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## **Delivered by E-Mail**

May 28, 2018

The Committee of the Whole  
Town of Richmond Hill  
222 East Beaver Creek Road  
Richmond Hill, Ontario L4C 4W5

Dear Sirs/Mesdames:

### **Re: Worden Lands / 1393 Bethesda Side Road, West Gormley Secondary Plan**

Our firm has been retained by the owners of the Worden Lands to assist in the timely process and facilitation of the development proposal submitted to the Town on September 1, 2015 for the approval of a Site Specific Zoning Bylaw Amendment for a mixed use development that is hereinafter described.

Our client's position is that it is prepared to convey to the Town part 5 on Plan 65R-29736 in order to accommodate the installation of the water service, in consideration of its development application being approved.

Mindful that any approval is dependent of course on all applicable servicing and planning conditions being met, I will endeavour to address those issues hereunder based on my best and most current information.

For the purpose of this letter the terms and abbreviations set forth in Schedule "A" shall have the meanings set forth therein.

## **SERVICING**

The Staff Report submitted to the Committee of the Whole Meeting of March 19, 2018 recommends that the Servicing Agreement with the DG Owners be executed by the Town for the installation of external municipal servicing within the Bethesda Road, the Stouffville Road and Leslie Street Road allowances related to the DG Draft Subdivision Plans. The Servicing Agreement is a product of the Minutes of Settlement in that the obligations set forth therein have been incorporated into the Servicing Agreement.

Worden, as a signatory to the Minutes of Settlement, has agreed to advance or to secure its share of the costs to be incurred by the DG Owners in providing external services to the WGSPA on and subject to the terms set forth in the Minutes of Settlement.

In order to ensure that there was no aspect of the external servicing that affects the Worden Lands that is not already addressed in the Servicing Agreement, I spoke at length with Derrick Smith of TMIG, the engineer in charge of the DG Draft Subdivision Plans who advised me as follows:

“The Worden engineer, Hunter, has provided TMIG with the information required from Worden by the terms of the Minutes of Settlement and TMIG understands that Worden is now in agreement with the information provided by the DG Owners and that the pertinent drawings and reports by TMIG and the infrastructure proposed by TMIG accommodates the needs of the Worden Development. ([Attached hereto is a draft of a letter received by Hunter from TMIG.]”

## **PLANNING**

The Folium Concept Plan and associated proposed Zoning By-law Amendment provides for the development of a high density mixed use urban residential community as a component of the northeast Settlement Area of the WGSPA . The Plan creates a more balanced community consistent with the WGSPA policy 8.6.1a in that the balance of the WGSPA, as approved, generally contains low-rise, medium and low density built form . The Folium Plan includes buildings ranging from 2 to 20 storeys on those lands east of proposed Street A and is intended to provide approximately 540 residential units serving a potential population of about 1,250 people on a total development area of 4.95 hectares.

The Worden Development Area is designated “Residential Mixed Use” and ORM Linkage Area within the WGSPA. Through the OMB Order issued May 11, 2016 (OMB case number PL040712) full municipal services are to be provided to the Folium site. Green and other infrastructure servicing the development, including Street A and the storm water pond and the exfiltration swale area are located within the ORM Linkage Area as provided for in Policy 12(3)4 of the ORMCP.

The Plan complies with the policies of and promotes the intent of the Town’s Official Plan Part I and complies with and implements the policies of Part II of WGSPA.

The current zoning bylaw which governs the development of the Worden Development Area is Zoning Bylaw 128-04. This zoning bylaw has been amended (principally by removing lands from the Bylaw and placing them in a separate, site specific bylaw) to accommodate other development applications and approvals within the WGSPA. The Worden Development Area is currently zoned “UR-Urban” and “ORM Linkage Area”.

**CONCLUSION**

As stated earlier, this Plan has been with the Town since September 2015. While it is true that plans for the installation of the infrastructure had to be completed, that issue now merely awaits the June 20 municipal council meeting for finalization.

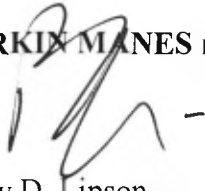
Therefore, between now and the next Council Meeting, it would be timely to have members of the Planning Staff initiate the required studies which this letter raises.

Thank you for your kind attention.

Yours truly,

**TORKIN MANES LLP**

Per:



Barry D. Lipson  
BDL/mta

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SCHEDULE “A”

“**DG**” refers to the DG Group;

“**DG Draft Subdivision Plans**” refers to the subdivision files 19T-03018, 19T-00019, 19T-03020, and 19T-03021;

“**DG Owners**” refers to Dickson 48 Property Inc., Sedgewick Property Inc., Centerfield Property Inc. and Long Body Homes Inc.;

“**Folium Concept Plan**” refers to the plan annexed hereto as Schedule A upon which it shown a proposed development creating approximately 540 residential units on the Worden Development Area;

“**Hunter**” refers to Hunter & Associates, the engineering firm engaged by Worden;

“**Minutes of Settlement**” refers to the resolution of matters arising from the Ontario Municipal Board proceedings bearing case number PL040712, based upon the agreement annexed to the Minutes of Settlement dated March, 2016;

“**MPlan Inc.**” refers to the planners engaged by Worden;

“**ORM Linkage Area**” refers to those lands referred to in Policy 12(3)4 of the ORMCP;

“**ORMCP**” refers to the Oak Ridges Moraine Conservation Plan;

“**Servicing Agreement**” refers to the obligations of DG to provide external municipal services related to the DG Draft Subdivision Plans;

“**Street A**” refers to the roadway shown on the Folium Concept Plan;

“**TMIG**” refers to The Municipal Infrastructure Group;

“**WGSPA**” refers to the lands contained within the West Gormley Secondary Plan Area;

“**Worden**” refers to Yvonne W. Worden and the Estate of William H. Worden;

“**Worden Development Area**” refers to the easterly portion of the Worden Lands containing 4.95 hectares; and

“**Worden Lands**” refers to the site located at the south west corner of the Bethesda and Leslie Street containing 10.39 hectares.