

Bob and Nancy Stephens
53 Beaufort Hills Road
Richmond Hill, Ontario, L4E 2N2

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To: Clerks@richmondhill.ca
Sarah.Mowder@richmondhill.ca
Greg.Beros@richmondhill.ca

We are submitting our concerns related to the application for severance of 57 Beaufort Hills Rd. File D02-20005. This is a complex issue involving numerous Acts and Committees to address our concerns. We made a request through your FOI process April 23 2020 and to date we have not received any of the information. We will need time to review the documents when they are available before any final decisions are made. With the complexity of the issue we will also require time for legal and environmental consultants to thoroughly assess the application.

Introduction:

The subject property is within an existing subdivision that was developed within a coniferous plantation. This subdivision was deliberately designed to preserve as much as possible of the existing plantations and to establish a distinctive neighbourhood with wooded, estate-like lots within an urban area. Trees from the plantation have always been retained where possible and make for a unique environment. We have included an aerial view of the area and of the subject property (Page 3 & 4). Although aged now planting of similar under fill has continued on our property #53 and with the other owners (since 2005 that we know of) including #57. This is necessary to continue the uniqueness, assist the ecological system and offset the lifecycle for the woodlot. The subject property is also designated as Neighbourhood and Natural Core which further limits use under the Official Plan.

Although this is a site specific proposed amendment for severance and not approval for Use, the proposed Use needs to be mentioned anyway - in accordance with Section 4.10.5.1 Land Use – the list of permitted use does not include Residential Development. Therefore there should be no Residential Development allowed on any lots with this designation. Development in our area currently is primarily replacement with no severance.

A primary factor, which motivated purchases in this neighbourhood, is the degree of spaciousness and privacy that was dictated by the zoning bylaws existing when the purchases were made. We paid higher purchase price and higher annual taxes for the enjoyment of these qualities and are entitled to protection from reduction in zoning standards Residents should be able to rely upon municipalities existing zoning policies. It would be a breach of trust if they were diminished. There is a registered instrument with the original developer also limiting use of lots that must be complied with. It is LT 18917 for restrictions to said lands.

Our concerns include the general intent of the proposal does not meet or follow the official plan, the purpose of the proposal is not in keeping with the current by-law, this is not appropriate development for the subject lands and the by-law amendment if passed will have a very significant impact to the “stability” and “character” of this established neighborhood. Therefore, the application must be denied.

Concerns of smaller lots on tree life, vegetation and wildlife as proposed:

We anticipate the impacts of severing will enable additional Use which will be significant on tree growth, tree preservation, water runoff and damages. The neighbourhood impacts will include traffic issues and other issues associated with development on a Cul-de-sac.

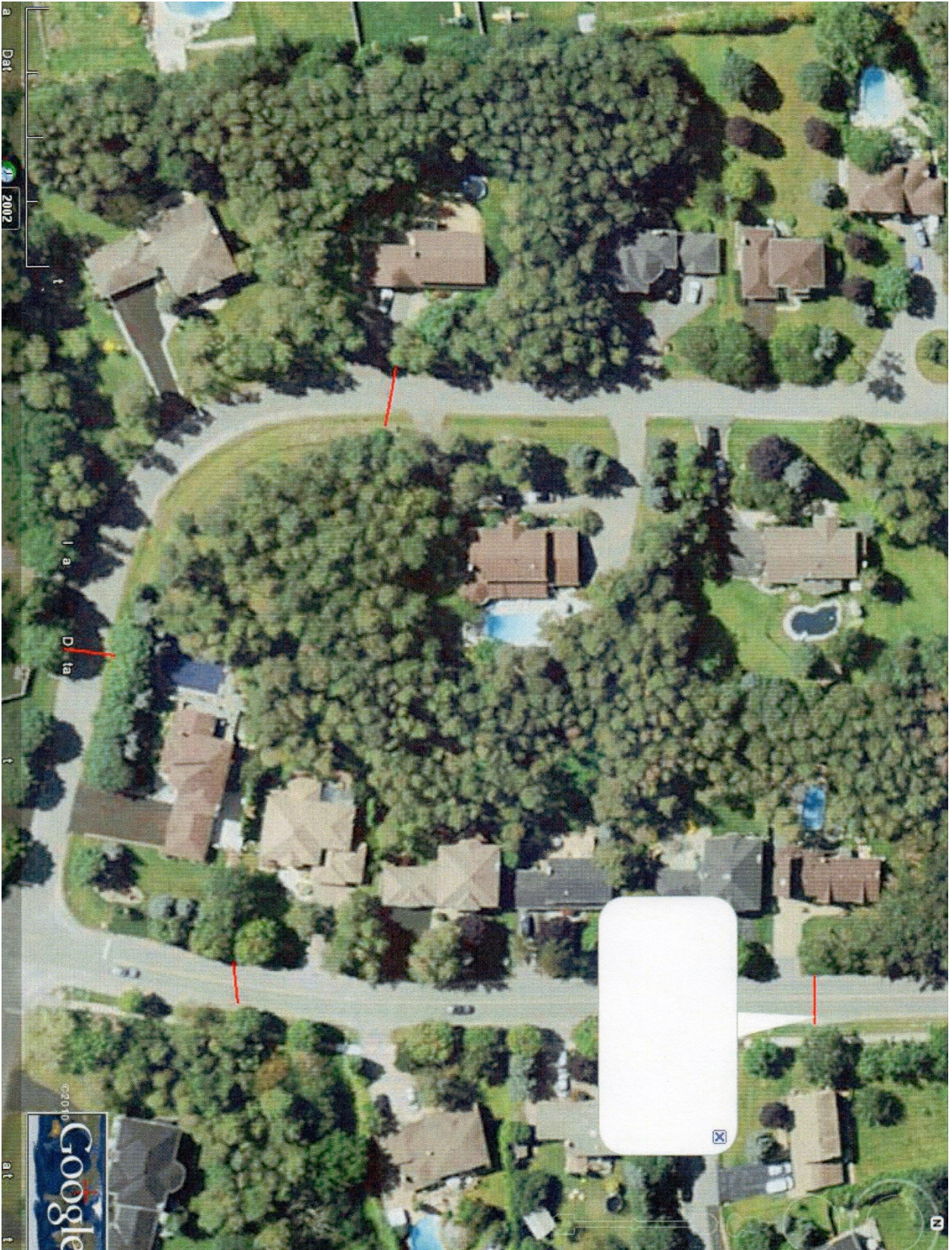
The subject property is located on the Oak Ridges Moraine (ORM) within the Settlement Area land use designation of the Oak Ridges Moraine Conservation Plan (ORMCP). This area is sensitive to maintenance, restoration and enhancements of the trees under the ORMCP. These properties have been designated as “significant woodlots” and therefore legally protected against any development. Regardless of any change in this status, the spirit of this designation and corresponding impacts should be honoured.

Within the Beaufort Hills community the area was designated as “lots of record” for wooded areas known as woodlots and were designated to protect the trees. Moreover, any amendments to the zoning by-laws (OPC 1275 and OPC 146-76) could permanently alter the structure of the zoning and change it from being based on “lots of record” to zoning by “lot size” among other changes in accordance with current Planning Act provisions.

Although there is a Tree Report, it has not yet been provided for our review. As rumored the report seems to have been reviewed with a target number of trees (120) to remain, and removal of nearly half (90) trees. (Numbers to be confirmed when documents are received). Since the existing lot sizes were set in the original plan of subdivision to optimize the wood lot and protect the trees, we can conclude smaller lots will no longer support the trees – even the reduced proposed number and the forest next to the lots.

Even though there are a few smaller lots the majority of lots on this cul-de-sac are estate lots – obviously sized as mentioned to optimize and protect the trees. With the amount of forest on this lot and its designation of Natural Core, severance will create a significant opportunity for a negative impact on the environmental balance. Retaining the lot in accordance with the current by-laws should be respected. As per the aerial view (Page 4) this lot is amongst a larger forested area. The resulting lot coverage does not meet the general intent and purpose in context of the permitted lot coverage in the existing zoning by-law and is not desirable for the appropriate development of the subject lands.

Therefore, there is evidence the subject property needs to be protected, trees need to be preserved and the water table impacts avoided.





Concerns and Impacts to water run off:

The existing water table in this area is quite near the surface approximately 15". There is high likelihood of impacts to drainage and property damage. We see from the proposed site plan there is a ten foot easement on the north side of the subject property for drainage and ecological reasons including water shed issues. It forces a building toward the south property line with only a 2 metres setback. It is not keeping with the majority of the existing homes. The lot is really not wide enough.

We are concerned the proposed development for the new properties is to build new homes that include walk out basements. In order to achieve this feature, as precedence by development on Lupine Crescent behind us elevation needed was achieved with extensive landfill. This caused significant water run off problems and property damages. Eventually remediation was achieved behind us with a storm sewer system. There is no indication in the documentation provided that if this is a consequence how it is to be remediated. How will extensive fill impact the soil for tree growth? How will existing trees be protected?

Proposed Use, Natural Core and Neighbourhood designation:

In accordance with Section 4.10.5.1 Land Use – the use of lands designated “Natural Core” does not include Residential Development.

To change this designation the Richmond Hill Official Plan (OP) indicates that a Natural Heritage Study is required for the refinement of the natural core. For a Key Natural Heritage Feature the Oak Ridges Moraine Conservation Plan (ORMCP) does not permit development that would have an impact on the natural core or its ecological function.

The ORMCP protects the natural heritage of this area and applies to #57 Beaufort Hills Road.

The OP and York region’s OP support conforming to the Growth Plan policies specifically regulation 311/06 and the OP should apply to the proposed application. Therefore, severance should be rejected, it is not in compliance with the OP.

Concerns and impacts on the Character of the Neighbourhood:

The subject property is located on a Cul-de-sac with only 12 homes, no sidewalks and we understand minimum infrastructure to support existing homes only (due to the change in septic capabilities on the original development). The area was selected by home owners because of its natural beauty and environment. Living accommodations are excellent as is and should be considered before approving severance and allowing construction disruptions for the coming years. Based on other developments in the immediate area the majority are “rebuilding of single homes” versus severance. Thus not increasing the number of homes by severing land and impacting woodlands. There is no urgency or necessity to increase density in this enclave of estate sized lots with natural beauty and a healthy environment. This neighbourhood has features unlike other urban areas where buildings are so close to each other you can see in each other’s homes. Privacy is compromised.

Currently with the pandemic, distancing is a remediation remedy with 6 foot distancing. The proposed new building site plan is barely respecting this new normal.

Also, other development projects in this area have not been reaching final completion for years. During this time the unfinished site is unpleasant, unhealthy and deteriorates the character of the neighbourhood.

The complete impact for existing home owners and our right to quality of life we have become accustomed to in this natural setting is jeopardized. Our concern includes safety of pedestrian and vehicle traffic on a cul-de-sac. Emergency service if needed on a crowded cul-de-sac street and over all noise and other

quality of life elements are a concern. Road conditions and other items will be impacted by construction traffic and safety risks. This will have a negative impact on our community and risk personal safety.

Concerns regarding the Developer:

In our research of the applicant (BH Properties Limited) we have found very little experience in this kind of development especially in a highly ecologically sensitive neighbourhood. Development in the Oak Ridges Moraine requires in depth knowledge and experience with regard to regulations for compliance. In-experience has significant irreversible consequences in this area associated with protecting the lands, forest and respecting the character of the neighbourhood. What if any validation is involved with approving not just the proposed amendment but the ability of the developer to follow all the rules under the Oak Ridges Moraine Act, the Official Plan and corresponding guidelines?

Summary on Severance Concerns:

The subject property has woodland features that will be impacted by severing and developing on the property. The designation of Natural Core and Neighbourhood restrict the use of the lands. The proposed size of the lots and setbacks are barely minimum and do not reflect the character of the majority of the homes on the street. Additionally, our concerns of the construction and trades on this cul-de-sac will impact our quality of life.

The proposed severance leaves insufficient area to develop any building with similar features as the majority of the homes in the neighbourhood.

This kind of development has no place in our area and is better placed in a new key development area which this is not. Approval of this proposal is providing another development simply to allow a money making opportunity at the cost of our environment. It will not add any quality of life and will have a negative impact on this protected environment.

We are concerned regarding the structure and “fit” of the new proposed buildings. Their elevation, walkout basements indicate an extreme height over existing homes. This elevation will significantly destroy the existing character of the neighbourhood.

There is no compelling reason to approve any major amendment to the existing plan or to overturn policies that have evolved over decades to protect the moraine. Community and environmental groups fought strenuously to achieve one overarching objective: environmental protection against irreversible, short-sighted, profit-driven development.

Regards

Bob and Nancy Stephens