

**Presentation at Meeting Richmond Hill Agenda 3.3 SRPRS.20.047 re 58 Major Mackenzie Drive West, RH**

**By Harry Harakh (northern Neighbor) #66 Major Mackenzie Drive West**

*Attendance:*

There is a possibility that we may be so technology behind that we cannot join in the live meeting. This page presents in print, what I will address.

*Text*

Development proposal should address the entire development in full including all roadway, property accesses, internal infrastructure at one time as it was and still the expectation of residents within the complex.

1. The land was given for \$0.00 to the town of Richmond hill around 10<sup>th</sup> day of January 1959 and was contributed for the development of roadway for the 5 residents in this culdesac.
2. I am requesting that the intent of the transfer of land for roadway be observed and although it is 67 years late, the residents are still expected that deliverable.
3. The town and its council at that time did approve this transaction. So it is an existing and law. The development proposal did not acknowledge this.
4. I prove this by attaching a copy of the original deed of the first purchaser of my lot -Roland Graham Jardine. Going forward we are the 3<sup>rd</sup> owner.
5. At that time we also received a right of way shown of the said title, page 3 states that "together with a right-of-way of said lot 31, 15 feet ....for all purposes, in common with others.
6. This right of way was never ceded.  
Myself and others in the culdesac have a right of way over the eastern side of the land owned by Yeda..
7. This right of way enshrined the link that is 15 feet wide for connecting the north towards Arnold to the South of Major Mackenzie drive. That is a pedestrian way.
8. This concept is consistent with the master plan as it was originally proposed of courtyards and community linkage north to south but not vehicular traffic.
9. I made presentation at a development applications by Laurier Homes in this respect, but as a sole voice was not listened or heard. The difficulty is being voiceless.
10. So, on 6<sup>th</sup> February 2017, I wrote the Clerk's office "I am formally requesting of you information in regards to the extension of Elizabeth Street southwards beyond Arnold street and more specifically how does it get built from the proposed southern boundary towards Major Mackenzie Drive West. A reply before the next council meeting will be appreciated"
11. I have never received a reply or a call to discuss
12. Instead, my only clue was a mutter coming from the cluster of staff desks at council meetings, "you are just in the way"

## **Transparent or artful**

13. So no disrespect is meant by the above term ,
14. But I refer to the last statement on page 3 of this staff report SRPRS.20.047, “as part of the development, the southerly extension of Elizabeth Street, is proposed between the subject land and Major Mackenzie Drive West. The proposed extension is to align with the extension of Elizabeth Street that was through the approval of of City Files D02-15019 and D03-15006”
15. The current development application papers made available after 3.00pm 7 days ago, is not sufficient for meaningful input particularly noticeable are the absence of items 2, 3 &4 in full disclosure and a slice of Interim Elizabeth Street Extension plan and same for the Ultimate.. From these road design proposals you do not even get what exist on the west side of the read and why 2 modules.
16. I am clearly stumbling to interpret the plans either those partially accessed or the ones not made public.

### **FOR THOSE REASONS:**

The 6 bullets on which voting will take place at this meeting is based on bullet # 2, that is

“The technical comments concerning the proposed interim and ultimate Elizabeth Street extension are **CRITICAL** in determining the acceptability of the proposed site design and access design”

I submit that council request that the Development Planning services department be requested to confirm my information

- regarding the granting of land to the town for a road in 1959, references provided
- that the master plan of the city indeed directed an intricate connectivity of walkways, pathways and cycle ways going from Arnold to Major Mackenzie West
- but that roadways were not expressed

if I am correct, then this council can honor the deliverable roadway when they accepted title to the roughly 1 acre piece of land shown more on 2 surveys attached.

Harry Harakh 66 Major Mackenzie Dr West

### **ATTACHMENTS:**

LOT 5  
P.I.N. 03165-0184  
REGISTERED

LOT 4  
P.I.N. 03165-0183  
PLAN 3267

PART 1  
PLAN 65R-16286

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT

PLAN 65R-28028

RECEIVED AND DEPOSITED

DATE: MAY 18 2005

DATE: May 19 2005

*Attorney*  
C. STANCIU, O.L.S.

Asst "E. SMITH"  
DEP. LAND REGISTRAR FOR THE LAND TITLES DIVISION OF YORK REGION (IND. 653)

SCHEDULE

PART	LOT	CONCESSION	PLAN
1			ALL OF P.I.N. 03165-0190(LT)
2			
3			ALL OF P.I.N. 03165-0196(LT)
4			
5			
6			
7			
8			PART OF P.I.N. 03165-0199(LT)

PART 2 IS SUBJECT TO A RIGHT-OF-WAY AS IN INSTR. NO. 80688  
PART 3 IS SUBJECT TO A RIGHT-OF-WAY AS IN INSTR. NO. 80688 AND INSTR. NO. 81152(STRIP)  
PART 4 IS SUBJECT TO A RIGHT-OF-WAY AS IN INSTR. NO. 80688  
PART 5 IS SUBJECT TO A RIGHT-OF-WAY AS IN INSTR. NO. 81152(STRIP), AND INSTR. NO. 80688  
PARTS 6 AND 8 ARE SUBJECT TO A RIGHT-OF-WAY AS IN INSTR. NO. 81152(CONCRETE)

PLAN OF SURVEY OF  
PART OF LOT 46, CONCESSION 1  
TOWN OF RICHMOND HILL  
REGIONAL MUNICIPALITY OF YORK  
(GEOGRAPHIC TOWNSHIP OF VAUGHAN, COUNTY OF YORK)

SCALE 1:250  
C. STANCIU, O.L.S.

METRIC  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES  
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

BEARING NOTE  
BEARINGS ARE ASTROMERIC AND ARE REFERRED TO THE WORDS LEFT OF THE ROAD ALLOWANCE  
BETWEEN LOTS 45 AND 46, CONCESSION 1 SHOWN ON A PLAN BY W.S. GIBSON & SONS, O.L.S.,  
DATED AUG. 15, 1960, AS HAVING A BEARING OF N74°00'00"E.

LEGEND

- DENOTES SURVEY MONUMENT SET
- SB - SURVEY MONUMENT FRAME
- SB - STANDARD IRON BAR
- BE - IRON BAR
- RP - IRON PIPE
- RP - REGISTERED PLAN M-1703
- RP - REGISTERED PLAN 047
- P - PLAN OF SURVEY BY J.C. MOORE, O.L.S., DATED APR. 4, 1958 (REVISED DEC. 19, 1960)
- PC - PLAN OF SURVEY BY ROWAN-STANCIU LTD., DATED FEB. 1993
- PC - SKETCH OF SURVEY BY W.S. GIBSON, O.L.S., DATED AUG. 15, 1960
- D - W.S. GIBSON & SONS
- D - INSTR. NO. 80688 (P.I.N. 03165-0185)
- D1 - INSTR. NO. 80688 (P.I.N. 03165-0185)
- M - PLAN OF SURVEY BY W.S. GIBSON, O.L.S., DATED AUG. 15, 1960, AMENDED AUG. 26, 1960
- N.S.L.S. - MEASURED
- ST - THIN IRON FENCE
- PWF - POST AND WIRE FENCE
- RF - NOT BENEATHABLE
- DL - CHALKING

SURVEYOR'S CERTIFICATE

I CERTIFY THAT  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT, AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

2. THE SURVEY WAS COMPLETED ON THE 25th DAY OF MARCH, 2005.

DATE: MAY 12, 2005  
*Attorney*  
C. STANCIU  
ONTARIO LAND SURVEYOR

ROWAN-STANCIU LTD  
ONTARIO LAND SURVEYORS  
24 Leslie Avenue, Richmond Hill, L4C 1C2  
Tel: (905) 763-0227 Fax: (905) 740-0235

Drawn: C.R. File No: 2005-181 DWG: W.S. 0401, 0402 Checked: C. STANCIU, O.L.S.



REGISTERED  
LOT 4  
PLAN M-1703  
P.I.N. 03165-0033

REGISTERED  
LOT 5  
P.I.N. 03165-0032

74

75

76

60

ROADWAY INTENTION

SURVEY OF  
# 66  
with City land  
as Right of Way  
- 66' feet wide

MAJOR MACKENZIE DRIVE  
(ROAD ALLOWANCE BETWEEN LOTS 45 AND 46)  
P.I.N. 03165-0002

MY SURVEYOR



ROWAN-STANQU LTD  
 ONTARIO LAND SURVEYORS  
 24 YORK STREET, TORONTO, ONT. M5E 1C3  
 TEL: (416) 593-0227 FAX: (416) 593-0228

SURVEYOR'S CERTIFICATE  
 I CERTIFY THAT:  
 1. THE SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEY ACT AND THE SURVEYORS REGULATIONS AND THE REGULATIONS MADE THEREUNDER.  
 2. THE SURVEY WAS COMPLETED BY ME OR BY A SURVEYOR UNDER MY SUPERVISION.  
 3. THE SURVEY WAS COMPLETED BY ME OR BY A SURVEYOR UNDER MY SUPERVISION.

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BEARING NOTE  
 BEARINGS ARE GIVEN AS AN ANGLE TO THE RIGHT OF THE FORE SIGHT LINE TO THE BACK SIGHT LINE.  
 DISTANCES ARE GIVEN AS A DECIMAL PART OF A CHAIN.  
 ALL DISTANCES ARE IN METERS.  
 METRIC  
 SCALE: 1:200  
 C. STANQU, O.L.S.

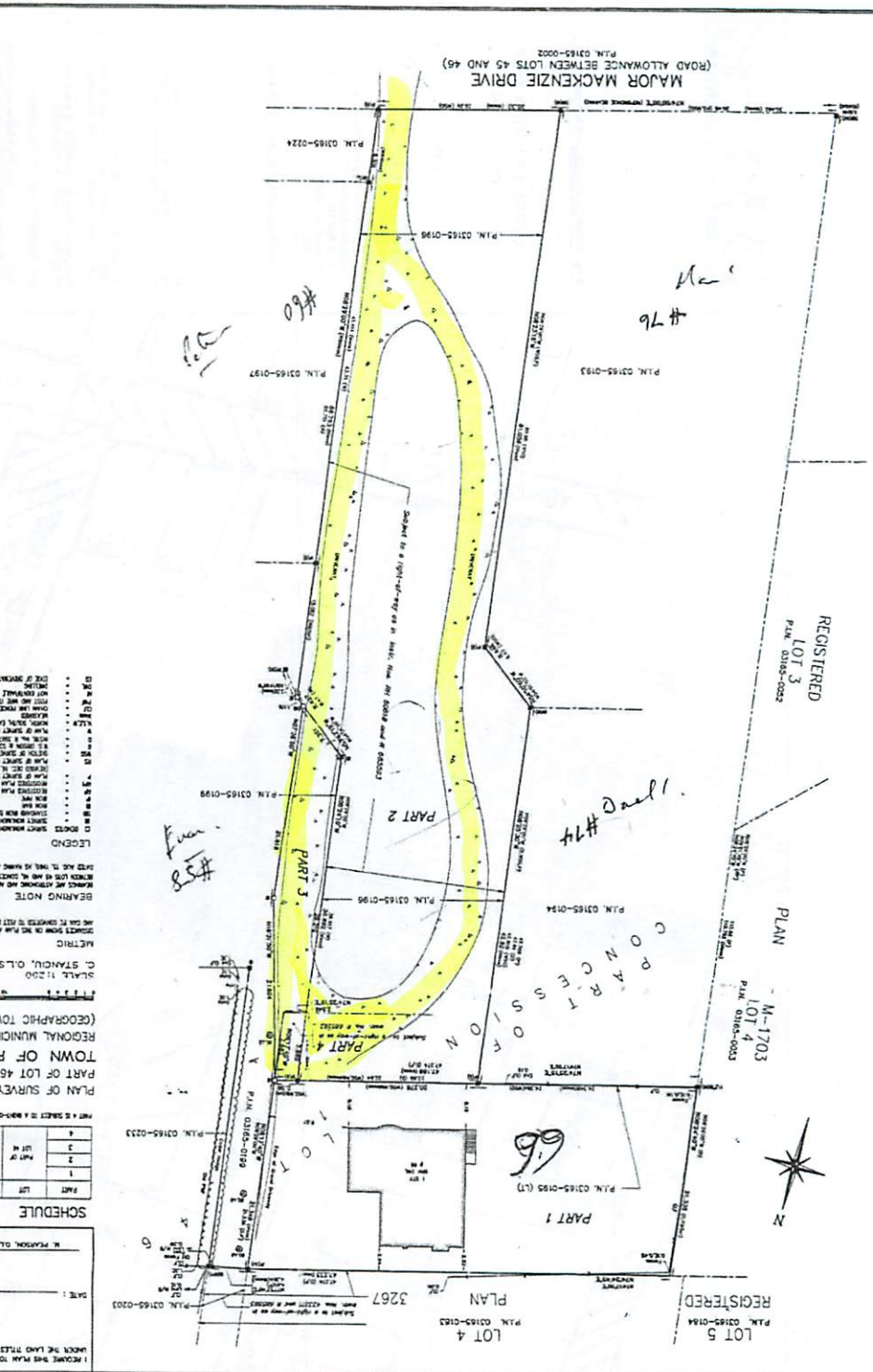
PLAN OF SURVEY OF  
 PART OF LOT 49, CONVESSION 1  
 TOWN OF RICHMOND HILL  
 REGIONAL MUNICIPALITY OF YORK  
 (GEOGRAPHIC TOWNSHIP OF VAUGHAN, COUNTY OF YORK)

SCHEDULE

PART	DESCRIPTION	PLAN
1	PART OF P.L.N. 03165-0185	1
2	PART OF P.L.N. 03165-0185	2
3	PART OF P.L.N. 03165-0185	3
4	PART OF P.L.N. 03165-0185	4

DATE: 2003  
 RECEIVED AND DEPOSITED:  
 PLAN 65R-  
 I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

RECEIVED AND DEPOSITED:  
 PLAN 65R-  
 I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.



Existing + Actual use of  
 right of way as evolver  
 over 67 years





## Background Information:

The subject Zoning By-law Amendment application was received and deemed complete by the City on February 3, 2020. The application and supporting materials were subsequently circulated to relevant City departments and external agencies for review and comment. The purpose of this report is to seek comments from Council and the public with respect to the subject application, pursuant to the statutory Public Meeting and associated notice requirements of the *Planning Act*.

## Summary Analysis:

### Site Location and Adjacent Uses

The subject lands are located on the north side of Major Mackenzie Drive West, west of Yonge Street, and have direct access from a City owned right-of-way onto Major Mackenzie Drive West. The lands have a total lot area of 0.22 hectares (0.54 acres) and are presently vacant. The lands abut low density residential dwellings to the north, south, east and west (refer to Map 1). A residential development consisting of three single detached dwellings, 88 stacked townhouse dwelling units and the extension of Elizabeth Street is approved north of the subject lands, however the development has not yet been constructed (City Files D02-15019 and D03-15006).

### Development Proposal

The applicant is seeking Council's approval of its Zoning By-law Amendment application to permit a five storey residential apartment building comprised of 33 dwelling units on the subject lands (refer to Maps 4 to 6). 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 City:

• Total Lot Area:	0.22 hectares (0.54 acres)
• Total Gross Floor Area:	3,626.3 square metres (39,033 square feet)
• Building Height:	5 storeys or 21.86 metres (71.72 feet)
• Dwelling Units:	33
• Lot Coverage:	31.14%
• Floor Space Index (FSI):	1.64
• Parking Spaces:	64 spaces

Access to the proposed building and underground parking garage is to be from a 6 metre (19.69 feet) wide private driveway to be located at the southern limit of the subject lands. All parking associated with the proposed development is to be underground in a full one level and partial second level parking garage. As part of the development, the southerly extension of Elizabeth Street is proposed between the subject lands and Major Mackenzie Drive West. The proposed extension is to align with the extension of Elizabeth Street that was through the approval of City Files D02-15019 and D03-15006.

This is stated as an authority  
that I am questioning its accuracy  
as content

Harry & Pamela Harakh  
66 Major Mackenzie Drive West  
Richmond Hill  
ON, L4C3S2  
Feb 6<sup>th</sup> 2017

Office of the Clerk |

Town of Richmond Hill, by email

Dear Sir.

**Planning application regarding Laurier Homes 44, 48, 54 & 60 Arnold Crescent – Do2-15019 Etc**

I am formally requesting of you information in regards to the extension of Elizabeth Street south wards beyond Arnold Street and more specifically how does it get built from the proposed development property southern boundary onwards to Major Mackenzie Drive West.

A reply before Council meeting next Monday will be appreciated.

Harry & Pamela Harakh

Feb 2017

Letter to Clerk Re  
Elizabeth Extension

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RICHMOND HILL 21525

# This Indenture

made in duplicate the 10th day of January  
in the year of our Lord one thousand nine hundred and fifty-nine.

In Pursuance of the Short Terms of Conveyances Act:  
Between

EDWARD CHARLES HILL, of the Village of Richmond Hill (now the Town of Richmond Hill), in the County of York and Province of Ontario, Manager, formerly of the City of Toronto, in the said County of York, and MARGARET ALLAN HILL, his wife, of the same place, as joint tenants and not as tenants in common,

hereinafter called the GRANTORS

OF THE FIRST PART

- and -

ROLAND GRAHAM JARDINE, of the Town of Richmond Hill, in the County of York, Banker, and NANCY JEAN HUTTON JARDINE, his wife, of the same place, as joint tenants and not as tenants in common,

hereinafter called the GRANTEES

OF THE SECOND PART

PURSUANT TO SECT. 34 of the Conveyances Act, R.S.O. 1956, Chap. 272, the Board of the Village of Richmond Hill, in accordance with the consent to the registration of this instrument,  
Dated this 10th day of January, 1959,  
Chairman

**Witnesseth** that in consideration of other good and valuable consideration and the sum of -----

TWO (\$2.00) ----- dollar s of lawful money of Canada now paid by the said grantees to the said grantors (the receipt whereof is hereby by them acknowledged) the t the said grantors DO GRANT unto the said grantees in fee simple as joint

tenants and not as tenants in common ALL and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Richmond Hill, in the County of York, in the Province of Ontario, and being composed of that part of Lot 31, according to a Plan registered in the Registry Office for the Registry Division of the East and West Riding of the County of York as No. 481 which is described as follows:

PREMISING that the N. 74° E. (North seventy-four degrees East) of the southerly limit of said Lot 31 is astronomic and referring all bearings herein thereto:

COMMENCING at an iron stake planted 363.98 (three hundred and sixty-three and ninety-eight one-hundredths) feet measured N. 80° 29' W. (North eight degrees, twenty-nine minutes West) from an iron bar in the southerly limit of said Lot 31 (being the northerly limit of Vaughan Street) 720' (seven hundred and twenty feet) measured S. 74° W. (south seventy-four degrees west) thereon from the south-easterly angle of Lot 30, Plan 286;

ORIGINAL TITLE when  
land was severed into lots  
1957

104



THENCE N.  $8^{\circ} 29'$  W. (north eight degrees, twenty-nine minutes west) 70 (seventy) feet to an iron bar;

THENCE N.  $74^{\circ} 17'$  E. (north seventy-four degrees, seventeen minutes east) 155.10 (one hundred and fifty-five and ten one-hundredths) feet to an iron stake;

THENCE S.  $8^{\circ} 29'$  E. (south eight degrees, twenty-nine minutes east) 70 (seventy) feet to an iron stake planted;

THENCE S.  $74^{\circ} 17'$  W. (south seventy-four degrees, seventeen minutes west), 155.10 (one hundred and fifty-five and ten one-hundredths) feet to the place of commencement, the said parcel being shown outlined in red on Plan of Survey by John C. Moore dated April 8th, 1958, hereto attached.

TOGETHER WITH A RIGHT-OF-WAY at all times, in common with all others now or hereafter entitled thereto over, along and upon a parcel or tract of land which is described as follows:

COMMENCING at an iron stake in the said southerly limit 620 (six hundred and twenty) feet measured S.  $74^{\circ}$  W. (south seventy-four degrees west) thereon from the south-easterly angle of said Lot 30, Plan 286;

THENCE N.  $74^{\circ}$  E. (north seventy-four degrees east), along said southerly limit 25.22 (twenty-five and twenty-two one-hundredths) feet;

THENCE N.  $8^{\circ} 29'$  W. (north eight degrees, twenty-nine minutes west) 247.29 (two hundred and forty-seven and twenty-nine one-hundredths) feet;

THENCE N.  $82^{\circ} 26' 30''$  W. (north eighty-two degrees, twenty-six minutes, thirty seconds west), 26.02 (twenty-six and two one-hundredths) feet;

THENCE N.  $8^{\circ} 29'$  W. (north eight degrees, twenty-nine minutes west), 80 (eighty) feet;

THENCE N.  $74^{\circ} 17'$  E. (north seventy-four degrees, seventeen minutes east), 49.90 (forty-nine and ninety one-hundredths) feet;

THENCE N.  $8^{\circ} 29'$  W. (north eight degrees, twenty-nine minutes west), 25.20 (twenty-five and twenty one-hundredths) feet to an iron stake planted;

THENCE S.  $74^{\circ} 17'$  W. (south seventy-four degrees, seventeen minutes west), 75.10 (seventy-five and ten one-hundredths) feet to an iron stake planted;

THENCE S.  $8^{\circ} 29'$  E. (south eight degrees, twenty-nine minutes east), 140.81 (one hundred and forty and eighty-one one-hundredths) feet to an iron stake planted;

THENCE N.  $74^{\circ}$  E. (north seventy-four degrees east), 20 (twenty) feet to an iron stake planted;

THENCE S.  $8^{\circ} 29'$  E (south eight degrees, twenty-nine minutes east) 222.29 (two hundred and twenty-two and twenty-nine one-hundredths) feet to the place of commencement, the said right-of-way being shown outlined in yellow on the said Plan of Survey.

TOGETHER WITH a right-of-way over part of the said Lot 31 Fifteen (15') feet in perpendicular width for all purposes in common with others entitled thereto in, over, along and upon that certain parcel or tract of land and premises more particularly described as follows:

COMMENCING at an iron stake in the interior of said Lot the following courses or distances from the South-easterly corner of Lot 30, Plan 286;

beginning at the said South-easterly corner;

THENCE S. 74° W. (South seventy-four degrees West), 420 (four hundred and twenty) feet along the southerly limit of said Lot 31 (being the Northerly limit of Vaughan Street);

THENCE N. 8° 29' W (North eight degrees, twenty-nine Minutes West) 320.86 (three hundred and twenty and eighty-six one-hundredths) feet;

THENCE S. 73° 41' W (South seventy-three degrees forty-one minutes West) 129.86 (one hundred and twenty-nine and eighty-six one-hundredths feet) to the place of commencement;

THENCE continuing along last mentioned course S 73° 41' W (South seventy-three degrees forty-one minutes West) 15.14 (fifteen and fourteen one-hundredths feet) to an iron stake;

THENCE N. 8° 29' W (North eight degrees twenty-nine minutes west) 112.24 (One hundred and twelve and twenty-four one hundredths feet) to an iron stake;

THENCE N. 74° 17' E (North seventy-four degrees seventeen minutes east) 15.12 (fifteen and twelve one-hundredths feet) to an iron stake;

THENCE S. 8° 29' E (South eight degrees twenty-nine minutes East) 112.08 (one hundred and twelve and eight one hundredths feet) to the place of commencement.

PURSUANT TO SECTION 21 of the Planning Act, R.S.O. 1950, Chap. 277, The Planning Board of the Village of Richmond Hill hereby consents to the registration of the within instrument.

Dated this 15 day of May, 1959

*[Signature]* Chairman      *[Signature]* Secy-Treas.

Original Right of way built in for walking, connect connection

3 dx

