - (h) By-law no. 133-04 (Taxi and Limousine Licensing By-law);

APPENDIX C TO SRCAO.18.01

Proposed Revisions to Existing Delegations of Authority

- (i) By-law no. 187-05 (Horse Riding Establishment Licensing by-law);
- (j) By-law no. 188-05 (Kennel Licensing By-law);
- (k) By-law no. 189-05 (General Business Licensing By-law);
- (l) By-law no. 190-05 (Adult Entertainment Parlour Licensing By-law);
- (m) By-law no. 191-05 (Adult Video Licensing By-law);
- (n) By-law no. 192-05 (Billiard, Pool and Bagatelle Tables Licensing By-law);
- (o) By-law no. 193-05 (Body-rub Parlour Licensing By-law);
- (p) By-law no. 194-05 (Refreshment Vehicle Licensing By-law);
- (q) By-law no. 195-05 (Second-hand Goods Licensing By-law);
- (r) By-law no. 69-07 (Anti-Graffiti By-law);
- (s) By-law no. 146-08 (a by-law to delegate certain functions of Council of the Town to specified individual employees of the Town);
- (t) By-law no. 52-09 (Sign By-law);
- (u) By-law no. 65-13 (a by-law to waive temporary parking fees);
- (v) That portion of By-law no. 82-13 that refers to the Pet License Vendor Application System;
- (w) That portion of By-law no. 119-13 that refers to the waiver of initial two truck owner license fees for non-competitive tow enterprises as set out in the Tow Truck By-law;
- (x) By-law no. 69-16 (Administrative Penalty System By-law);
- (y) By-law no. 70-16 (Screening and Hearing Officer By-law);
- (z) That portion of By-law no. 98-16 that refers to the authorization to make clerical revisions to AMPS policies; and
- (aa) the references in any by-laws of the Town to the appointment of by-law enforcement officers, weed inspectors and property standards officers and/or to the appointment of individuals to enforce any Town by-laws pursuant to section 15 of the Police Services Act, R.S.O. 1990, c. P.15, as amended.



Staff Report for Committee of the Whole Meeting

Date of Meeting: January 22, 2018

Report Number: SRCFS.18.001

Department: Corporate and Financial Services

Division: Financial Services

Subject: **SRCFS.18.001 Semi-Annual Report - Non Competitive Acquisitions**

Purpose:

To provide required report of all Non-Competitive contracts awarded from June 1, 2017 to December 31, 2017 in accordance with Town's Procurement By-Law # 113-16.

Recommendation(s):

That this report be received for information purposes only.

Contact Person:

Tharshini Markandaier, CPO/Manager of Procurement, Ext. 5524

Report Approval:

Submitted by: Mary-Anne Dempster, Commissioner of Corporate and Financial Services

Approved by: Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

Background:

Council approved a new Procurement framework and enacted By-Law #113-16 in January 2017. Section 270(1) (3) of the *Municipal Act, 2001* requires that Council adopt and maintain policies with respect to its procurement of goods and services.

As part of By-Law #113-16 the Commissioner of Corporate and Financial Services shall provide a semi-annual report to Council detailing all non-competitive sole-source and single-source acquisitions.

Sole-source and single source acquisitions generally are required under the following circumstances:

Part I - Sole Source Acquisitions	(a)	where the supply of the Goods and/or Services is controlled by a Supplier that is a statutory monopoly.
	(b)	where there is an absence of competition for technical reasons and the Goods and/or Services can be supplied only by a particular Supplier and no alternative or substitute exists.
	(c)	to ensure compatibility with existing products, to recognize exclusive rights such as patent, copyright or license, or to maintain specialized products that must be maintained by the manufacturer or its representative.
	(d)	for the Acquisition of Goods on the commodity market.
	(e)	for work to be performed on or about a leased building or portions thereof that may be performed only by the lessor.
	(f)	for work to be performed on a property by a contractor according to provisions of a warranty or guarantee held in respect of the property or the original work.
	(g)	for the purchase of Goods under exceptionally advantageous circumstances such as bankruptcy or receivership, but not for routine purchases.
	(h)	for a Contract to be Awarded to the winner of a design contest.
	(i)	for the Procurement of a prototype of a first Good or Service to be developed in the course of and for a particular Contract for research, experiment, study or original development, but not for any subsequent purchases.
	(j)	for the Procurement of original works of art.
	(k)	for the Procurement of subscriptions to newspapers, magazines or other periodicals.
Part II - Single Source Acquisitions	(a)	in the absence of receipt of any Submissions in response to a request.
	(b)	an Unforeseen Situation of Urgency exists and the Goods and/or Services cannot be obtained in time by means of a Competitive Procurement.
	(c)	Goods and/or Services regarding matters of a confidential or privileged nature are to be purchased and the disclosure of those matters through an open competitive process could reasonably be expected to compromise confidentiality, cause economic disruption or otherwise be contrary to the public interest.
	(d)	where compliance with the requirements of this Policy would interfere with the Town's ability to maintain security or order or to protect human, animal or plant life or health.

Financial/Staffing/Other Implications:

Appendix 'A' summarizes these sole source and single source acquisitions for the period of June 1, 2017 to December 31, 2017. For this period, Sole and Single Source Acquisitions were awarded for a cumulative value of \$733,649.99.

Relationship to the Strategic Plan:

Reporting of single source and sole source acquisitions demonstrates transparent and responsible municipal management.

Conclusion:

This report has been prepared to fulfill reporting requirements provided in Procurement By-Law #113-16.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document. karyn

- Appendix "A" June 1, 2017 to December 31, 2017 Acquisitions

Report Approval Details

Document Title:	SRCFS.18.001 Non Competitive Acquisitions Report.docx
Attachments:	- 18.001 Non Competitive Acquisition Report Appendix A.xlsx
Final Approval Date:	Jan 16, 2018

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

David Dexter - Jan 15, 2018 - 4:34 PM

MaryAnne Dempster - Jan 16, 2018 - 9:16 AM

Neil Garbe - Jan 16, 2018 - 9:21 AM

Appendix "A"
Sole & Single Source Acquisitions from June 1 to December 31, 2017

<u>Sub-Category Div/Sec</u>	<u>Vendor</u>	<u>Description of Goods/Services</u>	<u>Total Contract Value</u>	<u>Sole & Single Source Justifications</u>
PRS - Development Planning	Lea Consutling	Red Maple Traffic Study	\$33,000.00	Part I (g) - for the purchase of Goods under exceptionally advantageous circumstances
CFS - Clerks	Accessibility Experts Ltd.	Consulting Services for the Town's compliance with AODA regulations	\$11,135.00	Part I (g) - for the purchase of Goods under exceptionally advantageous circumstances
CFS - HR	Morneau Shepell Ltd.	Employee and Family Assistance Program	\$26,280.00	Part I (g) - for the purchase of Goods under exceptionally advantageous circumstances
PRS - Development Planning	Valdor Engineering Inc.	Consulting Services for Flood Remediation Class Environmental Assessment Study for the Yonge Street Corridor	\$8,197.40	Part I (g) - for the purchase of Goods under exceptionally advantageous circumstances
PWO - Parks Ops	Highgrade Construction	Reshingle of the Richmond Green Gazebo and concrete sealing on a fountain	\$12,092.00	Part I (g) - for the purchase of Goods under exceptionally advantageous circumstances
CFS - HR	August Advisory	Consulting Services for the Development of Leadership Competencies	\$20,000.00	Part I (g) - for the purchase of Goods under exceptionally advantageous circumstances
CFS - IT	MaClean Media Systems	Upgrade Council Chamber programming and cameras to support livestream services	\$36,553.00	Part I (c) - to ensure compatibility with existing products, to recognize exclusive rights such as patent, copyright or license, or to maintain specialized products that must be maintained by the manufacturer or its representative
CAO - Strategic Initiatives	TalentMap	Employee Engagement Survey Results Implementation	\$40,000.00	Part I (c) - to ensure compatibility with existing products, to recognize exclusive rights such as patent, copyright or license, or to maintain specialized products that must be maintained by the manufacturer or its representative
PWO - Roads & Traffic	Armitage (Ontario) Construction	Supply of one gradall and operator for excavation of ditches, road base repairs and boulevard restorations	\$40,000.00	Part II (a) - in the absence of receipt of any Submissions in response to a request
PWO - Roads & Traffic	Econo Fence Systems	Replacement of a chain link fence at the Axminster and Demaine walkway	\$18,500.00	Part II (a) - in the absence of receipt of any Submissions in response to a request
PWO - Roads & Traffic	Curtis Enterprizes 2004 Inc.	Supply of one grader and operator for scarifying and profiling of roads	\$30,000.00	Part I (g) - for the purchase of Goods under exceptionally advantageous circumstances

Appendix "A"
Sole & Single Source Acquisitions from June 1 to December 31, 2017

<u>Sub-Category Div/Sec</u>	<u>Vendor</u>	<u>Description of Goods/Services</u>	<u>Total Contract Value</u>	<u>Sole & Single Source Justifications</u>
CS - Fire Services	Versaterm	MDT/CAD Upgrade to change from MT's to Tablet Command	\$29,560.00	Part I (c) - to ensure compatibility with existing products, to recognize exclusive rights such as patent, copyright or license, or to maintain specialized products that must be maintained by the manufacturer or its representative
CFS - IT	Kifiniti Solutions Inc.	Renewal of software maintenance for HEAT	\$19,325.69	Part I (b) - where there is an absence of competition for technical reasons and the Goods and/or Services can be supplied only by a particular Supplier and no alternative or substitute exists
CFS - IT	National Wireless	Purchase of cellular hardware and accessories required IAW Mobility PFO terms and conditions	\$49,135.00	Part I (c) - to ensure compatibility with existing products, to recognize exclusive rights such as patent, copyright or license, or to maintain specialized products that must be maintained by the manufacturer or its representative
CFS - IT	Oracle Canada ULC	Renewal of the Annual Software Maintenance and Support for the Town's Oracle software/systems	\$95,504.56	Part I (c) - to ensure compatibility with existing products, to recognize exclusive rights such as patent, copyright or license, or to maintain specialized products that must be maintained by the manufacturer or its representative
PWO - Parks Ops	Econo Fence Systems	Utility conflict for the removal and replacement of fence at Axminster walkway	\$1,500.00	Part II (a) - in the absence of receipt of any Submissions in response to a request
PRS - Development Engineering	Valdor Engineering Inc.	Flood remediation consulting engineering services	\$20,000.00	Part I (g) - for the purchase of Goods under exceptionally advantageous circumstances
CS - Recreation & Culture	Magneto Electric	Repair the motor for the Dome at the DDO	\$40,000.00	Part I (b) - where there is an absence of competition for technical reasons and the Goods and/or Services can be supplied only by a particular Supplier and no alternative or substitute exists
CAO - Comm - ARH	Perry Group Consulting	GIS Strategy	\$61,490.00	Part I (g) - for the purchase of Goods under exceptionally advantageous circumstances
Richmond Hill Public Library	Grand and Toy Limited	Supply, delivery and installation of Office Furniture for Oak Ridges Library	\$54,632.67	Part I (g) - for the purchase of Goods under exceptionally advantageous circumstances
Richmond Hill Public Library	POI Business Interiors	Supply, delivery and installation of Office Furniture for Oak Ridges Library	\$9,370.67	Part I (g) - for the purchase of Goods under exceptionally advantageous circumstances

Appendix "A"
Sole & Single Source Acquisitions from June 1 to December 31, 2017

<u>Sub-Category Div/Sec</u>	<u>Vendor</u>	<u>Description of Goods/Services</u>	<u>Total Contract Value</u>	<u>Sole & Single Source Justifications</u>
PRS - Development Planning	Dillon Consulting Limited	Consulting Services related to the Yonge /16th Key Development Area	\$19,724.00	Part I (c) - to ensure compatibility with existing products, to recognize exclusive rights such as patent, copyright or license, or to maintain specialized products that must be maintained by the manufacturer or its representative
CFS - Clerks	Comprint Systems Inc.	Voter List Management Services	\$32,650.00	Part I (c) - to ensure compatibility with existing products, to recognize exclusive rights such as patent, copyright or license, or to maintain specialized products that must be maintained by the manufacturer or its representative
CFS - IT	Rolta Canada Limited	Renewal of the annual maintenance & support for Rolta (OnPoint) software/systems	\$25,000.00	Part I (b) - where there is an absence of competition for technical reasons and the Goods and/or Services can be supplied only by a particular Supplier and no alternative or substitute exists
24		Total:	\$733,649.99	



Staff Report for Committee of the Whole Meeting

Date of Meeting: January 22, 2018

Report Number: SRCFS.18.004

Department: Corporate and Financial Services

Division: Information Technology

Subject: **SRCFS.18.004 - Approval of Non-Competitive Acquisition for IT Professional Resources**

Purpose:

The Commissioner of Corporate and Financial Services is seeking Council approval for a non-competitive acquisition greater than \$100,000, in accordance with the Procurement By-law 113-16 as further described herein.

Recommendation(s):

- a) That the contract for the provision of professional resources for the implementation of specific IT projects to be carried out in 2018, be awarded non-competitively to TEEMA Solutions Group for a cost not exceeding \$500K (exclusive of taxes) to provide TRH external resources (Project Manager, Change Manager, Business Analyst, Quality Assurance) to work on the 2018 approved projects, pursuant to Procurement Policy By-Law 113-16, Appendix "B", item (g) as the purchase is exceptionally advantageous to the Town;
- b) That the Mayor and the Clerk be authorized to execute any and all necessary documentation to effect the contract upon the recommendation of the Commissioner of Corporate and Financial Services.

Contact Person:

Ed Dour, Manager, IT, PMO – 905-771-5511

Report Approval:

Submitted by: Mary-Anne Dempster, Commissioner of Corporate and Financial Services

Approved by: Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

Background:

In June 2017, Council approved a 5 year corporate IT Strategy (ITSP) that identified the Town's strategic information technology priorities and initiatives as well as the roadmap for achieving its vision of becoming *a leading smart community transforming municipal services and citizen engagement through innovative use of technology*.

The Strategy recommends three main phases beginning with *Building Technology Foundations* that establishes guidance for the period from 2017 to 2020. Strategic Direction #1 of the IT Strategy is to "*Establish contemporary technology infrastructure*".

This Strategic Direction recognizes that the Town's underpinning technology platforms require modernization to ensure they continue to provide service but also to build a foundation for enabling modern business while at the same time continuing to deliver on business projects in flight and maintaining a reliable IT platform through day to day maintenance.

The provision for additional contracted resources during the execution of these projects is required to achieve success in the projects as well as maintaining the current services. The objective is to reduce the cost of delivery through the use of contracted resources rather than external consultants as has been past practice thus aligning with the Town's Strategic Goal #4 "Wise Management of Resources in Richmond Hill".

The staff IT resources are at full capacity and fully engaged in multiple projects and maintaining the current environment thus there is a need for additional project resources for the next 6 months to work on current ongoing projects while the procurement for a more comprehensive Vendor Of Record (VoR) agreement which is underway has been completed.

The required resources have already been on-boarded due to immediate needs and to avoid impact to current project deliverables and established implementation dates. The funding for these resources has been approved as part of the 2017 Capital budget and is included in the 2018 Capital budget.

The subject contracting method of procuring additional resources is financially advantageous to the Town with a savings of 40-55% from original hourly rates of comparable Vendor of Record Agreements used in the past. By comparison the use of current VoR agreement would have an estimated cost of \$1,497,000 from a third party vendor or professional consulting service compared to the total cost for this request of \$493,750.

Financial/Staffing/Other Implications:

There are no additional financial considerations beyond those already approved in the 2017 IT Capital budget and provisioned in the 2018 IT Capital budget. This request represents a savings in the delivery of approved projects.

Total Cost: \$493,750.00

New Request

Resource Requirements	Total
QA	93,750.00
BA	118,750.00
PM	131,250.00
OCM	150,000.00
TOTAL	493,750

Original Cost

Resource Requirements	Total
QA	250,000.00
BA	212,500.00
Sr. PM	350,000.00
OCM	281,250.00
Partner	190,625.00
TOTAL	1,284,375

The other alternative that was considered is to outsource all work to consulting firm but this will have a great impact on projects cost and additional funding will be required.

EXAMPLE
ACTUAL Hourly Rate

Role	Outsourcing – Consulting Firm	TRH Contractor TEAMA
Sr. PM	\$280.00	\$120.00
OCM - Change Lead	\$225.00	\$120.00
Business Analyst	\$170.00	\$90.00
QA	\$200.00	\$85.00
Partner	\$305.00	0
Total	\$1,180.00	\$440.00

Resource Requirements Breakdown									Total Cost (6 months)
Role	Rate	%	Jan	Feb	Mar	Apr	May	Jun	
TRH Resources/contractors									
Sr. BA	\$95.00	100%	\$20,900.0	\$18,050.0	\$19,950.0	\$19,950.0	\$20,900.0	\$19,000.0	\$118,750.0
Sr. QA	\$75.00	100%	\$16,500.0	\$14,250.0	\$15,750.0	\$15,750.0	\$16,500.0	\$15,000.0	\$93,750.0
Sr. PM	\$105.00	100%	\$23,100.0	\$19,950.0	\$22,050.0	\$22,050.0	\$23,100.0	\$21,000.0	\$131,250.0
OCM	\$ 120.00	100%	\$26,400.0	\$22,800.0	\$25,200.0	\$25,200.0	\$26,400.0	\$24,000.0	\$150,000.0
TOTAL	\$395.00		\$86,900.0	\$75,050.0	\$82,950.0	\$82,950.0	\$86,900.0	\$79,000.0	\$493,750.0
Outsourcing/Third Party External Vendor									
Sr. PM	\$280.00	100%	\$61,600.0	\$53,200.0	\$58,800.0	\$58,800.0	\$61,600.0	\$56,000.0	\$350,000.0
BA	\$170.00	100%	\$37,400.0	\$32,300.0	\$35,700.0	\$35,700.0	\$37,400.0	\$34,000.0	\$212,500.0
Partner	\$305.00	50%	\$33,550.0	\$28,975.0	\$32,025.0	\$32,025.0	\$33,550.0	\$30,500.0	\$190,625.0
QA	\$200.00	100%	\$44,000.0	\$38,000.0	\$42,000.0	\$42,000.0	\$44,000.0	\$40,000.0	\$250,000.0
OCM	\$225.00	100%	\$49,500.0	\$42,750.0	\$47,250.0	\$47,250.0	\$49,500.0	\$45,000.0	\$281,250.0
TOTAL	\$1,180.00		\$226,050.00	\$195,225.00	\$215,775.00	\$215,775.00	\$226,050.00	\$205,500.00	\$1,284,375.00

Relationship to the Strategic Plan:

“Completing and implementing an IT Strategy for the Town Helps to achieve Strategic Plan Goal Four, Wise Management of Resources in Richmond Hill.”

Part of the IT strategic plan is to develop the maturity of the Town of Richmond Hill’s IT staff to ensure our technology environment and projects are equipped to meet current and future business needs and to ensure all projects are delivered on time on schedule and within scope. There is much strength on which to build the Town of Richmond Hill’s IT Strategy however there are skilled resource challenges and gaps that will need to be addressed in order for IT to deliver on its promises and meet the organization objectives and strategic vision. This is the case with the IT project resources. During the course of operations the Town of Richmond Hill requires various contractors (external resources) to deliver multiple projects, programs and service work. These works include but are not limited to delivering projects and programs that were identified as part of the Town’s strategic vision and to eliminate any operational risks. Acquiring external resources will mitigate the risk and will ensure projects are delivered successfully in the allotted time within scope and with responsible use of allotted budgets.

The required resources (Project Manager, OCM, BA and QA) play an increasingly integral and strategic role in the organizational success and to help the Town of Richmond Hill deliver value to their stakeholders to projects and programs. The required positions also provide critical support to the Project Management Office (PMO) for managing projects and/or programs. One of the main objectives of PMO is to provide project resources management and allocations and to provide a centralized supporting function to assist and deliver all projects and programs.

Conclusion:

It is our recommendation to award TEEMA Solutions Group and hire external resources to manage the current and future projects and to avoid any impact to project delivery such as:

- Delays in project execution and surpassing the project budget
- Possibility of not delivering some strategic projects
- Resource constraints to projects increasing risk to project delivery, quality and security
- Lack of support to PMO, project managers and coordination

Attachments:

None.

Report Approval Details

Document Title:	SRCFS.18.004 - Approval of Non-Competitive Acquisition for IT Professional Resources.docx
Attachments:	
Final Approval Date:	Jan 16, 2018

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

Anthony Iannucci - Jan 16, 2018 - 9:02 AM

MaryAnne Dempster - Jan 16, 2018 - 9:16 AM

Neil Garbe - Jan 16, 2018 - 9:27 AM



Staff Report for Committee of the Whole Meeting

Date of Meeting: January 22, 2018

Report Number: SRCS.18.02

Department: Community Services
Division: Recreation and Culture Division

Subject: 2018 Community and Cultural Grant Program

Purpose:

This report is to present Staff's analysis of the 2018 Community and Cultural Grant Program applications and recommendations for approval by Council.

Recommendation(s):

1. That the Community and Cultural Grant applications listed in Appendix "A" be received; and
2. That Community and Cultural Grants totaling \$65,000 be provided to the following organizations and individual artists
 - Elgin West Seniors Association - \$2,000
 - Home on the Hill Supportive Housing - \$3,500
 - ImprovAbility! - \$2,100
 - Richmond Hill Canoe Club - \$3,500
 - Richmond Hill Lawn Bowling Club - \$1,400
 - The Amici Circle of Friends - \$2,800
 - York Region Senior Tamils' Centre - \$3,000
 - Andrea End - \$1,400
 - Bindu Shah - \$3,000
 - Habon Jibril - \$1,000
 - Josephine Vaccaro-Chang - \$600
 - Lilita Tannis - \$2,500
 - Oleg Samokhin - \$1,500
 - Artucate Canada - \$3,000
 - Association of Iranian Canadians For Nowruz Festivals - \$2,000
 - Chorus York - \$4,000
 - High Notes Avante Productions - \$3,500
 - International Watercolour Society - \$4,000
 - Opera York - \$4,500
 - Richmond Hill Centennial Pipe Band - \$1,500
 - Richmond Hill Concert Band - \$1,500

- Richmond Hill Group of Artists - \$1,500
- Richmond Hill Philharmonic Orchestra - \$3,000
- Shadowpath Theatre Productions - \$3,000
- Toronto Chinese Ai Yue Philharmonic Arts Center - \$2,500
- York Region Chamber Music - \$2,700

Contact Person:

Karin Ash, Manager Cultural Services, (905) 508-7012 ext. 225

Darlene Joslin, Director of Recreation & Culture, ext. 2423

Report Approval:

Submitted by: Shane Baker, Commissioner of Community Services

Approved by: Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

Background

In February 2015, Council approved the new Community and Cultural Grant Program with an annual funding allocation of \$65,000. The purpose of the program is to provide project funding to community and cultural organizations and individual artists whose projects support a more vibrant Richmond Hill through the delivery of programs, services or activities.

The program has two distinct project funding streams, one for the cultural sector and one for the community organizations sector. It is designed to support incorporated not-for-profit organizations and non-incorporated collectives that operate on a not-for-profit basis as well as individual artists.

The maximum grant per project is 50% of the project budget up to a maximum of \$5,000.

The eligibility criteria are outlined in the Community and Cultural Grant Program Guidelines, attached as Appendix “B”.

The Community and Cultural Grant Program is administered through the Community Services Department. The Community Development Coordinator administers applications submitted under the Community Project stream and the Cultural Services Coordinator administers applications submitted under the Cultural Projects stream.

2016 and 2017 Community and Cultural Grant Program and Results

Council approval of the grant program was announced at the 2015 Cultural Summit and the first round of funding was available to the community in 2016 with subsequent rounds of funding available on an annual basis. Since 2016, Council approved funding for a total of 40 applicants for a total funding allocation of \$103,770.

A summary of the 2016 and 2017 Community and Cultural Grant projects are attached as Appendix “C” and Appendix “D”.

29 of the 40 organizations/individuals that received funding in 2016 and 2017 have submitted final reports, which accounts for \$69,881 of the total recommended funding allocation. Based on a review of the final reports received to date it is estimated that the funds leveraged the following:

- 111 public engagement activities
- 17,878 direct participants in funded projects
- 546 volunteers engaged in funded projects
- 12,897 volunteer hours

The balance of the final project reports from 2017 will be submitted 90 days following the end of the project as outlined in the Community and Cultural Grant Program Guidelines.

2018 Community and Cultural Grant Program

The deadline to submit applications for the 2018 Community and Cultural Grant Program was November 3, 2017. Prior to the deadline, the applications were made available to the public for an eleven week period and an information session was held on September 26, 2017. All community and cultural organizations as well as the general public were notified through direct mail, email, social media channels, and Bulletin Board ads in the Liberal. A total of 31 applications were received with a combined request of \$132,773 of which \$117,712 is considered eligible based on the criteria outlined in the program guidelines.

Analysis and Recommendations

Applications submitted under the Community Projects stream were reviewed by a Community Projects Review Team, which is comprised of staff. Applications submitted under the Cultural Projects stream were reviewed by a Cultural Project Review Team, which was comprised of staff and three citizen members. Each review team assessed the applications based on the criteria outlined in the Community and Cultural Grant Program Guidelines.

A summary of the application requests, analysis and recommendations is attached as Appendix "A".

The Community and Cultural Grant Program Guidelines document is attached as Appendix "B".

Next Steps:

Upon approval of this report and funding allocations, staff will follow up with applicants to inform them of the decisions related to their applications. Staff will follow up with the approved recipients throughout the period of their specific project and will ensure final project reports are submitted in a timely manner as per the expectations outlined in the application process.

Financial/Staffing/Other Implications:

The Community and Cultural Program Grant Budget is \$65,000. Based on review of the 31 applications received, the Community and Cultural Project Review Teams are recommending 26 of the 31 applications receive funding in the total amount of \$65,000.

Relationship to the Strategic Plan:

The Community and Cultural Grant Program aligns with the Goal 1 of the Strategic Plan “Creating Better Choice” by removing “barriers to effective participation for all people in the community”, and encouraging “more participation in Town-wide and community events”; Goal 2 of the Strategic Plan “Better Choice in Richmond Hill” by promoting “opportunities for people to volunteer and share their talents with the community” and Goal 3 of the Strategic Plan, “A More Vibrant Richmond Hill”, supporting activities that allow people to “celebrate natural and cultural diversity, foster creativity, exchange ideas and appreciate the arts”.

This Community and Cultural Grant program also aligns with Goal 1, recommendation 5 of the Cultural Plan, specifically, “To replace the Mayor's Endowment Fund for the Arts with a permanent Richmond Hill Cultural Funding Program”.

Conclusion:

This report recommends that approval of 26 applications for a total funding amount of \$65,000.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Appendix A 2018 Community and Cultural Grant Application Recommendations
- Appendix B Community and Cultural Grant Program Guidelines
- Appendix C 2016 Community and Cultural Grant Project Status
- Appendix D 2017 Community and Cultural Grant Project Status

Report Approval Details

Document Title:	SRCS.18.02 Community and Cultural Grant Program for the Jan 22 2018 Committee of the Whole Meeting.docx
Attachments:	<ul style="list-style-type: none">- Appendix A CCGP Applications 2018.xlsx- Appendix B 2018_CCGP_Grant_Guidelines.pdf- Appendix C CCGP Project Status 2017.xlsx- Appendix D CCGP Project Status 2016.xlsx
Final Approval Date:	Jan 8, 2018

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

Darlene Joslin - Jan 4, 2018 - 9:45 AM

Shane Baker - Jan 4, 2018 - 11:29 AM

Neil Garbe - Jan 8, 2018 - 3:27 PM

Applicant	Project Stream	Funding Requested To	Request	Recommendation	Analysis
Elgin West Senior Association - 2000	Community	Host a Harvest Fall Festival in 2018 at the Richmond Green location using the barn and the picnic area for residents to enjoy. They hope to make this an annual event	\$ 5,000	\$ 2,000	Project demonstrates a community connection with our residents
Home on the Hill Supportive Housing	Community	Hosting an art therapy workshop using art materials as a simple tool for psychotherapy	\$ 5,000	\$ 3,500	Project demonstrates a connection with art and community outreach assisting residents that have a disability.
ImprovAbility!	Community	Hosting workshops on social improv basics, understanding the hidden curriculum on how our environment shapes our messages and predicts our outcomes	\$ 4,900	\$ 2,100	Project demonstrates community responsiveness by educating residents through improvisation.
Loge 141	Community	Offering a "try it out" program in canoeing and kayaking to the community not requiring a long term commitment	\$ 5,000	\$ 3,500	Community initiative reaches a variety of ages and is physically active.
Richmond Hill Canoe Club	Community	Project 100 celebrating the 100th anniversary of the RH Lawn Bowling Club	\$ 1,421	\$ 1,400	Project demonstrates celebration of a milestone in the community and part of Richmond Hill heritage.
Richmond Hill Lawn Bowling Club	Community	Hosting "tea in the afternoon" throughout the town at various historical venues	\$ 5,000	\$ 2,800	Project demonstrates a community connection with our residents as well as an education component.
The Amici Circle of Friends	Community	To provide a project "Meditation & Breathing Better with Light Exercises" for Seniors	\$ 4,570	\$ 3,000	Project demonstrates a well being holistic approach to living better.
York Region Senior Tamils' Centre	Community	Hiring of 2-3 youth trainers and 4+ youth speakers to offer quality presentations to a greater audience	\$ 5,000	\$ -	Organization is located in North York, did not submit a budget, intension of event is unclear and focus is not on Richmond Hill residents.
YOUTHSPEAK Performance Charity Organization	Community				

Applicant	Project Stream	Funding Requested To	Request	Recommendation	Analysis
Andrea End	Cultural	Develop 15 linocut reduction prints to demonstrate technique and exhibit at community events and venues in Richmond Hill	\$ 1,500	\$ 1,400	Project demonstrates artistic merit and community responsiveness through engagement in unique artistic production.
Bindu Shah	Cultural	Create a short documentary called about Jeetu Sharma who is a renowned Richmond Hill flute player who recently played for the composer Mychael Danna for the film Life of Pi. Produce a short film set in Richmond Hill depicting story of a recent immigrant and her journey to self discovery.	\$ 5,000	\$ 3,000	Project demonstrates artistic merit and enhancement of Town image by profiling local cultural success story.
Deborah Jibril	Cultural	Produce a short film set in Richmond Hill depicting story of a recent immigrant and her journey to self discovery.	\$ 2,000	\$ 1,000	Project demonstrates artistic merit and enhancement of Town image as filming location.
Josephine Vaccaro-Chang	Cultural	Exhibit a collection of eleven sculptures based on the characters in the book titled, "We Are Colourful Friends" at the 2018 Hooshvar's Third Annual Kite Festival in Richmond Hill.	\$ 1,421	\$ 600	Project demonstrates artistic merit and community engagement in arts through development of unique partnership and outreach to new audiences.
Lilita Tannis	Cultural	Produce a multi-disciplinary, 8 session art series. Create a detailed outline and production schedule and undertake research to write and publish an inspiring and unique heritage book for Richmond Hill's 150th celebration in 2023.	\$ 5,000	\$ 2,500	Project demonstrates community responsive and unique opportunity to deliver programming in Oak Ridges area and includes diversity of artists.
Marney Beck	Cultural		\$ 3,500	\$ -	Project execution was based on unconfirmed partnership with Town of Richmond Hill that would have major impact on future deliverables.

Applicant	Project Stream	Funding Requested To	Request	Recommendation	Analysis
Oleg Samokhin	Cultural	Present an April concert program of classical music and to offer 3 local senior centres a subsidized concert of non-classical music.	\$ 3,000	\$ 1,500	Project demonstrates artistic merit and engagement with the community.
Artucate Canada	Cultural	Engage 20 Richmond Hill youth in production and presentation of theatre piece focused on themes of social justice.	\$ 3,700	\$ 3,000	Project demonstrates community responsiveness; support for youth engagement in culture.
Association of Iranian Canadians for Nowruz Festivals	Cultural	Present the Fire Festival, on or around March 15.	\$ 5,000	\$ 2,000	Project demonstrates community responsiveness, economic impact and enhancement of Town image. Has broad reach and reflects Richmond Hill as multicultural community.
Association of Chinese Canadian Chorus York	Cultural	Present 8 concerts featuring twentieth century music in choral format.	\$ 5,000	\$ 4,000	Project demonstrates artistic merit and offers unique artistic experience in Richmond Hill.
Council for Richmond Hill Artists and Teen Expression	Cultural	Develop a series of workshops and a gallery event in Richmond Hill, surrounding art made by teens in high school in Richmond Hill.	\$ 600	\$ -	Organization withdrew application.
High Notes Avante Productions	Cultural	Produce series of 4 High Notes Avante Socials using music and art to engage an audience while educating about mental health.	\$ 5,000	\$ 3,500	Project demonstrates community responsiveness by educating through performing arts.
International Watercolour Society	Cultural	Present a cultural festival of watercolour 'A Symphony in Watercolour' a juried exhibition of 100 watercolour pieces from Canada and around the world.	\$ 5,000	\$ 4,000	Project demonstrates community responsiveness, enhancement of Town image and support for Cultural Plan.

Applicant	Project Stream	Funding Requested To	Request	Recommendation	Analysis
Nadia Popovici	Cultural	Present 4 days of craft art workshops for students and seniors.	\$ 2,400	\$ -	Project proposal lacked sufficient details to demonstrate artistic merit or community need.
Nowruz Festival	Cultural	Present Nowruz Festival.	\$ 5,000	\$ -	Project is ineligible because it received funding in 2017.
Opera York	Cultural	Train members of the Ai Yue Philharmonic Chorus in Italian Opera in order to partner in the production of La Boheme.	\$ 5,000	\$ 4,500	Project demonstrates artistic merit and community responsiveness. Includes unique partnerships opportunity with meaningful volunteer engagement possibility.
Richmond Hill Centennial Pipe Band	Cultural	Provide a series of pipe and drum seminars to members and interested residents of Richmond Hill.	\$ 2,500	\$ 1,500	Project demonstrates arts education and leadership development opportunities for local artists.
Richmond Hill Concert Band	Cultural	Produce a series of concert events in partnership with other Richmond Hill organizations to build connections and increase access for audiences.	\$ 3,000	\$ 1,500	Project demonstrates community responsiveness and facilitation of cross-sectoral partnerships.
Richmond Hill Group of Artists	Cultural	Celebrate Richmond Hill Group of Artists 40th anniversary by creating 40 works of art to be unveiled in May 2018.	\$ 1,500	\$ 1,500	Project demonstrates unique artistic opportunity for outdoor public temporary work and celebration of RHGA 40th Anniversary.
Richmond Hill Philharmonic Orchestra	Cultural	Presentation of three concerts in celebration of RHPO's 10th anniversary season.	\$ 4,000	\$ 3,000	Project demonstrates artistic merit and cross-sectoral partnerships and will support celebration of organization's 10th Anniversary.

Applicant	Project Stream	Funding Requested To	Request	Recommendation	Analysis
Shadowpath Theatre Productions	Cultural	Produce theatrical production of "Dinner with Richmond Hill" a participatory theatrical production focused on Canadian historical events.	\$ 4,500	\$ 3,000	Project offers community a unique audience engagement opportunity to experience theatre in unconventional setting.
Toronto Chinese Ai Yue Philharmonic Arts Center	Cultural	Plan and deliver a Mid-Autumn Festival to introduce Chinese culture to the community and to engage Chinese senior immigrants who are Richmond Hill residents	\$ 5,000	\$ 2,500	Project demonstrates community responsiveness and supports the organization that is strengthening its connections across the community.
York Region Chamber Music	Cultural	Present three concert series featuring early-career professional musicians including musicians from Richmond Hill that will explore the idea of "Remix".	\$ 3,200	\$ 2,700	Project demonstrates artistic merit and supports emerging musicians.
Total			\$ 81,821	\$ 65,000	

Community and Cultural Grant Program



2018 Program Guidelines

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Purpose:

The purpose of the Community and Cultural Grant Program is to provide project funding to community and cultural organizations and individual artists whose projects support a more vibrant Richmond Hill through the delivery of programs, services or activities. Applicants may apply for funding to support a specific project. Funding is awarded annually. Projects must begin between February 2018 - January 2019 and be completed within a 12-month time frame.

What will the Town Fund?

The grant program has two streams: the Community Project stream and the Cultural Project stream, with a maximum grant per organization of 50 per cent of the project budget, up to a maximum of \$5,000.

Community Project Stream:

One-time project funding related to a specific program, service or activity that is of significant benefit to Richmond Hill in terms of economic impact, community responsiveness, and enhancement of the Town's image and quality of life for Richmond Hill residents, in areas such as social services and health, recreation, or the environment.

Cultural Project Stream:

One-time project funding related to a specific program, service or activity that is of significant benefit to Richmond Hill in terms of economic impact, community responsiveness, and enhancement of the Town's image and quality of life for Richmond Hill residents, in areas that promote performing arts (theatre, dance, music), visual, literary and new media arts as well as heritage program, presenting and touring opportunities and arts education for children and youth.

Eligibility:

Cultural or Community Organizations

To be eligible for a project grant, the applicant must:

- Be an incorporated not-for-profit or non-incorporated collective which operates on a not-for-profit basis;
- Be Richmond Hill based with the majority of members residing in the town or be undertaking a project in Richmond Hill;
- Have a volunteer Board of Directors;
- Have an active volunteer base;
- Demonstrated operational effectiveness, financial stability and appropriate level of self-sufficiency; and
- Maintain financial records, i.e. Board-approved financial statements, audited financial statements.

Individual Artists

Emerging, mid-career or established professional artists are all eligible to apply. To be eligible for a project grant, the applicant must:

- Be a Richmond Hill resident; and
- Be conducting a project on a not-for-profit basis.

Eligible organizations/individuals may not be considered if:

- The applicant has not submitted the required reports or has outstanding grant overpayments for previous grants awarded by the Town of Richmond Hill;
- The applicant is intending to act as a funding body for other organizations or individuals;
- The applicant is in a budget deficit situation; and/or
- Application is incomplete or is submitted after posted deadline.



Who is Not Eligible?

The following organizations are ineligible to apply:

- Ratepayers associations;
- School boards;
- Parent/teacher organizations;
- For profit groups/organizations;
- Organizations with political affiliations/political organizations;
- Civic departments, commissions or committees;
- Religious groups/faith organizations where services/activities include the promotion and/or required adherence to a faith;
- Hospitals, clinic-based services or medical treatment programs;
- Fundraising associations/events; and/or
- Provincial/national organizations, except where the application is made by a local chapter.



Project Funding Criteria

Community and Cultural Project Funding Criteria

Through the application process, community and cultural organizations must demonstrate:

1. Benefit to Richmond Hill in terms of economic impact, community responsiveness and/or enhancement of the Town's image;
2. Community need for proposed project (activity or service);
3. Financial need to support the delivery of the project;
4. Sound fiscal management and revenue generation (accurate records, responsible budget, various sources of income);
5. Accountability/mechanism for evaluation (identification of key performance measures and outcomes);
6. Ability to complete the proposed project within the designated timeframe;
7. Evidence of community partnerships (not required but may enhance the application); and
8. Consistent with one or more goals of the Richmond Hill Strategic Plan.
 - Stronger connections
 - Better choice in Richmond Hill
 - A more vibrant Richmond Hill
 - Wise management of resources in Richmond Hill



For more information on each goal and the Strategic Plan visit RichmondHill.ca/StrategicPlan.

Additional Criteria for Cultural Organizations

Specific requirements for Cultural Project grant include:

1. Must be a performing arts (theatre, dance, music), visual, literary, new media, heritage or arts service organization;
2. Project must contribute to the cultural life of the community;
3. Funds may support creation, production, presentation and touring of a project;
4. Projects that include an arts education and/or public performance/exhibition component (not required but may enhance the application); and
5. Consistent with the goals of the Richmond Hill Cultural Plan.
 - Demonstrated leadership
 - A dynamic cultural sector
 - An inclusive cultural community
 - Places and spaces for culture
 - A celebrated story

Cultural Project Funding Criteria - Individual Artists

Specific requirements for Individual Artists include:

1. Must be practicing within performing arts (theatre, dance, music), visual, literary, or new media discipline;
2. Must be recognized professionals practicing in their fields that have completed some kind of training (formal or informal);
3. Project must contribute to the cultural life of the community;
4. Projects that include an arts education and/or public performance/exhibition component are not required but may enhance the application; and
5. Consistent with the goals of the Richmond Hill Cultural Plan, see above.

For more information on each goal and the Cultural Plan, please visit RichmondHill.ca/CulturalPlan

Eligible Project Expenses

All proposed expenses must be directly related to the project.

The following items are eligible for funding:

- Project Fees (includes contracted and permanent staff, artist, consultant, honorariums). Please note: staff salaries included in the budget must directly relate to the project. For example, if organizational staff spend 15 per cent of their time on the project only 15 per cent of the salary is eligible;
- Venue/space rental;
- Materials;
- Marketing and promotion;
- Some administration costs are eligible (rent, insurance, office supplies, telephone, internet) but must directly support the project and can make up no more than 10 per cent of the total request;
- Commissioning fees (cultural projects only); and/or
- Touring costs (cultural projects only) including freight, per diem, accommodation, travel and entry fees.



Ineligible Project Costs

The following expenses are ineligible:

- Retroactive expenses;
- Fundraising expenses;
- Capital expenses – new building, renovations, equipment;
- Day-to-day core operating costs of organization not directly related to proposed project;
- Deficit reduction;
- Attendance at conferences and/or conventions;
- Enrollment in workshops, courses or other forms of training;
- Board and/or organizational development costs;
- Scholarships, prizes, awards;
- Moving costs; and/or
- Purchase of land or buildings.

Application Process

1. Applicants are encouraged to attend an information session in order to help determine which stream (Community Project or Cultural Project) applies to their project. Information session details are posted on our website at RichmondHill.ca/CommunityGrants.
2. A full application must be filled out for every project.
3. Application forms are available on the Town of Richmond Hill website.
4. Due to funding limitations, all applications will be reviewed, evaluated and ranked according to the grant eligibility criteria. Priority will be given to those applications that best align with the Town's Strategic Plan (Community Project applications) and Cultural Plan (Cultural Project applications).
5. Approval of an application will not be given solely on the basis of meeting criteria. Applicants are not guaranteed funding.
6. Applications are due November 3, 2017 by 4 p.m. Applications can be mailed, couriered, submitted online or delivered in person. Applications cannot be emailed or faxed. Mailed or couriered applications must be postmarked by Canada Post or a courier company no later than the deadline date and time. Applications delivered in person must arrive at the below address by 4 p.m. on the deadline day. Applications submitted online must be submitted by 4 p.m. Late and incomplete applications will not be accepted. Applications can be submitted online at RichmondHill.ca/CommunityGrants. Mail, courier or deliver applications to:

**Community and Cultural Grant Program
Town of Richmond Hill
Attn: Community Services Department 8th Floor
225 East Beaver Creek Road
Richmond Hill, ON L4B 3P4**



If you have questions, please contact:

Program Coordinators

Cultural Project Stream

Gillian Hards, Cultural Services Coordinator
905-508-7012, ext. 228
gillian.hards@richmondhill.ca

Community Project Stream

Kathy Sampson, Community Development Coordinator
905-884-0855, ext. 224
kathy.sampson@richmondhill.ca

Eligible organizations/individuals may not be considered if:

- The applicant has not submitted the required reports or has outstanding grant overpayments for previous grants awarded by the Town of Richmond Hill;
- The applicant is intending to act as a funding body for other organizations or individuals;
- The applicant is in a budget deficit situation; and/or
- Application is incomplete or is submitted after posted deadline.

Application Key Dates and Deadlines

Each year the Town of Richmond Hill will set specific dates with respect to the application process. The following depicts the months that are targeted for the application process:

Information Session	September 26, 2017
Application Deadline	November 3, 2017
Recommendations to Council	January 2018
Final Notification	February 2018



Approval Process

- Applications submitted under the Cultural Projects stream will be administered by the Cultural Services Coordinator.
- Cultural Project applications will be reviewed by a jury of staff and community representatives.
- Applications submitted under the Community Projects stream will be administered by the Community Development Coordinator.
- Community Project applications will be reviewed by a staff team.
- Final approval of all projects will be required by Council.

Notification

- Applicants will be notified of the recommended funding allocation.
- Funds will be distributed to the successful applicant in two parts:
 - Grants \$2,500 and under - organizations will receive 50 per cent upon approval of the grant and 50 per cent upon review of the final report
 - Grants over \$2,500 - organizations will receive 75 per cent upon approval of the grant and 25 per cent upon review of the final report
- Funding allocation recommendations are final and cannot be appealed. Where requested, staff can meet with the applicant to provide advice and assistance for future applications.

Reporting

Recipients are required to submit a final report at the end of the project year. In order to receive the balance of the grant from the Community and Cultural Grant Program, a final report must be provided within 90 days of the project completion date. This report shall include:

1. Project budget: please update your original budget submission (Section G) to include final actuals.
2. Project Statistical Information: please list # of volunteers that contributed to project delivery, total volunteer hours, total # of participants.
3. Were the objectives of your project met and if yes, how so?
4. How did the community benefit from your project?
5. Would you have done anything different?
6. Provide copies of all marketing and promotional materials used for your project.



Frequently Asked Questions

1. How do I know which project stream (Community or Culture) I should apply to?

The Community and Cultural Grant Program Guidelines outline criteria for the types of projects that are eligible under each of the project streams. In person information sessions will also be offered annually to assist applicants in identifying the appropriate stream. It is recommended that all new applicants attend the information session. Program Coordinators can provide further input to help applicants apply for the correct stream.

2. What if my project could fit into the Community or Cultural Project?

The Community and Cultural Grant Program Guidelines provide eligibility criteria for both the organization and project. You should apply under the stream that is best suited to your organization and project. Please note: Individual artists may only apply under the Cultural project stream.

3. Can I apply for a project under both the Community and the Cultural streams?

You may only submit a project under one stream.

4. Can I apply for multiple projects?

You may apply for multiple projects, however funding is not guaranteed for multiple projects. Of note, you are not able to prioritize your project applications.

5. What is the maximum amount of grant funding I can apply for?

You may apply for maximum grant per organization of fifty per cent (50%) of the project budget, up to a maximum of \$5,000.

6. If I applied and received a Community and Culture Grant in 2017, can I apply again?

You may apply for a Community and Culture Grant in 2018, however funding cannot be requested for the same project.

7. If I applied and DID NOT receive a Community and Culture Grant in 2017, can I apply again for the same project?

You may apply for funding to support a previously unsuccessful project however must meet with a Program Coordinator to receive feedback on your past application prior to completing a new application.

8. Can I apply for operating funding to support my organization's core operations and services?

The Community and Cultural Grant programs provide project funding only and cannot be used to fund day-to-day operating costs.

9. Can I apply if I received other funding from the Town of Richmond Hill

You cannot apply for funding to support the same project for which you already received funding. It must be for a new project.

10. Does my organization need to have charitable status to apply?

If you are applying as an organization you do not need to have charitable status.

11. Can I submit my application after the deadline or send the application by the deadline and support materials later on?

Applications must be completed in full and received by the due date.

12. How will I find out if I received a grant?

Applicants will be notified in writing via email.

13. How will I receive payment of the grant?

Applicants will receive funding in two parts via cheque. Refer to the Community and Cultural Grant Program Guidelines for information.

14. If my application is not successful can I receive feedback?

You may arrange to meet with a Program Coordinator to obtain feedback. Funding decisions cannot be appealed.

15. I am an artist based in York Region and belong to a Richmond Hill artist's member organization. Can I apply as an individual artist?

At this time funding for individual artists is open exclusively to Richmond Hill residents.

Definitions

Applicant - The organization or individual submitting the application to the Town of Richmond Hill.

Board of Directors - The governing body of the organization. Members may be appointed or elected. Members must be volunteers.

Capital Expenses - Money spent on the purchase or improvement of fixed assets. This includes upgrades, renovations and construction of a structure as well as equipment such as large appliances, storage units, and computers.

Community Organization - A not-for-profit organization or collective whose mandate is of a community-service nature. This includes groups who deliver programs and services that are in areas such as social services and health, recreation or the environment.

Cultural Organization - A not-for-profit organization or collective whose mandate is of an arts and/or heritage nature.

Collective - A not-for-profit collective is an initiative that is the result of a group of people working together in a professional manner, usually under their own management, towards shared aims and goals.

Emerging Artist - Someone who demonstrates commitment to the achievement of a professional level in their discipline. This may include training, mentorship, peer recognition or the affirmation of their community. Applicant should be producing a growing repertoire or body of work and some history of public presentation or publication is preferred.

Mid-career and Established Artist - Someone who has developed skills through training and/or practice, and is recognized by artists working in the same artistic tradition. He/She should be able to demonstrate a regional, national or international contribution to the arts in general; must actively practice his/her art; Short breaks in artistic work history are permitted.

Not-for-profit - Not-for-profit organizations are created to benefit the community. Activities of a not-for-profit organization may be for social welfare, civic improvement, recreation or any other purpose without monetary gain. Directors, officers and/or members of a not-for-profit corporation do not own the corporation or its assets. The organization may not be operated for financial gain for its members, officers or directors.

Operating Expenses - An expense incurred in carrying out an organization's day-to-day activities. Operating expenses include such things as payroll, employee benefits, pension contributions, repairs and taxes.

Project - An event or activity taking place within a defined period of time. Projects should have distinct budget and objective.

Recipient - The applicant organization/individual which has submitted this application, has agreed to be bound by the Terms and Conditions, and has been awarded a grant by the Town of Richmond Hill.

Town - Refers to the Corporation of the Town of Richmond Hill.

No.	Applicant	Project Stream	Proposed Project	Recommendation	Final Report	Payment to Date	Major Project Variances	# Volunteers	# Volunteer Hours	# Direct Participants	# Public Engagement Activities
1	Alliance Veterans Alliance - Les Amis	Community	Festival	\$ 2,500	24-Jul-17	\$2,500	Volunteer data not submitted	-	-	450	1
2	Autism Ontario York Region	Community	Mentoring Program in partnership with the Mall	\$ 5,000	42917	\$5,000	NA	0	0	45	NA
3	Big Brothers and Big Sisters of York	Community	Mentoring Program in partnership with the schools	\$ 5,000	42719	\$5,000	NA	6	308	26	1
6	Richmond Hill Lawn Bowling Club	Community	Youth Lawn Bowling Program	\$ 1,600	42671	\$ 1,600	NA	4	60	7	1
8	York Region Senior Tamils' Centre	Community	Beaded Costume Jewelry Program	\$ 3,300	42677	\$ 3,300	NA	7	56	12	0
10	Dominic Mancuso	Cultural (Ind.)	World music - 4 City tour of southern Europe	\$ 2,500	22-Apr	\$ 2,500	NA	0	0	2167	17
11	Jessica Tse	Cultural (Ind.)	Classical concert series	\$ 2,400	27-Feb	\$ 2,400	NA	28	149	280	3
14	Josephine Vaccaro-Chang	Cultural (Ind.)	Create sculpture and event to promote literacy	\$ 400	42632	\$ 400	NA	1	3	0	0
15	Oleg Samokhin	Cultural (Ind.)	Two series concert program of Classical music	\$ 1,000	12-Jan	\$ 1,000	Project was reduced to one concert and one recording	16	45.25	215	1
17	Sean Cisterna	Cultural (Ind.)	Direct music video for Cdn indie band City in Colour in RH	\$ 5,000	NA	\$ -	Project could not be completed bc band was not available; funds returned	NA	NA	NA	0
18	Shaan Taseer	Cultural (Ind.)	Visual Art Exhibition focused on cultural diversity and interfaith harmony	\$ 4,000	3-Aug	\$ 4,000	NA	0	0	150	1
19	Sue Foerster	Cultural (Ind.)	Visual Art Exhibition focused various repose figures	\$ 1,000	4-Jan	\$ 1,000	NA	2	3	100	2
22	CREATE	Cultural (Org)	NEON - youth event	\$ 200	25-Jan	\$ 200	Change from NEON event to VISIONS - online art contest	8	20	100	1
24	High Notes Avante Productions INC	Cultural (Org)	Concert to inspire and educate regarding issues of mental health @ RHCPA	\$ 4,000	42499	\$ 4,000	NA	14	340	600	1

No.	Applicant	Project Stream	Proposed Project	Recommendation	Final Report	Payment to Date	Major Project Variances	# Volunteers	# Volunteer Hours	# Direct Participants	# Public Engagement Activities
25	Opera York	Cultural (Org)	Present Opera Don Pasquale in March 2016 at RHCPA in partnership with Alex Mac	\$ 5,000	42739	\$ 5,000	Funding was divided between two operas after initial planned school visit was cancelled due to inclement weather	110	2831	553	5
26	Richmond Hill Centennial Pipe Band	Cultural (Org)	Provide teaching program for Pipe Band instrumentation	\$ 1,500	4-Jan	\$ 1,500	NA	21	96	21	32
27	Richmond Hill Concert Band	Cultural (Org)	Develop a music library	\$ 3,000	24-Jan	\$ 3,000	NA	34	4275	7475	11
28	Richmond Hill Group of Artists	Cultural (Org)	Design and paint mural at Mill Pond Gallery on garage door	\$ 1,500	2-Nov	\$ 913	Project underspent	7	20	9	1
Project did not receive significant portion of funding; was reduced in scale to RH only; significantly less participants than projected											
	Shadowpath	Cultural (Org)	Expand Plays in Cafes - walking tour with pop up plays in Richmond Hill	\$ 5,000	15-Sep	\$ 5,000		2	15	65	3
	Totals			\$ 53,900		\$ 48,313		260	8221.25	12275	81

No.	Applicant	Project Stream	Proposed Project	Recommendation	Final Report	Payment Issued to Date	Major Project Variances	# Volunteers	# Volunteer Hours	# Direct Participants	# Public Engagement Activities
1	York Region Rainbow Umbrella	Community	Provide workshops relevant to the LGBTQ community	\$ 500	27-Oct-17	\$500	NA	12	972	150	7
2	Get Link'd	Community	Community engagement for Youth in Richmond Hill	\$ 1,000	Pending	\$500	NA				
3	Aphasia/Communication Disabilities Program (March of Dimes)	Community	Plan and coordinate an Aphasia Awareness Day in Richmond Hill	\$ 5,000	Pending	\$3,750	NA				
4	Home on the Hill Supportive Housing	Community	A cooking program for people with serious mental illness	\$ 5,000	Pending	\$1,250	NA				
5	Joanna Grace	Cultural (Ind.)	Produce eight musical programs to be produced 3x each. 1 home concert and 2 retirement home concerts	\$ 3,500	Pending						
6	Karen Merk	Cultural (Ind.)	Support the Portraits of Giving photography exhibit	\$ 1,500	25-Oct	\$ 1,500	NA	5	62	363	8
7	Katie Argyle	Cultural (Ind.)	Host a community steam roller printmaking event on Canada Day.	\$ 860	10-Nov	\$ 860	NA	29	233	224	1
8	Sean Cisterna	Cultural (Ind.)	Create comedic feature length film script entitled "Frightenstein".	\$ 2,500	Pending		Project scope was revised to develop a different script entitled Free, Fly, Flown				
9	Artucate Canada	Cultural (Org)	Create theatrical production in RH that examines young people's experiences and understandings of academic motivation	\$ 1,000	25-Oct	\$ 1,000	NA	26	239	26	1
10	Burr House Spinners and Weavers Guild	Cultural (Org)	Canada's 150th Anniversary will be celebrated through creation of a tapestry by members of the public for an art exhibit	\$ 3,000	Pending						
11	Chorus York	Cultural (Org)	Present a 6 concert series aimed at promoting growth of choral music in Richmond Hill	\$ 3,000	30-Nov	\$ 1,500	Final payment currently being processed	18	108	230	6
12	CREATE	Cultural (Org)	Produce a youth talent show oriented to Youth in RH	\$ 705	9-Sep	\$ 353	Final payment currently being processed	5	30	100	1

No.	Applicant	Project Stream	Proposed Project	Recommendation	Final Report	Payment Issued to Date	Major Project Variances	# Volunteers	# Volunteer Hours	# Direct Participants	# Public Engagement Activities
13	Nowruz Festival Canada	Cultural (Org)	Support one day festival and celebration of Persian New Year at RHCPA.	\$ 2,000	23-Aug	\$ 2,000	NA	33	1100	2500	1
14	Richmond Hill Centennial Pipe Band	Cultural (Org)	Offer 10 drumming clinics to help existing members and interested residents of RH on topics related to pipe band drumming	\$ 2,500	Pending						
15	Richmond Hill Concert Band	Cultural (Org)	Celebrate Canada 150 through commissioning of new music arranged at two levels of difficulty, one for general public and one for students, to be performed during Canada Day	\$ 3,000	Pending	\$ 2,250	Final payment currently being processed	34	1970	3122	2
16	Richmond Hill Group of Artists	Cultural (Org)	Develop a project called Paint the Town where selected artists will paint building in Richmond Hill. The results will be art exhibition and production of calendar	\$ 2,000	3-Nov	\$ 2,000	NA	20	100	300	2
17	Richmond Hill Philharmonic Orchestra	Cultural (Org)	Present a concert in collaboration with Chorus York with a themed proms	\$ 2,605	10-Oct	\$ 2,605	NA	120	1212	440	1
18	Shadowpath Theatre Productions	Cultural (Org)	Expand Café Cruise - walking tour with pop up plays in Richmond Hill - to bars, restaurants	\$ 2,500	3-Nov	\$ 2,500	NA	9	20	70	2
19	Speakerbox	Cultural (Org)	Support 2017 activities of Speakerbox - competition in National Slam contest, workshops, chap book of poetry; 12 shows throughout year	\$ 2,500	5-Nov	\$ 2,500	NA	9	600	1200	
20	Toronto Reel Asian Film Festival	Cultural (Org)	2-day showcase of Asian Films at the RHCPA	\$ 3,000	NA	\$ -	Organization returned funds as they were unable to execute project.	0	0	0	0
21	York Region Chamber Music	Cultural (Org)	3 concert series exploring the relationship between Words and Music	\$ 2,200							
Total				\$ 49,870		\$ 25,068	\$ -	320	6646	8725	32



Staff Report for Committee of the Whole Meeting

Date of Meeting: January 22, 2018

Report Number: SRPRS.18.008

Department: Planning and Regulatory Services

Division: Development Planning

Subject: **SRPRS.18.008 – Request for Approval – Zoning By-law Amendment – Joseph Simao and Vivian Chan Simao – Town File D02-17010**

Owners:

Joseph Simao and Vivian Chan Simao
98 Bond Crescent
Richmond Hill, Ontario
L4E 3K7

Agent:

JKO Planning Services Inc.
27 Fieldflower Crescent
Richmond Hill, Ontario
L4E 5E9

Location:

Legal Description: Lots 1 and 2, Registered Plan 561
Municipal Addresses: 94 and 98 Bond Crescent

Purpose:

A request for approval concerning a proposed Zoning By-law Amendment application to facilitate the creation of one (1) additional building lot on the subject lands.

Recommendation:

1. That the Zoning By-law Amendment application submitted by Joseph Simao and Vivian Chan Simao for the lands known as Lots 1 and 2, Registered Plan 561 (Municipal addresses: 94 and 98 Bond Crescent), Town File D02-17010, be approved, subject to the following:
 - a) That the subject lands be rezoned from Residential Urban (RU) Zone under By-law 1275, as amended, to Single Detached Six (R6) Zone, under By-law

313-96, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPRS.18.008; and,

- b) That the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment.**

Contact Person:

Simone Fiore, Planner II – Subdivisions, phone number 905-771-2479 and/or
Denis Beaulieu, Manager of Development – Subdivisions, phone number 905-771-2540

Report Approval:

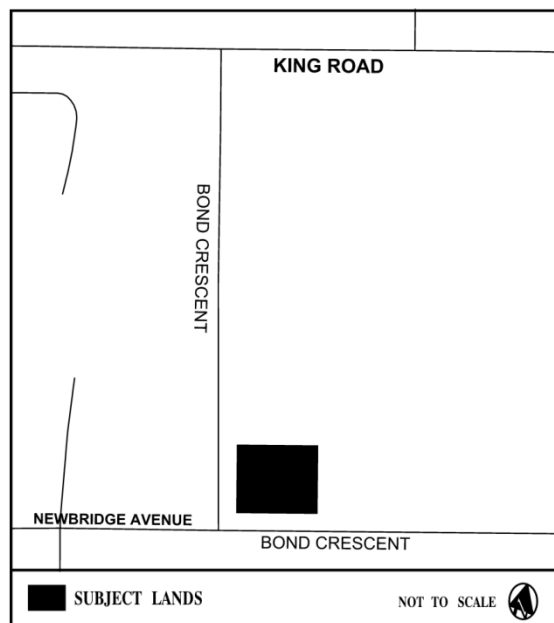
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

Location Map:

Below is a map displaying the property location. Should you require an alternative format, call the person listed under “Contact Person” above.



Background

The subject Zoning By-law Amendment application was presented at a statutory Council Public Meeting on September 6, 2017 wherein Council received Staff Report SRPRS.17.136 for information purposes and directed that all comments be referred back to staff for consideration (refer to Appendix “A”). Concerns were raised at the Council Public Meeting regarding the proposed front yard setback.

It should be noted that all comments from internal departments and external agencies pertaining to the subject proposal have been satisfactorily addressed by the applicant. In this regard, the purpose of this report is to seek Council’s approval of the applicant’s Zoning By-law Amendment application to facilitate the creation of one (1) additional building lot for single detached residential purposes on its land holdings.

Summary Analysis

Site Location and Adjacent Uses

The subject lands form two building lots and are located on the north side of Bond Crescent, south of King Road. The lands have a combined total lot area of 0.186 hectares (0.460 acres) and abut residential uses to the north and east, and Bond Crescent to the south and west (refer to Maps 1 and 2). The lands currently support two single detached dwellings.

Revised Development Proposal

The applicant is seeking Council’s approval to rezone the subject lands from **Residential Urban (RU) Zone** under Zoning By-law 1275, as amended, to **Single Detached Six (R6) Zone** under Zoning By-law 313-96, as amended with site specific provisions to facilitate the creation of one (1) additional building lot for a total of three (3) single detached lots on its land holdings. The proposed new lots are intended to accommodate three (3) new two storey single detached dwellings (refer to Maps 6 and 7). All three (3) lots proposed have frontage onto Bond Crescent.

The applicants submitted a revised development proposal to the Town on October 4, 2017 in response to comments arising from their initial submission of April 2017. The applicants revised their proposal to allow for additional preservation/protection of trees on the subject lands. The applicants also responded to urban design comments by providing for an enhanced elevation for proposed Lot 1 (corner lot).

The following is a summary table outlining the pertinent statistics of the applicant’s revised development proposal based on the plans and drawings submitted to the Town:

- **Total Lot Area: 0.186 hectares (0.460 acres)**
- **Lot 1**
 - **Lot Frontage: 18.27 metres (59.94 feet)**
 - **Lot Area: 725.1 square metres (7,804.91 square feet)**
 - **Lot Coverage: 40%**

- **Lot 2**
 - **Lot Frontage: 14.30 metres (46.91 feet)**
 - **Lot Area: 566.97 square metres (6,102.81 square feet)**
 - **Lot Coverage: 40%**
- **Lot 3**
 - **Lot Frontage: 14.28 metres (46.85 feet)**
 - **Lot Area: 566.92 square metres (6,102.27 square feet)**
 - **Lot Coverage: 40%**

Planning Analysis

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 – Land Use of the Town’s Official Plan (refer to Map 4). The lands are also located within the **Settlement Area** of the *Oak Ridges Moraine Conservation Plan* (“ORMCP”) and are in the Bond Crescent Infill Study.

Uses permitted within the **Neighbourhood** designation include primarily low-density residential uses, medium-density residential uses, neighbourhood commercial uses, community uses, parks and open spaces, and automotive service commercial uses subject to specific policy criteria as outlined in Chapter 4 of the Town’s Official Plan. Single detached dwellings are permitted within the **Neighbourhood** designation. Section 4.9.2.4 of the Town’s Official Plan also states that development shall be compatible with the existing character of the adjacent and surrounding area. Staff is of the opinion that the proposed single detached dwelling lots are compatible with the predominant building form and type of development in the area.

The subject lands are located within the **Settlement Area** of the Oak Ridges Moraine as defined by the ORMCP. In accordance with Section 3.2.1.1 (18) of the Town’s Official Plan (the “Plan”), all uses which are otherwise permitted under the Plan shall be permitted within the **Settlement Area**.

Given all of the above, Planning staff is of the opinion that the subject Zoning By-law Amendment application conforms with the **Neighbourhood** policies of the Plan and the **Settlement Area** policies of the ORMCP.

Bond Crescent Neighbourhood Infill Study

As noted in the preceding section, the subject lands are located within the Bond Crescent Neighbourhood Infill Study Area (“Study”) which was approved by Council in 1998. The Study encompasses lands on the south side of King Road, to the westerly limit of Bostwick Crescent, to the rear of the lots fronting onto Timber Valley Avenue and to the rear of the lots fronting onto the westerly portion of Bond Crescent (refer to Map 5). The Study contemplates new building lots having frontages of at least 13.7 metres (45.0 feet) for infill development along existing streets as well as 6.0 metre (19.69 feet) front yard setbacks and 1.2 metre (3.94 feet) side yard setbacks. In addition to guiding the general pattern of infill development, the Study contains design guidelines that provide direction for infill development along existing streets.

Planning staff is satisfied that the proposed lots are consistent with the recommendations of the Study for infill development on existing streets with respect to lot frontage, front yard setback and side yard setbacks and are in keeping with the overall development patterns of the surrounding neighbourhood.

Proposed Zoning By-law Amendment

The subject lands are currently zoned **Residential Urban (RU) Zone** under By-law 1275, as amended. In this regard, the applicant is seeking Council's approval to rezone the subject lands to **Single Detached Six (R6) Zone** under By-law 313-96, as amended, with site specific provisions for minimum lot frontage for an interior lot and minimum interior side yard setback. Staff is also recommending an increased minimum front yard setback of 8.0 metres (26.25 feet) in order for the proposed development to be consistent with the established building line on the street and to meet the recommendations of the Bond Crescent Neighbourhood Infill Study. The following table outlines the proposed **R6 Zone** standards relative to the standards requested by the applicant:

Development Standard	R6 Zone Standards, By-law 313-96, as amended	Proposed Standards
Minimum Lot Area (Corner)	565 square metres (6,081.61 square feet)	725.1 square metres (7,804.91 square feet)
Minimum Lot Area (Interior)	500 square metres (5,381.96 square metres)	566.97 square metres (6,102.81 square feet) (Lot 2) 566.92 square metres (6,102.27 square feet) (Lot 3)
Minimum Lot Frontage (Corner)	17 metres (55.77 feet)	18.27 metres (59.94 feet)
Minimum Lot Frontage (Interior)	15 metres (50 feet)	14.28 metres (46.91 feet) (Lots 2 and 3)
Minimum Front Yard	4.5 metres (14.76 feet)	9.15 metres (30.02 feet)
Minimum Flankage Yard	3 metres (9.8 feet)	3.0 metres (9.84 feet)
Minimum Interior Side Yard	1.5 metres (4.9 feet)	1.22 metres (4 feet)
Minimum Rear Yard	7.5 metres (24.6 feet)	9.91 metres (32.51 feet) (Lot 1) 11.39 metres (37.37 feet) (Lots 2 and 3)
Maximum Building Height	11 metres (36.08 feet)	10.67 metres (35 feet)
Maximum Lot Coverage	40%	40%

Planning staff has undertaken a comprehensive analysis of the applicant's revised development proposal and is satisfied that the proposed **R6 Zone** category and site

specific provisions are appropriate to facilitate the applicant's development proposal. On the basis of the preceding, it is recommended that the subject Zoning By-law Amendment application be approved and that the amending Zoning By-law incorporate the proposed site specific development standards outlined in the table above and displayed in Appendix "B".

Town Department and External Agency Comments

Development Planning Division

Planning staff has reviewed the applicant's development proposal and is of the opinion that it has appropriate regard for and is consistent with the broader policy direction for this part of the Town as outlined in the Official Plan. On this basis, it is recommended that the subject Zoning By-law Amendment application be approved for the following reasons:

- the proposal conforms to the **Neighbourhood** policies of the Town's Official Plan;
- the area in which the subject lands are located is identified as a Priority Infill Area in accordance with Section 4.9.1.1.1 (L) and is subject to the recommendations of the Bond Crescent Infill Study. In this regard, Planning staff is satisfied that the development proposal meets the general intent and recommendations of the Bond Crescent Infill Study;
- the proposed lot frontages are consistent with the objectives of the Bond Crescent Neighbourhood Infill Study for infill development on existing streets and are in keeping with the overall development patterns of the surrounding neighbourhood;
- the development proposal conforms to the applicable development policies of the *Oak Ridges Moraine Conservation Plan*; and,
- circulated Town departments and external agencies have no further concerns or comments regarding the subject Zoning By-law Amendment application.

Given the above, staff is of the opinion that the applicant's Zoning By-law Amendment request is considered appropriate for the lands and constitutes good planning.

Department and External Agency Comments

The applicant's revised development proposal satisfactorily addresses the comments from Town departments and external agencies. Town departments and external agencies have no further comments or objections with respect to the application.

Financial/Staffing/Other Implications

The recommendation does not have any financial, staffing or other implications.

Relationship to Strategic Plan

The applicant's development proposal aligns with **Goal Two - Better Choice in Richmond Hill** by providing housing that offers options for people at all stages of life, in

addition to **Goal Four - Wise Management of Resources in Richmond Hill** by designing energy efficient dwellings and using land responsibly.

Conclusion

The applicant is seeking Council's approval of its proposal to facilitate the creation of one (1) additional single detached building lot on its land holdings for a total of three (3) building lots. The submitted Zoning By-law Amendment application conforms with the Town's Official Plan and is consistent with the recommendations in the Bond Crescent Infill Study. In light of the preceding, staff is of the opinion that the proposed amendment is appropriate and represents good planning. On the basis of the preceding, it is recommended that Council approve the subject Zoning By-law Amendment application as outlined and described in this report.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Appendix A, Extract from Council Public Meeting C#27-17 held September 6, 2017 Public Meeting
- Appendix B, Draft Zoning By-law
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Zoning
- Map 4 Official Plan Designation
- Map 5 Bond Crescent Neighbourhood Infill Study
- Map 6 Proposed Site Plan
- Map 7 Proposed Elevations

Report Approval Details

Document Title:	SRPRS.18.008 - Request for Approval - Zoning By-law Amendment - 94 and 98 Bond Crescent (D02-17010).docx
Attachments:	<ul style="list-style-type: none">- Appendix A CPM Extract.pdf- Appendix B Draft Zoning By-law 3-18.pdf- Appendix B - Schedule A to By-law 3-18.pdf- MAP_1_AERIAL_PHOTOGRAPH.pdf- MAP_2_NEIGHBOURHOOD_CONTEXT_S217010.pdf- MAP_3_EXISTING_ZONING_S217010.pdf- MAP_4_OFFICIAL_PLAN_DESIGNATION.pdf- MAP_5_BOND_CRESCENT_NEIGHBOURHOOD_INFILL_STUDY.pdf- MAP_6_PROPOSED_SITE_PLAN.pdf- MAP_7_PROPOSED_ELEVATIONS.pdf
Final Approval Date:	Jan 9, 2018

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

Gus Galanis - Dec 22, 2017 - 4:53 PM

Kelvin Kwan - Jan 9, 2018 - 10:00 AM

Neil Garbe - Jan 9, 2018 - 4:14 PM

Appendix “A”

Extract from Council Public Meeting C#27-17 held September 6, 2017

3.2 Request for Comments – Zoning By-law Amendment Application – Joseph Simao and Vivian Chan Simao – 94 and 98 Bond Crescent – File Number D02-17010 – (Staff Report SRPRS.17.136)

Simone Fiore of the Planning and Regulatory Services Department provided an overview of the proposed Zoning By-law Amendment application to facilitate the future creation of one (1) additional building lot on the subject lands. Ms. Fiore advised that staff’s recommendation was that the staff report be received for information purposes only and all comments be referred back to staff.

Jim Kotsopolous, JKO Planning Services Inc., agent for the applicant, advised he was in attendance with the property owners of the subject lands and that they had reviewed the staff report and were present to hear comments from Council and the public, answer any questions, and that they looked forward to a recommendations report being brought forward for approval.

There were no members of the public who responded to the Chair’s invitation to address Council on this matter.

Moved by: Councillor Beros
Seconded by: Regional and Local Councillor Hogg

That staff report SRPRS.17.136 with respect to the Zoning By-law Amendment application submitted by Joseph Simao and Vivian Chan Simao for lands known as Lots 1 and 2, Plan 561, municipally known as 94 and 98 Bond Crescent, File Number D02-17010, be received for information purposes only and that all comments be referred back to staff.

Carried

FOR YOUR INFORMATION AND ANY ACTION DEEMED NECESSARY

Appendix “B”

The Corporation of the Town of Richmond Hill

By-law 3-18

A By-law to Amend By-law 313-96, as amended of

The Corporation of the Town of Richmond Hill and

By-law 1275, as amended, of the former Township of King

Whereas the Council of The Corporation of the Town of Richmond Hill (the “Corporation”) at its Meeting of _____, 2018 directed that this by-law be brought forward to Council for its consideration;

The Council of The Corporation of the Town of Richmond Hill enacts as follows:

1. That By-law 1275, as amended, of the former Township of King (“By-law 1275”) be and is hereby is further amended by:

- a) removing those lands shown on Schedule “A” to this By-law 3-18 (the “Lands”) and any provisions of By-law 1275, as amended, that previously applied to the Lands shall no longer apply to the Lands.

2. That By-law 313-96, as amended, of The Corporation of the Town of Richmond Hill (“By-law 313-96”) be and is hereby further amended as follows:

- a) by expanding the area of By-law 313-96 to include the Lands;

- b) by rezoning the Lands to “Single Detached Six (R6) Zone” under By-law 313-96 as shown on Schedule “A” of this By-law 3-18; and,

- c) by adding the following to Section 7 – Exceptions:

“7.182

Notwithstanding any other inconsistent or conflicting provision of By-law 313-96, as amended, of the Corporation, the following special provisions shall apply to the lands zoned “Single Detached Six (R6) Zone” and more particularly shown as “R6” on Schedule “A” to By-law 3-18 and denoted by a bracketed number (7.182):

- i) Minimum Lot Frontage (Interior): 14.28 metres (46.91 feet)

- ii) Minimum Front Yard: 8 metres (26.25 feet)

- iii) Minimum Interior Side Yard: 1.22 metres (4 feet)”

3. All other provisions of By-law 313-96, as amended, not inconsistent with the foregoing, shall continue to apply to the Lands shown on Schedule “A” attached hereto.

4. The imperial measurements found in this by-law in brackets are provided for information purposes only and are intended to be an approximate conversion of the metric measurements. The metric or SI measurements shall be deemed to be the standards established by this by-law and, wherever there is a variance between the metric or SI measurements and the imperial measurements, the metric or SI measurement shall apply.

5. Schedule “A” attached to By-law 3-18 is declared to form a part of this by-law.

Passed this day of , 2018.

Dave Barrow
Mayor

Stephen M.A. Huycke
Town Clerk

The Corporation of the Town of Richmond Hill

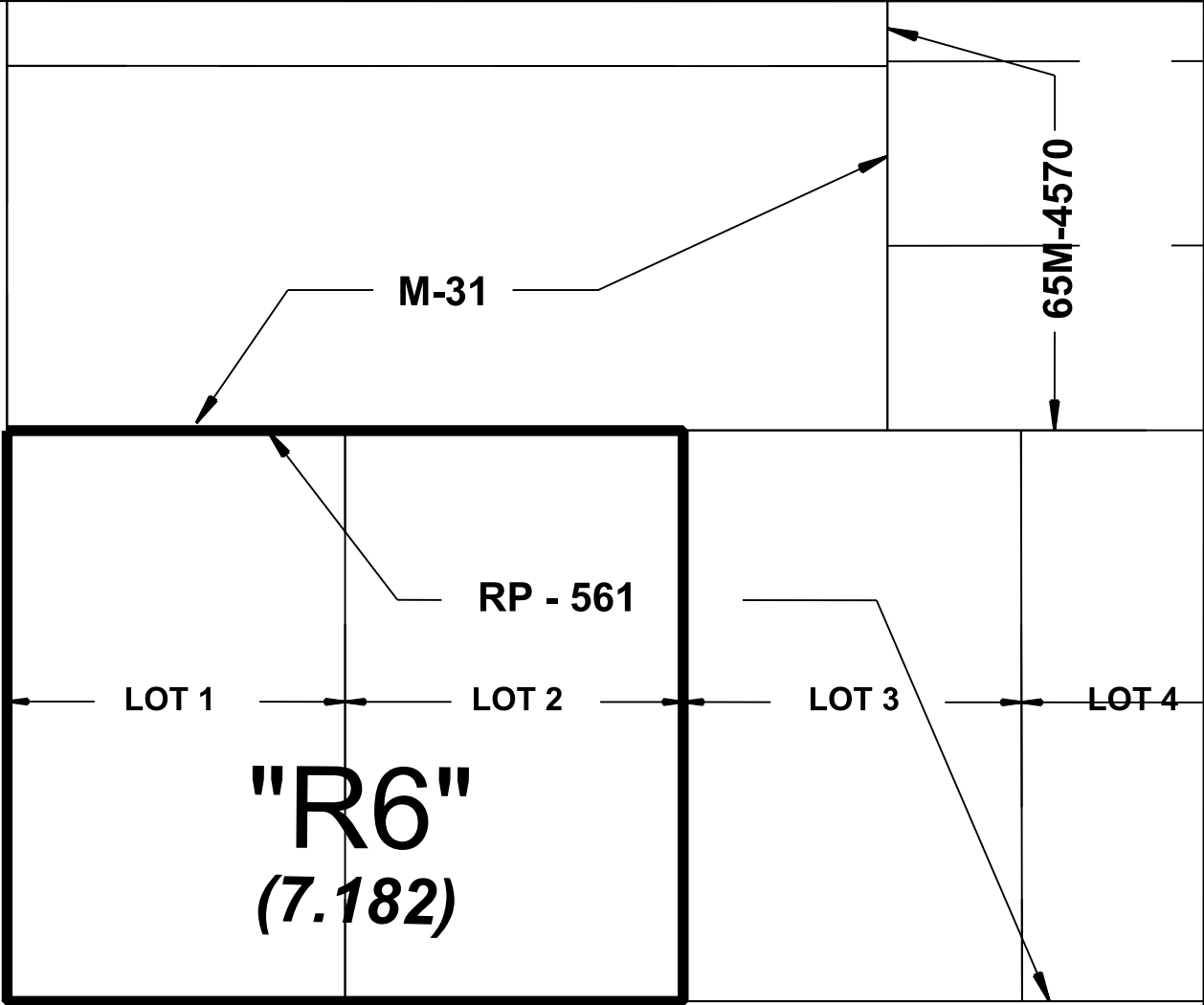
Explanatory Note to By-law 3-18

By-law 3-18 affects lands legally described as Lots 1 and 2, Registered Plan 561 and municipally addressed 94 and 98 Bond Crescent.

The lands are under the provisions of By-law 1275 of the former Township of King, as amended.

By-law 3-18 will have the effect of rezoning the subject lands to “Single Detached Six (R6) Zone” under By-law 313-96, as amended, with site specific development standards to facilitate the future creation of three (3) new building lots for single detached dwellings. Permitted uses within the “Single Detached Six (R6) Zone” include a single detached dwelling, home occupation, private home daycare, group foster home and group home.

BOND CRESCENT



BOND CRESCENT

SCHEDULE "A"

TO BY-LAW No. 3-18

This is Schedule "A" to By-Law
No. 3-18 passed by the Council
of The Corporation of the
Town of Richmond Hill on the
Day of

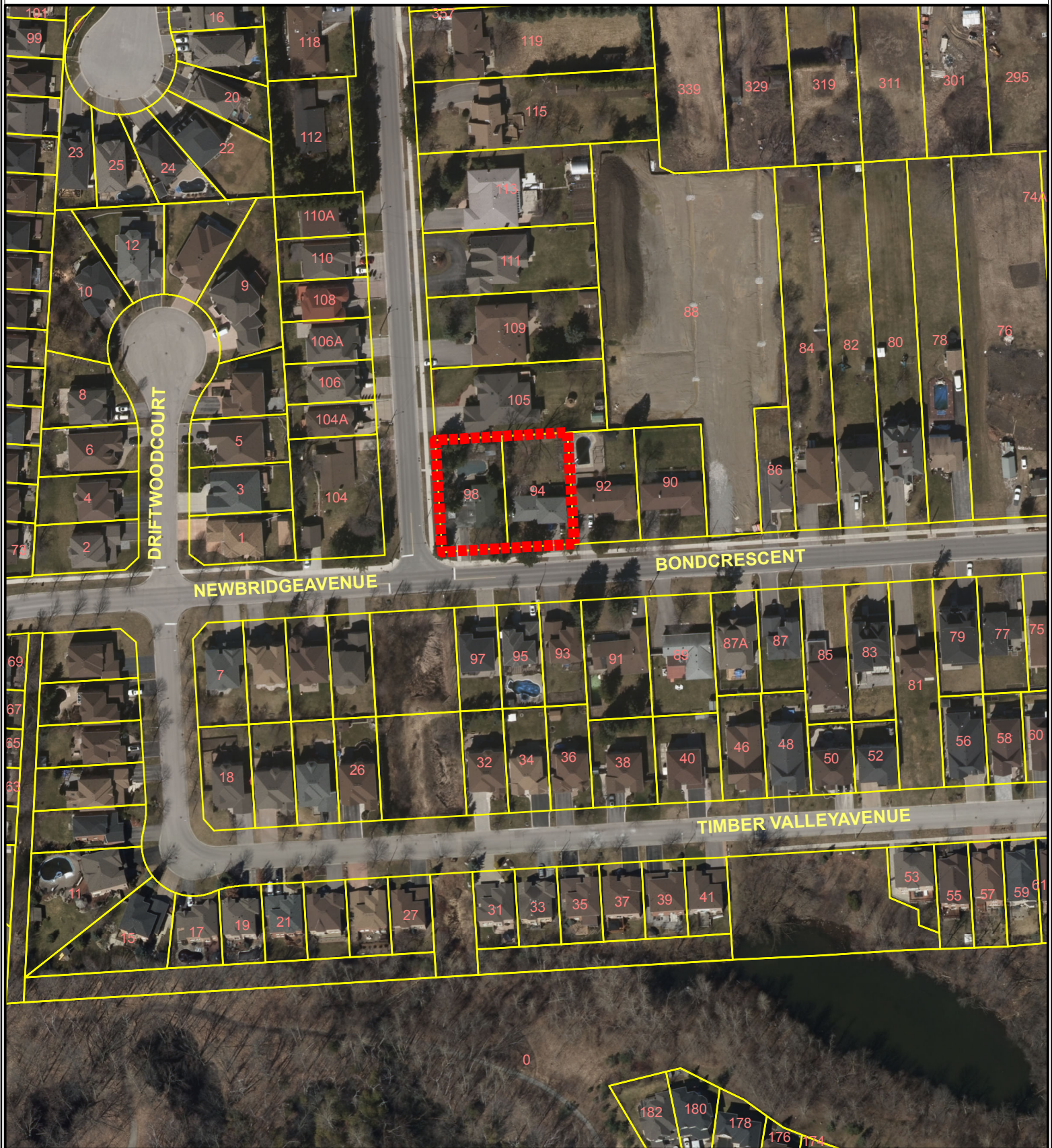
Dave Barrow
Mayor

Stephen M.A. Huycke
Town Clerk



AREA SUBJECT TO THIS BY-LAW

MAP 1 - AERIAL PHOTOGRAPH



Legend

 SUBJECT LANDS

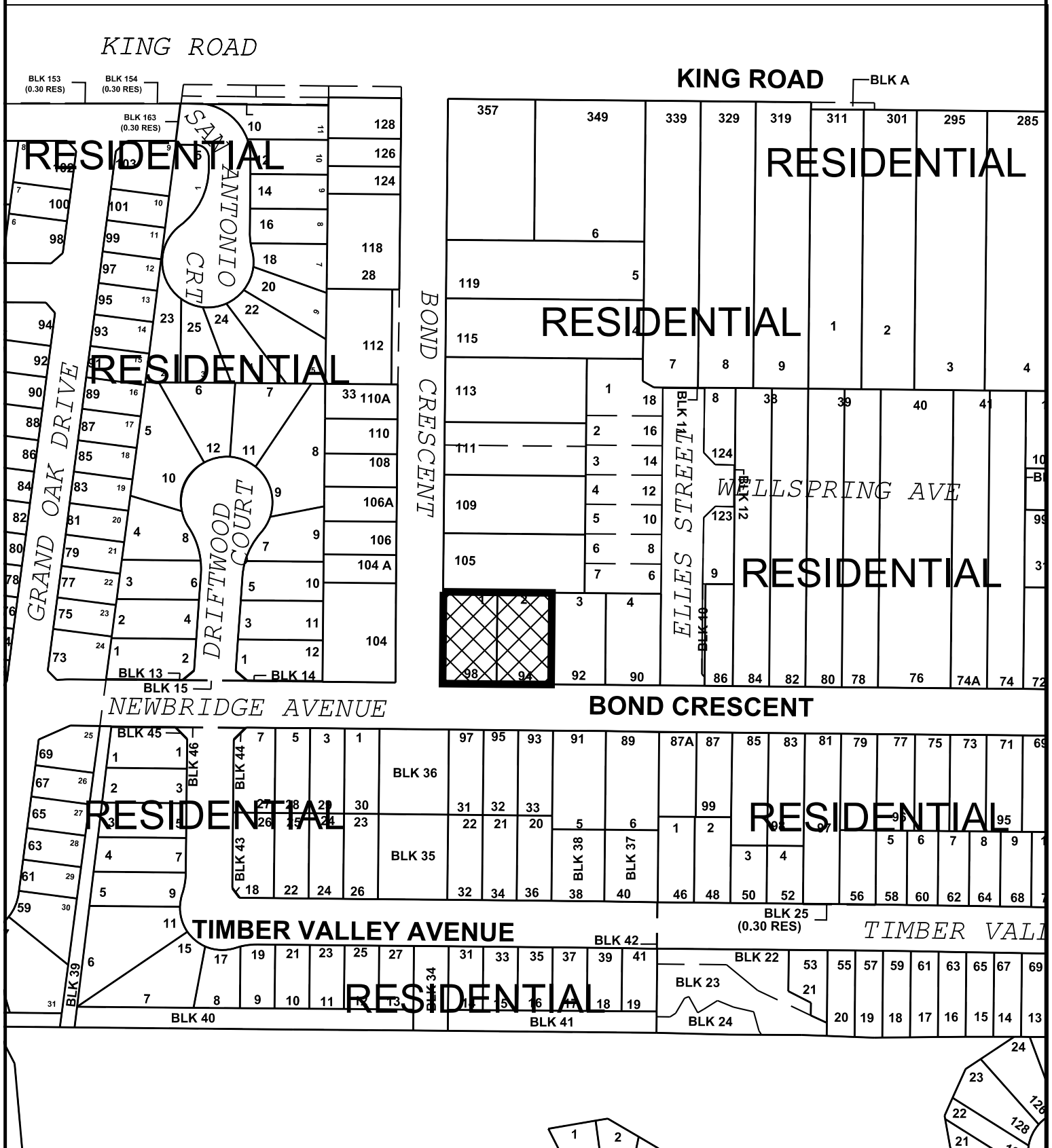


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BLOCK 08 File No.D02-17010

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**TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT**

MAP 2 - NEIGHBOURHOOD CONTEXT



SUBJECT LANDS

S21710A.DGN

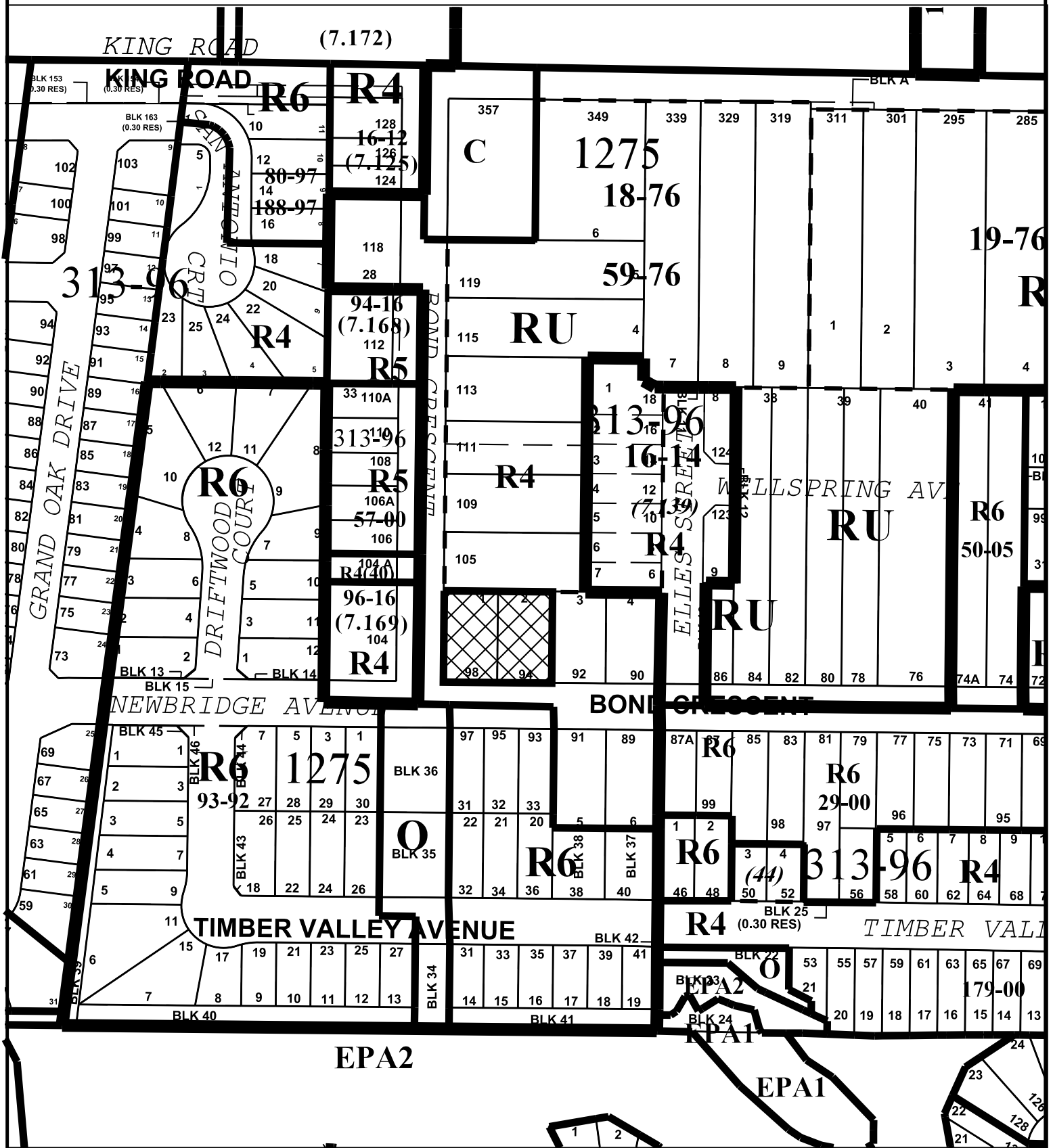
Page 179 of 363
SF/SS SRPRS.18.008

BLOCK 08

FILE NO.D02-17010

TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT

MAP 3 - EXISTING ZONING



SUBJECT LANDS

MAP 4 - OFFICIAL PLAN DESIGNATION



Legend

-  SUBJECT LANDS
-  SUBJECT AREA
-  Natural Core
-  Natural Linkage
-  Neighbourhood

NOTE: The information provide in this map is a depiction of a portion of the Richmond Hill Official Plan. For accurate reference, the schedules and policies of the Richmond Hill Official Plan must be consulted. In the case of a discrepancy between the schedules and the policies of the Richmond Hill Official Plan, the policies shall take precedence.



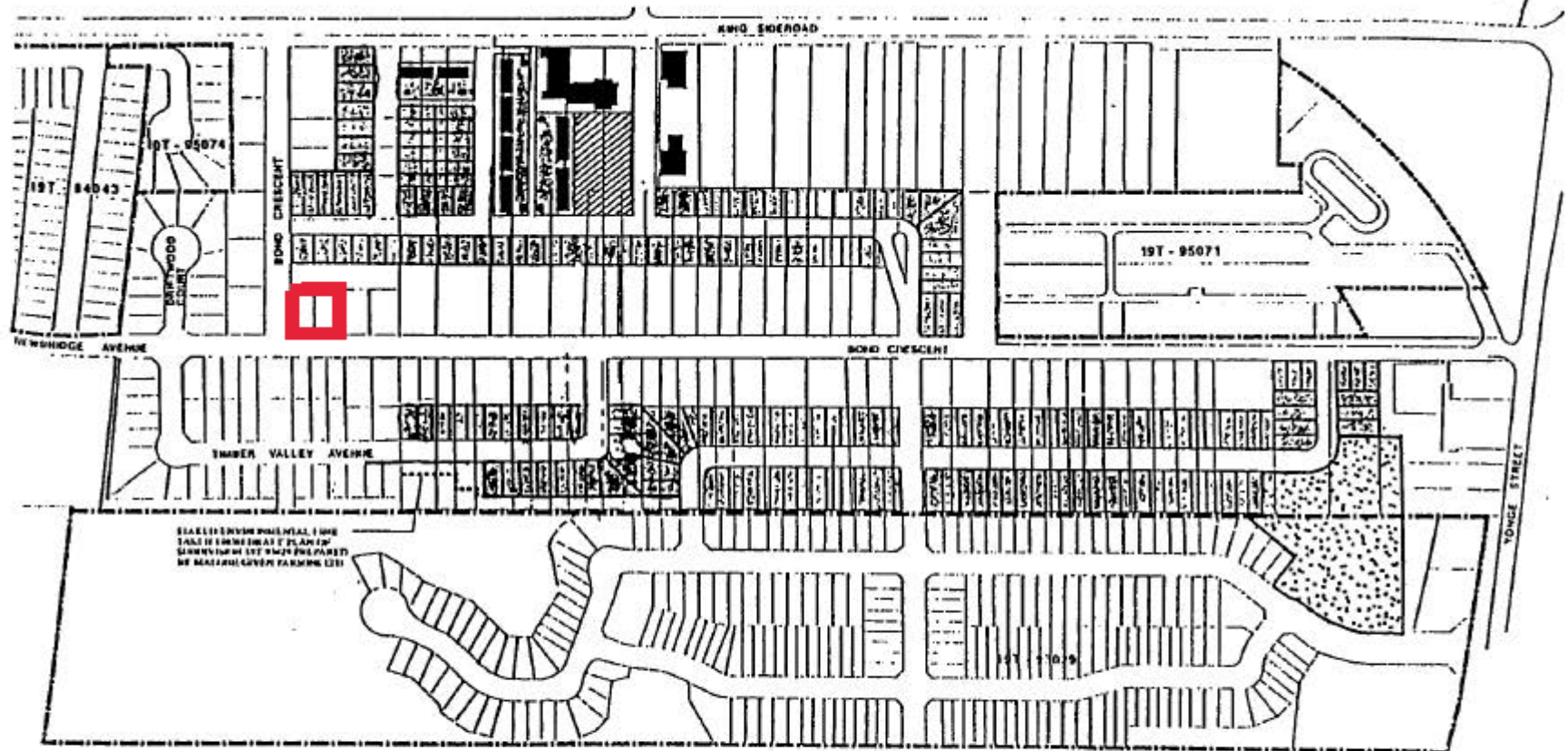
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FILE NO. D02-17.010

SF/SS SRPS.183008363

TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT

MAP 5 - BOND CRESCENT NEIGHBOURHOOD INFILL STUDY



Legend

- Study Area
- Proposed Infill Residential
- Proposed Commercial
- Proposed Park
- Proposed Storm Water Management Facility
- Draft Plan Boundary

OPA 129
 Town of Richmond Hill
 BOND CRESCENT COMMUNITY - INFILL HOUSING CONCEPT
 OPTION 5C
 MHIV
 Community and Resort Planning, Urban Design and Landscape Architecture
 SEAL H. H. 2000
 MAY 2, 1998



SUBJECT LANDS

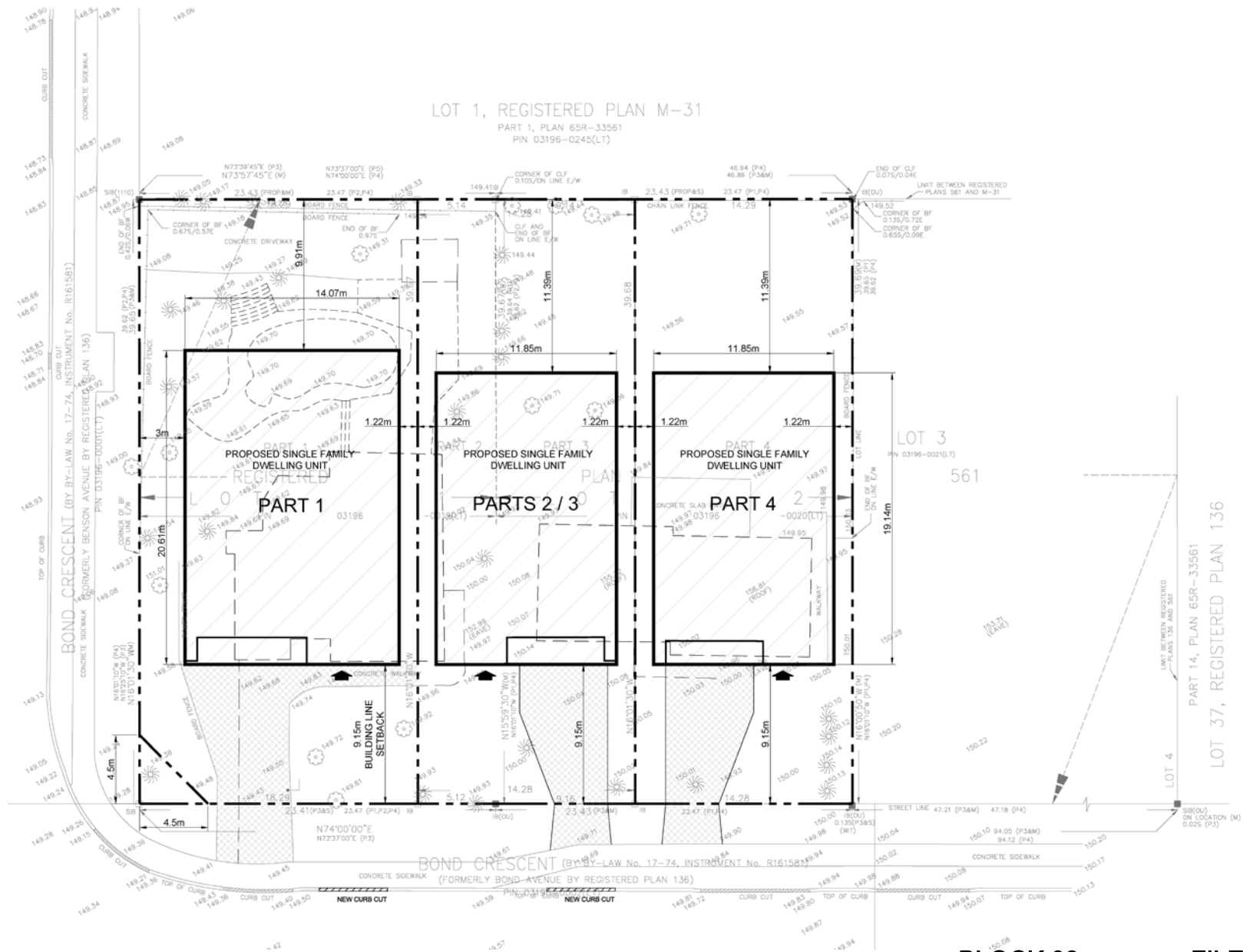
SF/SS SRPR 18.000 of 363

BLOCK 08

FILE NO. D02-17010

**TOWN OF RICHMOND HILL
 PLANNING AND REGULATORY
 SERVICES DEPARTMENT**

MAP 6 - PROPOSED SITE PLAN



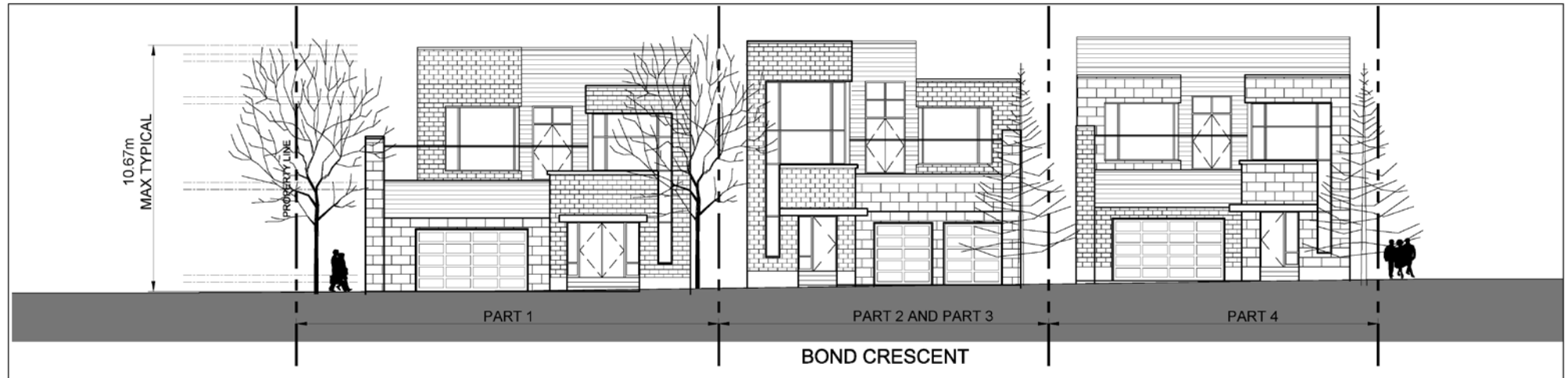
SF/SS SRP 364 8.006 of 363

BLOCK 08

FILE NO. D02-17010

**TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT**

MAP 7 - PROPOSED ELEVATIONS



3 SITE ELEVATION
A1.1 1:150



Staff Report for Committee of the Whole Meeting

Date of Meeting: January 22, 2018

Report Number: SRPRS.18.011

Department: Planning and Regulatory Services

Division: Development Planning

Subject: Request for Approval – Zoning By-law
Amendment and Site Plan Amendment
Applications – 1857481 Ontario Inc. – Town
Files D02-17025 and D06-17064

Owner:

1856481 Ontario Inc.
3985 Highway 7 East, Suite 202
Markham, Ontario
L3R 2A2

Agent:

Malone Given Parsons Ltd.
140 Renfrew Drive, Suite 201
Markham, Ontario
L3R 6B3

Location:

Legal Description: Part of Lot 11, Concession 2, E.Y.S.
Municipal Addresses: 386, 396 and 400 Highway 7 East

Purpose:

A request for approval concerning proposed Zoning By-law Amendment and related Site Plan Amendment applications to facilitate the second phase of a proposed mixed-use, high density residential/townhouse development on the subject lands.

Recommendations:

1. That the Zoning By-law Amendment application submitted by 1857481 Ontario Inc. to remove the Holding (H) provisions from the Zoning By-law affecting the lands known as Part of Lot 11, Concession 2, E.Y.S (Municipal Addresses: 386, 396 and 400 Highway 7 East), Town File D02-17025, be approved;

2. That Council approve servicing allocation for 354 persons equivalent population (172 units) to the subject lands; and,
3. That all comments concerning the related Site Plan Amendment application, Town File D06-17064, be referred back to staff.

Contact Person:

Ferdi Toniolo, Acting Senior Planner – Site Plans, phone number 905-771-2442 and/or Deborah Giannetta, Manager of Development, Site Plans, phone number 905-771-2465

Report Approval:

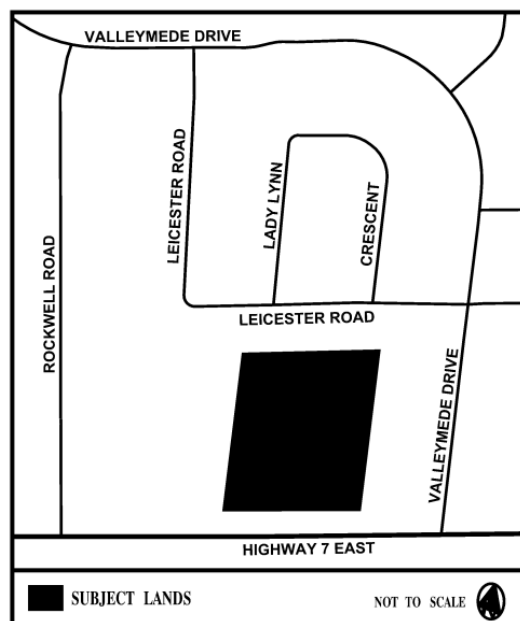
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

Location Map:

Below is a map displaying the property location. Should you require an alternative format call person listed under “Contact Person” above.



Background:

On January 20, 2016, the Ontario Municipal Board (OMB) issued an Order approving an Official Plan Amendment to permit a high density residential development comprised of two apartment buildings (11 and 15 storeys, respectively) and 45 townhouse dwellings, with a total of 397 units and an FSI of 2.06 on the subject lands. However, the OMB withheld its Order concerning the approval of the related Zoning By-law Amendment application until such time as the applicant received Site Plan approval from the Town to facilitate construction of the development. In addition, the Zoning By-law included Holding (H) provisions for a portion of the lands which restricted the height of Building “B” to 11 storeys until such time as the Toronto/Buttonville Airport Zoning Regulations (AZR) were repealed or the height restrictions provided in the Zoning By-law were no longer in force and effect.

In accordance with the OMB’s Order, the applicant submitted a Site Plan application to the Town (Town File D06-16028) on April 19, 2016 to facilitate the Board approved decision. As a result of a delay in obtaining the required exemption from the AZR, the applicant revised its development proposal to facilitate the construction of Building “A” and the 45 townhouse dwellings only (refer to Map 5). The aboveground portion of Building “B” would proceed via a separate Site Plan Amendment application when the exemption was obtained.

In the interim, Council approved servicing allocation for the first phase of the development for 421 persons equivalent population (139 apartment units and 45 townhouse units) at its meeting of January 30, 2017 (refer to Appendix “A”). On February 10, 2017, the OMB ordered that Zoning By-law 12-17 be approved. Staff continued to work closely with the applicant to address all remaining issues and on June 9, 2017, the Site Plan Agreement for the first phase of the development was executed and registered. Building Permits have since been issued and construction has commenced on the subject lands.

In May of 2017, the applicant received an exemption from the AZR (refer to Appendix B). On August 11, 2017, applications for Zoning By-law Amendment and Site Plan Amendment to remove the Holding (H) provisions and to facilitate the construction of Building “B” with a height of 15 storeys, were received and deemed complete. The applications were subsequently circulated to various Town departments and external agencies for review and comment.

The purpose of this report is to seek Council’s approval of the Zoning By-law Amendment application to remove the Holding (H) provisions in order to facilitate the construction of the second phase of the development (refer to Maps 6 and 7), municipal servicing allocation for 354 persons equivalent population (172 units) and to seek comments with respect to the applicant’s Site Plan Amendment application.

Summary Analysis

Site Location and Adjacent Uses

The subject lands are located on the north side of Highway 7 East, west of Valley Mede Drive. The lands abut a high density, mixed-use residential/commercial development to the west, low density residential uses to the north, an automobile service station to the east and Highway 7 East to the south (refer to Map 1).

Development Proposal

The lands have a total lot area of 1.85 hectares (4.58 acres). The approved high density mixed use residential/townhouse development is to be constructed in two phases (refer to Map 5). The first phase, which is under construction, is comprised of a 139 unit apartment building and 45 townhouses for a total of 184 units. The second phase of the development is comprised of a 15 storey residential building. In support of the Zoning By-law Amendment to remove the Holding (H) provisions, a Site Plan Amendment application (Town File D06-17064) has been submitted to facilitate the construction of the above ground portion of this building (refer to Maps 6 and 7) containing 169 residential units. In addition, the applicant is requesting municipal servicing allocation for the second phase as well as an additional 3 units for Building “A” within the first phase.

Planning Analysis

Town of Richmond Hill Official Plan

The subject lands are designated **Regional Mixed-Use Corridor** in accordance with Schedule A2 – Land Use of the Town’s Official Plan (the “Plan”) (refer to Map 3). Uses permitted within the **Regional Mixed-Use Corridor** designation include medium and high density residential uses, office, commercial and retail uses, community uses, parks and open spaces, and automotive service commercial uses subject to specific policy criteria as outlined in Chapter 4 of the Plan. Policy 4.6.1.5 states that the maximum density for lands with the **Regional Mixed-Use Corridor** designation along Highway 7 is 2.5 FSI. Policy 4.6.17 sets out a maximum building height of 11 storeys.

Pursuant to the OMB decision issued on January 20, 2016, Official Plan Amendment No. 2 was approved and provided an exception to permit an increase in the maximum height of Building “B” from 11 storeys to 15 storeys following the closure of the Buttonville Airport. The amendment required the implementation of Holding (H) provisions to be applied to the implementing Zoning By-law for the purpose of restricting the maximum building height of Building “B” to 11 storeys until such time as the AZR for the Buttonville Airport are no longer in force and effect or have been repealed.

Zoning By-Law Amendment Application

Zoning By-law 12-17, was approved by the OMB on February 10, 2017 and contains site specific provisions to facilitate the construction of the proposed high density mixed-use residential/townhouse development on the subject lands. As noted earlier in this report, the by-law also contains Holding (H) provisions that restrict the height of Building

“B” to 11 storeys. In this regard, the Holding (H) provisions of the By-law stipulate the following:

“i) the maximum height for an apartment building shall be 15 storeys.

ii) Where a zone symbol on the attached Schedule “A” is followed by the bracketed letter “H”, the bracketed letter indicates that the lands to which it applies have been placed in a Holding (H) Zone in accordance with the provisions of Section 36 of the Planning Act and the Town of Richmond Hill Official Plan (2010). No building shall be constructed with an elevation of greater than eleven (11) storeys on the lands as shown on Schedule “A” zoned with a Holding (H) symbol until the Holding symbol has been removed by Council. The “H” Holding Zone provision may be lifted upon application to Council when Council is satisfied as to the following:

a. The Toronto/Buttonville Airport Zoning Regulations (SOR /88-148) have been repealed or the height restriction provided for in section 4 therein are no longer in force and effect...”

As previously indicated in this report, the applicant has now received the required exemption from the Federal Government (refer to Appendix B), thereby satisfying the conditions of the Holding (H) provision. Accordingly, staff recommends Council enact a Zoning By-law Amendment to remove the Holding (H) provisions applicable to the property.

Departments/External Agencies

As of the writing of this report, circulated Town departments and external agencies either did not object to the proposed development and/or provided minor comments to be considered by the applicant prior to final Site Plan approval. These comments have been forwarded to the applicant for consideration but have not been appended to this report.

Interim Growth Management Strategy

Council has approved and implemented a comprehensive strategy comprised of eight growth management eligibility criteria as a means of assessing and prioritizing development applications for the receipt of municipal servicing allocation. The eight growth management criteria are as follows:

1. Providing community benefits and completion of required key infrastructure.
2. Developments that have a mix of uses to provide for live-work relationships.
3. Developments that enhance the vitality of the Downtown Core.
4. Higher-order transit supportive development.
5. Developments that represent sustainable and innovative community and building design.
6. Completion of communities.
7. Small scale infill development.

8. Opportunities to provide affordable housing.

The submitted Interim Growth Management Strategy (IGMS) report addresses both phases of the development. The applicant has identified that the proposed development would meet Criteria 1, 4, 5 and 6 noted above (refer to Appendix C). Staff has reviewed the submission and agrees that the proposal meets the aforementioned criteria, as follows:

- a sanitary sewer will be constructed as part of the proposed development that will provide an optional service connection point should the lands to the east ever be redeveloped;
- being located along Highway 7, the proposed development will optimize existing and planned transit infrastructure and will provide for high density residential development along a major arterial road in accordance with the policies both the Region of York and Town Official Plans;
- the proposed development will achieve LEED Gold certification by providing for a number of environmentally sustainable and energy efficient features, will be a transit supportive use and will represent efficient use of infrastructure, services and land; and,
- the proposed development will meet the goals of the *Provincial Policy Statement* and *Growth Plan* legislation as it relates to the provision of compact urban form, intensification of built-up areas and the efficient use of land services and infrastructure as it relates to the completion of communities.

Additionally, the proposed development has been reviewed in accordance with the Town's Sustainability Performance Metrics chart and has achieved a score of 55 which is considered a "very good" performance level.

Based on the above, staff is of the opinion that the applicant's development proposal satisfies the Town's IGMS criteria and therefore, it is recommended that Council assign municipal servicing allocation for a total of 354 persons equivalent population (172 units) for the second phase of the development to be constructed on the subject lands.

Financial/Staffing/Other Implications

This recommendation does not have any financial, staffing or other implications.

Relationship to Strategic Plan

The recommendations of this report will facilitate a development proposal that is aligned with the Town's Strategic Plan. In this regard, the development proposal is aligned with **Goal One - Stronger Connections in Richmond Hill** by strengthening connections to transit, **Goal Two - Better Choices in Richmond Hill** by providing a for a range of housing options and providing better quality options to achieve the community vision for the Town and lastly with **Goal Four - Wise Management of Resources in Richmond Hill** by creating opportunities for reducing commute times, increasing access and incorporating energy efficient design.

Conclusions

The applicant is seeking Council's approval to remove the Holding (H) provisions applicable to the subject lands to permit the construction of the second phase of the approved high density, mixed-use residential development on its land holdings. The applicant is also seeking servicing allocation to service this second phase of the development as well as additional servicing allocation for the first phase. Staff is satisfied that the applicant has fulfilled the conditions for removal of the Holding (H) provisions and is of the opinion that the development proposal satisfies the Town's Interim Growth Management Strategy criteria for servicing allocation.

In light of the preceding, staff recommends that Council approve the Zoning By-law Amendment to remove the Holding (H) provision, assign municipal servicing allocation for 354 persons equivalent population (172 units) for the second phase of development on the subject lands and that all comments on the Site Plan Amendment application be referred back to staff.

Appendix Contents and Maps:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Appendix A, Extract from Committee of Whole Meeting held on January 23, 2017
- Appendix B, Exemption from the Toronto /Butonville Airport Zoning Regulations
- Appendix C, IGMS Statement for Servicing Allocation dated April 19, 2016
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Official Plan Designation
- Map 4 Existing Zoning Designation
- Map 5 Approved Site Plan
- Map 6 Proposed Site Plan
- Map 7 Proposed Elevations

Report Approval Details

Document Title:	SRPRS.18.011.docx
Attachments:	<ul style="list-style-type: none">- Appendix A.pdf- Appendix B.pdf- Appendix C.pdf- MAP_1_AERIAL_PHOTOGRAPH.pdf- MAP_2_NEIGHBOURHOOD_CONTEXT_S217025A.pdf- MAP_3_EXISTING_OFFICIAL_PLAN_DESIGNATION.pdf- MAP_4_EXISTING_ZONING_DESIGNATION_S217025A.pdf- MAP_5_APPROVED_SITE_PLAN.pdf- MAP_6_PROPOSED_SITE_PLAN.pdf- MAP_7_PROPOSED_ELEVATION.pdf
Final Approval Date:	Jan 9, 2018

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

Gus Galanis - Jan 9, 2018 - 1:25 PM

Kelvin Kwan - Jan 9, 2018 - 3:28 PM

Neil Garbe - Jan 9, 2018 - 4:17 PM

**Extract from Council Meeting
C#02-17 held January 30, 2017
Confirmatory By-law 13-17**

Appendix	"A"
SRPRS	18, 011
File(s)	D02-1705; D06-17064

1.0 Minutes – Committee of the Whole meeting CW#01-17 held on January 23, 2017

1.3 Request for Approval – Granting of Municipal Servicing Allocation – 1857482 Ontario Inc. – 386, 396 and 400 Highway 7 East – File Numbers D02-12041 and D06-16028 – (Staff Report SRPRS.17.015) – (Item 10)

Recommendation 3

That the request for municipal servicing capacity for 421 persons (139 apartment units and 45 townhouse units) be allocated to 1857481 Ontario Inc. for the lands known as Part of Lot 11, Concession 2, E.Y.S. (municipal addresses: 386, 396 and 400 Highway 7 East), File Numbers D02-12041 and D06-16028.

EXEMPTION FROM PARAGRAPH 4(b) OF THE TORONTO/BUTTONVILLE AIRPORT ZONING REGULATIONS

Pursuant to subsection 5.9(2) of the Aeronautics Act, and after taking into account that the exemption is in the public interest and is not likely to affect aviation safety, I hereby exempt **1857481 Ontario Inc. (Times Group Corporation)** from the requirements set out in Paragraph 4(b) of the *Toronto/Buttonville Airport Zoning Regulations, SOR/88-148*, requiring that no person erect or construct on any land to which these regulations apply any building, structure or object or any addition to any existing building, structure or object, the highest point of which will exceed in elevation at the location of that point: (a) the approach surfaces; (b) the outer surface; or (c) the transitional surfaces.

PURPOSE

The purpose of this exemption is to permit **1857481 Ontario Inc.'s (Times Group Corporation)** condominium to exceed the height limitation imposed on the lands described herein by the zoned outer surface described in Part IV of the Schedule to the Toronto/Buttonville Airport Zoning Regulations.

The **Times Group Corporation** building is located at the address:

VALLEYMEDE BUILDING B
398 HIGHWAY 7 EAST
RICHMOND HILL, ON

Legal description:

P.I.N. 03119-0297(LT)
PT LT 11, CON 2 MARKHAM, PT 1, 65R12855 SAVE & EXCEPT PT 1, EXPROP
PLAN YR1349902;
SUBJECT TO AN EASEMENT IN GROSS OVER PT 1 65R32993 AS IN YR1649476
TOGETHER WITH AN EASEMENT OVER PT OF COMMON ELEMENTS (PTS 2, 6, 7
& 16 65R34591) ON THE YORK REGION STANDARD CONDOMINIUM PLAN NO.
1245 AS IN YR2080854 TOGETHER WITH AN EASEMENT OVER PT YORK
REGION STANDARD CONDOMINIUM PLAN NO. 1254, PT 12 65R34591 AS IN
YR2123690
TOWN OF RICHMOND HILL

P.I.N. 03119-0295(LT)
PT LT 11, CON 2 MARKHAM, PT 3, 65R12855 SAVE & EXCEPT PT 1, EXPROP
PLAN YR1349901;
SUBJECT TO AN EASEMENT IN GROSS OVER PT 2 65R32993 AS IN YR1649477
TOGETHER WITH AN EASEMENT OVER PT OF COMMON ELEMENTS (PTS 2, 6, 7
& 16 65R34591) ON THE YORK REGION STANDARD CONDOMINIUM PLAN NO.
1245 AS IN YR2080854 TOGETHER WITH AN EASEMENT OVER PT YORK

REGION STANDARD CONDOMINIUM PLAN NO. 1254, PT 12 65R34591 AS IN
YR2123690
TOWN OF RICHMOND HILL

P.I.N. 03119-2093(LT)

PT LT 11, CON 2 MARKHAM, PT 5, 65R12855 SAVE & EXCEPT PT 1, EXPROP
PLAN YR1349900. S/T TEMPORARY EASE OVER PT 2, EXPROP PL YR1349900.
SUBJECT TO AN EASEMENT IN GROSS OVER PT 3 65R32993 AS IN YR1649471
TOGETHER WITH AN EASEMENT OVER PT OF COMMON ELEMENTS (PTS 2, 6, 7
& 16 65R34591) ON THE YORK REGION STANDARD CONDOMINIUM PLAN NO.
1245 AS IN YR2080854 TOGETHER WITH AN EASEMENT OVER PT YORK
REGION STANDARD CONDOMINIUM PLAN NO. 1254, PT 12 65R34591 AS IN
YR2123690
TOWN OF RICHMOND HILL

With geographic coordinates N43° 50' 32.5" W79° 23' 35.4"

APPLICATION

This exemption applies to **1857481 Ontario Inc. (Times Group Corporation)** 3985
Highway 7 East, Suite 202, Markham, ON L3R 2A2.

CONDITIONS

This exemption is subject to the following conditions:

1. The building described in the application documents, and any appurtenances, shall not exceed a height of **839.8950 feet (256m) above sea level (ASL)**. No objects of any kind, whether of a temporary or permanent nature, shall be placed on the structure that will cause them to exceed that height.
2. The property shall be lighted and marked in accordance with the standards in *Canadian Aviation Regulations, Standard 621*.
3. **1857481 Ontario Inc. (Times Group Corporation)** shall notify the Toronto/Buttonville Airport Manager three weeks prior to exceeding the outer surface height of **238m ASL**.
4. A copy of this exemption shall be kept on site on the properties described above at all times while the exemption is in effect.

VALIDITY

This exemption is in effect until the earliest of the following:

1. The date on which the Toronto/Buttonville Airport permanently closes or surrenders the Airport Operations Certificate;
2. The date on which any condition set out in this exemption is breached;
3. The date on which an amendment to the applicable provisions of the Toronto/Buttonville Airport Zoning Regulations comes into effect; or
4. The date on which this exemption is cancelled in writing by the Minister, where he is of the opinion that it is no longer in the public interest or is likely to affect aviation safety.

Dated at Toronto, Ontario, Canada this **26th day of May 2017**, on behalf of the Minister of Transport.



Joseph M. Szwalek
Regional Director
Civil Aviation
Ontario Region

Appendix	"C"
SRPRS	18.011
File(s)	D03-17025 : D06-17064



April 19, 2016

140 Renfrew Drive, Suite 201,
Markham, Ontario, Canada L3R 6B3
Tel: (905) 513-0170; Fax: (905) 513-0177
www.mgp.ca
npileggi@mgp.ca

Mr. Ferdi Toniolo
Planning and Regulatory Service Department
Town of Richmond Hill
225 East Beaver Creek Road
Richmond Hill, ON
L4C 4Y5

11-2067

Dear Ferdi:

**RE: Interim Growth Management Strategy for Servicing Allocation
386, 396 & 400 Highway 7 East
1857481 Ontario Inc. (Times Group Corporation)
Proposed Condominium and Townhouse Development**

Malone Given Parsons was retained by 1857481 Ontario Inc. ("Times Group") to submit a Site Plan Application for the above noted property.

Times Group is proposing a high-density residential development, comprising of two (2) condominium buildings ranging in height from 10 to 15 storeys, with three-storey townhouse dwellings located behind the high-rise buildings. The proposed development includes 339 apartment units and 45 townhouse units for a total of 384 units.

As part of the application, an Interim Growth Management Strategy Statement is required as specified in the Town's submission requirements letter dated January 12, 2016. Please find below an evaluation of the Town's IGMS Allocation Criteria as it relates to Times Group's proposed development.

The Servicing Allocation Criteria are evaluated as follows:

- 1) *Providing community facilities and completion of required key infrastructure:*
 - N/A
- 2) *Developments that have a mix of uses to provide for live-work relationships:*
 - N/A
- 3) *Developments that enhance the vitality of the Downtown Core (OPA 32):*
 - N/A

4) *Higher-order transit supportive development*

- The proposed development optimizes existing and planned transit infrastructure.
- The proposed development is located on Highway 7 which is identified as a Regional Rapid Transit Corridor in the Region of York Official Plan.
- Transit priority corridors function as a cornerstone of York Region's transit network and encourage a compact, mixed-use form to support a higher level of transit service.
- The site is currently serviced daily by two VIVA bus routes and York Regional Transit's (YRT) bus service along Highway 7 with another YRT route operating along Valleymede Drive.
- The proposed development will locate a high-density residential development in a compact built form within a 500 metre walking distance of a designated transit stop.

5) *Developments that represent sustainable and innovative community and building design:*

- Times intends to introduce many environmentally sustainable and energy efficient features as part of the development. Refer to the LEED NC 2009 Scorecard (with the project's potential LEED Rating as Gold) included as 'Appendix A'
- The Town of Richmond Hill Sustainability Performance Metrics Tool document is attached to this letter.
- Times Group is introducing a high quality development that will provide condominium buildings fronting onto Highway 7 that will animate and enhance the quality of the pedestrian environment.
- As stated above, the proposed development will support transit usage (and limit auto usage) by locating a high rise and compact townhouse development along a major transit corridor.
- The proposed development represents more efficient use of infrastructure, services and land.

6) *Completion of communities:*

- The proposed development will maximize the use of the site and will maintain and enhance the character and built form of adjacent neighbourhoods. The proposed townhouses to the rear of the high-rise apartments will provide for an appropriate transition to the existing low-rise residential community to the north.
- The density and location of the proposed development is supportive of higher-order transit and its urban form supports walking and active transportation.
- The proposed development is supportive of policies found in the PPS and Places to Grow that relate to compact urban form, intensification in built-up areas, and the efficient use of land, services and infrastructure.

7) *Small scale infill development:*

- N/A

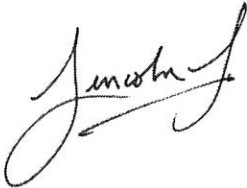
8) *Opportunities to provide affordable housing:*

- The proposed development consisting of high-rise residential and townhouse dwellings will assist in providing a greater range of housing choices within the Town, and specifically this immediate area as the majority of housing north of the site is single family detached dwellings.
- The development proposal will provide a form and housing type that may be more affordable to a greater range of the population.

We trust that this summary of the proposed development as it relates to the Town's Interim Growth Management Strategy and its Allocation Criteria is adequately detailed. We look forward to discussing this project with you and moving these applications through the approval process. Should you have any questions or concerns, please do not hesitate to contact us.

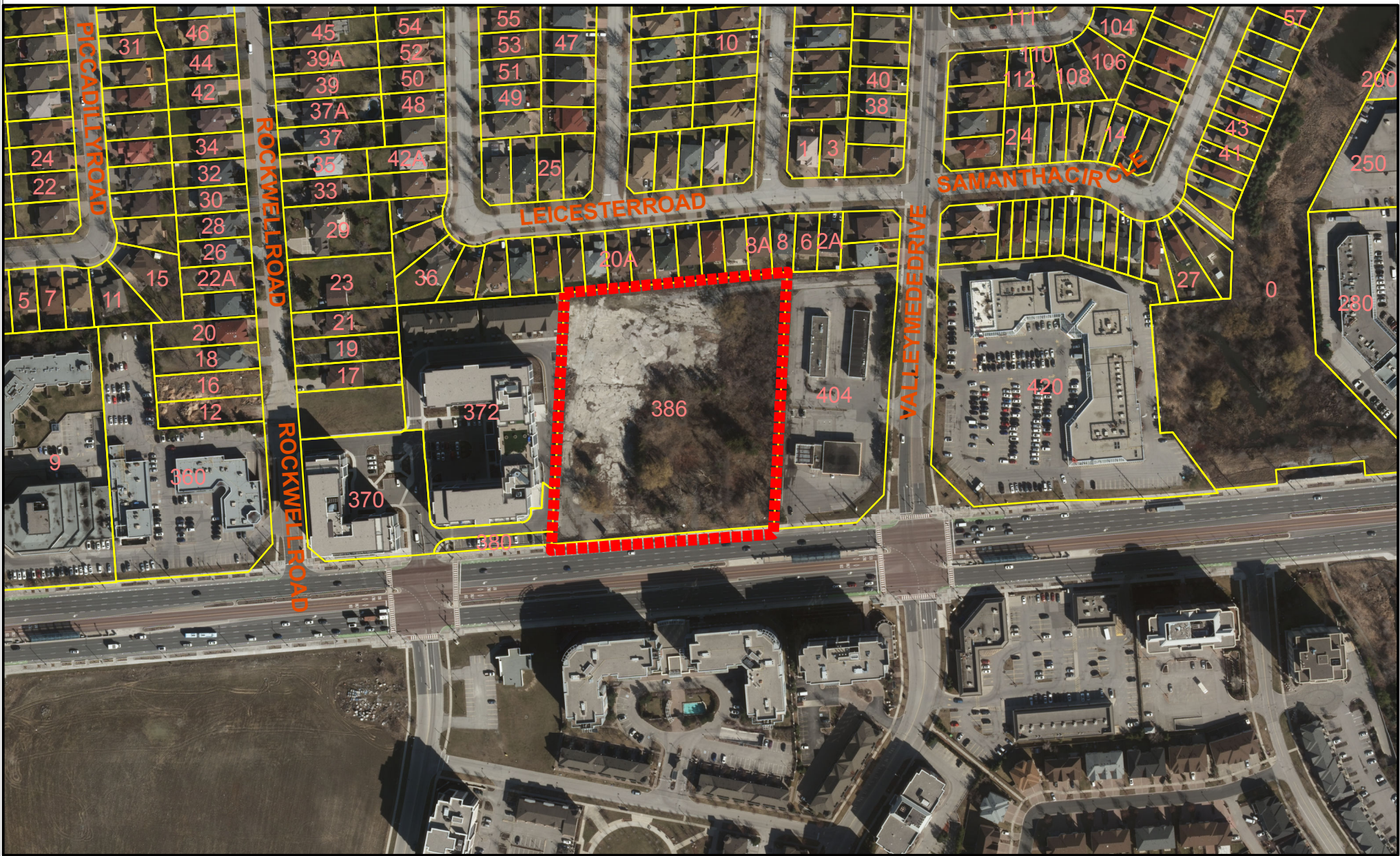
Yours truly,

MALONE GIVEN PARSONS LTD.



Lincoln Lo, MCIP, RPP
Associate

MAP 1 - AERIAL PHOTOGRAPH



Copyright J.D.Barnes Limited 2016 Orthophotography
BLOCK 27 File Nos. D02-17025
D06-17064

Legend



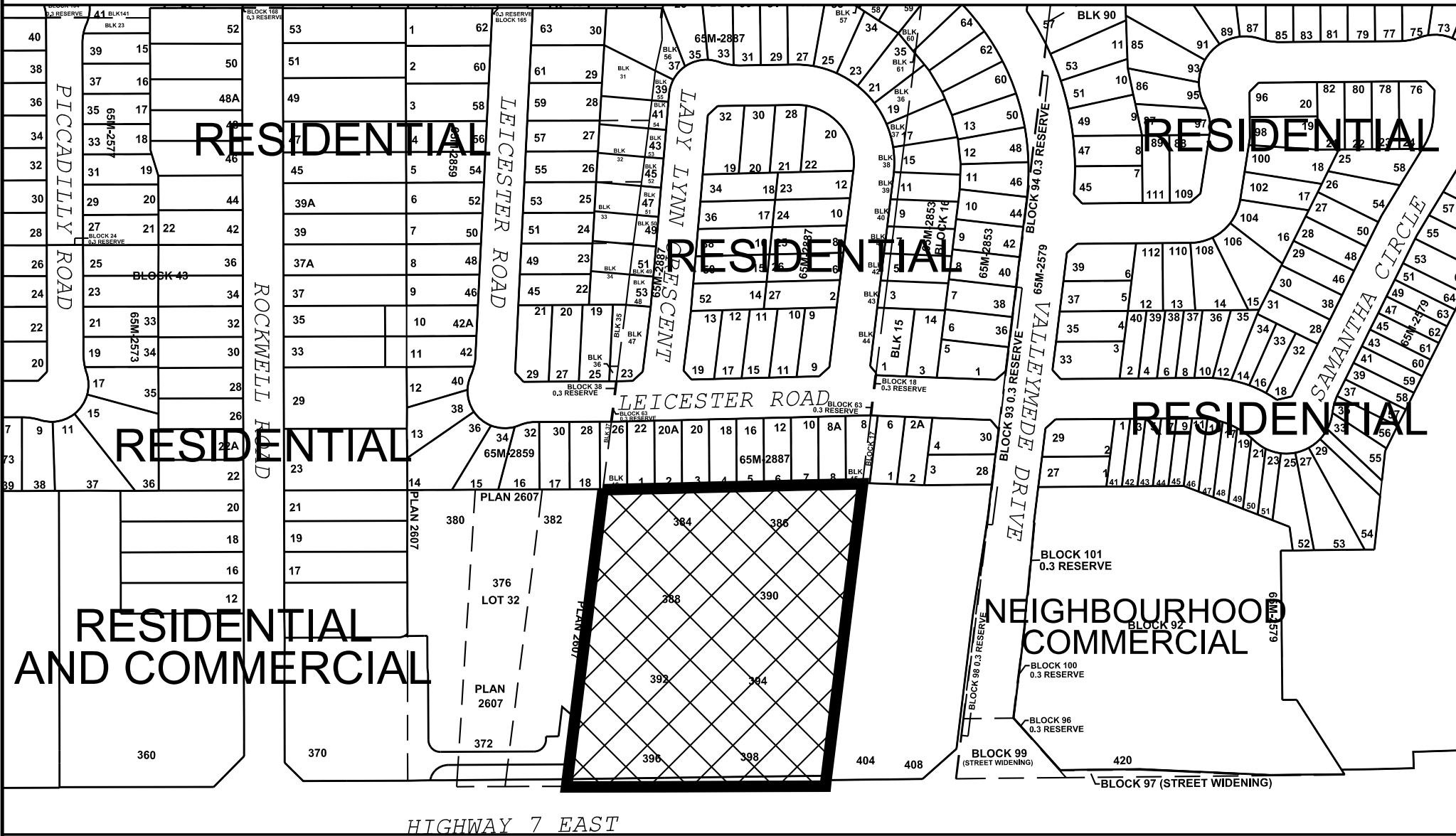
SUBJECT LANDS

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**TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT**

MAP 2 - NEIGHBOURHOOD CONTEXT



HIGHWAY 7 EAST

TOWN OF
MARKHAM



SUBJECT LANDS

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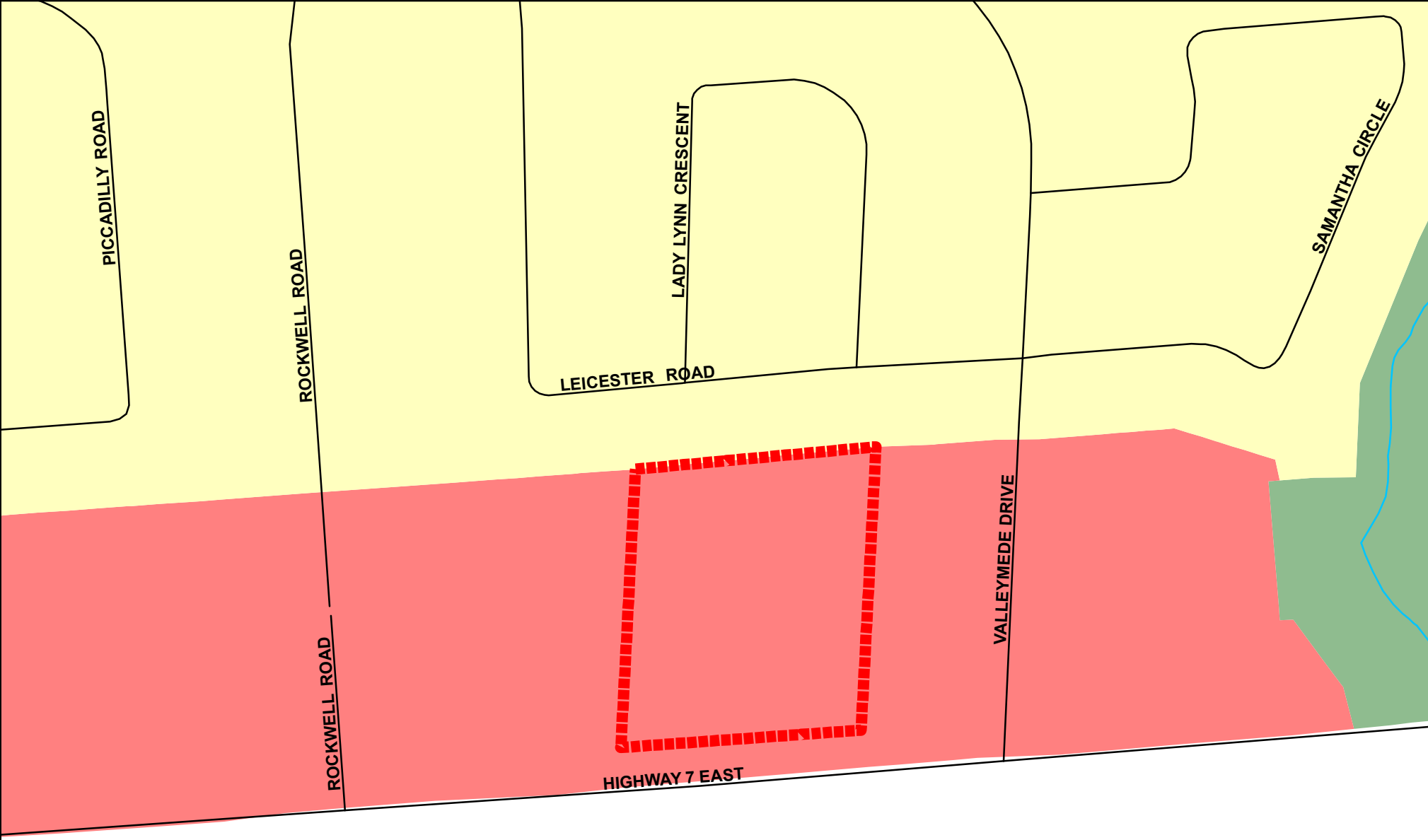


BLOCK 27

FILE NOS. D02-17025
D06-17064

TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT





MAP 3 - EXISTING OFFICIAL PLAN DESIGNATION



Legend

 Subject Lands

 SUBJECT LANDS

-  Natural Core
-  Natural Linkage
-  Neighbourhood
-  Regional Mixed Use Corridor

NOTE: The information provide in this map is a depiction of a portion of the Richmond Hill Official Plan. For accurate reference, the schedules and policies of the Richmond Hill Official Plan must be consulted. In the case of a discrepancy between the schedules and the policies of the Richmond Hill Official Plan, the policies shall take precedence.

BLOCK 27

FILE NOS. D02-17025
D06-17064

TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT

MAP 4 - EXISTING ZONING DESIGNATION

This map displays the existing zoning designations for the Town of Markham. The map includes various residential zones such as R5, R6, R2, RM1, NC, A1, RC, RC(H), and P. The subject lands, located in the central and southern parts of the map, are highlighted with a cross-hatch pattern. These lands are primarily zoned RC and RC(H). The map also shows major roads including Piccadilly Road, Rockwell Road, Leicester Road, Lady Lynn Crescent, Valley Mede Drive, and Highway 7 East. Other features include block numbers, lot numbers, and specific zoning codes like (12.1), (12.2), (12.22), (12.27), (12.29), (12.3), and (12.13). A legend in the bottom left corner identifies the cross-hatch pattern as 'SUBJECT LANDS'. The bottom right corner contains the title 'TOWN OF RICHMOND HILL PLANNING AND REGULATORY SERVICES DEPARTMENT' and the file number 'FILE NO.D02-17025 D06-17064'. The bottom center indicates the page number 'Page 217 of 363'.

MAP 4 - EXISTING ZONING DESIGNATION

TOWN OF MARKHAM

**TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT**

**FILE NO.D02-17025
D06-17064**

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Legend:

- SUBJECT LANDS

Map Labels:

- Streets:** PICCADILLY ROAD, ROCKWELL ROAD, LEICESTER ROAD, LADY LYNN CRESCENT, VALLEY MEDE DRIVE, HIGHWAY 7 EAST, SAMUEL MILLER CIRCLE.
- Zoning Designations:** R5, R6, R2, RM1, NC, A1, RC, RC(H), P, (12.1), (12.2), (12.22), (12.27), (12.29), (12.3), (12.13).
- Block/Lot Numbers:** Various numbers are scattered throughout the map, including 41, 15, 52, 53, 51, 49, 47, 45, 39A, 39, 37A, 35, 33, 29, 23, 21, 19, 17, 15, 13, 11, 9, 7, 5, 3, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684

MAP 4 - EXISTING ZONING DESIGNATION

MAP 4 - EXISTING ZONING DESIGNATION

TOWN OF MARKHAM

FILE NO. D02-17025
D06-17064

TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT

ZONING_S217025A.DGN
FT/SS SBPRS 18.011
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MAP 4 - EXISTING ZONING DESIGNATION

This map displays the existing zoning designations for the Town of Markham. The map includes various residential zones such as R5, R6, R2, RM1, NC, A1, RC, RC(H), and P. It also shows commercial zones like C and industrial zones like I. The map is bounded by Highway 7 East to the south and Highway 404 to the east. The subject lands are highlighted with a cross-hatch pattern. The map includes a legend, a north arrow, and a scale bar.

Legend:

- SUBJECT LANDS

Map Details:

- Streets:** Highway 7 East, Highway 404, Highway 17, Highway 12, Highway 11, Highway 10, Highway 9, Highway 8, Highway 7, Highway 6, Highway 5, Highway 4, Highway 3, Highway 2, Highway 1, Highway 0.
- Zoning Designations:** R5, R6, R2, RM1, NC, A1, RC, RC(H), P, C, I.
- Subject Lands:** 107-86, 107-87, 107-88, 107-89, 107-90, 107-91, 107-92, 107-93, 107-94, 107-95, 107-96, 107-97, 107-98, 107-99, 107-100, 107-101, 107-102, 107-103, 107-104, 107-105, 107-106, 107-107, 107-108, 107-109, 107-110, 107-111, 107-112, 107-113, 107-114, 107-115, 107-116, 107-117, 107-118, 107-119, 107-120, 107-121, 107-122, 107-123, 107-124, 107-125, 107-126, 107-127, 107-128, 107-129, 107-130, 107-131, 107-132, 107-133, 107-134, 107-135, 107-136, 107-137, 107-138, 107-139, 107-140, 107-141, 107-142, 107-143, 107-144, 107-145, 107-146, 107-147, 107-148, 107-149, 107-150, 107-151, 107-152, 107-153, 107-154, 107-155, 107-156, 107-157, 107-158, 107-159, 107-160, 107-161, 107-162, 107-163, 107-164, 107-165, 107-166, 107-167, 107-168, 107-169, 107-170, 107-171, 107-172, 107-173, 107-174, 107-175, 107-176, 107-177, 107-178, 107-179, 107-180, 107-181, 107-182, 107-183, 107-184, 107-185, 107-186, 107-187, 107-188, 107-189, 107-190, 107-191, 107-192, 107-193, 107-194, 107-195, 107-196, 107-197, 107-198, 107-199, 107-200, 107-201, 107-202, 107-203, 107-204, 107-205, 107-206, 107-207, 107-208, 107-209, 107-210, 107-211, 107-212, 107-213, 107-214, 107-215, 107-216, 107-217, 107-218, 107-219, 107-220, 107-221, 107-222, 107-223, 107-224, 107-225, 107-226, 107-227, 107-228, 107-229, 107-230, 107-231, 107-232, 107-233, 107-234, 107-235, 107-236, 107-237, 107-238, 107-239, 107-240, 107-241, 107-242, 107-243, 107-244, 107-245, 107-246, 107-247, 107-248, 107-249, 107-250, 107-251, 107-252, 107-253, 107-254, 107-255, 107-256, 107-257, 107-258, 107-259, 107-260, 107-261, 107-262, 107-263, 107-264, 107-265, 107-266, 107-267, 107-268, 107-269, 107-270, 107-271, 107-272, 107-273, 107-274, 107-275, 107-276, 107-277, 107-278, 107-279, 107-280, 107-281, 107-282, 107-283, 107-284, 107-285, 107-286, 107-287, 107-288, 107-289, 107-290, 107-291, 107-292, 107-293, 107-294, 107-295, 107-296, 107-297, 107-298, 107-299, 107-300, 107-301, 107-302, 107-303, 107-304, 107-305, 107-306, 107-307, 107-308, 107-309, 107-310, 107-311, 107-312, 107-313, 107-314, 107-315, 107-316, 107-317, 107-318, 107-319, 107-320, 107-321, 107-322, 107-323, 107-324, 107-325, 107-326, 107-327, 107-328, 107-329, 107-330, 107-331, 107-332, 107-333, 107-334, 107-335, 107-336, 107-337, 107-338, 107-339, 107-340, 107-341, 107-342, 107-343, 107-344, 107-345, 107-346, 107-347, 107-348, 107-349, 107-350, 107-351, 107-352, 107-353, 107-354, 107-355, 107-356, 107-357, 107-358, 107-359, 107-360, 107-361, 107-362, 107-363, 107-364, 107-365, 107-366, 107-367, 107-368, 107-369, 107-370, 107-371, 107-372, 107-373, 107-374, 107-375, 107-376, 107-377, 107-378, 107-379, 107-380, 107-381, 107-382, 107-383, 107-384, 107-385, 107-386, 107-387, 107-388, 107-389, 107-390, 107-391, 107-392, 107-393, 107-394, 107-395, 107-396, 107-397, 107-398, 107-399, 107-400, 107-401, 107-402, 107-403, 107-404, 107-405, 107-406, 107-407, 107-408, 107-409, 107-410, 107-411, 107-412, 107-413, 107-414, 107-415, 107-416, 107-417, 107-418, 107-419, 107-420, 107-421, 107-422, 107-423, 107-424, 107-425, 107-426, 107-427, 107-428, 107-429, 107-430, 107-431, 107-432, 107-433, 107-434, 107-435, 107-436, 107-437, 107-438, 107-439, 107-440, 107-441, 107-442, 107-443, 107-444, 107-445, 107-446, 107-447, 107-448, 107-449, 107-450, 107-451, 107-452, 107-453, 107-454, 107-455, 107-456, 107-457, 107-458, 107-459, 107-460, 107-461, 107-462, 107-463, 107-464, 107-465, 107-466, 107-467, 107-468, 107-469, 107-470, 107-471, 107-472, 107-473, 107-474, 107-475, 107-476, 107-477, 107-478, 107-479, 107-480, 107-481, 107-482, 107-483, 107-484, 107-485, 107-486, 107-487, 107-488, 107-489, 107-490, 107-491, 107-492, 107-493, 107-494, 107-495, 107-496, 107-497, 107-498, 107-499, 107-500, 107-501, 107-502, 107-503, 107-504, 107-505, 107-5

MAP 4 - EXISTING ZONING DESIGNATION

This map displays the existing zoning designations for the Town of Markham. The map includes various residential zones such as R5, R6, R2, RM1, NC, A1, RC, RC(H), and P. The subject lands, located in the central and southern parts of the map, are highlighted with a cross-hatch pattern. These lands are primarily zoned RC and RC(H). The map also shows major roads including Piccadilly Road, Rockwell Road, Leicester Road, Lady Lynn Crescent, Valley Mede Drive, and Highway 7 East. Other features include block numbers, lot numbers, and specific zoning codes like (12.1), (12.2), (12.22), (12.27), (12.29), (12.3), and (12.13). A legend in the bottom left corner identifies the cross-hatch pattern as 'SUBJECT LANDS'. A north arrow is located in the bottom right corner. The map is titled 'MAP 4 - EXISTING ZONING DESIGNATION' at the top.

LEGEND

- SUBJECT LANDS

TOWN OF MARKHAM

TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT

FILE NO.D02-17025
D06-17064

ZONING_S217025A.DGN

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MAP 4 - EXISTING ZONING DESIGNATION

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LEGEND

- SUBJECT LANDS

TOWN OF MARKHAM

TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT

FILE NO.D02-17025
D06-17064

ZONING_S217025A.DGN

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MAP 4 - EXISTING ZONING DESIGNATION

This map displays the existing zoning designations for the Town of Markham. The map includes various residential zones such as R5, R6, R2, RM1, NC, A1, RC, RC(H), and P. The subject lands, located in the central and southern parts of the map, are highlighted with a cross-hatch pattern. These lands are primarily zoned RC and RC(H). The map also shows major roads including Piccadilly Road, Rockwell Road, Leicester Road, Lady Lynn Crescent, Valleymeade Drive, and Highway 7 East. Other features include block numbers, lot numbers, and specific zoning codes like (12.1), (12.2), (12.22), (12.27), (12.29), (12.3), and (12.13). A legend in the bottom left corner identifies the cross-hatch pattern as 'SUBJECT LANDS'. A north arrow is located in the bottom right corner. The map is titled 'MAP 4 - EXISTING ZONING DESIGNATION' at the top.

LEGEND

- SUBJECT LANDS

TOWN OF MARKHAM

TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT

FILE NO.D02-17025
D06-17064

ZONING_S217025A.DGN

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MAP 4 - EXISTING ZONING DESIGNATION

This map displays the existing zoning designations for the Town of Markham. The map includes various residential zones such as R5, R6, R2, RM1, NC, A1, RC, RC(H), and P. The subject lands, located in the central and southern parts of the map, are highlighted with a cross-hatch pattern. These lands are primarily zoned RC and RC(H). The map also shows major roads including Piccadilly Road, Rockwell Road, Leicester Road, Lady Lynn Crescent, Valley Road, and Highway 7 East. Other features include block numbers, lot numbers, and specific zoning codes like (12.1), (12.2), (12.3), (12.7), (12.22), (12.27), (12.29), and (12.13). A legend in the bottom left corner identifies the cross-hatch pattern as 'SUBJECT LANDS'. A north arrow is located in the bottom right corner. The map is titled 'MAP 4 - EXISTING ZONING DESIGNATION' at the top.

Legend:

- SUBJECT LANDS

Map Details:

- Streets:** PICCADILLY ROAD, ROCKWELL ROAD, LEICESTER ROAD, LADY LYNN CRESCENT, VALLEY ROAD, HIGHWAY 7 EAST, SAMUEL MILLER CIRCLE.
- Zoning Designations:** R5, R6, R2, RM1, NC, A1, RC, RC(H), P, (12.1), (12.2), (12.3), (12.7), (12.22), (12.27), (12.29), (12.13).
- Subject Lands:** Located in the central and southern parts of the map, primarily zoned RC and RC(H).
- Other Features:** Block numbers, lot numbers, specific zoning codes, and street widening areas.

Map Title: MAP 4 - EXISTING ZONING DESIGNATION

Map File: ZONING_S217025A.DGN

Page: Page 217 of 363

Map Information:

- TOWN OF MARKHAM
- TOWN OF RICHMOND HILL PLANNING AND REGULATORY SERVICES DEPARTMENT
- FILE NO.D02-17025 D06-17064

MAP 4 - EXISTING ZONING DESIGNATION

This map displays the existing zoning designations for the Town of Markham. The map includes various residential zones such as R5, R6, R2, RM1, NC, A1, RC, RC(H), and P. It also shows commercial zones like C and C2. The map is bounded by Highway 7 East to the south, Highway 404 to the east, and Highway 7 West to the west. The map includes a legend for subject lands, a north arrow, and a scale bar. The map is titled 'MAP 4 - EXISTING ZONING DESIGNATION' and is dated 2017.

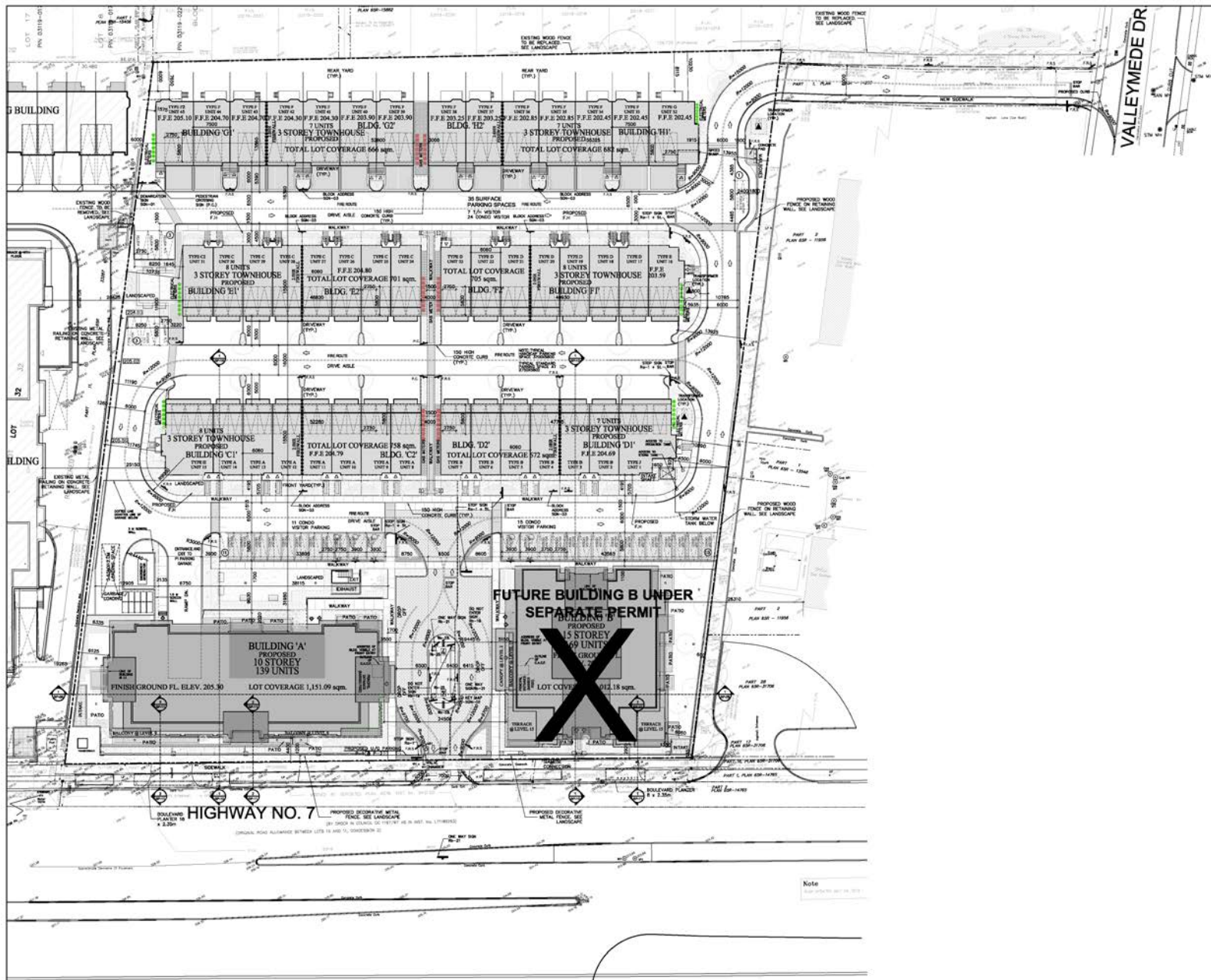
Legend:

- SUBJECT LANDS

Map Details:

- Streets:** Highway 7 East, Highway 404, Highway 7 West, Highway 7 North, Highway 7 South, Highway 7 East, Highway 7 West, Highway 7 North, Highway 7 South.
- Zoning Designations:** R5, R6, R2, RM1, NC, A1, RC, RC(H), P, C, C2, C3, C4, C5, C6, C7, C8, C9, C10, C11, C12, C13, C14, C15, C16, C17, C18, C19, C20, C21, C22, C23, C24, C25, C26, C27, C28, C29, C30, C31, C32, C33, C34, C35, C36, C37, C38, C39, C40, C41, C42, C43, C44, C45, C46, C47, C48, C49, C50, C51, C52, C53, C54, C55, C56, C57, C58, C59, C60, C61, C62, C63, C64, C65, C66, C67, C68, C69, C70, C71, C72, C73, C74, C75, C76, C77, C78, C79, C80, C81, C82, C83, C84, C85, C86, C87, C88, C89, C90, C91, C92, C93, C94, C95, C96, C97, C98, C99, C100, C101, C102, C103, C104, C105, C106, C107, C108, C109, C110, C111, C112, C113, C114, C115, C116, C117, C118, C119, C120, C121, C122, C123, C124, C125, C126, C127, C128, C129, C130, C131, C132, C133, C134, C135, C136, C137, C138, C139, C140, C141, C142, C143, C144, C145, C146, C147, C148, C149, C150, C151, C152, C153, C154, C155, C156, C157, C158, C159, C160, C161, C162, C163, C164, C165, C166, C167, C168, C169, C170, C171, C172, C173, C174, C175, C176, C177, C178, C179, C180, C181, C182, C183, C184, C185, C186, C187, C188, C189, C190, C191, C192, C193, C194, C195, C196, C197, C198, C199, C200, C201, C202, C203, C204, C205, C206, C207, C208, C209, C210, C211, C212, C213, C214, C215, C216, C217, C218, C219, C220, C221, C222, C223, C224, C225, C226, C227, C228, C229, C230, C231, C232, C233, C234, C235, C236, C237, C238, C239, C240, C241, C242, C243, C244, C245, C246, C247, C248, C249, C250, C251, C252, C253, C254, C255, C256, C257, C258, C259, C260, C261, C262, C263, C264, C265, C266, C267, C268, C269, C270, C271, C272, C273, C274, C275, C276, C277, C278, C279, C280, C281, C282, C283, C284, C285, C286, C287, C288, C289, C290, C291, C292, C293, C294, C295, C296, C297, C298, C299, C300, C301, C302, C303, C304, C305, C306, C307, C308, C309, C310, C311, C312, C313, C314, C315, C316, C317, C318, C319, C320, C321, C322, C323, C324, C325, C326, C327, C328, C329, C330, C331, C332, C333, C334, C335, C336, C337, C338, C339, C340, C341, C342, C343, C344, C345, C346, C347, C348, C349, C350, C351, C352, C353, C354, C355, C356, C357, C358, C359, C360, C361, C362, C363, C364, C365, C366, C367, C368, C369, C370, C371, C372, C373, C374, C375, C376, C377, C378, C379, C380, C381, C382, C383, C384, C385, C386, C387, C388, C389, C390, C391, C392, C393, C394, C395, C396, C397, C398, C399, C400, C401, C402, C403, C404, C405, C406, C407, C408, C409, C410, C411, C412, C413, C414, C415, C416, C417, C418, C419, C420, C421, C422, C423, C424, C425, C426, C427, C428, C429, C430, C431, C432, C433, C434, C435, C436, C437, C438, C439, C440, C441, C442, C443, C444, C445, C446, C447, C448, C449, C450, C451, C452, C453, C454, C455, C456, C457, C458, C459, C460, C461, C462, C463, C464, C465, C466, C467, C468, C469, C470, C471, C472, C473, C474, C475, C476, C477, C478, C479, C480, C481, C482, C483, C484, C485, C486, C487, C488, C489, C490, C491, C492, C493, C494, C495, C496, C497, C498, C499, C500, C501, C502, C503, C504, C505, C506, C507, C508, C509, C510, C511, C512, C513, C514, C515, C516, C517, C518, C519, C520, C521, C522, C523, C524, C525, C526, C527, C528, C529, C530, C531, C532, C533, C534, C535, C536, C537, C538, C539, C540, C541, C542, C543, C544, C545, C546, C547, C548, C549, C550, C551, C552, C553, C554, C555, C556, C557, C558, C559, C560, C561, C562, C563, C564, C565, C566, C567, C568, C569, C570, C571, C572, C573, C574, C575, C576, C577, C578, C579, C580, C581, C582, C583, C584, C585, C586, C587, C588, C589, C590, C591, C592, C593, C594, C595, C596, C597, C598, C599, C600, C601, C602, C603, C604, C605, C606, C607, C608, C609, C610, C611, C612, C613, C614, C615, C616, C617, C618, C619, C620, C621, C622, C623, C624, C625, C626, C627, C628, C629, C630, C631, C632, C633, C634, C635, C636, C637, C638, C639, C640, C641, C642, C643, C644, C645, C646, C647, C648, C649, C650, C651, C652, C653, C654, C655, C656, C657, C658, C659, C660, C661, C662, C663, C664, C665, C666, C667, C668, C669, C670, C671, C672, C673, C674, C675, C676, C677, C678, C679, C680, C681, C682, C683, C684, C685, C686, C687, C688, C689, C690, C691, C692, C693, C694, C695, C696, C697, C698, C699, C700, C701, C702, C703, C704, C705, C706, C707, C708, C709, C710, C711, C712, C713, C714, C715, C716, C717, C718, C719, C720, C721, C722, C723, C724, C725, C726, C727, C728, C729, C730, C731, C732, C733, C734, C735, C736, C737, C738, C739, C740, C741, C742, C743, C744, C745, C746, C747, C748, C749, C750, C751, C752, C753, C754, C755, C756, C757, C758, C759, C760, C761, C762, C763, C764, C765, C766, C767, C768, C769, C770, C771, C772, C773, C774, C775, C776, C777, C778, C779, C

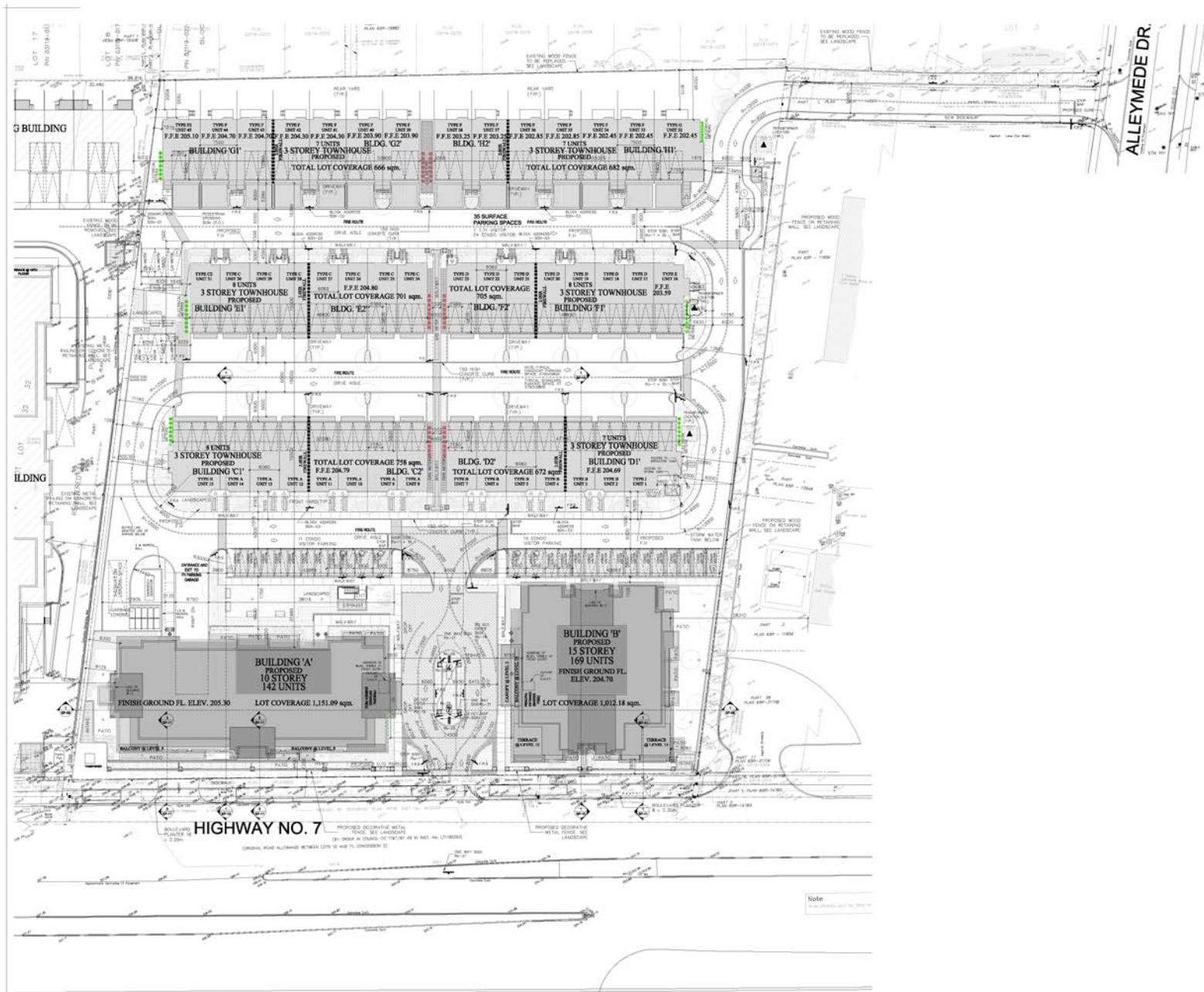
MAP 5 - APPROVED SITE PLAN



**BLOCK 27 FILE NOS.D02-17025
D06-17064**

**TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT**

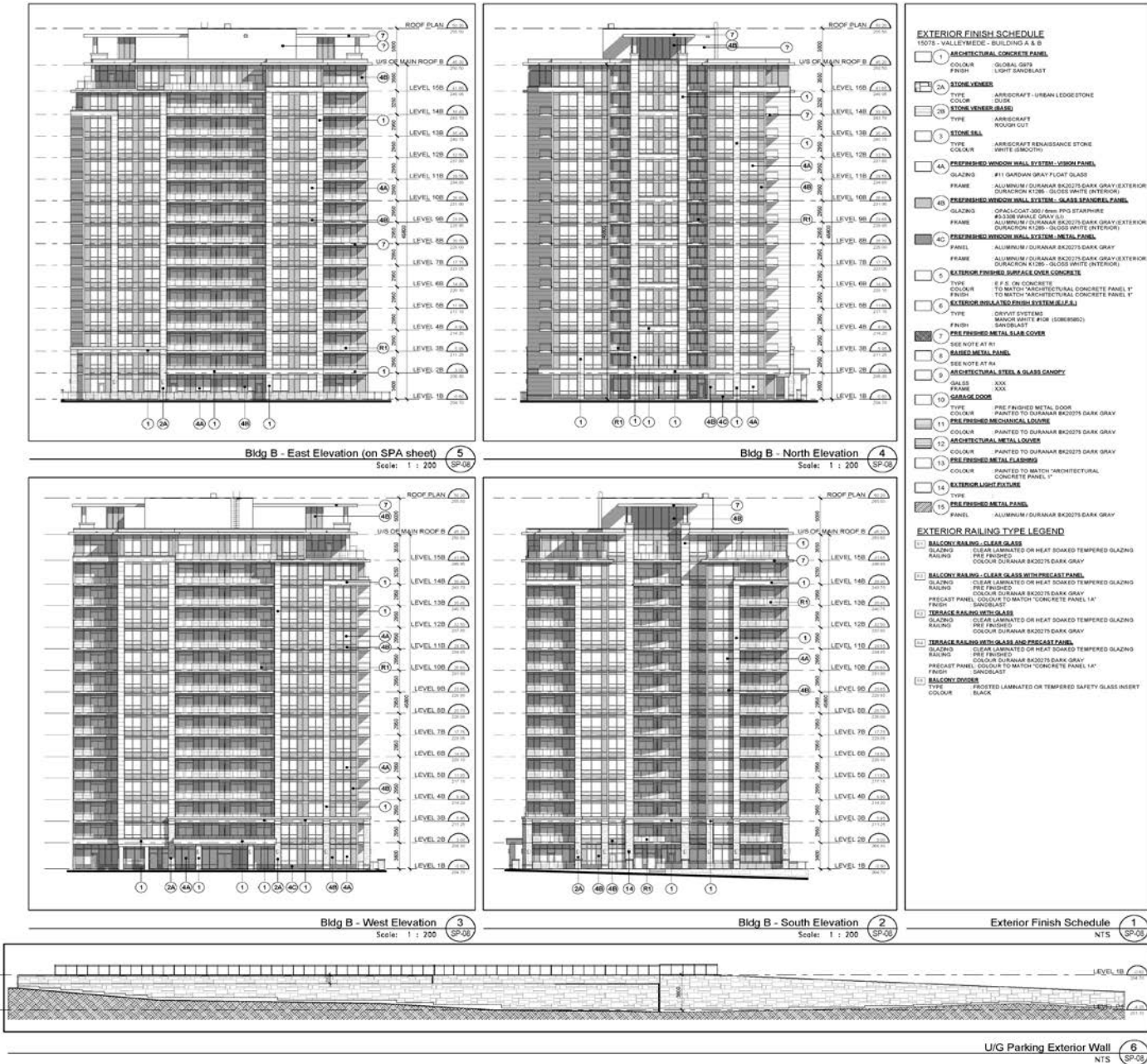
MAP 6 - PROPOSED SITE PLAN



BLOCK 27 FILE NOS.D02-17025
D06-17064

**TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT**

MAP 7 - PROPOSED ELEVATIONS



BLOCK 27 FILE NOS.D02-17025
D06-17064

TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT



Staff Report for Committee of the Whole Meeting

Date of Meeting: January 22, 2018

Report Number: SRPRS.18.012

Department: Planning and Regulatory Services

Division: Development Planning

Subject: Request for Approval – Draft Plan of
Condominium – Sitaline (9211 Bayview) Inc. –
Town File D05-12007 (19CDM(R)-12007)
(SRPRS.18.012)

Owner:

Sitaline (9211 Bayview) Inc.
20 Cachet Woods Court
Markham, Ontario
L6C 3G1

Agent:

KLM Planning Partners Inc.
64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3

Location:

Legal Description: Block 1, Registered Plan 65M-4501
Municipal Address: 9211 Bayview Avenue

Purpose:

A request for approval of a draft Plan of Condominium (Common Element) to facilitate condominium tenure for the residential development presently under construction on the subject lands.

Recommendations:

1. That the proposed draft Plan of Condominium (Common Element) submitted by Sitaline (9211 Bayview Ave) Inc. for lands known as Block 1, Registered Plan 65M-4501 (Municipal Address: 9211 Bayview Avenue), Town File D05-

12007 (19CDM(R)-12007), be draft approved subject to the following conditions:

- a) That draft approval be subject to the conditions as set out in Appendix “A” to SRPRS.18.012;**
- b) That prior to draft approval being granted, the applicant pay the applicable processing fees in accordance with the Town’s Tariff of Fees By-law 79-17; and,**
- c) That the Mayor and Clerk be authorized to execute the Condominium Agreement referred to in Appendix “A” to SRPRS.18.012.**

Contact Person:

Ferdi Toniolo, Acting Senior Planner – Site Plans, phone number 905-771-2442 and/or Deborah Giannetta, Manager of Development, Site Plans, phone number 905-771-5542

Report Approval:

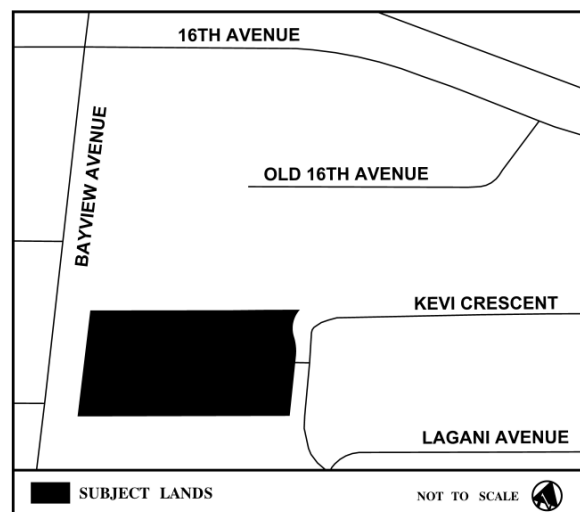
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

Location Map:

Below is a map displaying the property location. Should you require an alternative format call person listed under “Contact Person” above.



Background Information:

On October 17, 2012, the applicant submitted Zoning By-law Amendment, draft Plan of Subdivision and Site Plan applications to the Town, followed by the submission of an application for draft Plan of Condominium (Common Element) on November 2012 for the subject lands. The applications sought Council approval to permit a medium density residential development comprised of 40 townhouse dwelling units fronting onto a proposed common element condominium road with access from Bayview Avenue, and 10 street townhouse units fronting onto a proposed extension of Kevi Crescent.

Following the receipt of several revised submissions, on June 23, 2014, Council approved a residential development comprised of 34 semi-detached dwelling units, 3 townhouse dwelling units and a single detached dwelling having access to the proposed Kevi Crescent extension (refer to Map 4). Subsequently, implementing Zoning By-law 85-14 was passed and the related Plan of Subdivision and Site Plan Agreement were registered. Building Permits have since been issued and construction of the development is in progress. On October 16, 2017, a revised draft Plan of Condominium (Common Element) was submitted and circulated to Town departments and external agencies for comment.

The purpose of this report is to seek Council's approval of the applicant's revised draft Plan of Condominium.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the east side of Bayview Avenue, south of 16th Avenue and have a total lot area of approximately 0.88 hectares (2.17 acres). The lands abut existing commercial uses to the north, the extension of Kevi Crescent to the east, an existing residential condominium development to the south and Bayview Avenue to the west (refer to Maps 1 and 2).

Development Proposal

A residential development is currently under construction on the lands. The following summary of the development statistics is based on the information submitted to the Town (refer to Maps 4 and 5):

- **Site Area**, 0.88 hectares (2.17 acres)
- **Number of Dwelling Units**, 38 (34 semi-detached dwelling units, 3 townhouse dwelling units and a single detached dwelling)
- **Common Element Area**, 0.19 hectares (0.48 acres)
- **Parcels of Tied Land Area**, 0.68 hectares (1.69 acres)
- **Visitor Parking Spaces**, 9 spaces
- **Building Heights**, 3 storeys

Supporting Documentation/Reports

The applicant has submitted a revised draft Plan of Condominium to the Town in support of the revised development proposal.

Planning Analysis:

Zoning By-law

The subject lands are zoned **Residential Multiple Family One (RM1) Zone** pursuant to site specific Zoning By-law 85-14 (refer to Map 3), which permits a maximum of 38 dwelling units on the property. In addition, By-law 85-14 allows for the creation of a Common Element Condominium and associated tied parcels on the subject lands.

Site Plan Approval

As indicated earlier in this report, Site Plan approval for the subject development was issued by the Town on June 23, 2016 and a Site Plan Agreement was registered on November 10, 2016. The approved residential development is currently under construction (refer to Map 4).

It should be noted that the Owner will be seeking an exemption from the Part Lot Control provisions outlined in Section 50(7) of the *Planning Act*, R.S.O. 1990, in order to facilitate the creation of the individual parcels forming the residential dwelling units within Block 1, Registered Plan 65M-4501.

Draft Plan of Common Element Condominium

Staff has reviewed the applicant's revised draft Plan of Condominium (Common Element) and can advise that the draft Plan is consistent with the approved Site Plan Agreement for the subject lands. Accordingly, staff would recommend approval of the draft Plan subject to the conditions outlined in Appendix A attached hereto. As required with all condominium approvals, the owner of the lands (if deemed necessary) may be required to enter into the standard Condominium Agreement with the municipality. The agreement (if required) shall direct the owner to agree that all of the Town's conditions of approval are to be satisfied. A condition reflecting the preceding will form part of the draft approval for the subject draft Plan of Condominium.

Financial/Staffing/Other Implications:

The recommendation does not have any financial, staffing or other implications.

Relationship to Strategic Plan:

The proposed development would align with **Goal One - Stronger Connections in Richmond Hill** by strengthening connections to transit. The proposal would also align with **Goal Two - Better Choices in Richmond Hill** by providing for a range of housing options for people, and providing for a mix of business opportunities and providing better quality options to achieve the community vision for the Town. The proposal would

further align with **Goal Four - Wise Management of Resources in Richmond Hill** by creating opportunities for live/work balance within the community and by using land responsibly and utilizing existing infrastructures.

Conclusions:

The applicant is seeking Council's approval of a draft Plan of Condominium related to a common element condominium road and parking areas within a 38 unit residential development that is presently under construction on the subject lands. Staff is recommending that the subject draft Plan of Condominium be approved subject to the conditions set out in Appendix "A" to this report.

Appendix Contents and Maps:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Appendix A, Schedule of Conditions 19T(CDM(R)-12007
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Zoning
- Map 4 Approved Site Plan
- Map 5 Draft Plan of Condominium 19CDM(R)-12007

Appendix A

Schedule “A”

Schedule of Conditions

Draft Plan of Condominium

“Common Element Condominium”

**Siteline (9211 Bayview Avenue) Inc.
Block 1, Registered Plan 65M-4501
Town of Richmond Hill**

Town File: D05-12007 (19CDM(R)-12007)

The conditions of the Council of the Town Of Richmond Hill to be satisfied prior to the release for registration of Plan of Condominium 19CDM(R)-12007, Town of Richmond Hill, are as follows:

Town of Richmond Hill

Planning and Regulatory Services Department (Development Planning Division)

1. Approval shall relate to a Draft Plan of Condominium prepared by KLM Planning Partners Inc., Reference #: 17.3, dated October 10, 2017.
2. The Owner shall fulfill Site Plan provisions pertaining to a related Site Plan Agreement between the Owner and the Town dated June 23, 2016 and registered in the Land Registry Office of the Land Titles Division of York Region as Instrument No. YR2575969, to the satisfaction of the Commissioner of Planning and Regulatory Services.
3. The Owner shall enter into a Condominium Agreement, if required to do so by the Town which shall be registered on title and to the satisfaction of the Town Solicitor, in priority to all other claims or interest.
4. The Owner shall submit plans of Condominium pre-approved by the Land Registry Office, satisfactory to the Town, prior to final approval of the Plan of Condominium.
5. Prior to final approval, the Owner shall, if required to do so by the Town, submit to and obtain the approval of the Town for the form and content of the Condominium Description and Declaration and the Owner shall incorporate into the Plan and Declaration under Section 7 of the *Condominium Act*, 1998, all

right(s)-of-way and easements for vehicular access, on-site traffic circulation, municipal servicing or utility servicing to the satisfaction of the Town.

6. The Owner covenants and agrees to provide the following clauses in the Condominium Description and Declaration prior to Final Approval and to the satisfaction of the Commissioner of Planning and Regulatory Services:
 - a) “A right of access and entry to the Owners of the adjoining lands being PIN 03113-007 (LT) – Part of Lot 16, Plan 2113, PIN 03113-0251 (LT) – Part of Lot 16, Plan 2113 and PIN 03113-0239 (LT) – Part of Lot 16, Plan 2113 as in Instrument No. MA46308, over that portion of the condominium lands being that Part of Lot 17, Plan 2113, described further as Part 1, Plan 65R-36314.”
 - b) “The right of entry shall be provided for the purpose of permitting completion of grading works and other related adjustments or removals along the retaining wall and mutual boundaries of the aforementioned lands to enable future development applications to achieve grading compatibility along the mutual boundary of the subject lands as part of future development application(s). Such adjustments shall be in accordance to site specific grading approval(s) to be provided by the Town of Richmond Hill as the adjoining lands being PIN 03113-007 (LT), PIN 03113-0251 (LT) and PIN 03113-0239 (LT) proceed to redevelop in the future.”

Planning and Regulatory Services Department (Regulatory Services Division)

7. Prior to final approval of the Plan, the Owner shall have fully complied with all orders issued pursuant to the *Building Code Act*, 1992 and shall have completed all work necessary to correct any building deficiencies related to said order to the satisfaction of the Town.

Planning and Regulatory Services Department (Development Engineering Division)

8. Prior to final approval of the Plan, the owner shall provide the Town with evidence in the form of Engineer's Certificate stating that all grading, drainage, above and below ground services, asphalt paving, concrete works and demarcation of parking spaces within the Common Element Condominium area, and any other matters required to support the development of the lands within the Plan, including but not limited to, any retaining walls, low impact development features that are to be located within the Parcels of Tied Land and are to be secured with easements in favour of the Condominium Corporation, have been substantially completed in accordance with the plans and conditions in the said Site Plan Agreement. To guarantee completion of the aforesaid work, the letter of credit secured through the site plan agreement will be kept in full force by the Town.

9. The Owner shall file with the Town, if required to do so by the Town, certification from a Professional Engineer or Ontario Land Surveyor or Solicitor authorized to practice in the Province of Ontario that all necessary easements required to service the lands and buildings within the Plan and any adjoining lands (if such adjoining lands were, at any time, a single parcel of land with the lands within the Plan) for, but not limited to, access, parking, street lighting, water, sanitary sewer, storm sewer, structural support grading, retaining walls, low impact development features, amenity areas, access and maintenance purposes, have been lawfully created or will be lawfully created upon the registration of the Declaration referred to in Condition 5.

Planning and Regulatory Services (Parks Planning and Natural Heritage Division)

10. The Owner shall agree within the condominium declaration to make provisions for the ongoing maintenance of all common element landscape areas.
11. The Owner shall complete all required landscape works to the satisfaction of the Commissioner of Planning and Regulatory Services.

Corporate & Financial Services

12. Prior to final approval, the Owner shall pay the applicable Release Fees to the satisfaction of the Town.
13. The Owner shall pay any outstanding taxes owing to the Town.
14. The Owner shall pay any outstanding Local Improvement charges owing against the subject lands.

York Region

15. Prior to final approval, the Owner shall provide confirmation that all of the conditions of the site plan approval issued for the subject property under Regional File No. SP-R-007-13, have been satisfied.
16. Prior to final approval, the Owner shall execute all Regional agreements and obtain all of the necessary permits required as part of the site plan approval for the subject property issued under Regional File No. SP-R-007-13.
17. Prior to final approval, the Owner shall confirm that all of the works within the Regional right-of-way have completed to the satisfaction of the Region or that the Region holds sufficient securities to cover the cost of any outstanding works. Should there be insufficient security to cover the cost of the remaining works, the Owner shall arrange for the deposit of additional securities in the amount sufficient to cover the cost of all outstanding works.
18. Prior to final approval, the Owner shall provide confirmation that all transfers of obligation have been completed where Regional agreements require responsibility to change from the Owner to the Condominium Corporation.

Alectra Utilities

19. Prior to final approval, the Owner shall satisfy the requirements of Alectra Utilities.

Enbridge Gas

20. Prior to final approval, the Owner shall satisfy the requirements of Enbridge Gas Distribution Inc.

Clearance Conditions

21. The Town shall advise that Conditions 1 to 14 inclusive have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
22. York Region shall advise that Conditions 15 to 18 inclusive have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
23. Alectra Utilities shall advise that Condition 19 has been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
24. Enbridge Gas shall advise that Conditions 20 has been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.

Note: Where Final Approval For Registration Has Not Been Given Within Three (3) Years After The Date Upon Which Approval To The Proposed Plan Of Condominium Was Given, The Town Of Richmond Hill May, In Its Discretion And Pursuant To The *Planning Act*, R.S.O. 1990, Withdraw Its Approval To This Proposed Plan Of Condominium, Unless Approval Has Been Sooner Withdrawn, But The Town Of Richmond Hill May, From Time To Time, Extend The Duration Of The Approval.

Report Approval Details

Document Title:	SRPRS.18.012.docx
Attachments :	<ul style="list-style-type: none">- MAP_1_AERIAL_PHOTOGRAPH.pdf- MAP_2_NEIGHBOURHOOD_CONTEXT_S512007A.pdf- MAP_3_EXISTING_ZONING_DESIGNATION_S512007A.pdf- MAP_4_APPROVED_SITE_PLAN.pdf- MAP_5_DRAFT_PLAN_OF_COMMON_ELEMENTS_CONDOMINIUM.pdf
Final Approval Date:	Jan 9, 2018

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

Gus Galanis - Jan 9, 2018 - 1:23 PM

Kelvin Kwan - Jan 9, 2018 - 3:27 PM

Neil Garbe - Jan 9, 2018 - 4:15 PM


MAP 1 - AERIAL PHOTOGRAPH



Copyright J.D.Barnes Limited 2016 Orthophotography

BLOCK 27

File No. D05-12007

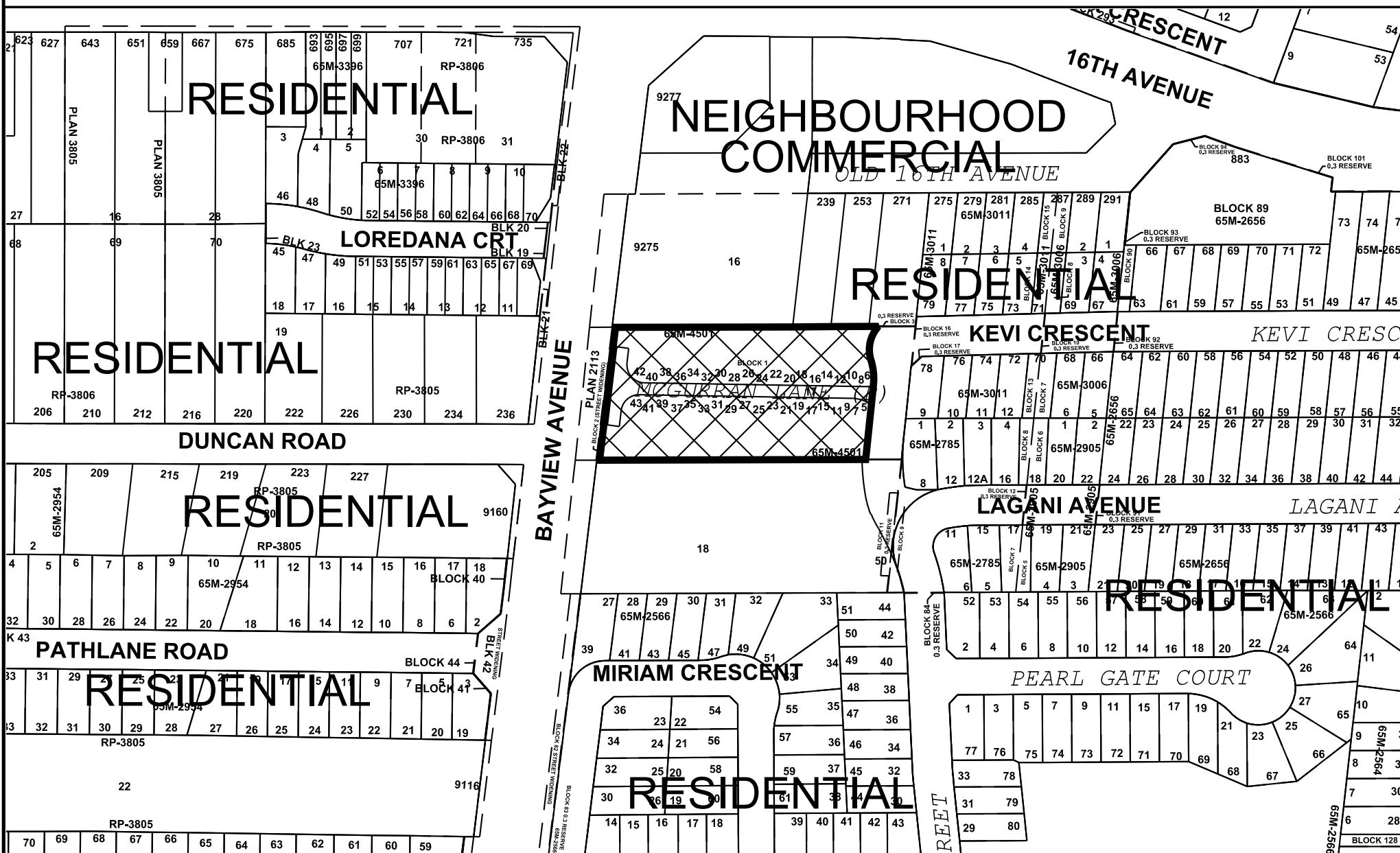
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 SUBJECT LAND

FT/SS SRPRS 18.012
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**TOWN OF RICHMOND HILL
 PLANNING AND REGULATORY
 SERVICES DEPARTMENT**

MAP 2 - NEIGHBOURHOOD CONTEXT



SUBJECT LANDS

S512007A.DGN

FT/SS SRPRS 18.012
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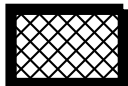
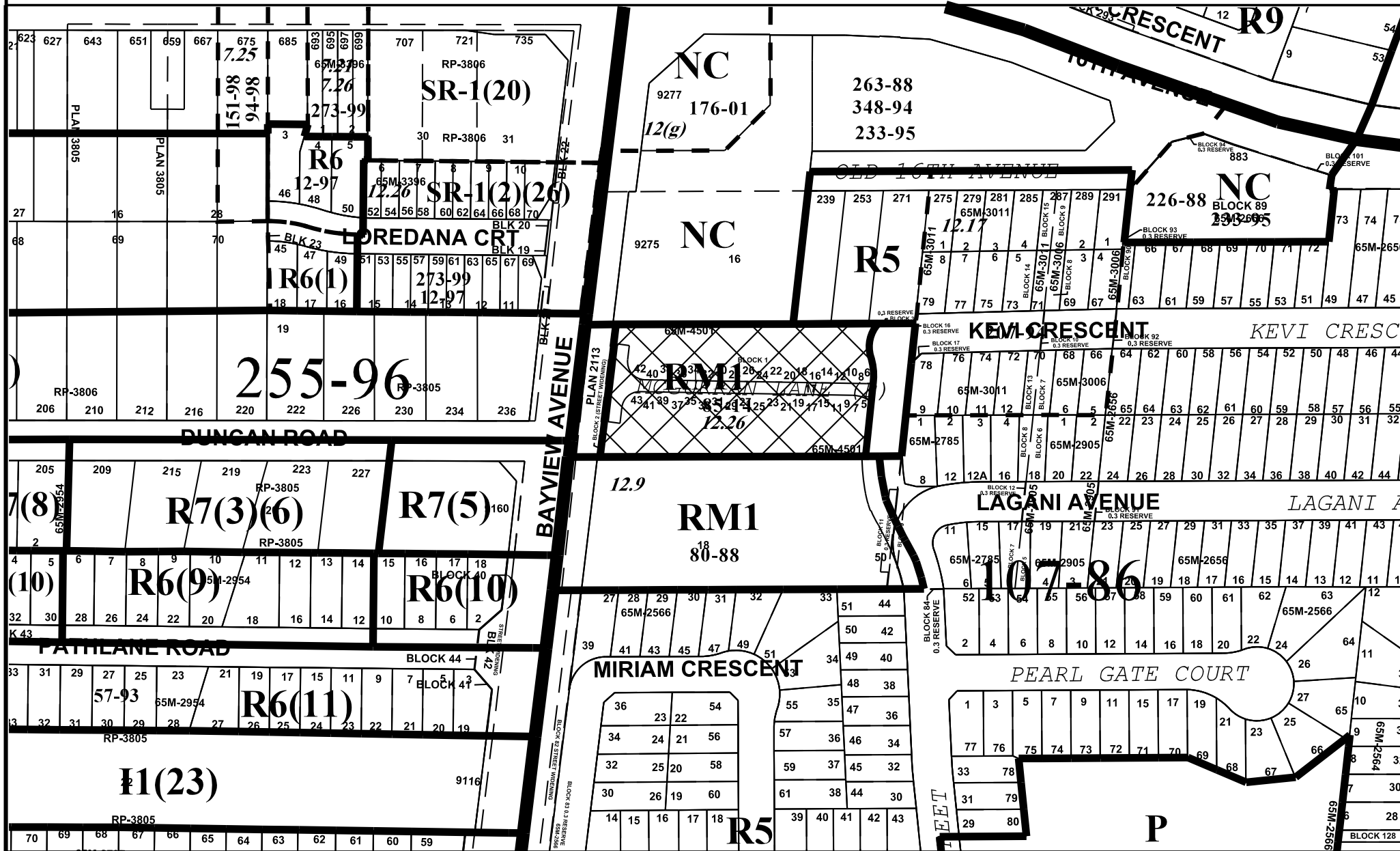


BLOCK 27

FILE NO.D05-12007

TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT

MAP 3 - EXISTING ZONING DESIGNATION



SUBJECT LANDS

ZONING_S512007A.DGN

Page 241 of 363

BLOCK 27

FILE NO.D05-12007

TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT

MAP 4 - APPROVED SITE PLAN



BLOCK 27 FILE NO.D05-12007

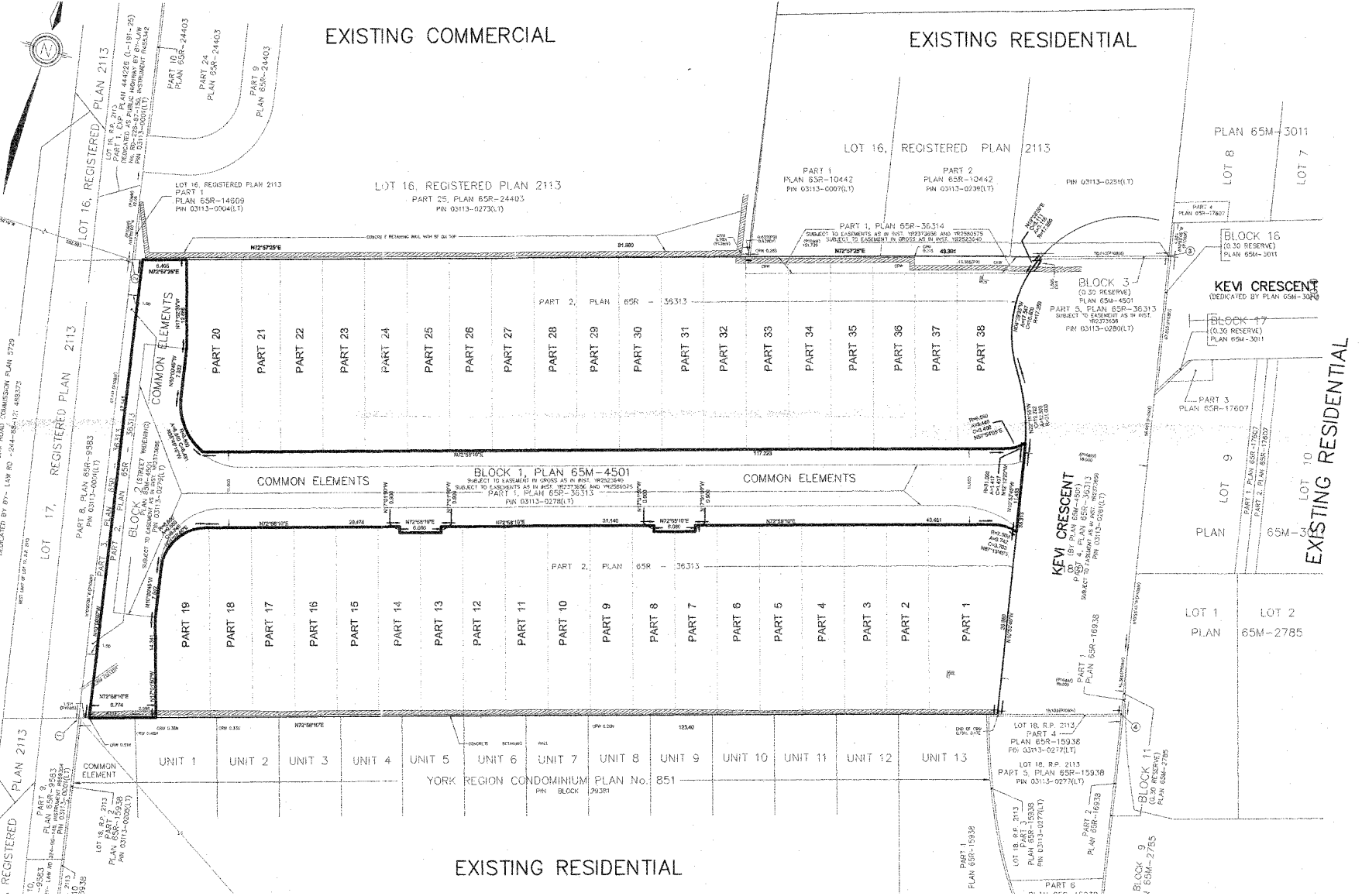
**TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT**

MAP 5 - Draft Plan of Common Elements Condominium

EXISTING RESIDENTIAL

BAYVIEW AVENUE (YONGE ROAD No. 34)
(BY BY-LAW No. P. 03113-0004(LT) AND P. 03113-0005(LT))
(BY BY-LAW No. P. 03113-0006(LT))

REGISTERED BY REGISTERED TORONTO AND YORK ROAD COMMISSION PLAN 579
DEDICATED BY BY-LAW NO. 244-85-12: 48372



BLOCK 27 FILE NO.D05-12007

TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT



Staff Report for Committee of the Whole Meeting

Date of Meeting: January 22, 2018

Report Number: SRPRS.18.020

Department: Planning and Regulatory Services

Division: Development Planning

Subject: SRPRS.18.020 – Request for Approval – Zoning
By-law Amendment Application – JEBRAEIL
VOSSOUGH – Town File D02-16015

Owner:

Jebraeil Vossoughi
36 Portage Avenue
Richmond Hill, Ontario
L4E 2Z4

Agent:

PMP Design Group
280 Sheppard Avenue East, Unit 203
Toronto, Ontario
M2N 3B1

Location:

Legal Description: Lots 492 and 493, Plan 133
Municipal Address: 36 Portage Avenue

Purpose:

A request for approval concerning a Zoning By-law Amendment application to permit the construction of two (2) semi-detached dwelling units on the subject lands.

Recommendations:

1. That the Zoning By-law Amendment application submitted by Jebraeil Vossoughi for lands known as Lots 492 and 493, Plan 133 (Municipal Address: 36 Portage Avenue), Town File D02-16015, be approved, subject to the following:
 - a) That the subject lands be rezoned from the provisions of By-law 986, as amended, to Semi-Detached One (RD1) Zone, under By-law 313-96, as

amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPRS.18.020; and,

- b) That the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment.**

Contact Person:

Philip Liu, Planner I – Site Plans, phone number 905-747-6312 and/or
Denis Beaulieu, Manager of Development, Subdivisions, phone number 905-771-2540

Report Approval:

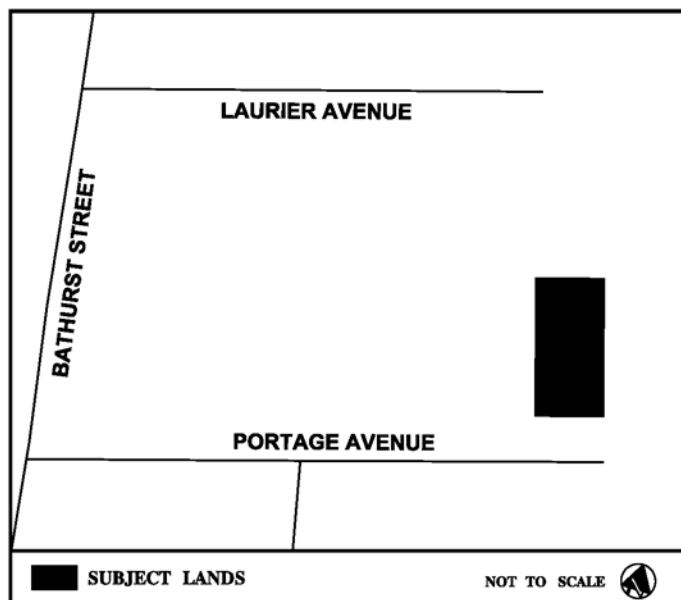
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

Location Map

Below is a map displaying the property location. Should you require an alternative format call person listed under “Contact Person” above.



Background:

The subject Zoning By-law Amendment application was considered at a statutory Council Public Meeting held on October 5, 2016 wherein Council received Staff Report SRPRS.16.165 for information purposes and referred all comments back to staff. The extract of this meeting is attached hereto as Appendix "A".

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the north side of Portage Avenue, west of Merton Street and have a total lot area of 0.046 hectares (0.114 acres). The lands form one (1) existing building lot and support a one-storey, single detached dwelling. The lands abut single-family residential units to the north, Portage Avenue to the south, vacant lands to the east and semi-detached residential uses to the west (refer to Maps 1 and 2).

Revised Development Proposal

The applicant is seeking Council's approval of its request to amend the Zoning By-law to permit two semi-detached dwelling units on its land holdings (refer to Map 5). Each unit will have frontage onto Portage Avenue. The following is a summary table outlining the pertinent statistics of the applicant's development proposal based on the plans and drawings submitted to the Town:

- **Total Area: 464.72 square metres (5,002.27 square feet)**
- **Number of Proposed Lots: 2**
- **Building Height: 2 storeys**
- **Existing Lot Frontage: 15.39 metres (50.18 feet)**
- **36A (West Semi-detached Lot)**
 - Gross Floor Area: 209.60 square metres (2,256.21 square feet)
 - Proposed Unit Lot Frontage: 7.65 metres (25.09 feet)
 - Proposed Lot Coverage: 46.5%
- **36B (East Semi-detached Lot)**
 - Gross Floor Area: 209.60 square metres (2,256.21 square feet)
 - Proposed Unit Lot Frontage: 7.65 metres (25.09 feet)
 - Proposed Lot Coverage: 46.5%

The development proposal has been revised since the Council Public Meeting. A conceptual Grading Plan was provided to the Town at the request of Development Engineering staff for their review. A revised submission was subsequently received reflecting a change in the dwelling design to allow for a 1.2 metre side yard setback, an increase from the 0.96 metre and 0.91 metre side yard setbacks originally proposed for the west and east dwellings respectively. This change was made at the request of Town staff to allow for adequate access into the rear yard.

Planning Analysis

Town of Richmond Hill Official Plan (2010)

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 – Land Use of the Town’s Official Plan (the “Plan”) (refer to Map 4). The **Neighbourhood** designation generally permits low-density and medium-density residential uses, neighbourhood commercial uses, community uses, parks and open spaces, as well as automotive service commercial uses subject to specific policy criteria as outlined in Chapter 4 of the Plan. It is noted that semi-detached dwellings are permitted within the **Neighbourhood** designation, which in accordance to policy **4.9.2.4**, must be compatible with the existing character of adjacent and surrounding areas. In this regard, the proposed development would conform to the **Neighbourhood** policies as follows:

- the proposed semi-detached dwellings are a permitted form of low-rise residential use;
- the proposed building height of two-storeys would conform with the maximum building height of three storeys; and,
- the proposed zoning would result in a built form that is compatible with the existing character of the adjacent and surrounding area with respect to predominant building forms and types, massing, landscaped areas and treatments, and general patterns of yard setbacks.

In addition, the subject lands are located within a priority infill area as identified under Policy 4.9.1.1(1) of the Plan and therefore, the subject proposal is to be evaluated based on the guidelines of the Hughey West Infill Study (discussed in greater detail below).

Given all of the above, staff is of the opinion that the submitted Zoning By-law Amendment application has appropriate regard for and is generally consistent with the broader policy direction for this part of the Town as outlined in the new Plan.

Hughey-West Neighbourhood Infill Study (2007)

As indicated above, the subject lands are located within the Hughey West Infill Study area (“Study”) that was approved by Council in 2007 (refer to Map 5). This Study applies to the area bounded by Bathurst Street to the west, Prince Arthur Avenue to the south, Verdi Road to the east and the valley and conservation lands of the East Humber River to the north and east. The Study was prepared as an update to the Bathurst Street Neighbourhood Infill Study (“Bathurst Study”) approved by Council in 1998. The primary objectives of the Study are to build upon the recommendations of the Bathurst Study, while providing more comprehensive direction for the future development of the neighbourhood, including a more connected and functional street network and opportunities for a variety of residential forms of development. In addition to guiding the general pattern of infill development within the neighbourhood, the Study contains

Urban Design Guidelines that provide direction for the architectural design and treatment of individual units. Among the recommendations of the Study is the closure of Bathurst Street accesses for a number of alternate streets. Portage Avenue is to remain open as an “entrance street” to facilitate permanent access into the neighbourhood.

Infill development comprised of semi-detached dwellings is generally supported by the Study for “entrance streets” and a minimum lot frontage of 18 metres (59.06 feet) is recommended. It is noted that the subject lands have an existing frontage of 15.30 metres (50.20 feet), with each proposed semi-detached unit lot intended to have a frontage of 7.65 metres (25.10 feet), as opposed to the 9.0 metres (29.53 feet) as recommended by the Study. While the proposed lot frontages are smaller than those recommended, staff is of the opinion that the proposed semi-detached dwelling units are compatible and appropriate given the context of the site.

Directly west of the subject property are existing semi-detached dwellings with frontages of 7.62 metres (25 feet) per unit lot, approved before the Study was put in place. The proposed semi-detached dwelling units will be compatible with these dwellings as they will be similar in terms of massing, form and frontage. In addition, the lands to the east form part of a newly registered plan of subdivision that includes single detached lots with frontages of 13.67 metres (44.85 metres). As a result, there is no land to the east available for the applicant to acquire and assemble into their land holdings to form larger lots. While it is imperative to have regard to the Study, staff is of the opinion that a minor deviation from the recommendations of the Study is appropriate in this scenario. Given all of the above, staff is satisfied that the proposed semi-detached lots are appropriate for this specific property and location and that it constitutes good and orderly planning.

Proposed Zoning By-Law Amendment

The subject lands are presently zoned under Zoning By-law 986 of the former Township of King, as amended (refer to Map 9), which allows a variety of land uses without the zone categories found in conventional land use by-laws. The proposed building lots and semi-detached dwelling do not meet the existing zoning provisions of Zoning By-law 986. As such, the applicant is seeking Council’s approval to rezone the subject lands to **Semi-Detached One (RD1) Zone** under Zoning By-law 313-96 of the Town of Richmond Hill, as amended, with site specific provisions for reduced minimum lot area and side yard setback. Outlined below is a comparison of the proposed development relative to the standards of the **RD1 Zone**.

Development Standard	RD1 Standards, By-law 313-96, as amended	Proposed
Minimum Lot Area	485.0 sq. metres (5,220.5 sq. feet)	464.27 sq. metres (4,997.4 sq. feet)
Minimum Lot Frontage	14.6 metres (47.9 feet)	15.24 metres (50 feet)
Minimum Front Yard	4.50 metres (14.8 feet)	5.80 metres (19 feet)
Minimum Side Yard	1.5 metres (4.9 feet)	1.2 metres (3.9 feet)
Minimum Rear Yard (from Dwelling)	7.5 metres (24.6 feet)	7.51 metres (24.6 feet)
Minimum Rear Yard (from Deck)	5.0 metres (16.4 feet)	4.86 metres (15.9 feet)
Maximum Height	11.0 metres (36.1 feet)	10.72 metres (35.2 feet)
Maximum Lot Coverage	50%	46.5%

Planning staff has undertaken a comprehensive review and analysis of the applicant's development proposal and is of the opinion that it is appropriate for the following reasons:

- the proposed **RD1 Zone** category is compatible with much of the redevelopment in the area and the proposed building lots are consistent with the emerging lot fabric in the neighbourhood which features an eclectic mix of low-density residential building types;
- the requested site specific provision to reduce the permitted interior side yard interior setback from 1.5 metres (4.92 feet) to 1.2 metres (3.9) feet is in keeping with new development standards applied throughout the Town; and,
- the requested site specific provision to reduce the minimum lot area from 485.0 sq. metres (5,220.5 sq. feet) to 464.27 sq. metres (4,997.4 sq. feet) is appropriate given the existing semi-detached lots located directly to the west of the subject lands are similar in size.

Thus, staff is of the opinion that the development as proposed constitutes good and orderly planning. On the basis of the preceding, it is recommended that the applicant's Zoning By-law Amendment application be approved.

Town Department and External Agency Comments

Development Planning Division

Planning staff has reviewed the applicant's development proposal and is of the opinion that it is appropriate. Accordingly, staff recommends that the subject Zoning By-law Amendment application be approved on the following basis:

- the proposed future semi-detached dwellings are consistent with the **Neighbourhood** designation of the Plan;

- the proposed **Semi-detached One (RD1) Zone** category under Zoning By-law 313-96, as amended, is in keeping with broader policy direction for this part of the Town and constitutes good and orderly planning;
- the development standards for the proposed lot will meet the minimum standards of the **RD1** zone within Zoning By-law 313-96, as amended, with the exception of the minimum side yard setbacks and minimum lot area;
- the proposed development is generally in keeping with the intent of the Hughey West Infill Study. While the proposed lot frontage is smaller than what is recommended by the Study, it is appropriate given the site context and compatible with surrounding uses; and,
- the applicant will need to address all comments from relevant Town departments and external agencies at the Building Permit stage.

Parks and Natural Heritage Planning Section

Parks and Natural Heritage Planning Section staff has reviewed the applicant's development proposal and has no objection to the proposed Zoning By-law Amendment. However, staff has provided comments, outlined in Appendix C1 that will need to be addressed at the detailed design stage during the Building Permit process.

Development Engineering Division

Development Engineering Division staff has reviewed the applicant's development proposal and has no objection to the proposed Zoning By-law Amendment. However, Engineering staff has provided comments, outlined in Appendix C2 that will need to be addressed at the detailed design stage during the Building Permit process. In this regard, staff have, among other comments, noted that a walkout design for the proposed dwelling will not be supported.

Building Services Division – Zoning Section

The Building Services Division – Zoning Section, has noted that there is a deficiency in the proposed minimum rear yard (from the deck) as shown on the Proposed Site Plan (refer to Map 5), which currently shows a 4.86 metres setback – less than the required 5.0 metres. Further, the dwelling height shown on the Proposed Elevations is calculated from the center of the road, whereas By-law 313-96 calculates dwelling height from the established grade. All zoning by-law deficiencies will need to be addressed at the detailed design stage during the Building Permit process.

Other Departments/External Agencies

Comments received through the circulation of the applicant's development proposal from Town departments and external agencies have been satisfactorily addressed. Town departments and external agencies have no further comments or objections to the application.

Financial/Staffing/Other Implications:

This recommendation does not have any financial, staffing or other implications.

Relationship to the Strategic Plan:

The applicant's development proposal would align with **Goal Two - Better Choice in Richmond Hill** by providing housing that offers options for people at all stages of life. The proposal would also align with **Goal Four - Wise Management of Resources in Richmond Hill** by designing energy efficient dwellings and using land responsibly.

Conclusion:

The applicant is seeking Council's approval to rezone the subject lands to facilitate the construction of two (2) semi-detached dwelling units on its land holdings. The submitted Zoning By-law Amendment application conforms with the Town's Official Plan, is appropriate and is in keeping with the character of the surrounding area. In this regard, staff recommends approval of the submitted Zoning By-law Amendment application as outlined and described within this report.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Appendix A Council Public Meeting Extract C#23-17 Held October 5, 2016
- Appendix B Draft Zoning By-law 4-18
- Appendix C1 Memo from Patricia Young dated December 13, 2017
- Appendix C2 Memo from Jeff Walters dated February 28, 2017
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Zoning
- Map 4 Official Plan Designation
- Map 5 Hughey West Infill Study Area
- Map 6 Proposed Site Plan
- Map 7 Proposed Elevation

Report Approval Details

Document Title:	SRPRS.18.020 - 36 Portage Avenue - D02-16015 (JABRAEIL VOUSSOUGH).docx
Attachments:	<ul style="list-style-type: none">- By-law 4-18 - Schedule A.pdf- MAP_1_AERIAL PHOTOGRAPH.pdf- MAP_2_NEIGHBOURHOOD_CONTEXT_S216015A_NEW.pdf- MAP_3_EXISTING_ZONING_S216015A.pdf- MAP_4_OFFICIAL_PLAN_DESIGNATION_LAND_USE.pdf- MAP_5_HUGHEY_WEST_INFILL_STUDY.pdf- MAP_6_PROPOSED_SITE_PLAN.pdf- MAP_7_PROPOSED_ELEVATION.pdf- SRPRS.18.020 - Appendix A (CPM Extract).docx- SRPRS.18.020 - Appendix B (Draft By-law).docx
Final Approval Date:	Jan 9, 2018

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

Gus Galanis - Jan 9, 2018 - 1:29 PM

Kelvin Kwan - Jan 9, 2018 - 3:31 PM

Neil Garbe - Jan 9, 2018 - 4:20 PM

Appendix A

3.1 Request for Comments – Zoning By-law Amendment Application – Jebraeil Vossoughi – Lots 492 to 93, Plan 133 – 36 Portage Avenue – File Number D02-16015 – (Staff Report SRPRS.16.165)

Kayla Apostolides of the Planning and Regulatory Services Department provided an overview of the proposed Zoning By-law Amendment application to permit the future construction of two (2) semi-detached dwelling units on the subject lands. Ms. Apostolides advised that staff's recommendation was that the staff report be received for information purposes only and all comments be referred back to staff.

Mehran Heydari, PMP Design Group, agent for the applicant, provided an overview of the request to amend the Zoning By-law to permit two (2) semi-detached dwelling units on the subject lands.

There were no members of the public who responded to the Chair's invitation to address Council on this matter.

Moved by: Councillor Beros
Seconded by: Regional and Local Councillor Spatafora

That staff report SRPRS.16.165 with respect to the Zoning By-law Amendment application submitted by Jebraeil Vossoughi for lands known as Lots 492 to 93, Plan 133 (municipal address: 36 Portage Avenue), File Number D02-16015, be received for information purposes only and that all comments be referred back to staff.

Carried Unanimously

Appendix B

The Corporation of the Town of Richmond Hill

By-law 4-18

A By-law to Amend By-law 313-96, as amended, of

The Corporation of the Town of Richmond Hill and

By-law 986, as amended of the former Township of King

Whereas the Council of the Corporation of the Town of Richmond Hill (the "Corporation") at its Meeting of January 29, 2018 directed that this by-law be brought forward to Council for its consideration;

The Council of the Corporation of the Town of Richmond Hill enacts as follows:

1. That By-law 986, as amended, of the former Township of King ("By-law 986") be and is hereby further amended by removing those lands shown on Schedule "A" to this By-law 4-18 ("the Subject Lands") and further, that any provisions of By-law 986, as amended, that previously applied to the Subject Lands shall no longer apply to the Subject Lands.
2. That By-law 313-96, as amended, of the Corporation of the Town of Richmond Hill ("By-law 313-96") be and is hereby further amended as follows:
 - a) expanding the boundary to include the Subject Lands;
 - b) rezoning the Subject Lands to "Semi-Detached One (RD1) Zone" under By-law 313-96 as shown on Schedule "A" of this By-law 4-18; and,
 - c) adding the following to Section 7 – EXCEPTIONS:

"7.183

Notwithstanding any other inconsistent or conflicting provision of By-law 313-96, of the Corporation as amended, the following special provisions shall apply to the lands zoned "Semi-Detached One (RD1) Zone" and more particularly shown as "RD1" on Schedule "A" to By-law 4-18:

- i) MINIMUM LOT AREA (INTERIOR LOT) 464.8 sq. metres (5,003 sq. feet)
- ii) MINIMUM REQUIRED SIDE YARD: 1.2 metres (3.9 feet)

3. All other provisions of By-law 313-96, as amended, not inconsistent with the foregoing, shall continue to apply to the lands shown on Schedule "A" attached hereto.
4. The imperial measurements found in this by-law in brackets are provided for information purposes only and are intended to be an approximate conversion of the metric measurements. The metric or SI measurements shall be deemed to be the standards established by this by-law and, wherever there is a variance between the metric or SI measurements and the imperial measurements, the metric or SI measurement shall apply.
5. Schedule "A" attached to By-law 4-18 is declared to form a part of this by-law.

Passed this XTH day of February, 2017.

Dave Barrow
Mayor

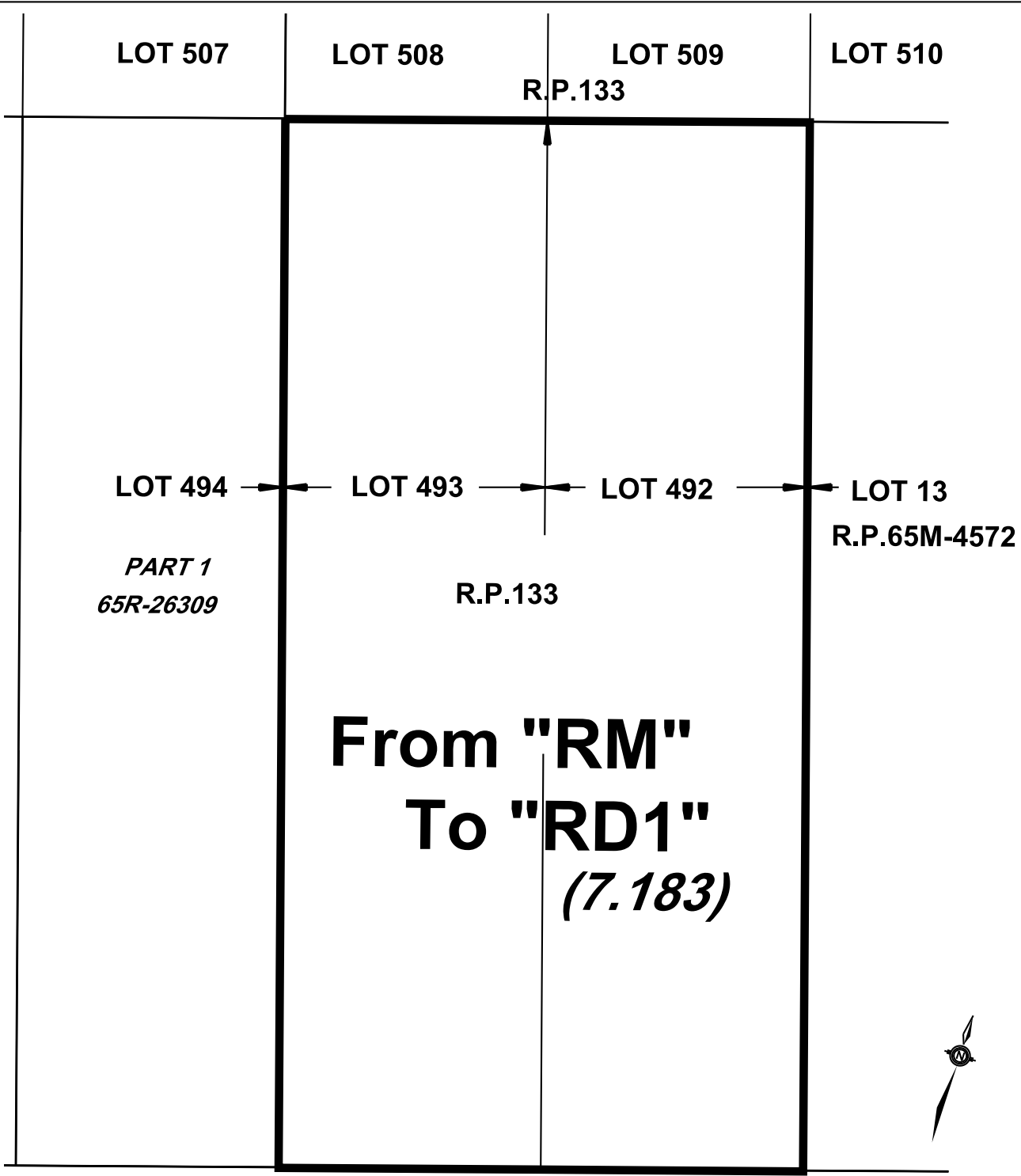
Stephen M.A. Huycke
Town Clerk

The Corporation Of The Town Of Richmond Hill

Explanatory Note To By-Law 4-18

By-law 4-18 affects lands located on the north side of Portage Avenue, east of Bathurst Street, specifically described as Lots 492 & 493, inclusive on Registered Plan 133 (Municipal Addresses: 36 Portage Avenue).

The purpose of By-law 4-18 is to remove the lands from By-law 986, as amended, and rezone the lands to **“Semi-Detached One (RD1) Zone”** under By-law 313-96, as amended, with site specific development standards for minimum lot area (interior lot) and minimum side yard setback. This application will facilitate the creation of two semi-detached dwelling units on the subject lands.



LOT 507

LOT 508

LOT 509

LOT 510

R.P.133

LOT 494

LOT 493

LOT 492

LOT 13

R.P.65M-4572

PART 1
65R-26309

R.P.133

From "RM"
To "RD1"
(7.183)

PORTAGE AVENUE

SCHEDULE "A"

TO BY-LAW NO. 4-18

This is Schedule "A" to By-Law
No. 4-18 passed by the Council
of The Corporation of the
Town of Richmond Hill on the
Day of 2018

Dave Barrow
Mayor

Stephen M.A.Huycke
Town Clerk

Philip Liu

From: Patricia Young
Sent: Wednesday, December 13, 2017 9:50 AM
To: Philip Liu
Subject: D02-16015 36 Portage Avenue (Vossoughi)

Attn: Philip Liu

Re: **D02-16015 Zoning by-law amendment to zone the land RD1 facilitate demolition of the existing 1 storey dwelling and construction of 2 semi-detached 2 storey dwellings.**
36 Portage Avenue (Vossoughi)

Reviewed:

- Plan A0 prepared by PMP dated October 18, 2017
- Arborist Report prepared by Five Star Tree Service dated May 25, 2016

Comments:

- Parks staff has no comments on the zoning application.
- Please ensure future construction/grading plans, including servicing hookups and possible infiltration galleries, consider the location of retained trees during the design process. Direct development and grading outside of the tree protection zone of retained trees. During the construction process protect trees in accordance with Town guidelines.
- The applicant should contact Urban Forestry to obtain a permit for removal of the Town owned tree.

I trust this is of assistance.

Kindest regards,
Patti

Patricia Young, B. Sc. MCIP, RPP
Parks Planner
Planning & Regulatory Services
Town of Richmond Hill
225 East Beaver Creek Road
Richmond Hill, ON L4B 3P4
patricia.young@richmondhill.ca
T: 905-771-2477 (direct line)
F: 905-771-2405



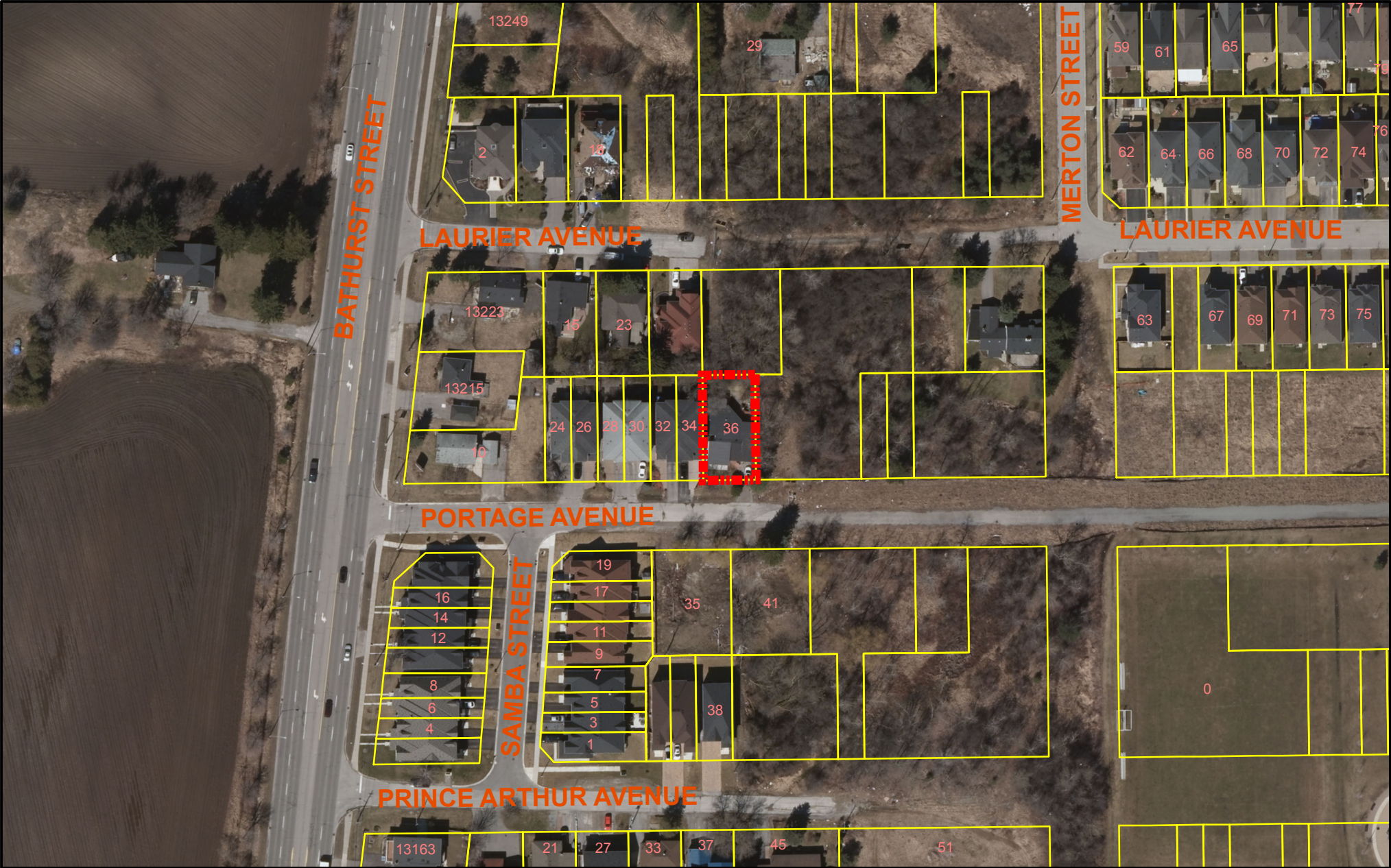
From: Jeff Walters
Sent: Tuesday, February 28, 2017 11:09 AM
To: Kayla Apostolides
Subject: RE: 36 Portage Avenue D02-16015


Appendix	C2
SRPRS	18.020
File(s)	D02-16015

We have reviewed the conceptual grading plan for this application and have some comments to be addressed at detailed design.

- The proposed design as a walkout dwelling is not supported. The finished floor elevations should generally match the adjacent dwellings.
- The most recent grading information for the adjacent subdivision to the east should be obtained from the Town prior to final design.
- Portage Avenue is proposed to be reconstructed along the frontage of 39 Portage as part of the adjacent subdivision and front yard grading should comply with this proposed grading and drainage improvements may be required within the boulevard.
- Retaining walls and/or filling within the proposed rear yards may be required to match adjacent properties and to accommodate future infill development.

MAP 1 - AERIAL PHOTOGRAPH



Legend
 Subject Lands

PL/SS 50-239-00203

Copyright J.D.Barnes Limited 2016 Orthophotography

BLOCK 01 D02-16015



**TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT**

MAP 2 - NEIGHBOURHOOD CONTEXT

BATHURST STREET

9	11	15	17		29	35	39		
10									
11	13249								
12									
13									
14									
15									
16	10	18			30	32	34	36	38

RESIDENTIAL

LAURIER AVENUE

17	15	23	29		35	37	39	41	51
18									
19									
20									
21	13215								
22									
23	13205								
24									



PORTAGE AVENUE

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RESIDENTIAL

PRINCE ARTHUR AVENUE

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MERTON STREET

59	61	63	65	69	71	73	77	79	83	85	87	89	91	93	95	97	99	101	103
38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57
80	79	78	77	76	75	74	73	72	71	70	69	68	67	66	65	64	63	62	61

RESIDENTIAL

MERTON STREET

63	67	69	71	73	75	77	79	81	83	85	87	89	91	93	95
521	522	523	524	525	526	527	528	529	530	531	532	533	534	535	536
480	479	478	477	476	475	474	473	472	471	470	469	468	467	466	465

RESIDENTIAL

PORTAGE AVENUE

101	103	105	107	109	111	113	115	117	119
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247	246	245	244	243	242	241	240	239	238

RESIDENTIAL

NEOPOLITAN COURT

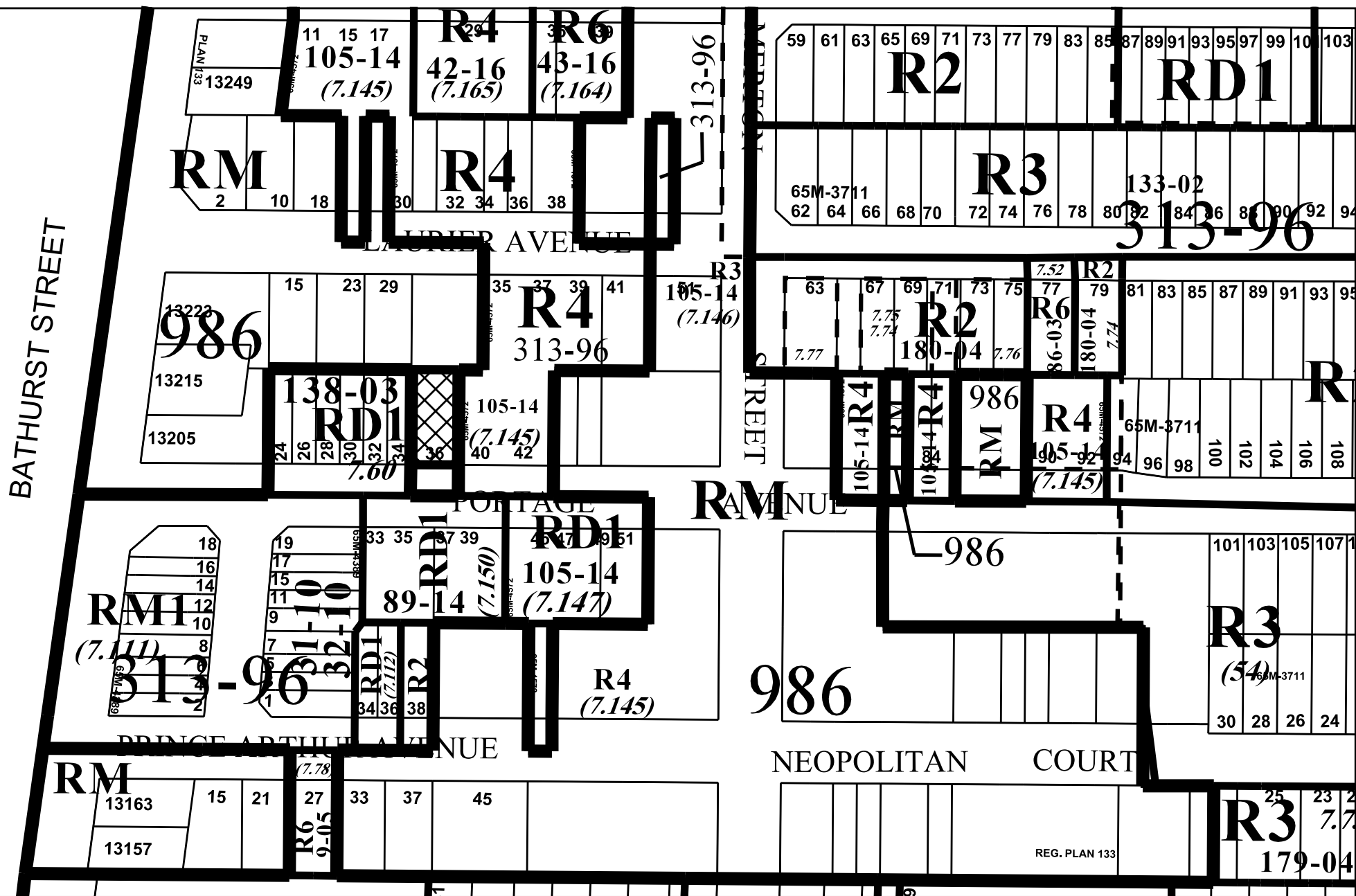
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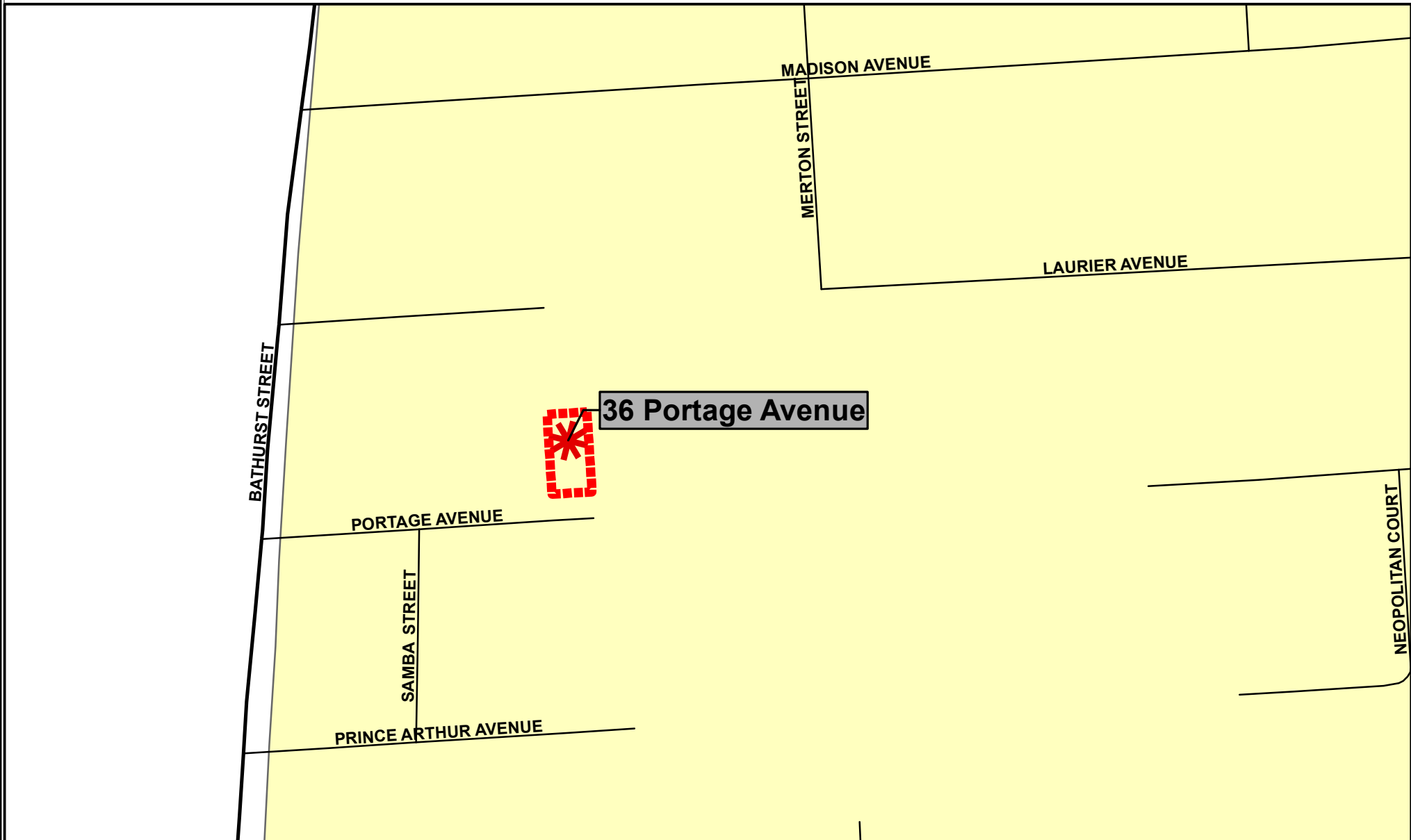
SUBJECT LANDS






MAP 3 - EXISTING ZONING



MAP 4 - OFFICIAL PLAN DESIGNATION - LAND USE



LEGEND

-  SUBJECT AREA
-  Neighbourhood
-  Subject Lands

NOTE: The information provide in this map is a depiction of a portion of the Richmond Hill Official Plan. For accurate reference, the schedules and policies of the Richmond Hill Official Plan must be consulted. In the case of a discrepancy between the schedules and the policies of the Richmond Hill Official Plan, the policies shall take precedence.



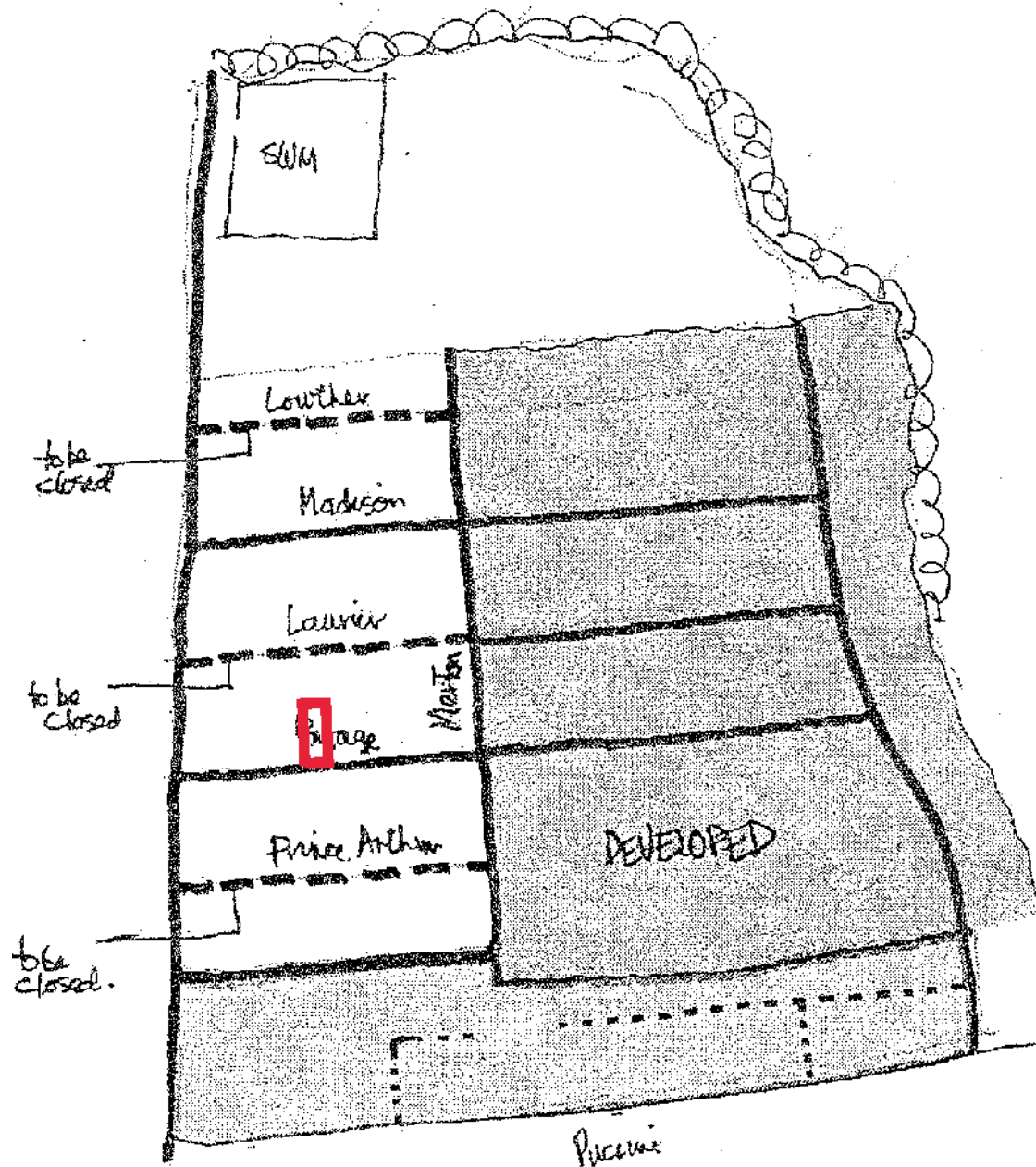
BLOCK 01

FILE NO.D02-16015

TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT

PLSS SRPS 18.020
Page 2 of 158

MAP 5 - HUGHEY WEST INFILL STUDY



36 Portage Avenue - (Approximately)

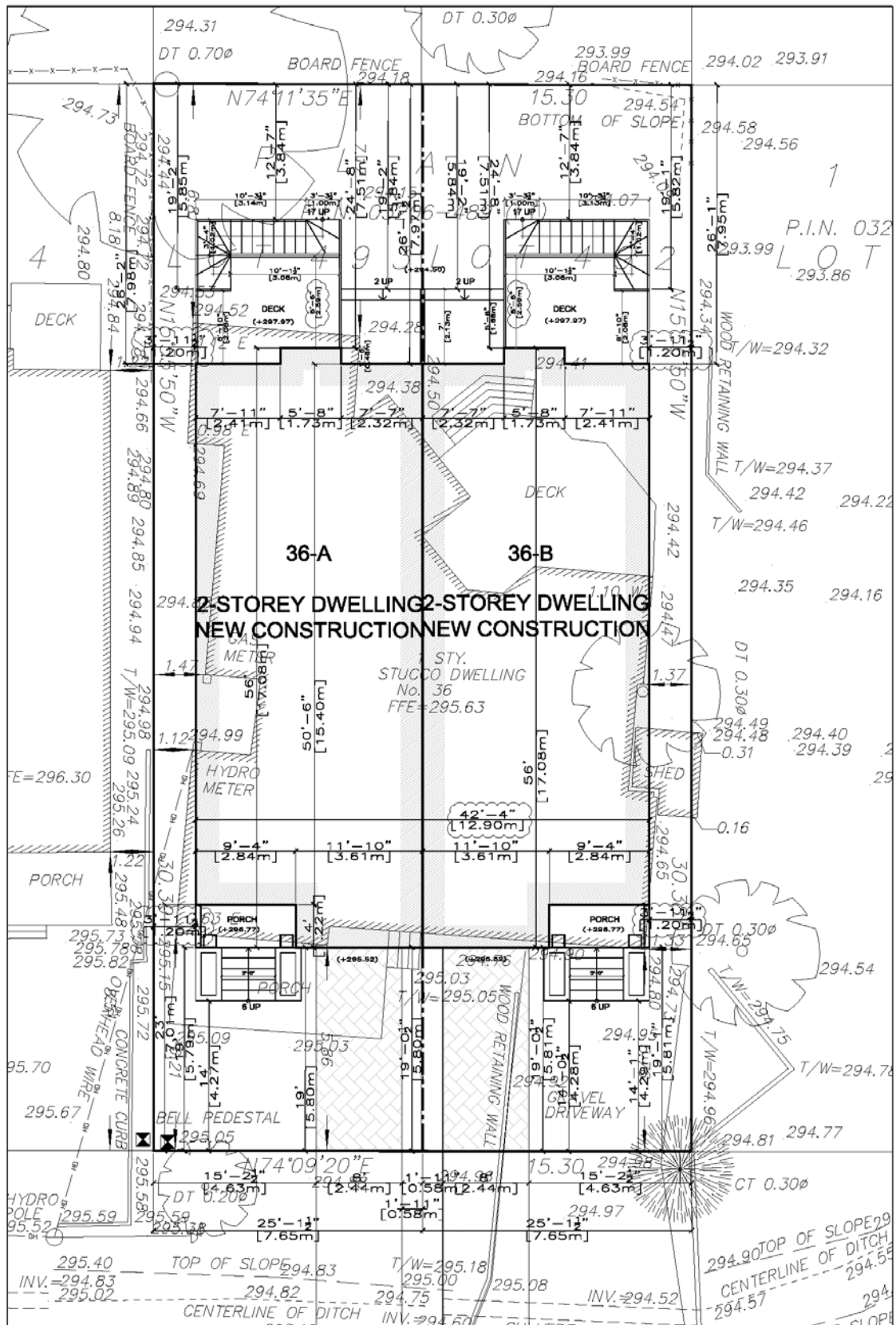
PL/SS SR PRS: 18:020

BLOCK 01

FILE NO. D02-16015

**TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT**

MAP 6 - PROPOSED SITE PLAN

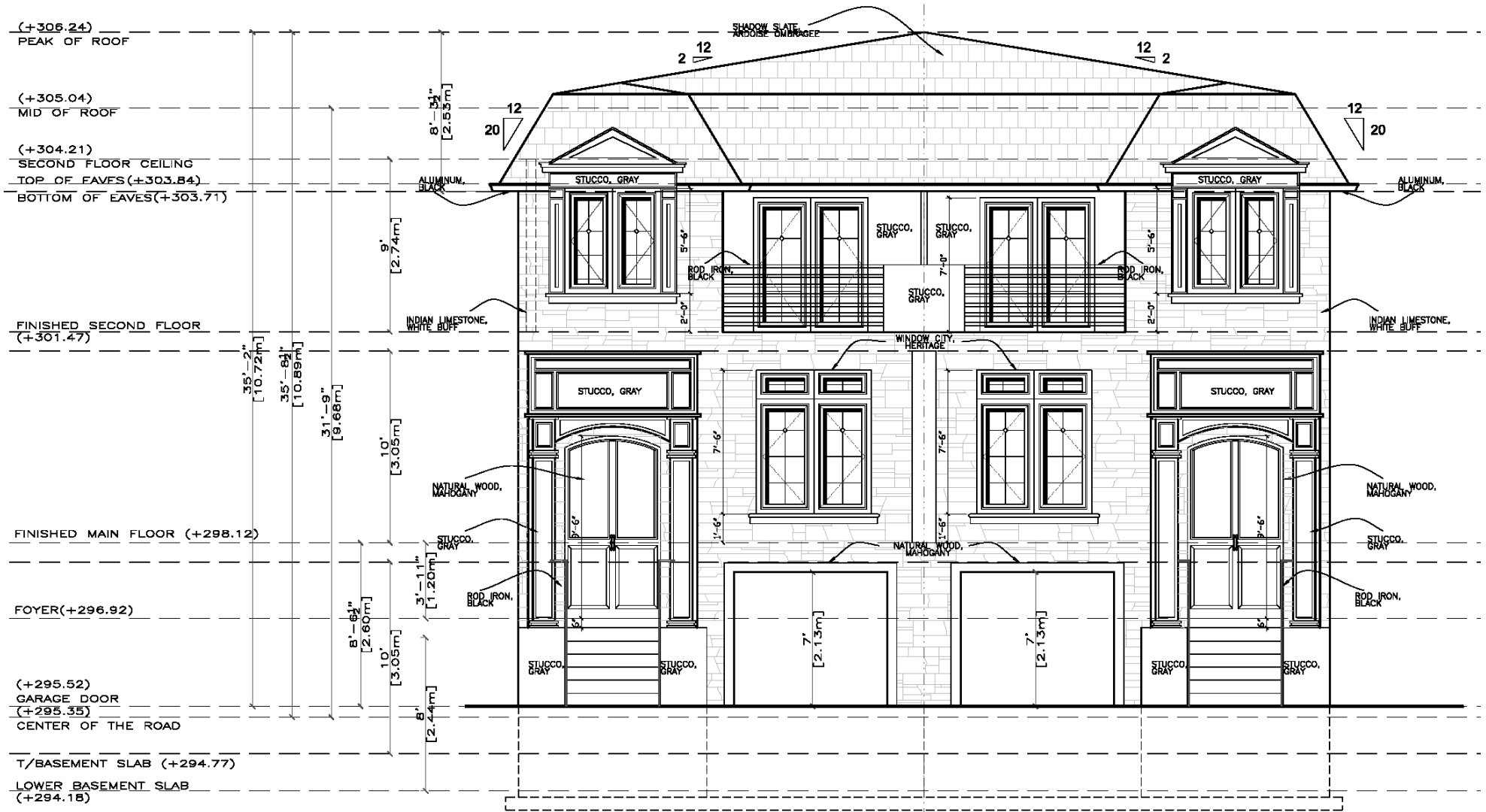


BLOCK 01 FILE NO.D02-16015

**Town of Richmond Hill
Planning and Regulatory
Services Department**

PL/SS SRPRS.18.020

MAP 7 - PROPOSED ELEVATION



BLOCK 01 FILE NO.D02-16015

**TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT**



Staff Report for Committee of the Whole Meeting

Date of Meeting: January 22, 2018

Report Number: SRPRS.18.024

Department: Planning and Regulatory Services

Division: Development Planning

Subject: SRPRS.18.024- Request for Approval – Zoning
By-law Amendment Application – Carol
Wilkinson – Town File D02-17023

Owner:

Carol Wilkinson
23 Long Hill Drive
Richmond Hill, ON
L4E 3M5

Agent:

Alexander Planning Inc.
72 Herefordshire Crescent
East Gwillimbury, ON
L9N 0B6

Location:

Legal Description: Lot 17, Plan 5509
Municipal Address: 23 Long Hill Drive

Purpose:

A request for approval concerning a proposed Zoning By-law Amendment application to facilitate the creation of two (2) additional building lots on the subject lands.

Recommendations:

1. **That the Zoning By-law Amendment application submitted by Carol Wilkinson for lands known as Lot 17, Plan 5509, municipally known as 23 Long Hill Drive, Town File D02-17023, be approved, subject to the following;**
 - a) **That the subject lands be rezoned from Rural Residential (RR1) Zone under By-law 2325-68, as amended, to Single Detached Six (R6) Zone, under By-law 235-97, as amended, and that the amending Zoning By-law**

establish site specific development standards as outlined in Staff Report SRPRS.18.024; and,

- b) That the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment.**

Contact Person:

Philip Liu, Planner I – Site Plans, phone number 905-747-6312 and/or
Deborah Giannetta, Manager of Development, Site Plans, phone number 905-771-5542

Report Approval:

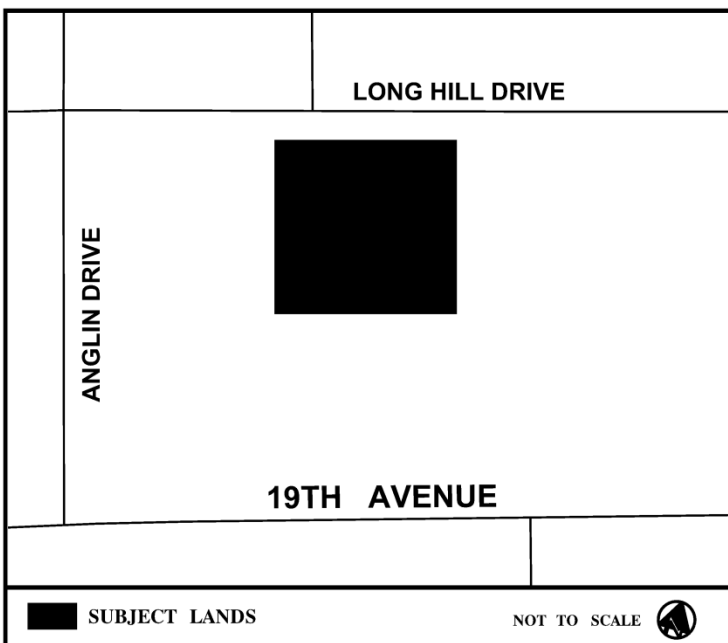
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

Location Map

Below is a map displaying the property location. Should you require an alternative format call person listed under “Contact Person” above.



Background:

The subject Zoning By-law Amendment application was received and deemed complete by the Town on August 4, 2017. A statutory Council Public Meeting was held on November 15, 2017 wherein Council received Staff Report SRPRS.17.182 for information purposes and referred all comments back to staff. The extract from the meeting is attached hereto as Appendix “A”. No issues were raised by the public or Council at the meeting.

The purpose of this report is to seek Council’s approval of the applicant’s Zoning By-law Amendment application.

Summary Analysis

Site Location and Adjacent Uses

The subject lands are located on the south side of Long Hill Drive, west of Anglin Drive and have a total lot area of 0.41 hectares (1.01 acres). The lands presently support a single detached dwelling that is to be retained. Surrounding land uses include residential uses to the east, south, and west, and Long Hill Drive to the north.

Development Proposal

The applicant is seeking Council’s approval of its Zoning By-law Amendment application to permit two (2) additional building lots on its land holdings. Two (2) new single detached dwellings are proposed to be constructed on each lot. The following is a summary table outlining the pertinent statistics of the applicant’s development proposal based on the plans and drawings submitted to the Town:

- **Total Lot Area: 4,094.70 square metres (44,074.98 square feet)**
- **Total Number of Units: 3**
- **Proposed East Lot**
 - Proposed Lot Area: 1,009.39 square metres (10,864.98 square feet)
 - Proposed Lot Frontage: 16.15 metres (52.99 feet)
- **Proposed West Lot**
 - Proposed Lot Area: 1,009.39 square metres (10,864.98 square feet)
 - Proposed Lot Frontage: 16.15 metres (52.99 feet)
- **Retained Lot**
 - Proposed Lot Area: 2,086.22 square metres (22,455.89 square feet)
 - Proposed Lot Frontage: 32.22 metres (105.71 feet)

Planning Analysis

Town of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with Schedule A2 – Land Use of the Town’s Official Plan (the “Plan”) (refer to Map 4). The lands are also located within the **Settlement Area** of the *Oak Ridges Moraine Conservation Plan*

(“ORMCP”) and within the Anglin Drive / Longhill Drive / 19th Avenue Residential Infill Study (the “Study”) area.

The **Neighbourhood** designation generally permits low and medium-density residential uses, neighbourhood commercial uses, community uses, parks and open spaces, as well as automotive service commercial uses subject to specific policy criteria as outlined in Chapter 4 of the Plan. The proposed additional single detached building lots are considered to conform with the **Neighbourhood** designation as follows:

- the proposed lots will accommodate single detached dwellings which are a permitted form of low density residential under the **Neighbourhood** designation; and,
- the proposed development would result in a built form that is generally compatible with the existing character of the adjacent and surrounding area with respect to predominant building forms and types, massing, landscaped areas and treatments, and general patterns of yard setbacks.

The subject lands are also located within the **Settlement Area** of the Oak Ridges Moraine as defined in accordance with the ORMCP. In accordance with Section 3.2.1.1 (18) of the Plan, all uses which are otherwise permitted under the Plan shall be permitted within the **Settlement Area**. In this regard, the proposed development would conform to the **Settlement Area** policies as the proposed single detached dwellings are a permitted use.

Anglin Drive / Longhill Drive / 19th Avenue Residential Infill Study

As noted previously, the subject lands are located within the boundaries of the Anglin Drive / Longhill Drive / 19th Avenue Residential Infill Study (the “Study”) area approved by Council in 1999 (see Map 5). The purpose of the Study was to provide key principles to guide future infill development in the study area. The Study recognized that building lots in the neighbourhood originally contained larger than typical side yards, thereby providing the potential for the creation of additional lots. Therefore the Study recommended new zoning provisions for the properties on Long Hill Drive that includes minimum lot sizes of 500 square metres (5,381.96 square feet), minimum frontages of 15 metres (49.21 feet), and minimum front yard setbacks of 7.60 metres (24.94 feet), among other provisions. The proposed development is consistent with the aforementioned zoning provisions.

Given all of the above, staff is of the opinion that the submitted Zoning By-law Amendment application has appropriate regard for, and is generally consistent with the policy direction for this part of the Town as outlined in the Plan and the recommendations of the Study.

Zoning By-Law Amendment Application

The subject lands are zoned **Rural Residential (RR1) Zone** under Zoning By-law 2325-68, as amended (refer to Map 3). This zone category allows for one single detached

dwelling, as well as various other uses including home occupations, places of worship, elementary schools, etc. The proposed building lots do not meet the minimum lot area and frontage requirements of the current zone category. Accordingly, in order to facilitate the proposed development, the applicant is seeking Council's approval to rezone the subject lands to **Single Detached Six (R6) Zone** under Zoning By-law 235-97, as amended. The following table outlines the existing zoning standards of the **RR1 Zone** in By-law 2325-68, as amended, relative to the development standards of the **R6 Zone**, proposed for the subject lands:

Development Standards	RR1 Standards, By-law 2325-68, as amended	R6 Standards, By-law 235-97, as amended
Minimum Lot Area	4,046.68 square metres (43,558 square feet)	500 square metres (5,382 square feet)
Minimum Frontage	45 metres (150 feet)	15 metres (49 feet)
Minimum Lot Coverage	N/A	40%
Minimum Front Yard Setback	7.62 metres (25 feet)	4.5 metres (15 feet)
Minimum Side Yard Setback	3.05 metres (10 feet)	1.5 metres (5 feet)
Minimum Rear Yard Setback	7.62 metres (25 feet)	7.5 metres (24 feet)
Minimum Height	N/A	11 metres (36 feet)

Planning staff has undertaken a comprehensive review of the applicant's development proposal and is of the opinion that it is appropriate for the following reasons:

- the zoning standards of By-law 2325-68, as amended, date back to 1968 and reflect a different neighbourhood context and setting. Since then, Long Hill Drive and the surrounding neighbourhood have been identified as a priority infill area which has experienced considerable redevelopment;
- the proposed **R6 Zone** category is consistent with much of the redevelopment in the area. Most of the surrounding properties that have been redeveloped have been rezoned to the **R6 Zone** category. Accordingly, the proposed building lots are consistent with the emerging lot fabric in the neighbourhood; and,
- the proposed additional single detached lots and the new dwellings meet all of the development standards of the **R6 Zone** and will not require any site specific provisions.

Based on the foregoing, staff is of the opinion that the development as proposed constitutes good and orderly planning. Accordingly, it is recommended that the applicant's Zoning By-law Amendment application be approved.

Town Department and External Agency Comments

Development Planning Division

Planning staff has reviewed the applicant's development proposal and is of the opinion that it is appropriate. Accordingly, staff recommends that the subject Zoning By-law Amendment application be approved on the following basis:

- the proposed future single detached lots and dwellings are consistent with the **Neighbourhood** designation policies of the Plan;
- the proposed development is consistent with the intent of the Study;
- the proposed **Single Detached Six (R6) Zone** category under Zoning By-law 235-97, as amended, is in keeping with redevelopment in the surrounding neighbourhood; and,
- the proposed lots will meet all of the development standards of the **R6 zone** under Zoning By-law 235-97, as amended.

It is noted that a future Consent application will be required to create the additional lots. In addition, Site Plan approval will also be required.

Heritage and Urban Design Section

Urban Design staff has reviewed the subject application in accordance with the Council approved Anglin Drive / Longhill Drive / 19th Avenue Residential Infill Study and the Town-wide Urban Design Guidelines and has provided design recommendations as outlined in Appendix C attached hereto. These comments will be addressed through the Site Plan approval process.

Other Departments/External Agencies

Comments received through the circulation of the applicant's development proposal from Town departments and external agencies have been satisfactorily addressed. Town departments and external agencies have no further comments or objections to the application.

Financial/Staffing/Other Implications:

This recommendation does not have any financial, staffing or other implications.

Relationship to the Strategic Plan:

The applicant's development proposal would align with **Goal Two - Better Choice in Richmond Hill** by providing housing that offers options for people at all stages of life. The proposal would also align with **Goal Four - Wise Management of Resources in Richmond Hill** by designing energy efficient dwellings and using land responsibly.

Conclusion:

The applicant is seeking Council's approval to rezone the subject lands to facilitate the creation of two (2) additional single detached lots on its land holdings. Staff is of the opinion that the submitted Zoning By-law Amendment application maintains the general

intent of the goals, objectives and policies of the Plan. The proposed development is considered appropriate and in keeping with the character of the surrounding area. The applicant has satisfactorily addressed the issues and concerns raised during the initial circulation of the proposal. Accordingly, staff recommends approval of the submitted Zoning By-law Amendment application as outlined and described within this report.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Appendix A Council Public Meeting Extract C#40-17 Held November 15, 2017
- Appendix B Draft Zoning By-law 5-18
- Appendix C Memo from Eno Udoh-Orok dated September 6, 2017
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Zoning
- Map 4 Official Plan Designation
- Map 5 Anglin Drive / Longhill Drive / 19th Avenue Residential Infill Study
- Map 6 Proposed Site Plan

Report Approval Details

Document Title:	SRPRS.18.024 - 23 Long Hill Drive - D02-17023 (CAROL WILKINSON).docx .docx
Attachments:	<ul style="list-style-type: none">- By-law 5-18 - Schedule A.pdf- MAP_1_AERIAL PHOTOGRAPH.pdf- MAP_2_NEIGHBOURHOOD_CONTEXT_S217023A.pdf- MAP_3_EXISTING_ZONING_S217023A.pdf- MAP_4_OFFICIAL_PLAN_DESIGNATION_LAND_USE.pdf- MAP_5_ANGLIN_DRIVE_LONG_HILL_DRIVE_19TH_AVENUE_INFILL_STUDY.pdf- MAP_6_PROPOSED_SITE_PLAN.pdf- SRPRS.18.024 - Appendix A (CPM Extract).docx- SRPRS.18.024 - Appendix B (Draft By-law).docx
Final Approval Date:	Jan 9, 2018

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

Gus Galanis - Jan 9, 2018 - 1:26 PM

Kelvin Kwan - Jan 9, 2018 - 3:29 PM

Neil Garbe - Jan 9, 2018 - 4:18 PM

Appendix A

3.3 Request for Comments – Zoning By-law Amendment Application – Carol Wilkinson – 23 Long Hill Drive – File Number D02-17023 – (Staff Report SRPRS.17.182)

Philip Liu of the Planning and Regulatory Services Department provided an overview of the proposed Zoning By-law Amendment application to facilitate the creation of two (2) additional building lots on the subject lands. Mr. Liu advised that staff's recommendation was that the staff report be received for information purposes only and all comments be referred back to staff.

Deborah Alexander, Alexander Planning Inc., agent for the applicant, provided additional information regarding the site location, adjacent uses, and development proposal, noting that it was one of the last remaining lots in the area to be developed. Ms. Alexander advised that the existing single detached dwelling on the subject lands would be retained, and that the application was in compliance with all provincial and regional policies, the Town's Official Plan, and the Anglin Drive/Longhill Drive/19th Avenue Residential Infill Study.

There were no members of the public who responded to the Chair's invitation to address Council on this matter.

Moved by: Councillor Muench
Seconded by: Regional and Local Councillor Spatafora

That staff report SRPRS.17.182 with respect to the Zoning By-law Amendment application submitted by Carol Wilkinson for lands known as Lot 17, Plan 5509 (municipal address: 23 Long Hill Drive), File Number D02-17023, be received for information purposes only and that all comments be referred back to staff.

Carried Unanimously

Appendix B

The Corporation of the Town of Richmond Hill By-law 5-18

A By-law to Amend By-law 2325-68, as amended, of
the former Township of Markham and

By-law 235-97, as amended, of The Corporation of the Town of Richmond Hill

Whereas the Council of the Corporation of the Town of Richmond Hill (the "Corporation") at its Meeting of January 29, 2018 directed that this by-law be brought forward to Council for its consideration;

The Council of the Corporation of the Town of Richmond Hill enacts as follows:

1. That By-law 2325-68, as amended, of the former Township of Markham ("By-law 2325-68") be and hereby is further amended by removing the lands shown on Schedule "A" to this By-law 5-18 (the "Lands") and any provisions of By-law 2325-68, that previously applied to the Lands shall no longer apply to the Lands.
1. That By-law 235-97, as amended, of the Corporation of the Town of Richmond Hill ("By-law 235-97") be and is hereby further amended by:
 - a) expanding the boundary area of By-law 235-97 to include the Lands;
 - b) rezoning the Lands to "Single Detached Six (R6) Zone" under By-law 235-97 as shown on Schedule "A" of this By-law 5-18; and,
2. All other provisions of By-law 235-97, not inconsistent with the foregoing, shall continue to apply to the Lands shown on Schedule "A" attached hereto.
3. Schedule "A" attached to By-law 5-18 is declared to form a part of this by-law.

Passed this XXth day of February XX, 2018.

Dave Barrow
Mayor

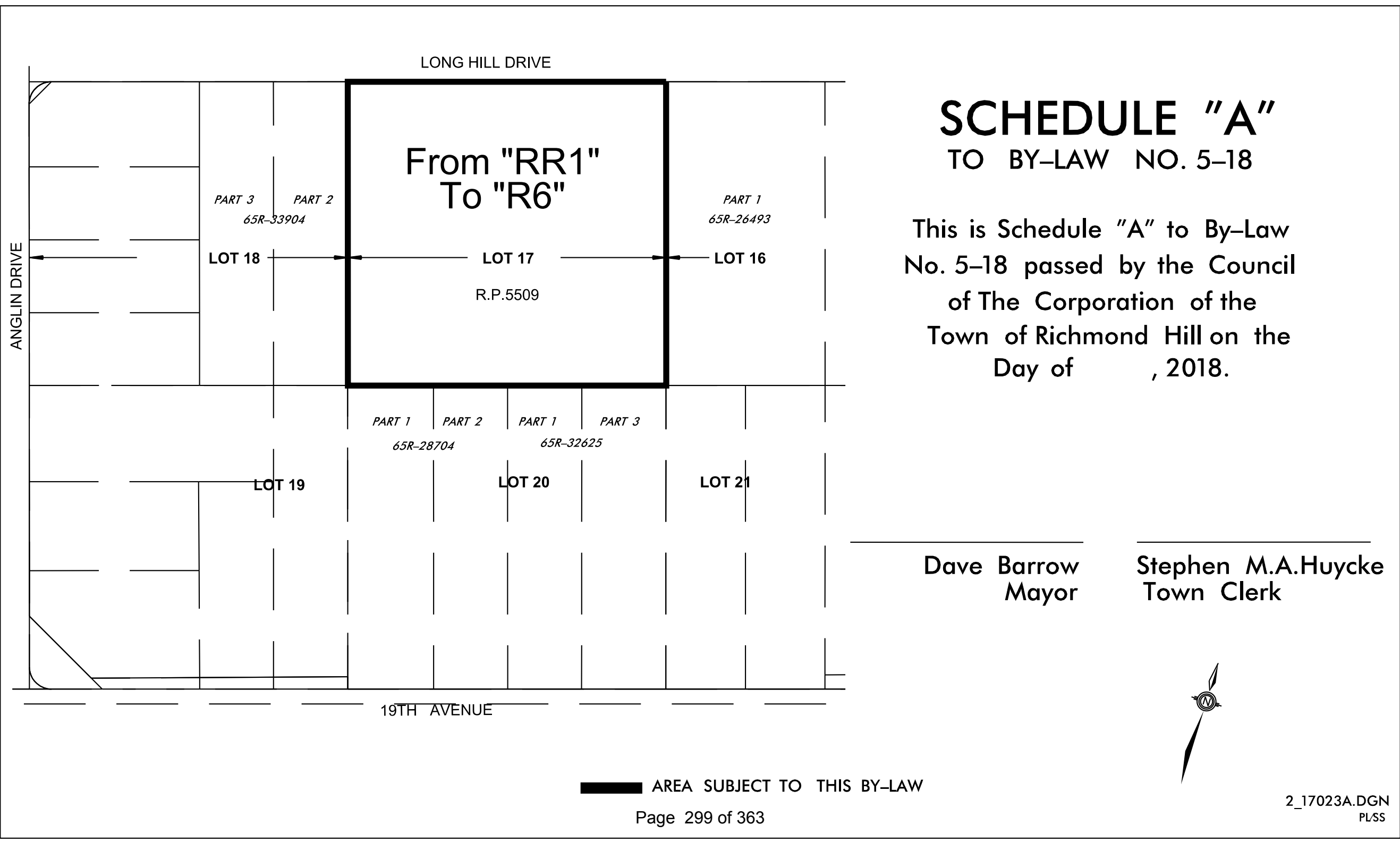
Stephen M.A. Huycke
Town Clerk

The Corporation of the Town of Richmond Hill Explanatory Note to By-law 5-18

By-law 5-18 affects lands known as Lot 17 Registered Plan 5509, Town of Richmond Hill, Regional Municipality of York, municipally known as 23 Long Hill Drive.

The subject lands are presently zoned “Rural Residential One (RR1) Zone” under By-law No. 2325-68, as amended of the former Township of Markham.

The purpose of By-law 5-18 is to rezone the lands to “Single Detached Six (R6) Zone” under Zoning By-law 235-97. The effect of this rezoning is to create two (2) additional single detached building lots.



SCHEDULE "A"
TO BY-LAW NO. 5-18

This is Schedule "A" to By-Law
No. 5-18 passed by the Council
of The Corporation of the
Town of Richmond Hill on the
Day of , 2018.

Dave Barrow
Mayor

Stephen M.A.Huycke
Town Clerk



■ AREA SUBJECT TO THIS BY-LAW



Appendix	C
SRPRS	18.024
File(s)	D02-17023

Planning & Regulatory Services Department
Policy Division

September 6, 2017

MEMO TO: Philip Liu, Planner I – Site Plan
FROM: Eno Udoh-Orok, Urban Designer
SUBJECT: Zoning By-law Amendment

Applicant Name: Wilkinson, Carol
Legal Description: PLAN 5509 LOT 17
Municipal Address: 23 Long Hill Drive
Town File No.: D02-17023

The subject lands are located on the south side of Long Hill Drive, within the boundaries of the *Anglin Drive / Long Hill Drive / 19th Avenue Infill Study*, with 65.53 m in lot frontage, and designated "Neighbourhood" in the Town's Official Plan. This portion of Long Hill Drive is characterized by one- and two-storey single detached dwellings.

The proposal is for a Zoning By-law Amendment to facilitate the creation of two additional lots on the subject lands. The retained portion will have a frontage of 33.2 m, and the two additional lots will have frontages of 16.15 m each. Lots opposite and adjacent to the subject lands on the east and west, and abutting the subject lands on the south have frontages ranging from 15.24 m to 50.79 m.

Staff has reviewed the application in accordance with the above noted infill study, and the Town's Council approved Town-wide Urban Design Guidelines, and notes that proposed lot frontages are within the ranges of lot frontages in the neighbourhood, and that the resulting lot pattern fits within the surrounding lotting fabric. Further, the proposed lot frontages are above the minimum of 15.0 m required in the infill study. Given the above, staff has no concerns with the proposed Zoning By-law Amendment.

Staff has reviewed the conceptual site plan submitted with this application, and provides preliminary urban design comments below. Detailed comments will be provided at the site plan application stage.

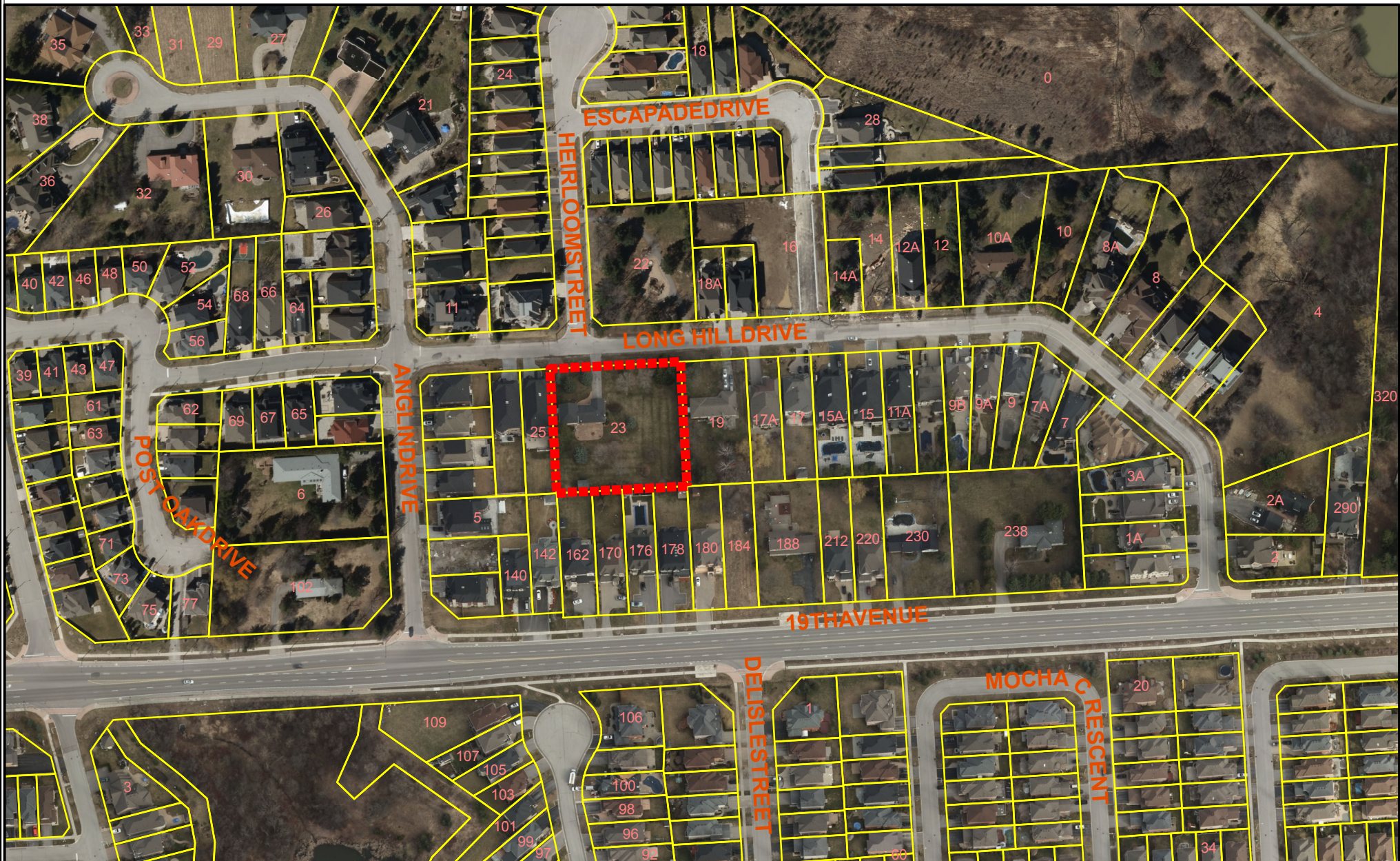
Building Design

1. Promote a safe, pedestrian-friendly neighbourhood by incorporating the principles of CPTED (Crime Prevention Through Environmental Design) into the building design, such as:
 - a) Emphasizing the principal pedestrian entrance, and de-emphasizing the presence of the garage on the front façade.
 - b) Providing ample windows facing the street to encourage "eyes on the street".
2. Enhance the visual appeal of the streetscape with a variety of architectural expressions among publicly exposed elevations. The siting of identical building elevations side by side or directly opposite on the same street is discouraged.

Eno Udoh-Orok

Eno Udoh-Orok

MAP 1 - AERIAL PHOTOGRAPH



Copyright J.D.Barnes Limited 2016 Orthophotography

BLOCK 10

File No. D02-17023

Legend

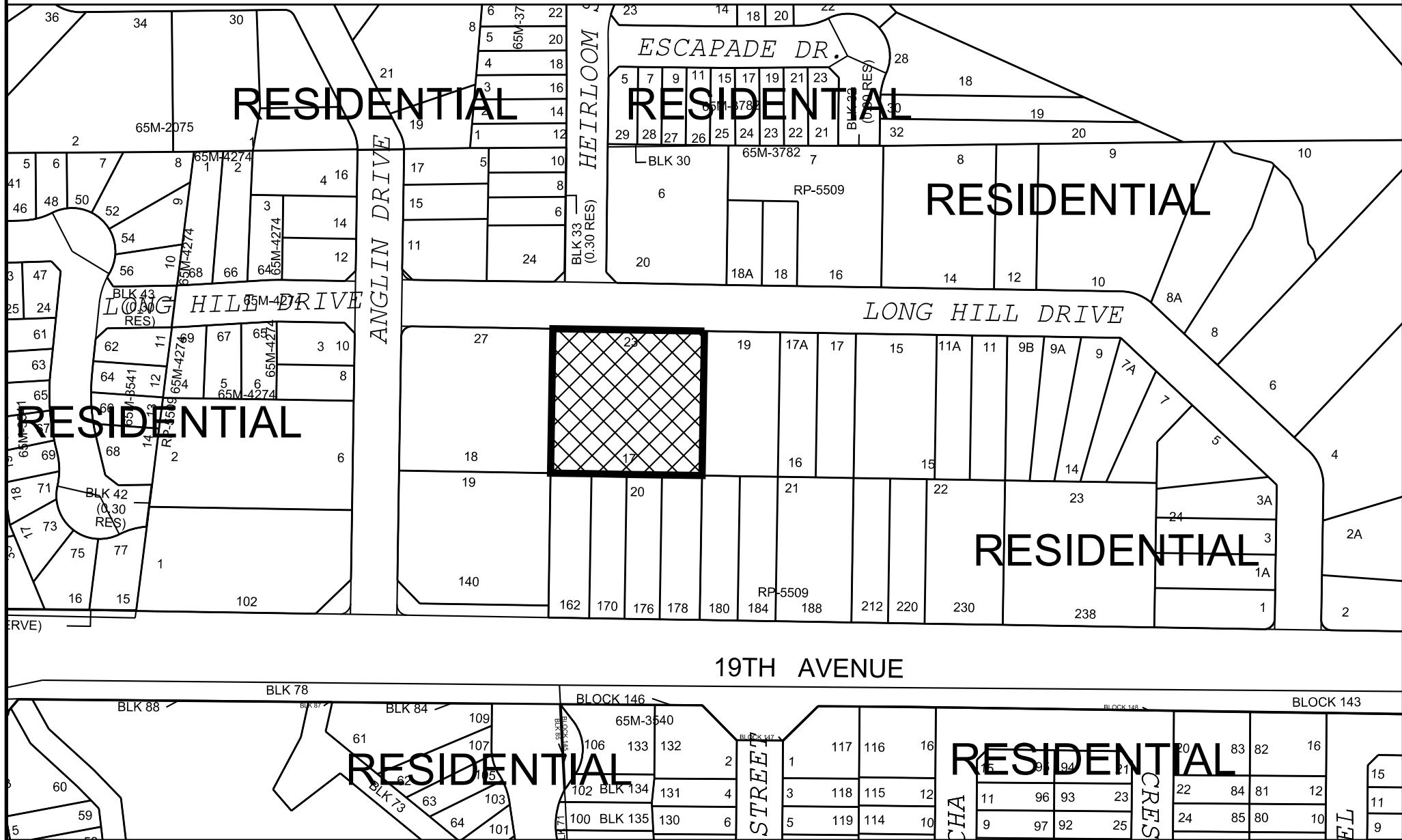
 SUBJECT LAND

PL/SS SRPRS 18 024
Page 303 of 363



**TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT**

MAP 2 - NEIGHBOURHOOD CONTEXT



SUBJECT LANDS

S217023A.DGN

PL/SS SP/RS 18 024
Page 305 of 363

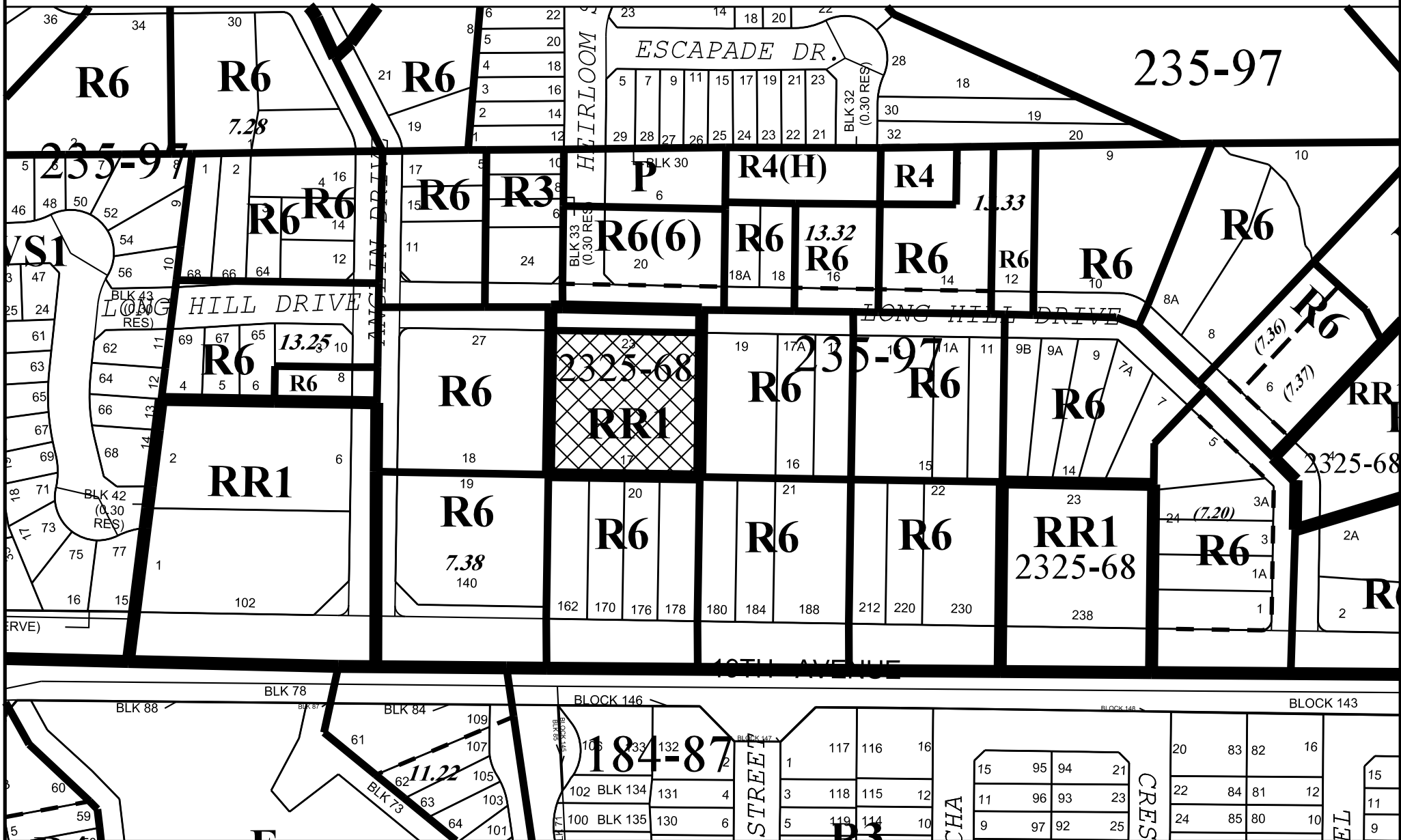


BLOCK 10

FILE NO.D02-17023

**TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT**

MAP 3 - EXISTING ZONING



SUBJECT LANDS

ZONING_S217023A.DGN

PL/SS SRPRS 18 024
Page 307 of 363

BLOCK 10

FILE NO.D02-17023

**TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT**

MAP 4 - OFFICIAL PLAN DESIGNATION - LAND USE



Legend

- Subject Lands
- SUBJECT AREA
- Natural Core
- Neighbourhood

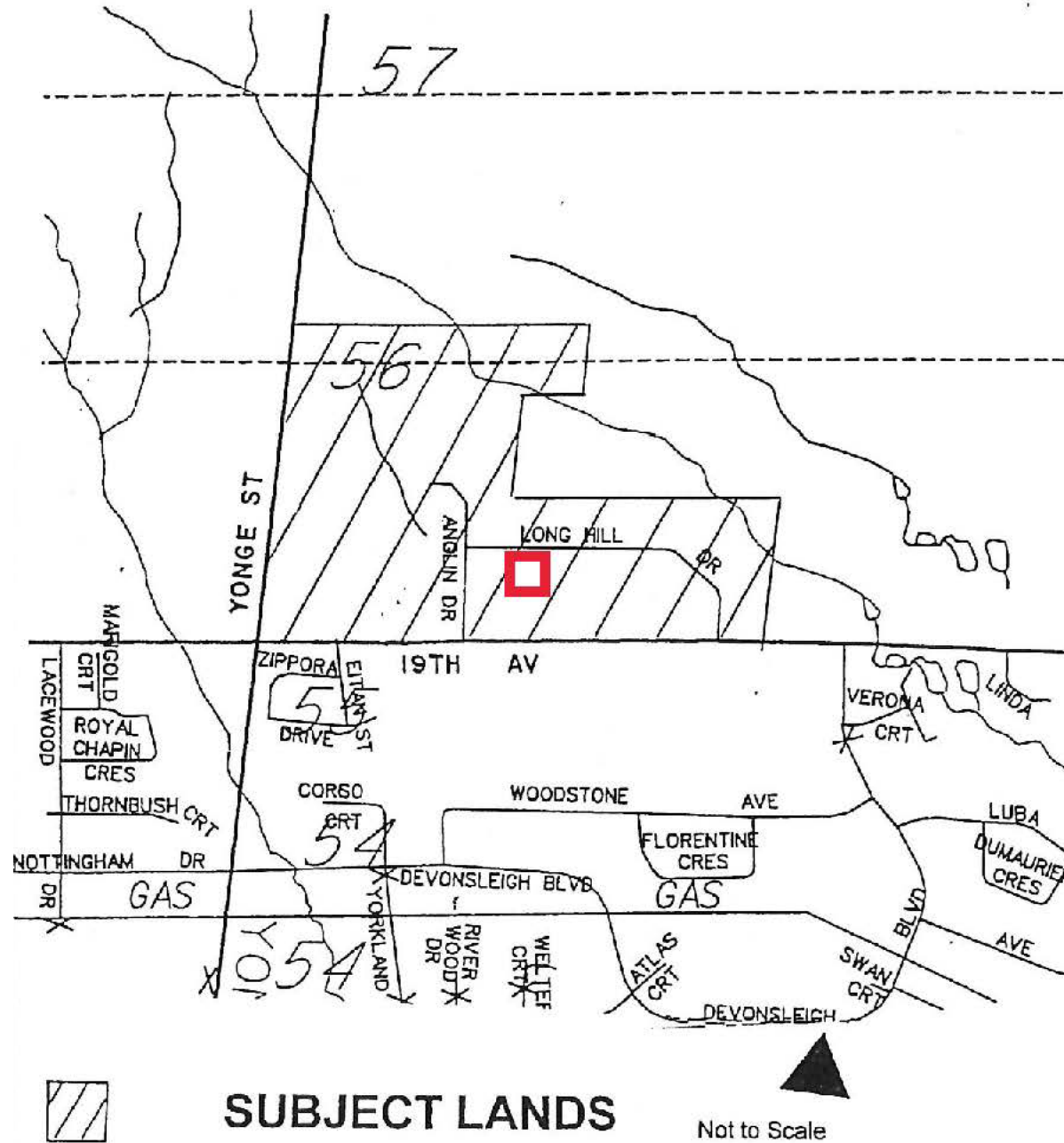
NOTE: The information provide in this map is a depiction of a portion of the Richmond Hill Official Plan. For accurate reference, the schedules and policies of the Richmond Hill Official Plan must be consulted. In the case of a discrepancy between the schedules and the policies of the Richmond Hill Official Plan, the policies shall take precedence.



BLOCK 10 FILE NO. D02-17023

TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT

MAP 5 – ANGLIN DRIVE / LONG HILL DRIVE / 19th AVENUE INFILL STUDY



Not to Scale

Block 10 File No. D02-17023

 Subject Lands

PL/SS SRPS.18.024

Town of Richmond Hill
Planning and Regulatory
Services Department

MAP 6 – PROPOSED SITE PLAN



Block 10 File No. D02-17023

**Town of Richmond Hill
Planning and Regulatory
Services Department**

PL/SS SRPS.18.024



Staff Report for Committee of the Whole Meeting

Date of Meeting: January 22, 2018

Report Number: SRPRS.18.023

Department: Planning and Regulatory Services

Division: Development Planning

Subject: Request for Approval – Private Street Naming
Application – Stateview Homes (Rialto Towns)
Inc. – Town File D15-17054 (SRPRS.17.196)

Owner:

Stateview Homes (Rialto Towns) Inc.
410 Chrislea Road
Vaughan, Ontario
L4L 8B5

Agent:

Evans Planning
8481 Keele Street, Unit 12
Vaughan, Ontario
L4K 1Z7

Location:

Legal Description: Lot 4 and Part of Lot 5, Registered Plan 2404
Municipal Address: 168 and 176 Elgin Mills Road West

Purpose:

A request for approval concerning a Private Street Naming Application to facilitate the naming of the private streets to be established within an approved residential development to be constructed on the subject lands.

Recommendations:

1. That Staff Report SRPRS.18.023 regarding a Private Street Naming Application submitted by Stateview Homes (Rialto Towns) Inc. for the lands known as Part of Lots 4 and 5, Registered Plan 2404, Town File Number D15-17054, be approved subject to the following:

- a) That the proposed private street names (Deep River Lane (P) and Rainy River Lane (P)) be approved in accordance with SRPRS.18.023; and,
- b) That staff be directed to bring forward a by-law to a regularly scheduled Council meeting to implement the proposed private street names.

Contact Person:

Kelsey Prentice, Planning Technician, phone number 905-771-2470 and/or
Deborah Giannetta, Manager of Development – Site Plans, phone number 905-771-5542

Report Approval:

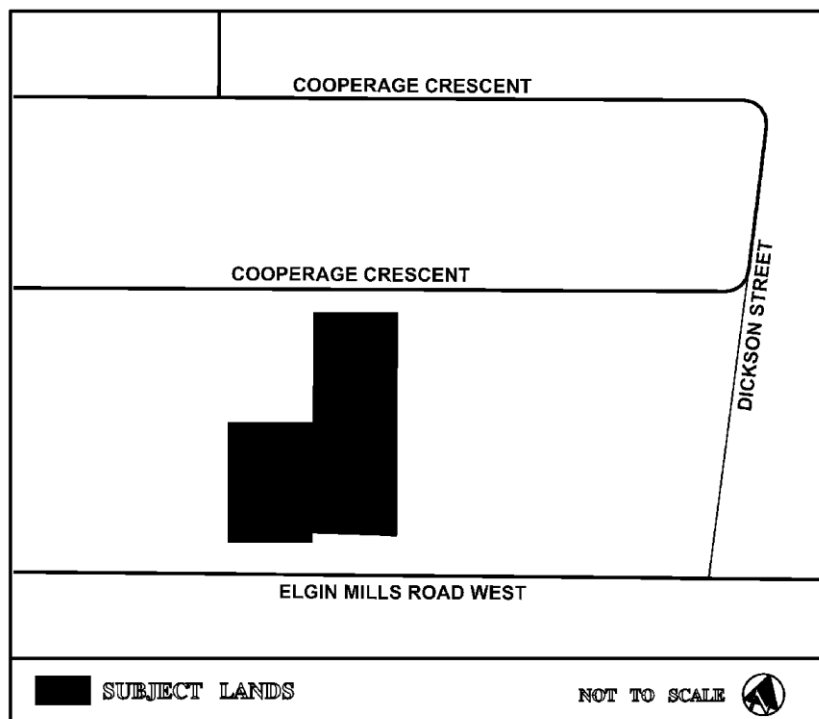
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

Location Map:

Below is a map displaying the property location. Should you require an alternative format call person listed under “Contact Person” above.



Background:

The subject Private Street Naming application was received and deemed complete on December 8, 2017. The lands were previously subject to Zoning By-law Amendment and draft Plan of Subdivision applications (Town Files D02-15004 and D03-16005) for a medium density residential development comprised of 19 townhouse dwellings. The Zoning By-law Amendment was approved on June 27, 2017 and the implementing Zoning By-law 51-17 was passed on July 10, 2017. The Plan of Subdivision was draft approved on June 27, 2017 and the applicant is currently working through the conditions of approval towards registration. The associated Site Plan application is in the final stages and has been circulated for sign off by various Town departments and external agencies.

The proposed townhouse units are to have frontage on two common element roads (refer to Map 3). These private streets are to be named through the enactment of a by-law in accordance with the Town's Municipal Street Naming and Addressing Guide. The purpose of this report is to seek Council's approval with respect to the applicant's Private Street Naming Application.

Site Location and Adjacent Uses

The subject lands are located on the north side of Elgin Mills Road West, west of Yonge Street and have a total lot area of 0.37 hectares (0.9 acres). The lands currently contain two single detached dwellings and abut Cooperage Crescent to the north, Elgin Mills Road West to the south, residential uses to the east and an institutional use (child care centre) to the west (refer to Map 1).

Owner's Request

The applicant is seeking Council's approval of its proposal to facilitate the naming of two private streets to be established as part of the approved 19 unit townhouse development to be constructed on the subject lands.

Discussion

The applicant has submitted a plan that depicts Deep River Lane (P) and Rainy River Lane (P) as the proposed street names for the private streets to be established on its land holdings. Staff has reviewed the application and notes that the proposed street names are appropriate for the following reasons:

- the proposed names are listed on Council's Approved Street Names list (refer to Appendix "A");
- the proposed suffix Lane (P) is consistent with Council's policy for denoting a private street;
- the proposed street names would facilitate an addressing scheme for the residential dwelling units that would be consistent with the Town's municipal addressing policies, specifically, sequential numbering with even numbers on one side of the private street and odd numbers on the other side;

- the proposed street names would apply to the new streets to be established within the proposed residential development and would not affect the established residential uses within close proximity or the existing streets in the area; and,
- the Town's Fire and Emergency Services and the Region of York staff has reviewed the proposed naming plan and advised they have no concerns.

On the basis of the preceding, staff would recommend that Council approve the applicant's Private Street Naming Application and direct staff to forward an implementing by-law to a regularly scheduled Council meeting for adoption.

Financial/Staffing/Other Implications:

The recommendation does not have any financial, staffing or other implications.

Relationship to the Strategic Plan:

The subject Private Street Naming Application would align with **Goal One - Stronger Connections in Richmond Hill** by providing physical connections in the community through improved function of buildings, streets and neighbourhoods. The proposed application would also align with **Goal Four of the Strategic Plan - Wise Management of Resources** in Richmond Hill as the Town is demonstrating it is a role model for municipal management amongst area municipalities through its established private street naming process.

Conclusion:

The applicant is seeking Council's approval of its Private Street Naming Application submitted in consideration of its proposal to name the private streets to be established within the approved residential development on its land holdings. In consideration of the preceding, it is recommended that this application be approved and that the implementing by-law be forwarded to a regularly scheduled Council meeting for adoption.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Appendix A, Excerpt from Council Approved Street Name List
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Proposed Street Naming

Appendix A

Excerpts from Council Approved Street Name List

"D"

David Eyer (Bayview North only)
Deep River (D06-15013)
Deseronto
Devork
Dewon

"R"

Rainy River (D06-15013)
Raisin
Redhorse (19T-93027 – Phase 3)
Red Squirrel
Ruscon

Report Approval Details

Document Title:	SRPRS.18.023.docx
Attachments:	- MAP_1_AERIAL_PHOTOGRAPH.pdf - MAP_2_NEIGHBOURHOOD_CONTEXT_S15_17054.pdf - MAP_3_PROPOSED_STREET_NAMING_NEW.pdf
Final Approval Date:	Jan 10, 2018

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

Gus Galanis - Jan 10, 2018 - 12:31 PM

Kelvin Kwan - Jan 10, 2018 - 12:35 PM

Neil Garbe - Jan 10, 2018 - 1:22 PM

MAP 1 - AERIAL PHOTOGRAPH



Copyright J.D.Barnes Limited 2016 Orthophotography

BLOCK 16

File No. D15-17054

Legend



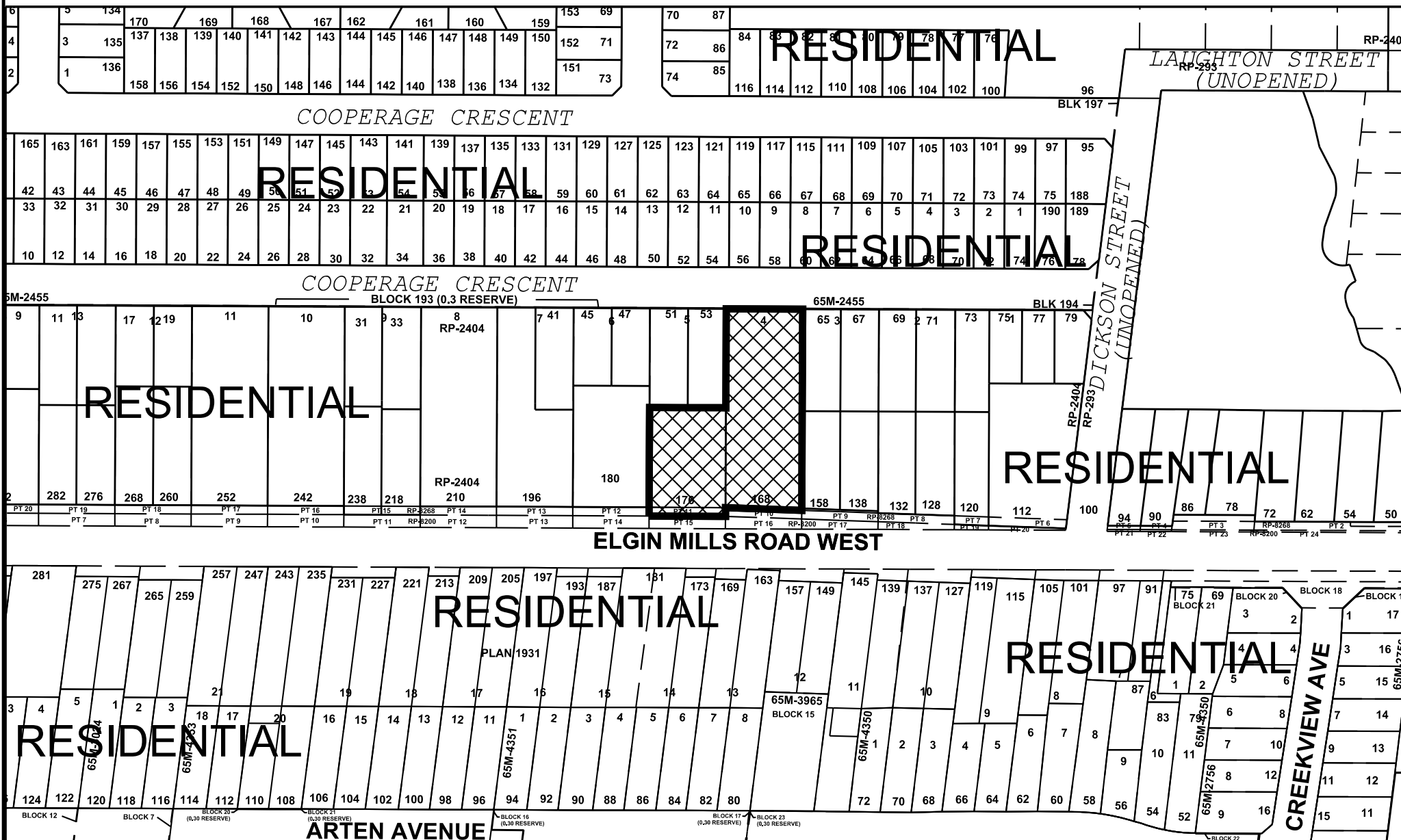
SUBJECT LANDS

KP/SS SRPRS 18.023
Page 323 of 363



**TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT**

MAP 2 - NEIGHBOURHOOD CONTEXT



SUBJECT LANDS

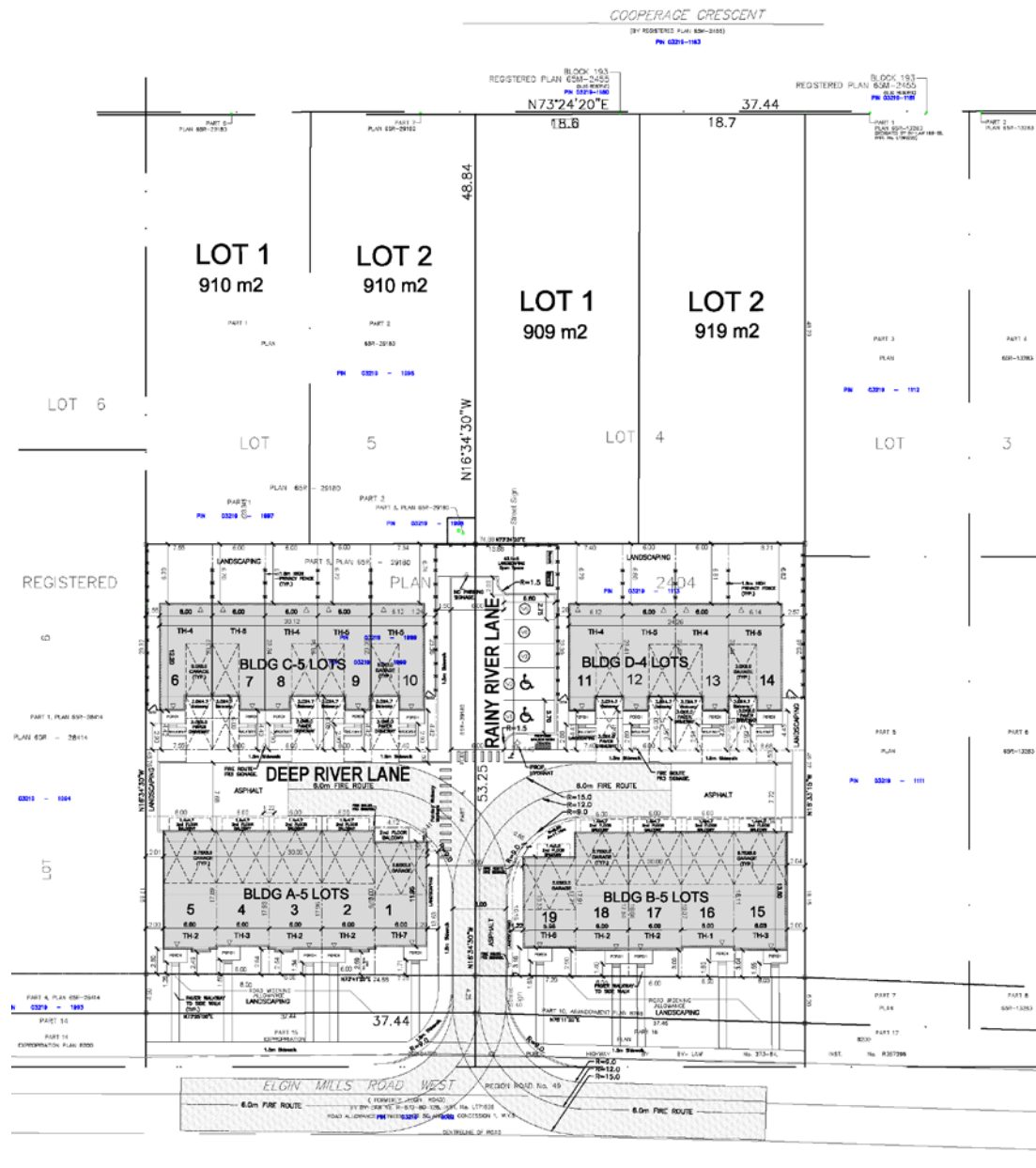
S15-17054.DGN

BLOCK 16

FILE NO.D15-17054

TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT

MAP 3 - PROPOSED STREET NAMING



BLOCK 16 FILE NO.D15-17054

**TOWN OF RICHMOND HILL
PLANNING AND REGULATORY
SERVICES DEPARTMENT**



Staff Report for Committee of the Whole Meeting

Date of Meeting: January 22, 2018

Report Number: SRPRS.18.014

Department: Planning and Regulatory Services
Division: Development Engineering and Transportation

Subject: SRPRS.18.014 Authorization To Acquire
Easement, Corsica Development Inc., Town File:
D03-10001

Purpose:

To authorize the Town acquisition of an easement from Corsica Development Inc. at no cost to the Town, for the purposes of facilitating a municipal watermain to service townhomes along Bayview Avenue for the Corsica Subdivision and to establish reserve lands as public highway.

Recommendation(s):

1. That the Town acquire an easement over lands being:

Part of Block 463, Plan 65M-4547, designated as Part 1, Plan 65R-37361,
Part of Block 462, Plan 65M-4547, designated as Part 2, Plan 65R-37361,
Part of Block 461, Plan 65M-4547, designated as Part 3, Plan 65R-37361,
Part of Block 460, Plan 65M-4547, designated as Part 4, Plan 65R-37361,
Part of Block 459, Plan 65M-4547, designated as Part 5, Plan 65R-37361,
Part of Block 458, Plan 65M-4547, designated as Part 6, Plan 65R-37361,
Part of Block 457, Plan 65M-4547, designated as Part 7, Plan 65R-37361,
Part of Block 456, Plan 65M-4547, designated as Part 8, Plan 65R-37361,
free of all costs and encumbrances.

2. That part of the foot reserve on Plan 2260, described as Part 4, Plan 65R-10984 be established as a public highway to become part of Hillview Drive.

Contact Person:

Manuela Kodra, Project Coordinator, 905-747-6415 and/or
Jeff Walters, Manager of Development Engineering, Subdivisions and Stormwater
Management, 905-747-6380

Report Approval:

Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

Background:

The subject easement lands are located west of Bayview Avenue and north of 16th Avenue as indicated on Map 1.

This easement is to be conveyed to the Town by the current registered owner being Corsica Development Inc. This easement is required to ensure Town ownership and maintenance access for a proposed watermain located within townhome blocks adjacent to Bayview Avenue. (Refer to Map 2 for location of easement).

The normal timing for conveyance of such an easement to the Town would be through execution of the applicable subdivision agreement. However, the need for this easement was only identified after the subdivision agreement process, as part of design changes triggered by utility locations and York Region's corridor management.

The easement is unique in that Enbridge has a gas main located adjacent to our proposed easement and they will need to have access over the Town easement to maintain their gas main. This watermain will be constructed by Corsica Development as an obligation under the applicable subdivision agreement and will eventually be assumed by the Town as part of the municipal servicing for the Corsica subdivision.

Staff have reviewed and are satisfied with the proposed location of the watermain and easement. Staff has no objection to this request as, conveyance of this easement is a condition of subdivision approval.

Accordingly staff recommends that the Town acquire the easement lands being Parts 1 to 8 on Plan 65R – 37361, (as indicated on Map 2), free of all costs and encumbrances.

In addition, as part of the Corsica subdivision, Hillview Drive will be reconstructed to a municipal standard including widening of the existing road allowance from 10m to a 20m width. The Town currently owns reserve lands along the south boundary of the original 10m road allowance. In order to provide public access to and from the Corsica Development to new lots on the south side of Hillview Drive, the timing is now appropriate to establish the reserve lands (Part of 1 foot reserve on Plan 2260, more specifically described as Part 4, 65R-10984) as a public highway to form part of Hillview Drive.

Financial/Staffing/Other Implications:

The acquisition of the subject easement will be at no cost to the Town. Any related conveyance costs will be borne by the developer.

Relationship to the Strategic Plan:

The acquisition of this easement supports the Town's Strategic Plan goal of wise management of Town resources.

Conclusion:

Based on the above, staff recommends that the Town acquire easement lands being Parts 1 to 8 on Plan 65R-37361, for the purpose of maintaining municipal services, and that the reserve lands on Hillsview Drive be established as public highway, as outlined in this report.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Map 1, Location Map
- Map 2, Plan 65R-37361

Report Approval Details

Document Title:	SRPRS.18.014 Authorization for Easement.docx
Attachments:	- SRPRS.18.014 - Map 1.pdf - SRPRS.18.014 - Map 2.pdf
Final Approval Date:	Jan 10, 2018

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

Dan Terzievski - Jan 10, 2018 - 3:44 PM

Kelvin Kwan - Jan 10, 2018 - 3:49 PM

Neil Garbe - Jan 10, 2018 - 3:53 PM

SRPRS.18014

MAP 1

LOCATION MAP

**Reserve Block to establish
as part of Hillsview Drive**

**Lands to be conveyed
to the Town**

CORSICA DEVELOPMENT INC.

19T - 10001

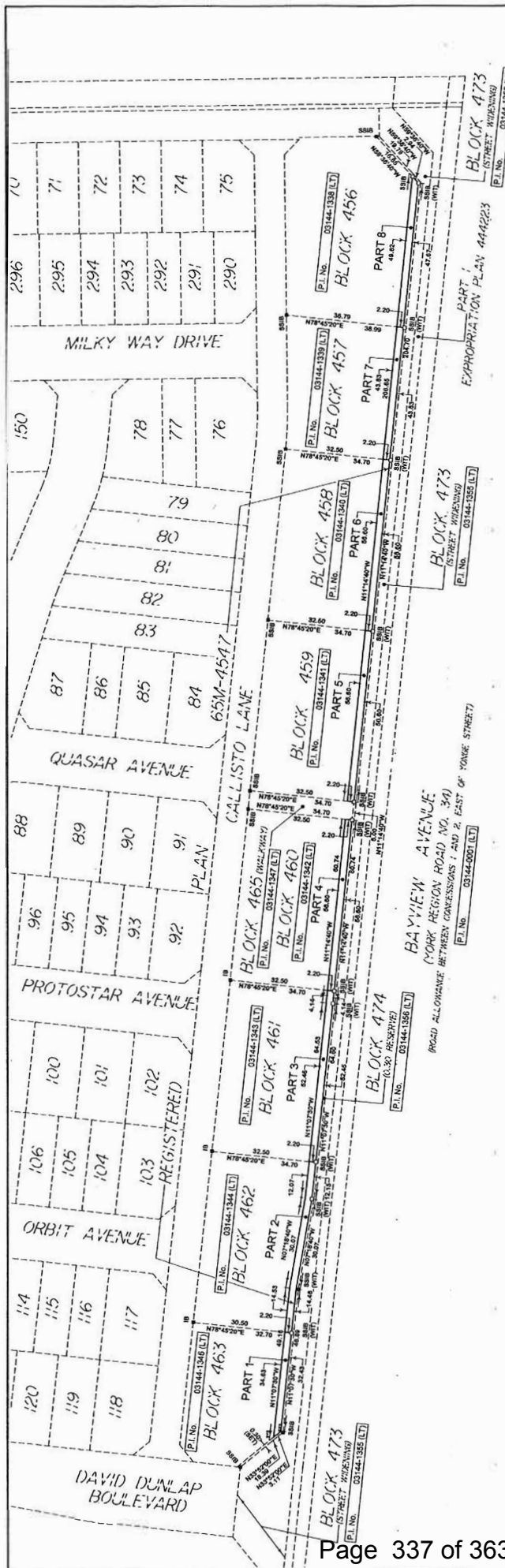
KEY PLAN



0 80 160 320 Meters

Disclaimer

This information is provided as a public resource of general information by the Town of Richmond Hill. The information is provided for convenience only, and the Town of Richmond Hill disclaims any responsibility for content, accuracy, currency or completeness. This is not a plan of survey.



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE SEPTEMBER 7, 2017
Gregory MacDonald
 GREGORY MACDONALD, O.L.S.

PLAN 65R-37361

RECEIVED AND DEPOSITED
 DATE September 15, 2017

"M. Myrcosia"
 REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF YORK DNO. 653

METRIC

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

SCHEDULE

PART	BLOCK	PLAN	P. I. NO.	AREA
1	PART OF BLOCK 463		PART OF PIN 03144-1345	73.76 ²
2	PART OF BLOCK 462		PART OF PIN 03144-1344	124.78 ²
3	PART OF BLOCK 461		PART OF PIN 03144-1343	124.58 ²
4	PART OF BLOCK 460		PART OF PIN 03144-1342	124.58 ²
5	PART OF BLOCK 459		PART OF PIN 03144-1341	124.58 ²
6	PART OF BLOCK 458		PART OF PIN 03144-1340	124.58 ²
7	PART OF BLOCK 457		PART OF PIN 03144-1339	96.48 ²
8	PART OF BLOCK 456		PART OF PIN 03144-1338	107.08 ²

PLAN OF SURVEY OF
**PART OF BLOCKS 456, 457, 458, 459
 460, 461, 462 AND 463**
REGISTERED PLAN 65M-4547
 TOWN OF RICHMOND HILL
 REGIONAL MUNICIPALITY OF YORK
 SCALE 1:750

WSP GEOMATICS ONTARIO LIMITED
 ONTARIO LAND SURVEYORS
 2017

**SRPRS.18.014
 MAP 2
 PLAN 65R-37361**



NOTE

BEARINGS ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS EDWIN OF RICHMOND HILL MONUMENTS 50001 AND 54007 (UTM ZONE 17, NAD83 (ORIGINAL)).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99976737

SPECIFIED CONTROL POINTS (500'S): UTM ZONE 17, NAD83 (ORIGINAL)
 COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF OREG. 216/10

POINT ID	NORTHING	EASTING
50001	4858517.086	627490.967
54007	4858538.883	620221.358

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

LEGEND

■	DENOTES	FOUND
□	DENOTES	PLANTED
▣	DENOTES	STANDARD IRON BAR
▤	DENOTES	SHORT STANDARD IRON BAR
▥	DENOTES	IRON BAR
▦	DENOTES	PLASTIC BAR
▧	DENOTES	MMI GEOMATICS ONTARIO LIMITED
▨	DENOTES	ORIGIN UNKNOWN
▩	DENOTES	WITNESS
▪	DENOTES	REGISTERED PLAN 65M-4547
▬	DENOTES	UNABLE TO SET DUE TO CONSTRUCTION

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 1ST DAY OF SEPTEMBER, 2017.

SEPTEMBER 7, 2017
 DATE

Gregory MacDonald
 GREGORY MACDONALD
 ONTARIO LAND SURVEYOR

WSP Geomatics Ontario Limited		Ontario Land Surveyors	Drawing Number: 10-08-069-003
610 Chartwell Road, Suite 300, Oakville, Ontario Canada, L6J 4A5			
T: 905-823-8500 F: 905-823-8503 Website: www.wspgrp.ca			
P. Chief:	Drawn By: C.E.W.	Check By: G.M.	
Job Number: 08M-00007 06-512		Tab Name: R PLAN (A0)	
Draw File Name:		1008069_0638_C30 DWG	



Staff Report for Committee of the Whole Meeting

Date of Meeting: January 22, 2018

Report Number: SRPRS.18.001

Department: Planning and Regulatory Services
Division: Development Engineering and Transportation

Subject: SRPRS.18.001 - Great Land (Yonge 16th) Inc. -
Assumption of Municipal Services -Related Site
Plan file: D06-08038 -Town Files: L03-GR and
L03 -11003

Purpose:

To assume the external sanitary sewer associated with a servicing agreement with Great Land (Yonge 16th) Inc.

Recommendation(s):

1. That the assumption of the external sanitary sewer, located within the existing right of way of 16th Avenue, the 16th Avenue Service Road, and within a Town easement over Part of Lot 41, Concession 1, described as Parts 1 to 4 on Plan 65R-35815, be approved.

Contact Person:

Erik Loorand, Programs Coordinator Subdivisions, 905-747-6357 and/or
Jeff Walters, Manager of Development Engineering, 905-747-6350 and /or
Dan Terzievski, Director of Development Engineering and Transportation, 905-747-6358

Report Approval:

Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

Background:

The Great Land (Yonge 16th) Inc. Site Plan D06-08038 is a high rise development located on the east side of Yonge Street, south of 16th Avenue, as indicated on Map A.

As part of this development, an external sanitary sewer has been constructed within the right of ways of 16th Avenue, the 16th Avenue Service Road, and within a Town easement, with the purpose of providing a sanitary servicing outlet for Great Land (Yonge 16th) Inc. Condominium site plan.

Great Land (Yonge 16th) was obligated to construct this sewer through a servicing agreement LO3-GR, with the Town.

The subject sanitary sewer also provides an appropriately sized trunk sanitary sewer outlet for the Yonge /16th Avenue development area which discharges to the York Durham Sanitary Sewer System. As such, this sewer will be further utilized by other developments as they proceed in the area.

The developer has completed these works and has requested that the external sanitary sewer be assumed by the Town. The sewer is located within the Right of Way of 16th Avenue, the 16th Avenue Service Road, as well as a servicing easement in favour of the Town over Part of Lot 41, Concession 1 East of Yonge Street, described as Parts 1 to 4 on Plan 65R-35815. These roads have been established as public highways and both Region of York and Town inspection staff are satisfied with the services provided.

Based on fulfillment of the conditions from the servicing agreement as summarized in Appendix A, staff recommends that the subject external sanitary sewer be assumed by the Town.

Financial/Staffing/Other Implications:

Upon assumption, the Town will be responsible for the maintenance and operation of above and belowground infrastructure within the subject lands. The annual maintenance cost is estimated to be \$1,802.00.

It is recommended that the Public Works Operations annual operating budget be increased during the next budget cycle process to reflect these additional costs.

Relationship to the Strategic Plan:

Assumption of municipal services demonstrates our responsibility to provide wise management of our resources.

Conclusion:

Based on the above, staff recommends that the external sanitary sewer associated with the Great Land (Yonge 16th) Inc. servicing agreement File number L03- 11003 ,and as outlined in this report, be assumed.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Appendix A – List of Fulfilled Servicing Agreement Sections
- Map 1 – Location Map

Appendix A

Section 6.1 – As-Built Drawings

Schaeffer and Associates Ltd., consulting engineers to the owner, has submitted a complete set of as-built engineering drawings for the services to be assumed. These drawings have been certified by the engineer who supervised the construction and have been reviewed by EIS - Design section on October 13, 2017.

Section 6.2 and 6.5 – Consulting Engineer's Certificate

Schaeffer and Associates Ltd., has provided a certificate stating that the services have been completed in general conformance with the approved drawings. Final inspection of the municipal services was carried out and completed as of October 18, 2017 with the Town's inspection staff. Accordingly, services have been constructed to Town's standards.

Section 6.4 – Letter of Credit

Current Servicing Letter of Credits (30 % of cost of works)	\$187,409.00
Value of works being assumed under this report (partial)	\$326,376.00
Letter of Credit retained upon Assumption (15% cost of assumed works)	\$56,456.40
Letter of Credit value released on Assumption (15% of assumed works)	\$56,456.40

This letter of credit portion pertaining to these assumed works will remain in place for the duration of the maintenance period which is 24 months from the date of the assumption bylaw. The balance of the letter of credit will be reduced further on assumption of the remaining currently unassumed services.

Section 6.5 – Statutory Declarations

Statutory Declarations have been received from Great Lands (Yonge 16th) Inc., their consultant Schaeffer and Associates Ltd., and their contractor Memme Excavation Company Limited. These declarations state that all accounts relating to the installation of services within the 16th Avenue right of way and the Town easement have been paid in full.

Report Approval Details

Document Title:	SRPRS.18.001 - Assumption of Great Land Externals.docx
Attachments:	- SRPRS.18.001 Map 1.pdf
Final Approval Date:	Jan 10, 2018

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

David Dexter - Jan 9, 2018 - 3:31 PM

Dan Terzievski - Jan 10, 2018 - 3:05 PM

Kelvin Kwan - Jan 10, 2018 - 3:48 PM

Neil Garbe - Jan 10, 2018 - 3:52 PM

SRPRS.18.001

MAP 1

Location Map

Servicing easment

External Sanitary Sewer
to be assumed

Great Lands
Site Plan
D06 08038

GERMAN
MILLS CREEK

16TH AVENUE

YONGE STREET

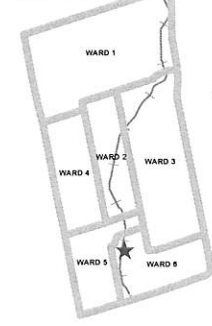
CARRVILLE ROAD

RED MAPLE ROAD

NORTHERN HEIGHTS DRIVE

SPRUCE AVENUE

KEY PLAN



Richmond Hill

Copyright / Printed:
Date: 11/21/2017

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The information is provided for convenience only, and the Town of Richmond Hill disclaims any
responsibility for content, accuracy, currency or completeness. This is not a plan of survey.



Staff Report for Committee of the Whole Meeting

Date of Meeting: January 22, 2018

Report Number: SRPRS.18.005

Department: Planning and Regulatory Services
Division: Development Engineering and Transportation

Subject: SRPRS.18.005 North Valley Developments Ltd -
Assumption of Municipal Services - Plan 65M-4321,
19T-05008 - Town File: D03-05008 (SRPRS.18.005)

Purpose:

To assume the internal and external aboveground and belowground municipal services as well as the related right-of-way associated with the Plan of Subdivision File 19T-05008, known as North Valley Developments Ltd., and to assume the right-of-way as public highway.

Recommendation(s):

- a) That the assumption of the aboveground and belowground municipal services within Plan 65M-4321 (Subdivision File 19T-05008), be approved;
- b) That the assumption of the external aboveground municipal services within the Bloomington Road road allowance, associated with Subdivision File 19T-05008, be approved;
- c) That the assumption of the external aboveground municipal services within the Paradelle Drive road allowance, and aboveground and belowground municipal services within the Worthington Avenue road allowance, associated with Subdivision File 19T-05008, be approved; and
- d) That Finesse Court within the limits of Plan 65M-4321 (Subdivision File 19T-05008), be assumed as public highway.

Contact Person:

Angelo Vincent, Project Coordinator, 905-747-6308

Jeff Walters, Manager of Development Engineering, 905-747-6380

Report Approval:

Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

Background:

The subject lands are located within Plan of Subdivision 19T-05008 (known as North Valley Developments Ltd.). The subdivision is located south of Bloomington Road, and west of Bayview Avenue as indicated on Map A.

Internal and external aboveground and belowground services have been constructed within the Finesse Court road allowance as part of this Subdivision.

The developer has requested that the internal aboveground and belowground services associated within Plan 65M-4321 of Subdivision File 19T-05008 and the external aboveground and belowground services located within the Bloomington Road allowance, Paradelle Drive road allowance and Worthington Avenue road allowance be assumed by the Town.

Based on fulfillment of the conditions from the subdivision agreement as summarized in Appendix A, staff recommends assumption of internal and external aboveground and belowground services. Staff also recommends that the Finesse Court within Plan 65M-4321 of Subdivision File 19T-05008, be assumed as public highway.

Financial/Staffing/Other Implications:

Upon assumption, the Town will be responsible for the maintenance and operation of above and belowground infrastructure within the subject lands. The annual maintenance cost is estimated to be \$5,120.

It is recommended that the Public Works Operations annual operating budget be increased during the next budget cycle process to reflect these additional costs.

Relationship to the Strategic Plan:

Assumption of municipal services demonstrates our responsibility to provide wise management of our resources.

Conclusion:

Based on the above, staff recommends assumption of the internal and external aboveground and belowground municipal services associated with 19T-05008 as outlined in this report and that Finesse Court within Plan 65M-4321 be assumed as public highway.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Appendix A, List of Fulfilled Subdivision Agreement Sections
- MAP A - Location Map
- MAP B - 65M-4321

Appendix A

Section A.23 – As-Built Drawings

Valdor Engineering Inc., consulting engineers to the owner, has submitted a complete set of as-built engineering drawings for the services to be assumed. These drawings have been certified by the engineer who supervised the construction and have been reviewed by EIS - Design section on September 7, 2017.

Section A.24 – Consulting Engineer's Certificate

Valdor Engineering Inc., has provided a certificate stating that the services have been completed in general conformance with the approved drawings. Final inspection of the municipal services was carried out and completed as of June 7, 2016 with the Town's inspection staff. Accordingly, services have been constructed to Town's standards.

Section A.25 – Street Tree Planting and Parks

Street Tree Planting has been completed. Our Parks Section has concurred with the assumption of this plan proceeding.

Section A.26 – Letter from Ontario Land Surveyor

J.D. Barnes Limited, Ontario Land Surveyors, has provided a letter certifying that all standard iron bars (SIB's) as shown on the registered plan have been reinstated as of December 10, 2015.

Section A.27 – Letter of Credit

Current Servicing Overall Letter of Credit:	\$207,830.81
Letter of Credit retained upon Assumption (15% cost of works)	\$103,915.40

This letter of credit will remain in place for the duration of the maintenance period which is 24 months from the date of the assumption bylaw.

Section A.28 – Statutory Declaration

Statutory Declarations have been received from North Valley Developments Ltd., their consultant Valdor Engineering Inc., and their contractor Vaughan Paving Ltd. These declarations state that all accounts relating to the installation of services within Plan 65M-4321, for subdivision file 19T-05008 have been paid in full.

Section A.29 – House Construction

Houses have been constructed on 100% of the lots, satisfying the 80% minimum requirement allowing assumption to proceed.

Report Approval Details

Document Title:	SRPRS.18.005 North Valley Assumption of Municipal Services.docx
Attachments:	- SRPRS.18.005 Map A.pdf - SRPRS.18.005 Map B.pdf
Final Approval Date:	Jan 11, 2018

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

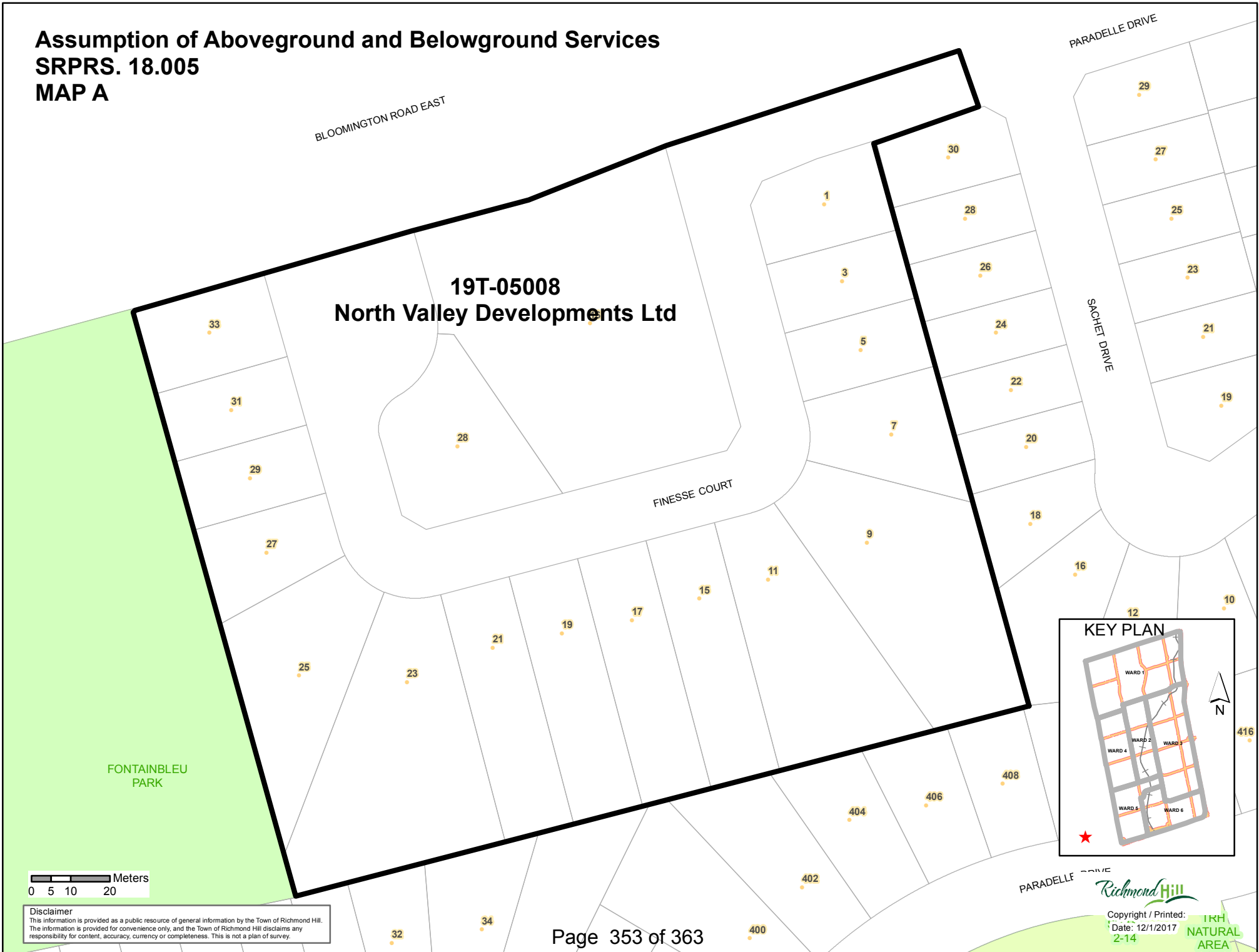
Dan Terzievski - Jan 11, 2018 - 11:05 AM

Kelvin Kwan - Jan 11, 2018 - 11:44 AM

David Dexter - Jan 11, 2018 - 12:08 PM

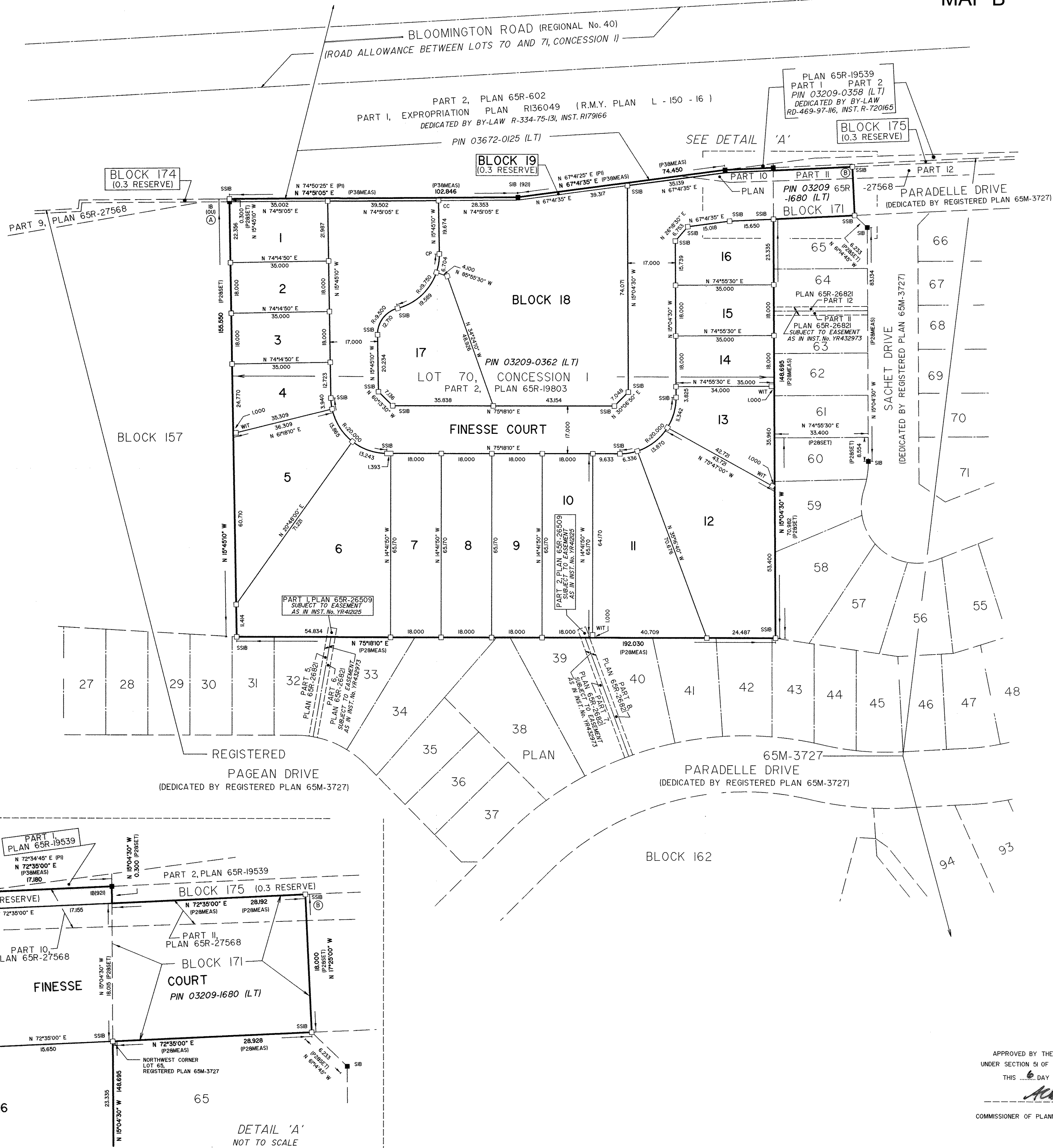
Neil Garbe - Jan 11, 2018 - 2:40 PM

Assumption of Aboveground and Belowground Services
SRPRS. 18.005
MAP A



CURVE DATA				
LOT	RADIUS	ARC	CHORD	CHORD BEARING
LOT 4	20.000	3.940	3.934	N 21°23'50" W
LOT 5	20.000	13.865	13.589	N 46°54'00" W
LOT 6	20.000	13.243	13.002	N 89°43'40" W
LOT 11	20.000	6.336	6.309	N 66°13'40" E
LOT 12	20.000	13.870	13.593	N 37°17'10" E
LOT 13	20.000	11.342	11.191	N 1°10'20" E
LOT 17	19.750	12.710	12.589	N 32°29'30" E
LOT 18	19.750	6.704	6.671	N 22°54'30" E

SRPRS.18.005
MAP B



PLAN 65M- 4321

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF YORK REGION (No. 65) AT 15:34 O'CLOCK ON THE 12th DAY OF June, 2012 AND ENTERED IN THE PARCEL REGISTER FOR PROPERTY IDENTIFIERS 03209-0362 AND 03209-1680 AND THE REQUIRED CONSENTS ARE REGISTERED AS PLAN DOCUMENT No. YR1836696

J. D. Barnes
REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF YORK REGION (No. 65)

THIS PLAN COMPRISES ALL OF PINS 03209-0362 (LT) AND 03209-1680 (LT) SUBJECT TO EASEMENT OVER PARTS 1 AND 2, PLAN 65R-26509 AS IN YR41215 - AFFECTS PART OF LOTS 6 AND 10

PLAN OF SUBDIVISION OF
BLOCK 171
REGISTERED PLAN 65M-3727 AND
PART OF LOT 70
CONCESSION 1
(GEOGRAPHIC TOWNSHIP OF WHITCHURCH, COUNTY OF YORK)
NOW IN THE
TOWN OF RICHMOND HILL
REGIONAL MUNICIPALITY OF YORK

SCALE 1: 750
20 0 10 20 30 40 50 metres

J. D. BARNES LIMITED

METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

OWNER'S CERTIFICATE - PLAN OF SUBDIVISION

THIS IS TO CERTIFY THAT:
1. LOTS 1 TO 17, BOTH INCLUSIVE AND BLOCK 18
THE STREET NAME: FINESSE COURT AND THE 0.3 RESERVE NAMELY BLOCK 19, HAVE BEEN LAID OUT IN ACCORDANCE WITH OUR INSTRUCTIONS.
2. THE STREET IS HEREBY DEDICATED TO THE CORPORATION OF THE TOWN OF RICHMOND HILL AS PUBLIC HIGHWAY.

DATED THIS 7th DAY OF Dec, 2011

NORTH VALLEY DEVELOPMENTS LTD.

Nick Cortellucci
NICK CORTELLUCCI
"I HAVE THE AUTHORITY TO BIND THE CORPORATION"

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP) DERIVED FROM GPS OBSERVATIONS USING THE REALTIME NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17, NAD83 (CSRS) (1997.0).

COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14 (2) OF OREG 216/10.

POINT ID	EASTING	NORTHING
ORP (A)	625 085.80	4 869 347.55
ORP (B)	625 297.18	4 869 416.25

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

DISTANCES ON THIS PLAN ARE GROUND LEVEL DISTANCES AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9997437.

FOR BEARING COMPARISONS, A ROTATION OF 0°00'30" COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON PLANS P2 AND P3 TO CONVERT TO GRID BEARINGS.

NOTES

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- CC DENOTES CUT CROSS
- CP DENOTES CONCRETE PIN
- OU DENOTES ORIGIN UNKNOWN
- (WIT) DENOTES WITNESS
- (JDB) DENOTES J. D. BARNES LIMITED
- 921 DENOTES P-SALMA COMPANY LTD., O.L.S.
- P1 DENOTES PLAN 65R-27568
- P2 DENOTES REGISTERED PLAN 65M-3727
- P3 DENOTES PLAN 65R-19803

SURVEY MONUMENTS PLANTED ARE IRON BARS, UNLESS OTHERWISE NOTED.
SURVEY MONUMENTS FOUND ARE (JDB), UNLESS OTHERWISE NOTED.
DISTANCES SHOWN ON CURVED LIMITS ARE ARC MEASUREMENTS.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON NOVEMBER 24, 2011

DECEMBER 7, 2011
DATE

Chris G. Robinson
CHRIS G. ROBINSON
ONTARIO LAND SURVEYOR

APPROVED BY THE TOWN OF RICHMOND HILL
UNDER SECTION 51 OF THE PLANNING ACT, R.S.O. 1990

THIS 6th DAY OF June, 2011

Commissioner
COMMISSIONER OF PLANNING AND REGULATORY SERVICES

J.D. BARNES
LIMITED
LAND INFORMATION SPECIALISTS
140 BENTLEY DRIVE, SUITE 100, MARKHAM, ON L3R 6B3
T: (905) 477-3600 F: (905) 477-3882 www.jdbarnes.com

DRAWN BY: RDW/SP	CHECKED BY: SP	REFERENCE NO.: 02-21-904-00-PHASE 2
FILE: g:\22190400\mp904p2.dgn		DATED: NOVEMBER 25, 2011



Staff Report for Committee of the Whole Meeting

Date of Meeting: January 22, 2018

Report Number: SRPRS.18.040

Department: Planning and Regulatory Services
Division: Development Engineering and Transportation

Subject: SRPRS.18.040 - Budget Approval for Town
Contribution towards Storm Drainage Works -
22 Elm Grove, Town File: B043/16

Purpose:

To obtain budget approval for a Town contribution towards storm drainage works required at 22 Elm Grove to support consent application B043/16.

Recommendation(s):

- a) That the Town approve a budget in the amount of \$100,000.00 as a Town contribution towards storm drainage works required at 22 Elm Grove, as a condition of approval for the related consent application.
- b) That the source of funding for this budget be the Water Quality Protection Charge Reserve.

Contact Person:

Jeff Walters, Manager of Development Engineering, Subdivisions and Stormwater Management, 905-747-6380.

Report Approval:

Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

Background:

In October of 2016, a previous owner of 22 Elm Grove provided written consent to allow the Town to enter onto this property to construct a temporary drainage ditch to safely direct upstream drainage to the existing storm sewer at 39 Regatta Avenue. The construction of this temporary drainage ditch resolved the historical drainage issues raised by the residents in this area.

The current owner of 22 Elm Grove has submitted a proposed grading/servicing plan to support conditions of approval under consent application B043/16. As part of the required servicing, storm drainage works are required to safely convey upstream drainage through 22 Elm Grove to outlet to the existing storm sewer at 39 Regatta Avenue.

The required storm drainage works include the extension of an existing storm sewer along the frontage of 22 Elm Grove and the installation of a storm sewer along the east side yard of 22 Elm Grove to connect and outlet the upstream drainage area to the storm sewer along the frontage of the Elm Grove properties. The location of the proposed storm sewers are indicated on Map A. The required storm drainage works will replace the temporary drainage ditch constructed in 2016.

As a condition of their consent approval, the owner of 22 Elm Grove will be required to enter into Grading/Servicing agreement with the Town which will obligate them to construct the required storm drainage works and to convey easements to the Town over their property in order to formalize access to the sewer for future operation and maintenance by the Town. These easements are to be conveyed at no cost to the Town.

Previous consent applications from 39 to 55 Regatta Avenue have only been obligated to construct a storm sewer at their cost along their frontage.

However, as the owner of 22 Elm Grove is obligated to construct both the sewer extension along their front as well as a sewer along their easterly property line, they have made a request for a Town contribution towards the construction of the portion of the required storm drainage works running along the east property limit (Appendix 1).

While it is reasonable to expect the Owner to cover the cost of the extension of the pipe across the frontage of their property, it would be onerous and unreasonable for the owner of 22 Elm Grove to bear the full cost of the storm sewer installation along the east side yard of their property, as this benefits the broader community and completes the servicing solution for the entire neighborhood by providing the upstream drainage area an outlet to the sewer on Elm Grove.

As such, staff believe it is reasonable for the Town to contribute funds towards this portion of the required drainage works.

The owner has provided a preliminary cost estimate for the required storm drainage works. Based on this information, staff has estimated a budget amount of \$100,000.00 for the storm sewer works along the east side yard including contingencies, engineering fees and taxes. The exact amount for the Town contribution will be confirmed once the owner provides actual construction cost information. The Town contribution will not exceed the proposed budget amount.

The Grading/Servicing agreement will contain an appropriate clause to document the amount of the Town contribution and conditions to be satisfied before release of the Town funds.

Financial/Staffing/Other Implications:

The proposed source of funding for this Town contribution is the Water Quality Protection Reserve. A budget amount of \$100,000.00 is proposed for this Town contribution and the Water Quality Protection Reserve has a current balance of approximately \$6,900,000.00. The actual cost will be confirmed upon the completion of the works, but will not exceed \$100,000.00.

Relationship to the Strategic Plan:

This proposed Town contribution supports the Town's Strategic Plan goal of wise management of our resources.

Conclusion:

Based on the above, staff recommend that a budget amount of \$100,000.00 be approved as a Town contribution towards storm drainage works required at 22 Elm Grove as a condition of approval for consent application B043/16 and that the source of funding be the Water Quality Protection Reserve.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Map A – Location Map
- Appendix 1 – Resident Request Letter

Report Approval Details

Document Title:	SRPRS.18.040 Budget Approval for Town Contribution.docx
Attachments:	- SRPRS.18.040 Appendix 1.pdf - SRPRS.18.040 Map A.pdf
Final Approval Date:	Jan 15, 2018

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

Dan Terzievski - Jan 12, 2018 - 11:51 AM

Kelvin Kwan - Jan 15, 2018 - 8:34 AM

David Dexter - Jan 15, 2018 - 9:22 AM

Neil Garbe - Jan 15, 2018 - 9:37 AM

MAP A
SRPRS.18.040

SWMF 1-6

RUSSELL
TILT PARK

Storm Sewer Extension Along Frontage
of 22 Elm Gove

REGATTA AVENUE

Existing Storm Sewer

Storm Sewer Along Sideyard of
22 Elm Grove subject to Town Contribution

Existing Drainage Channel
Contributing Upstream Drainage Area
of Approximately 6.6 hectares

KEY PLAN



0 5 10 20 Meters

Disclaimer
This information is provided as a public resource of general information by the Town of Richmond Hill. The information is provided for convenience only, and the Town of Richmond Hill disclaims any responsibility for content, accuracy, currency or completeness. This is not a plan of survey.

Date: November 30, 2017

To Whom It May Concern:

Re: 22 Elm Grove Ave.

Dear Sir/Madam,

I am writing this letter to obtain the City of Richmond Hill's contribution amount towards the cost of storm sewer works proposed along the east side of my property required to connect the upstream drainage area to the required storm sewer extension along the frontage of the property.

It will cost approximately \$100,000.00 to finish the project completely. I understand staff will be recommending approval of a Town budget of \$100,000.00 for this Town contribution. I also understand that the exact amount will be based on construction costs provided by my contractor and the contribution shall not exceed the budget amount.

I believe this project will help to end the hassle for City of Richmond Hill as well, that has been going on for many years.

Thank you for your soonest attention to this matter. I hope to receive your positive decision that will allow me to finish my project on the property timely and accordingly.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sezeyi Simsek', with a stylized flourish at the end.

Sezeyi Simsek

Property Owner
Of 22 Elm Grove Ave.