

Appendix	"A"
SRPRS	19-035
File(s)	D02-18011 (related D06-18022 and D06-18023)



**Toronto and Region
Conservation
Authority**

November 5, 2018

CFN: 59102.13

BY EMAIL: sarah.mowder@richmondhill.ca

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

Dear Ms. Mowder:

**Re: D02-18011 (Zoning Bylaw Amendment)
D06-18022 and D06-18023 (Site Plan Applications)
262 Douglas Road, Richmond Hill
Weilu He**

This letter will acknowledge receipt of the above noted application (August 13, 2018). Toronto and Region Conservation Authority (TRCA) staff have reviewed this application and provide the following comments.

PURPOSE OF THE APPLICATION

It is our understanding that the purpose of this application is to facilitate a future severance and permit the construction of two (2) single detached dwellings on the resulting lots.

APPLICABLE REGULATIONS AND POLICIES

Ontario Regulation 166/06:

The subject property is regulated by the TRCA as it is entirely within the Regional Storm Floodplain associated with Lake Wilcox. In accordance with Ontario Regulation 166/06, as amended (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses), a permit is required from the TRCA prior to any of the following works taking place:

- a) straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland;
- b) development, if in the opinion of the Authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development.

Development is defined as:

- i) the construction, reconstruction, erection or placing of a building or structure of any kind;
- ii) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;

- iii) site grading, including the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere.

TRCA's Living City Policies (LCP):

The LCP describes a "Natural System" of water resources, natural features and areas, natural hazards, potential natural cover and/or buffers. TRCA's LCP policies generally require that natural features within the "Natural System" be protected from development, site alteration and infrastructure. Notwithstanding additional setbacks prescribed by federal, provincial or municipal requirements, TRCA defines the limit of the "Natural System" as the greater of, but not limited to the following:

- Valley and Stream Corridors: 10 metre buffer from the greater of the long-term stable top of slope (LTSTOS), top of slope (TOS), Regulatory Floodplain, meander belt, and any contiguous natural features or areas;
- Woodlands: 10 metre buffer from the dripline and any contiguous natural features or areas;
- Wetlands: 30 metre buffer from provincially significant wetlands (PSWs) and a 10 metre buffer from all other wetlands and any contiguous natural features or areas.

Oak Ridges Moraine Conservation Plan (ORMCP):

Please be advised that the subject property is located on the Oak Ridges Moraine (ORM), within the Settlement Area land use designation of the Oak Ridges Moraine Conservation Plan (ORMCP). In accordance with the ORMCP, development and site alteration within a Key Natural Heritage Feature (KNHF) and/or Hydrologically Sensitive Feature (HSF) or its related 30 metre Minimum Vegetation Protection Zone (MVPZ) is typically prohibited. While the subject property does not appear to contain any KNHFs and/or HSFs as prescribed by the ORMCP, it is located within the 120 metre Minimum Area of Influence (MAI) of Lake Wilcox.

The ORMCP generally requires a Natural Heritage Evaluation (NHE) for any development within the MAI of KNHFs/HSFs to delineate and assess the feature(s) and demonstrate that no adverse impacts to the ecological integrity of the ORMCP area will result from the proposed development. However, based on our review, the subject property is located within an existing developed area and is over 55 metres from Lake Wilcox. As such, it is staff's opinion that the proposed works will not negatively impact the ecological integrity of the ORM and an NHE not required.

The TRCA has objectives related to the maintenance, restoration and enhancement of the ORMCP area. As technical advisors to the Town of Richmond Hill, the TRCA must be satisfied that no negative impacts to any natural features will result from the approval of the subject application. We have reviewed this application in accordance with the ORMCP and are satisfied that the proposed development will have no negative impact on the ecological integrity of the ORM. However, given that municipalities are the designated approval authority under the *Oak Ridges Moraine Conservation Act*, we recommend that the Town of Richmond Hill ensure that this application conforms to the provisions of the ORCMP.

APPLICATION-SPECIFIC COMMENTS**Planning and Development:***General:*

1. Please be advised that according to TRCA's floodplain modelling, the subject property is located in close proximity to the Regional Storm Floodplain. The Regional Storm Floodplain elevation (296.31 metres) should be plotted and/or confirmed on all relevant plans (including the Grading Plan). Furthermore, as noted above, the TRCA requires

that any new development be a minimum of 10 metres from the Regional Storm Floodplain. This 10 metre buffer should also be plotted on all relevant plans as well.

New Lots:

2. As a component of this application, it is TRCA's understanding that the subject lands will be subdivided into two separate lots. However, as noted above, TRCA policies generally require that all new development (including new lots and their associated limits) be located a minimum of 10 metres from the Regional Storm Floodplain. As such, the applicant should explore opportunities to provide for a 10 metre buffer from the new lot limit.
3. However, given the small size of the subject property, it is our understanding that a 10 metre buffer may not be feasible. Due to the nature of this proposal, it is TRCA's opinion that a minor reduction in the typically required 10 metre buffer can be entertained for the proposed lot line. The applicant will be required to provide appropriate justification as to why a 10 metre buffer cannot be achieved in this particular case.

Garages/Accessory Structures:

4. Based on our review of the plans submitted, it appears that the proposed garage on the eastern lot is located within the 10 metre buffer from the Regional Storm Floodplain. As previously indicated, it is TRCA's preference that all development, including the garage, is located outside of the 10 metre buffer from the floodplain. As such, the applicant should explore opportunities to provide for a 10 metre buffer. This can possibly include reorienting the site to provide for an attached garage (as part of the dwelling) with driveway access onto Douglas Road instead of a detached garage structure in the rear yard.
5. While it is our preference that the garage be located outside of the buffer area, TRCA's policies do allow for non-habitable accessory structures such as garages within and adjacent to (i.e. the buffer) the flood hazard. If it is determined that there are no feasible opportunities to relocate the garage outside of the buffer area (and appropriate justification is provided to the satisfaction of the TRCA), the structure must be flood-proofed in accordance with TRCA's requirements as a safeguard. This includes elevating all electrical/mechanical (i.e. panels, outlets etc.) above the Regional Storm Floodplain, including a 30 centimeter freeboard buffer (296.61 metres). All relevant plans should clearly indicate how this requirement is being met.

Hydrogeology:

6. The regional hydrogeological interpretation available to the TRCA suggests that the regional aquifer water level is approximately 1 metre below grade. According to the elevation drawings submitted in support of this application, the basement floor will be approximately 1.4 metres below ground level. As such, TRCA staff strongly recommends that the applicant waterproof the proposed dwelling by isolating groundwater from structural foundation walls. Typical design details for the proposed waterproofing method should be included on all relevant plans. Furthermore, please note that active/constant dewatering is not supported by the TRCA as a power failure can potentially put the structure at risk of flooding.

Water Resources Engineering:

7. As there is a significant increase in impervious surfaces, TRCA staff is pleased the applicant has recommended the use of Low Impact Development (LID) measures (i.e.

an infiltration trench) as part of the proposal. However, given the site likely has groundwater levels, TRCA staff have concerns that the infiltration trench may not function as intended. As such, the TRCA recommends that the applicant utilize LID mechanisms that are suitable for site conditions. For more information, please see chapter 3 of the Grey to Green Residential Guide for LID measures for your home:

- <https://www.creditvalleyca.ca/wp-content/uploads/2015/01/Grey-to-Green-Residential-Guide1.pdf>

For details on each LID, please see the following link:

- <https://sustainabletechnologies.ca/home/urban-runoff-green-infrastructure/low-impact-development/low-impact-development-stormwater-management-planning-and-design-guide/>.

Erosion and Sediment Controls:

1. Please provide an Erosion and Sediment Control (ESC) plan utilizing a treatment train approach to prevent the suspension and movement of sediment particles offsite. For further information, please see TRCA's Erosion and Sediment Control Guidelines of Urban Construction: <http://www.trca.on.ca/dotAsset/40035.pdf>
2. Please include the following notes on the ESC plan:
 - a. Sediment and erosion control measures will be implemented prior to, and maintained during the construction phases, to prevent entry of sediment into the water;
 - b. The erosion and sediment control strategies outlined on the plans are not static and may need to be upgraded/amended as site conditions change to prevent sediment releases to the natural environment. The TRCA Enforcement Officer should be contacted should the erosion and sediment control plans change from the approved plans;
 - c. All erosion and sediment control measures should be inspected weekly, after every rainfall and significant snow melt event and daily during periods of extended rain or snow melt;
 - d. All damaged erosion and sediment control measures should be repaired and/or replaced within 48 hours of inspection;
 - e. All activities, including maintenance procedures, will be controlled to prevent the entry of petroleum products, debris, rubble, concrete or other deleterious substances into the water. Vehicular refuelling and maintenance will be conducted 30 metres from the water;
 - f. The contractor shall monitor the weather several days in advance of the onset of the project to ensure the works will be conducted during favourable weather conditions. Should an unexpected storm arise, the contractor will remove all unfixed items from the Regional Storm Floodplain that would have the potential to cause a spill/pollution (i.e. fuel tanks, porta-potties, machinery etc.) or an obstruction to flow (i.e. machinery, equipment etc.). Prior to forecasted precipitation events, all ESC measures are to be inspected and confirmed to be in good condition.
3. Given high groundwater levels, dewatering may be required during excavation of the building foundation. As such, please ensure to include a dewatering plan (as part of the ESC plan). The plan should detail how and where dewatering effluent will be treated and released. It is recommended that dewatering effluent is drained through a well vegetated area, however, it should not be sent directly to any watercourse, wetland or forested or allowed to drain onto disturbed soils within the work area.

PERMITTING

As noted above, the subject property is located within TRCA's Regulated Area. On this basis, a TRCA permit is required from this Authority prior to the proposed works commencing on the subject site, pursuant to Ontario Regulation 166/06, as amended. Details with respect to permit submission requirements are available at our website (<https://trca.ca/planning-permits/apply-for-a-permit/>).

APPLICATION REVIEW FEE

In addition to regulatory responsibilities, TRCA has a role as a commenting agency for Planning Act applications circulated by member municipalities to assess whether a proposed development may be impacted by the TRCA.

By copy of this letter, the applicant is advised that Zoning Bylaw Amendments are subject to a \$2,950 review fee while Site Plan applications are subject to a \$1,580 review fee. However, due to the concurrent nature of these applications, the TRCA is requesting a single fee of \$2,950 at this time. The applicant is responsible for fee payment and should forward the fee to this office within 60 days of this letter.

RECOMMENDATION

On the basis of the comments noted above, it is our opinion that this application is **premature** as additional information and revisions are required prior to TRCA staff endorsing the subject application. Please have the applicant address TRCA's comments and **include a response letter** with the resubmission outlining how the comments have been addressed.

I trust these comments are of assistance. Should you have any questions, please do not hesitate to contact me at the undersigned.

Sincerely,



Nick Cascone, M.Sc.PI
Planner
Planning and Development
Extension 5927

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