



## Staff Report for Council Meeting

**Date of Meeting:** May 27, 2020  
**Report Number:** SRPRS.20.076

**Department:** Planning and Regulatory Services  
**Division:** Development Engineering & Transportation

**Subject:** SRPRS.20.076 – Authorization of Land  
Conveyance, Elbay Developments Inc. - Our File  
No: D03- 14004

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### **Purpose:**

To obtain approval for the conveyance of lands to the City from Elbay Developments Inc. in advance of the execution of their subdivision agreement, for the purposes of roads and storm water facilities to support subdivision applications in the North Leslie West Secondary Plan Area.

Recommendation(s):

- a) That the acquisition of lands located within Part of Lot 26, Concession 2 (Geographical Township of Markham), more particularly described as Parts 2, 3,4, 5 and 8, on the draft reference plan prepared by Krcmar Surveyors Ltd.(Plan No. 14-016RP02) be authorized.

### **Contact Person:**

Erik Loorand, Programs Coordinator - Subdivisions, 905-747-6357 and/or  
Jeff Walters, Manager of Development Engineering, 905-747-6380;

### **Report Approval:**

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

**Approved by:** Mary-Anne Dempster, Interim City Manager

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

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### **Background:**

The subject lands to be conveyed to the City are located within North Leslie West Secondary Plan, and more specifically within the Elbay Developments Inc. plan of subdivision being file number 19T-14004. The Elbay Subdivision is located on the north side of Elgin Mills Road and east of Bayview Avenue, as identified on Map 1.

The subject lands consist of the municipal road allowance and stormwater management facility blocks within the Elbay Subdivision. This stormwater management facility and the municipal drainage system within the road allowance have a contributing storm drainage area that includes the Elbay Subdivision and an external 12.7 hectare area of adjacent subdivision lands within the North Leslie West Secondary Plan Area.

Elbay Developments Inc. and the landowners tributary to this storm water management facility within the Elbay Subdivision have worked out a private agreement between owners with respect to the construction timing and obligations for this common drainage system and the municipal road system. This agreement also contemplates a land exchange between the land owners and dedication of certain lands to the City. The arrangement will enable the collective Owners to realize their designated storm drainage outlet within the Elbay Subdivision and for Elbay Developments Inc. to secure access to a public highway within the adjacent subdivision lands. This will enable the participants to proceed with the mutually needed municipal servicing and enable the related subdivisions to proceed with municipal servicing and registration.

The subject lands to be conveyed to the City are described as Parts 2, 3, 4, 5 and 8 on the draft reference plan as illustrated on Map 2 of this report.

To facilitate this private agreement, Elbay Developments Inc. and the adjoining Owners have requested that the subject lands within the Elbay Subdivision be directly conveyed to the City in advance of the execution of the Elbay subdivision agreement, in order for works to proceed. Staff have reviewed this request and have no objections to this conveyance proceeding at this time.

As such, staff recommend that the City be authorized to acquire lands located within Part of Lot 26, Concession 2 (Geographical Township of Markham), more particularly described as Parts 2, 3, 4, 5 and 8, on the draft reference plan prepared by Krcmar Surveyors Ltd., Ontario Land Surveyors identified as Plan No.14-016RP02 and dated April 8, 2020.

### **Financial/Staffing/Other Implications:**

There are no financial implications to the City of Richmond Hill.

The lands are to be conveyed to the City free of all costs, liens, and encumbrances. Furthermore, the landowners are responsible for all of the associated costs and fees necessary to facilitate this conveyance.

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### **Relationship to the Strategic Plan:**

The authorization to convey these lands to the City supports the City's Strategic Plan goal of wise management of City infrastructure and resources, by working collaboratively and in partnership with other agencies and landowners.

### **Conclusion:**

Based on the above, staff recommends that the City acquire the subject lands from Elbay Developments Inc. in advance of the of the execution of the Elbay Subdivision agreement, 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 the contact person listed in this document.

- Map 1 – Location Map
- Map 2 – Draft Reference Plan No.14-06RP02

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### Report Approval Details

Document Title:	SRPRS.20.076 - Authorization for Preconveyance Lands to the City.docx
Attachments:	- SRPRS.20.076 MAP 1.pdf - SRPRS.20.076 - Map 2.pdf
Final Approval Date:	May 6, 2020

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

**Dan Terziewski - May 5, 2020 - 4:14 PM**

**Kelvin Kwan - May 5, 2020 - 4:38 PM**

**MaryAnne Dempster - May 6, 2020 - 9:12 AM**