March 2, 2021

Mr. STEPHEN HUYCKE Clerk, City of Richmond Hill 225 East Beaver Creek Road Richmond Hill, ON L4B 3P4 Email: <u>stephen.huycke@richmondhill.ca</u> Cc: members of Council: Members of Council

> joe.dipaola@richmondhill.ca: carmine.perrelli@richmondhill.ca; greg.beros@richmondhill.ca; tom.muench@richmondhill.ca; castro.liu@richmondhill.ca; david.west@richmondhill.ca; karen.cilevitz@richmondhill.ca; godwin.chan@richmondhill.ca

Dear Richmond Hill Clerk and Members of Council.

Re: Council public meeting for Revised Zoning Application - Yeda Major Mackenzie Inc. <u>City file # D02-20001; Agenda 3.2 - 58 Major Mackenzie on March 3, 2021 (YEDA)</u>

An old saying we all know goes as "Do something to me the first time, shame on you, do it me the 2nd time, shame on me." Both owners of 66 Major Mackenzie Drive West are now middle age seniors (going on 80years old) and are just tired of being ashamed, again and again, in our dealing with the City about our land rights of ourselves and several rights of way that exist that is where municipal service points are for all public and private services.

These come about because we bought into a block of 5 homes nestled with mature trees and mostly green surface with a public gravel laneway going around to each of these homes and extra land becoming a center island. It is shaped as a col de sac, with a narrow neck (15 feet wide) as the entrance/exit on Major Mackenzie Drive West (MMW, and going north around the top of the circle then westward and south back to the neck to exit.

FIRST MAJOR ISSUE: ___ PROPOSAL DOCUMENT LIST: INTERIM ELIZABETH STREET EXTENSION

I attach the survey of my property that gives an easier view of what I am talking about. My Survey refers to sections 1 through 7 and shows what is in each section of my land and the adjacent lands. And also refers to a series of numbers for rights of way that are attached to the title. And this survey is submitted as "ATTACHMENT #1"

This shows that the laneway circles at the north top before going out southwards to exit back on MMW and, at all times, leaves a buffer of grass and land about 8 feet between my south boundary and the northern tip of laneway.

I wish to share with r council that it has been over 60 years since an original developer of this enclave should have built our public road to service the enclave. It is still not built. From this experience, I oppose deferral of any component of completeness. I ask council to request that the proposal be completed now, as a standalone project without wait until....appendices.

Now this proposal brings a public road from MMW and it ends as dead ends at exactly my southern property boundary. It has NO turnaround of any kind, for traffic, ambulances, fire trucks and similar normal and usual services utilities, mail. I also attach a photograph of a fire incident within our enclave a few years back and the potential for serious disaster.

CITY OWNED LAND FOR TURN AROUND___NO COST TO DEVELOPER ___ROUND ABOUT SAFETY REQUIREMENT

But the Yeda does not have to contribute any of its own land to provide one because the city already owns a 66 feet wide strip and the road takes up about 20 feet. So, what is the hold up and why create such a risk in the center of this development. This is not costly for Yeda because Yeda get the land for free and just cheap it out here?

(although city land is available). So, the City Planning, et all, who reviewed this submission and brings it forward to council, either did not see, or ignored the risk factor, contrary to a professional standard of care that may exist or is intuitively apparent, did not caution of the potential deadly dangerous impact on #66 MMW.

This is not only mean spirited but also results in tangible harm and diminished uses and loss of and values.

This is deadly dangerous to my family and ourselves.

Was this concern addressed by us, YES, did we use those words to say this is my concern, NO, is the City able to get it my concern and articulated better, ONLY OF THEY WANT TO

Is this item shown on the staff report as a concern, NO

THIS ITEM WAS INCLUDED IN THE MINUTEES OF STAFF REPORT as COMMUNITY ISSUES RAISED BT BOTH # 74 MMW and # 76MMW but never made it to the ISSUES LIST.

SECOND MAJOR ISSUE: THE REDUCTION OF MY DRIVEWAY BY APPROXIMATELY 5 FT. EASTERN SIDE – DIMINISHED DRIVEWAY WIDTH BY OVER 5 FEET

I find is no continuity document that that shows me how the existing public laneway becomes extinguished and in the process a new road is created that will diminish my current paved driveway by 5 feet at the eastern side. My driveway entance then goes from 14 feet wide to 9 feet wide as a result of this development and I see no information of nay kind to help me with my objection..

THIRD MAJOR ISSUE: ___: ULTIMATE ELIZABETH STREET EXTENSION

This proposal did not address this issue in any whatsoever, that is shared with me. And seems to be secretly concealed within the proposal.

None of the documents on the document listed in SRP attached carried the land impairment inherent in this application.

I submit a section of a scaled drawing showing form a planner for the project and that what is not written for the eyes of decision makers is the fact that inherent in this application is that the project will take away from my area of ownership, 1/3 of my land for roads, that is take away 237 square meters leaving me with just 762 square meters.

Owners strenuously object that our property is being (like in war time) commandeered by developers, for use at some indeterminable time in the future, to build roads to serve areas outside of our cul de sac and contribute destroying what remains of our cul de sac enclave neighborhood.

The SRP1 staff report recorded no concern regarded loss of land that allows the continuance of Elizabeth Street south to Major Mackenzie.

APPENDIX D - LETTER FROM MR CHERNIAK MAY 18, 220 : This is perhaps only an oversight, because, my lawyer Mr. Jason Cherniak, provided a written statement advising council of the decapitation of my land if you were to continue the Elizabeth road extension. Not only was no reply forthcoming, perhaps my voice through a professional barrister, seems to be just noise of interference. Shame on me again, although hiring professionals I cannot seem to convert my property ownership status to assert any right of land owners against diminishment of same as a resident who spent over 25 years volunteering to community growth, hospital, cultural and faith organizations. So the paradox, after 35 years of ownership and community services, my identity as a Richmond land owner seems still to be on B class category...

I formally place on record and submit my comments below and trust it will make the issues list.

MAJOR ISSUE ON SRRP1.21.027 - staff preliminary comment - 3rd bullet:

• "..comments concerning the proposed interim and ultimate Elizabeth Street extension are critical in determining the acceptability of the proposed site design and access"

APPENDIX E: Email to Developer leaving my home intact

APPENDIX F: Planners draft showing "taking 237metres square" of my lot 66 to facilitate road extension.

APPENDIX G: Confirming my land lock location with no Major Mackenzie Drive frontage.

DESTRUCTION of NEIGHBORHOOD, ENVIRONMENT, QUALITY OF LIFE, SIMILAR ISSUES:

The Southward extension of Elizabeth Street from Arnold Street will pass and consume 1/3 of my titled property #66 Major Mackenzie Drive West.

I attach a to scale, planner originated drawing, of what would be extracted from me personally, for the trajectory of the proposed Elizabeth Street extension.

It is debilitating with no hope of recovery in my life time, in a substantial way, if this extraneous appendix is allowed in this proposal, it will destroy my family home, where my family lived and grew up, my equity, any property value appreciation, extremely difficult and long listing property resale period, and property redevelopment potential to possible accommodate the likely classification MTSA – Transit population zone, issued by the Province of Ontario.

Intangible destruction and health and environment and safety, loss of greenery, (Yeda will pay the City to be allowed to destroy trees and make no park and play community space provisions. zones other presenters will elaborate on value

REWARD/BENEFIT

This Application seeks to get you net 18 more housing units but at a blood dripping cost, the total emaciation of destruction of one of the most desirable very small homes neighborhood in the heart of transit, commerce, community gathering place and in the summer great family walk about a library, a high school, a large regional hospital, a police and fire services hub and mayor bus routes.

REPEAL OF RICHMOND HILL SECONDARY JULY 3rd 2019

KINDLY PLACE THIS AS AN ISSUE FOR ME WITH YOUR A STAFF REPORT – THIS ITEM ADD TO BENEFIT ONLY THOSE NOT WITHIN OUR ENCLAVE.

Now I submit 1 of the only 3 pieces of documents that was shared with me by City Planning

And show how that allows me to express my concerns at every level possible including causing serious financial home equity losses and numerous others:

1. List on index of submissions as "Interim Elizabeth Street Extension Plan"

I received from the City,

Here is where I can show graphically what how I continued to be ashamed. This SRP1.21.027 says on page 4, that Yeda has submitted the 27 (page 4 & 5) items, and the listed documents seems very comprehensive, yet list proposal from Yeda lists is shown on a map obtained from Simone at the

, /private whose address are on Major Mackenzie driven West, but have no direct access onto Major Mackenzie Drive, a regional road.

All of our rights First

I and my wife lived at our current address since May 26 1986,

YEDA ZONING BY-LAW CHANGE APPLICATION IS INCOMPABILITY WITH PLANNING IMPERATIVES AS ENUMERATED BY OUR PROVINCE AND REGION AND MUST BE DENIED.

I submit my major concerns about this YEDA development proposal, regarding the piece meal and fragment development approach by Yeda on their land at #58 Major Mackenzie Drive West, Richmond Hill. But in denying its goals of infilling, ask that council initiate gives us a develop classification to enable a comprehensive plan for these lands that satisfy the housing targets and community neighborhood standards of green, and cohesion, employments and transit mandates.

About 70% of the funding of subway extension north to Yonge/Hwy7 and this must be Included in the overall plan.

This application does not support a transit oriented development that supports the increased use of the transit system

THESE 5 HOMES AND LANEWAY LANDS ARE ALREADY IN A SEPARATE AND DISTINCT DEVELOPMENT POCKET AND AWAIT A FORMAL STATUS AS A TRANSIT DEVELOPMENT PROJECT WITH AN APPROPRIATE ZONING CLASIFICATION. THIS AS A SEPARATE ISSUE.

Our land is at the junction of Major Mackenzie Drive West and Yonge Street, opposite the Richmond Hill Public Library. It is also only 290 meters away from that intersection and is the ideal opportunity and place to start the future. We are already in a development zone, by default.

Major Mackenzie Drive is a major regional road/highway (#31 West) and at that intersection, the region has already spent and will spend billions in that it has already completed the Yonge Street Viva transport network for north south people movement, and now working on the east west for flow people, which is directing Richmond Hill to move with in supportive measures to facilitate larger density of housing units along these routes. We are eligible for zoning classification within the York Region Mass Transit Plan that has been approved by all levels of senior governments and invites us to contribute our land for those planning goals. We accept that invitation.

Attached are copies from the Richmond Hill website - Attachments are:

- A. Page attached from Access Richmond Hill, Chapter 10 repealed effec0tive July 3, 2019.
- B. Cover Page of Chapter 10
- C. Page 10-18 Richmond Official Plan

This secondary plan I believe Chapter 10, and the impact of the revocation can be seen by the red arrows on the street diagram attached and ref as page 10 of the downtown local secondary plan, so this application seeks to override councils repealing decision above.

I object to this development application submitted after the secondary plan is revoked

COUNTOUR, AREA OF THIS POCKET OF LANDS

And for further context, the developable land is in the shape of a cul de sac having a total land area of 3 acres, where 2 of those acres (80%) is owned by 5 persons and used as residences. The 5 municipal addresses are #60, 58, 60, 74 & 78 Major Mackenzie drive West, all being addresses on a major regional transit road (also called HWY31).

The other 1 acre (20%) is owned our City, and forms a center island of green space and around it is as a gravel road that allows mostly entry on the east side going northwards to around the top (encountering my resident #66) and circle out going back south to single neck for exit to Major Mackenzie..

And YEDA acquired #58, his area is approx.¹/₂ acre, and is not at either the top of or bottom of the cul de sac, but in the middle of the east side of the gravel roadway. All 5 home owners share the cost equally of maintaining, snow removal salting, shrub removal etc of the gravel

roadway, and on an honor system fixes pot holes, does the landscaping and moving the center lane etc. for owners.

This owner Yeda demolished the structures a year and half ago. In the process Yeda created at the lot line an unsightly and sloppy fence and really denegraded our esthetics. owns ris seeking intensification of housing densities in this application, initially for 33 units, and 66 parking spaces), and now scaled down to 19 units, and 19 parking spaces.) On our prime 3 acres parcel of land at the approximate

Resubmitted Application continues with a series of colors of the truth or unfaithful representation of the Facts.

- 1. NOT MENTIONED ANYWHERE IN THE ISSUES LIST.
 - The major misleading or colored truth is the total omission of the existence of my resident land and residence on the northwest corner 66 major Mackenzie drive west. It is an abutting land and was not discussed as impacted abutting, not even by inference.
 - Another major significant misleading omission is that the Yeda land has at its immediate west, other low rise houses; but totally fail to say at the immediate west is that the parcel of land owned by the city and is a public laneway for entry and egress. This should be known to our members of council.
 - That no effort was made to determine who contributed to the infrastructure that services the homes in the cul de sac,
 - I am told by the electric company that the utility post within the center island is paid for by my address and thus owns it.
 - # 66 & 74 Major Mac Drive address have water connection from the fire hydrant area in the center island whereas #60, 58 & 76 each go direct the main at Major Mac
 - Sewer connections again may be separated with some older connections being both the water and sewer whilst now these are separated.
 - Yard maintenance grass, brushes, snow removal, mud abatement, and all such material
 - Street numbering for fire and response labeling issues.
 - Many more, may this be address
 - And that 1/3 of my land is the target area that will maximize development for this file D002-20001-Yeda. This is charted on a draft survey plan as attached

- And will reduce my "occupancy duration" as sort of trustee for the City until they get an opportunity to order the giving up of my land now or any time in the future.
- That this bylaw application if allowed to proceed will deprive me of all the rights of ownership for the future sale, density, use, access and egress of my property
- My concerns submitted significant issues, mostly deals with land rights and the deprivation of those rights that existed since 1957 as public gravel laneway over both City owned land private owned lands, other existing legal and assumed rights of way, egress and ingress, etc

SITE LOCATION & ADJECENT USES, & ABUTTING LANDS: Page 3 of SRP1: These are listed as

- Low density low rise residential dwellings generally to the south, east, and west.
- ("St Mary Anglican Church,10030 Yonge Street,
- An approved 88 stacked residential development... City Files D02-15019.

A: PUBLIC LANEWAY BEING CONFISCATED UNILATERALLY BY DEVELOPER WITHOUT ANY CONCERN FOR THE PLIGHT OF THE OTHER 4 HOME OWNERS.

On a straight line of the north side of Major Mackenzie Drive West, this 3 acres piece of land has a direct east to west exposure to Major Mackenzie Drive of about 100 meters and is served by a single to/from entrance to a public gravel roadway going north. That laneway is not named and the road exists for over (60 years) 1957 to current it is an unassumed public road going from land given to and owned by the City.

This gravel roadway is shared by the 5 residence of the resulting cul de sac, by a series of rights of ways entrenched, developed and used uninterruptedly for the entire length of time to the current day.

So the 5 housing units on the outer perimeter occupying 2 acres of land and the other 1 acre is a center island with generous green trees and spaces This is the spaced owned by the Town and represents 20% of all land within our local development zone.

I presented at the previous public meeting and on Appendix An item 3.3 of the staff report being discussed the last 2 paragraphs confirmed my submissions of the issues and specifically as it related to land usage and rights.

When I go to staff report pg. 3 issues that were selected for resolution are "proposed building height, loss of privacy, and potential noise and traffic generation" and it appears that these were the only matters that the applicant attended to in this revised submission.

REQUEST TO COUNCIL:

May you kindly ask that our concerns regarding the public road laneway that currently exist be added to the list of critical concerns for this application to proceed.

REQUEST TO COUNCIL:

Please consider the inappropriateness of this application using old development standards for downtown development structures which is too thin when higher density is being approved by the Province and York Region for our area.

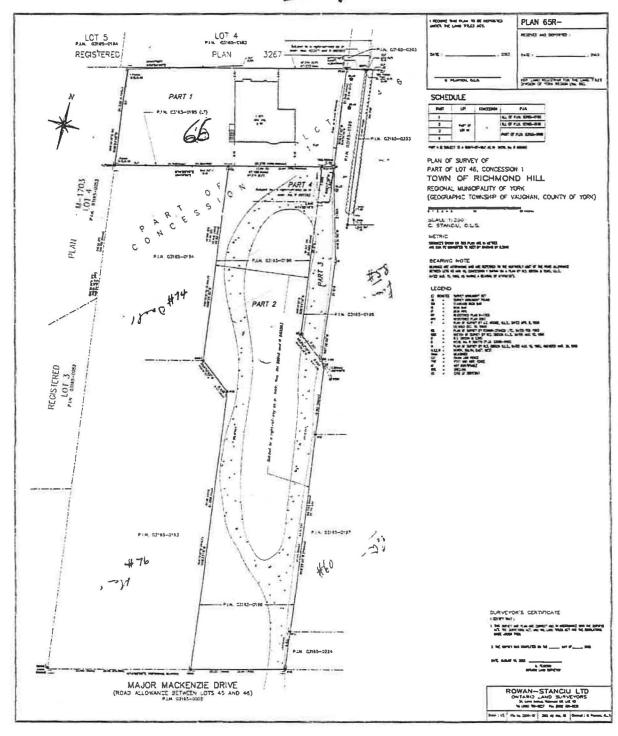
COMPREHENSIVE DEVELOPMENT PLAN:

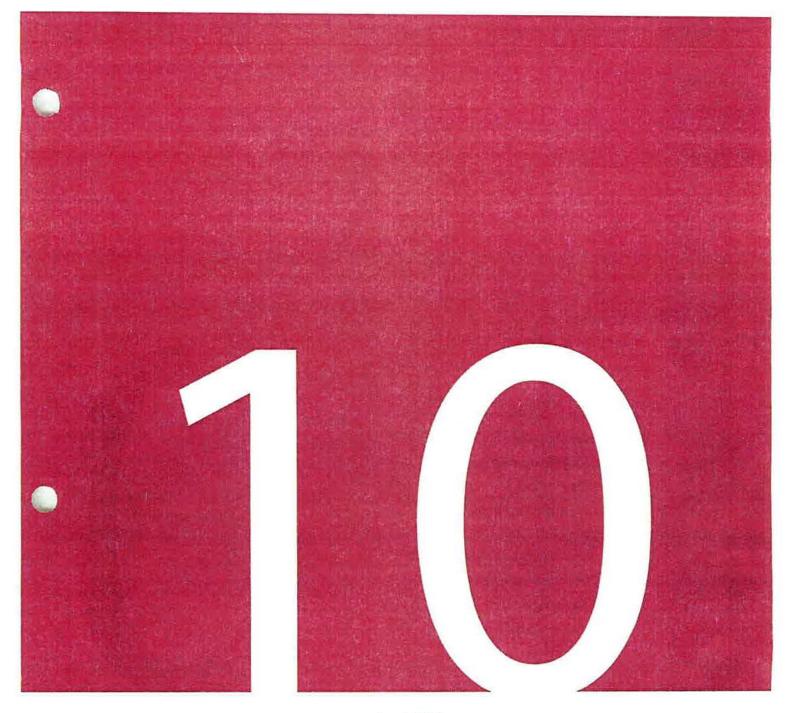
In this development zone we will have the opportunity to provide housing for the employees over 3,500 at Mackenzie Health and all the other employees within walking distance.

Again on the opposite side of us there are approved housing multi-residential that already matches expectation from this hub. Looking forward for our little development zone to be part of the solution and not detrimental with inefficient use of space.

Thank you Harry

ys,N





PROPOSED

DOWNTOWN LOCAL CENTRE

- 5. Development may be required to prepare a TDM Strategy, which may include, but shall not be limited to, any or all of the following:
 - a. Cycling infrastructure and end-of-trip infrastructure such as secure bicycle storage and shower and change room facilities;
 - b. Dedicated cycling routes internal to the site to and from key destinations;
 - c. Connections to existing municipal bicycle system;
 - d. Subsidized transit passes or pre-loaded transit cards for new residents and/or employees;
 - e. Pedestrian amenities, such as treed sidewalks, benches and marked crossings;
 - f. Continuous pedestrian linkages to minimize pedestrian walking distances;
 - g. Functional building entrances oriented to locations where pedestrian and transit users arrive such as a street, park, urban square, or urban plaza;
 - h. Weather protection along street frontages adjacent to transit stops;
 - i. Car-sharing programs and preferential car-sharing parking;
 - j. Preferential carpool parking;
 - k. Paid parking for non-residential uses;
 - I. Employer shuttles or vanpools supported by preferential parking; and/or
 - m. Electric vehicle charging stations or rough-ins.

10.4.4 Streets

Streets represent important public spaces and aid in shaping the experience and identity of a place. More than a road to move traffic, a street defines and considers all of the elements that combine to create the quality and character of the "urban room" that contains the street: sidewalks, trees, lighting, furnishings, signage and the character and quality of the buildings that define the streetwall. Given that a culture of walking is fundamental to achieving a successful Downtown, streets must be designed to balance pedestrian, cycling, transit, land use and civic functions, in addition to the movement of vehicles.

- The intent of the hierarchy of streets shown on Schedule 5 to this Secondary Plan is to identify the characteristics that will be fostered to create pedestrian-oriented streets. The cross sections shown in Appendix 2 to this Secondary Plan illustrate the intended character and shall be utilized to inform detailed design.
- 2. The hierarchy of streets shown on Schedule 5 to this Secondary Plan includes:
 - a. Primary Streets:

i.

- Yonge Street; and,
- ii. Major Mackenzie Drive; and
- b. Transitioning Streets.

 In addition to streets, the Downtown Local Centre includes a linked system of courtyards.

10.4.4.1 Yonge Street

Yonge Street is an arterial street and will remain a primary street framed by buildings along its length through the Downtown Local Centre. As the street that links all three Districts, the treatment of this street will serve to unify the entire Downtown Local Centre. Vehicular access to Yonge Street shall be limited and generally provided from side or rear streets or the *linked system of courtyards*. In both the Uptown and Village Districts, Yonge Street is under the jurisdiction of

LEVENDALE HUNT 4 PENSON + CRESEN + FACTER DEADK SOUNLOF V.C. 20.5 Jeak Let The 1.0.15 ARAL THILL MAINGIE Skew! FLANNON) TRANSTRATION 11 17 1 Harth FLOOME LAPTIN S

Transitioning Streets

RICHMOND HILL OFFICIAL P

FEERDARY 2097

10-18

chmond Hill

Access RH

Access Richmond Hill

The Access Richmond Hill Contact Centre provides assistance for general inquiries, responds to questions or concerns regarding programs and services as well as accepts in person payments.

Contact Us

905-771-8800

access@richmondhill.ca

Hours of Service: Monday through Friday, 8:30 a.m. to 4:30 p.m.

Report Feedback

Report a problem with a service, e.g. missed garbage collection, overnight parking, potholes, street lights, etc.

Report a Problem

_fficial Plan

Home / /Find or Learn About / /Reports, Publications and Plans / /Official Plan

Richmond Hill's Official Plan focuses on land use. It contains policies for the physical, social and economic growth of our community.

The Official Plan is Richmond Hill's vision for "building a new kind of urban" community. It helps us make development decisions, such as:

- where to put new housing, businesses and shopping areas, parks, open spaces, and schools
- what types of housing, employment and shopping areas, parks, open spaces and schools to include
- what infrastructure(streets, water services and waste management) will be needed
- · how natural areas and ecosystems will be protected

View the Official Plan (office consolidation to June 2020)

Official Plan: Part 1

• Chapters 1-7: Part 1 Plan (includes Schedules and Appendices)

fficial Plan: Part 2

- Chapter 8: West Gormley Secondary Plan
- <u>Chapter 9: North Leslie Secondary Plan</u>
- Chapter 10: Downtown Local Centre Secondary Plan (repealed effective July 3, 2019)

https://www.richmondhill.ca/en/find-or-learn-about/Official-Plan.aspx

earl of



P: 905-883-6706 F: 905-883-6703 Jason@CherniakLaw.com http://CherniakLaw.com

May 19, 2020

VIA Email: clerks@richmondhill.ca

Richmond Hill City Council 225 East Beaver Creek Richmond Hill, ON L4B 3P4

Dear Mr. Mayor and members of Council:

RE: Richmond Hill Council Meeting on May 20, 2020 Delegation regarding Item 3.3 File No.: 00610.00001

I have been retained by Harry Harakh, who lives at 66 Major Mackenzie Drive West, neighbouring the subject property. It is number 66 on Map 3 – Existing Zoning. On behalf of Mr. Harakh, please keep me informed of all further steps regarding this application.

Mr. Harakh and his wife Pam have lived in this house in Richmond Hill for over 34 years. They have contributed to the community and they have enjoyed watching it grow to a City. The Harakhs do not object to Richmond Hill growing and continuing to evolve.

However, Mr. and Mrs. Harakh are concerned because the "ultimate" Elizabeth Street South extension on Map 5 goes through their property and would take half of their living room. This is not clear from the map before council because their home is not shown. As a result, the street cannot be completed until somebody purchases the property who does not intend to live there.

However, due to the location and orientation of the property, there would be a significant loss in development potential and it might not be appealing for intensification. The result could be that Elizabeth Street is completed on both sides of the Harakh property but not connected.

The Harakhs are prepared to work with staff and the applicant to come to a reasonable solution to this problem. They would appreciate the support of council in this regard and a recommendation that staff meet with Mr. Harakh.

Yours truly,

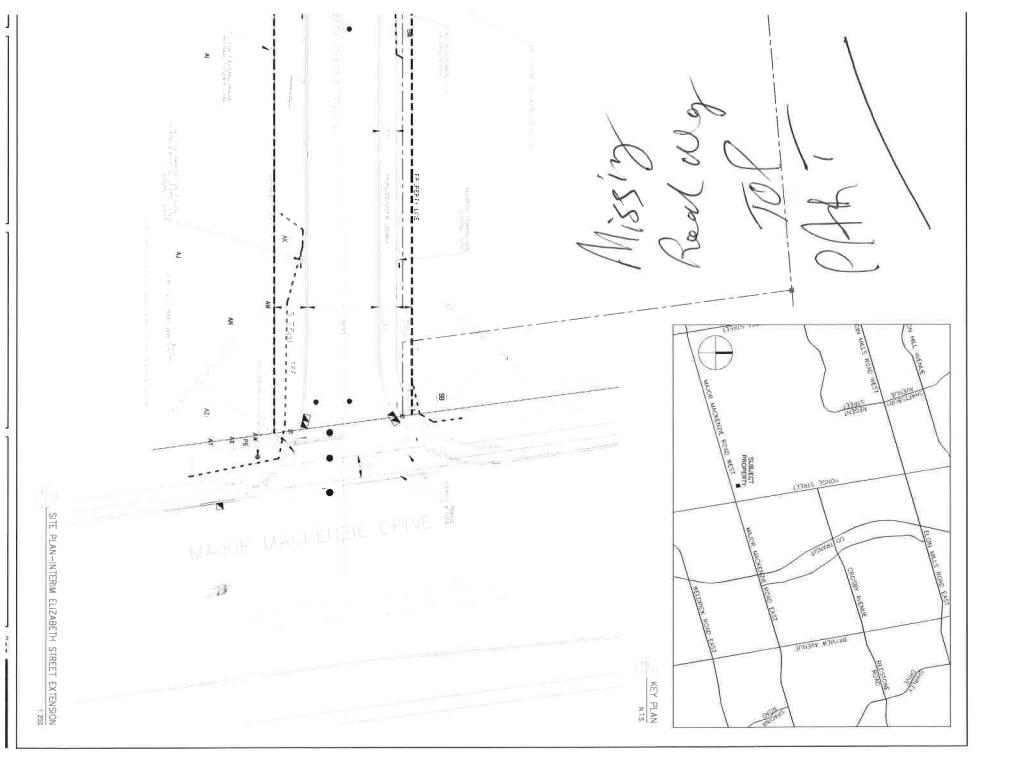
Cherniak Law Professional Corporation

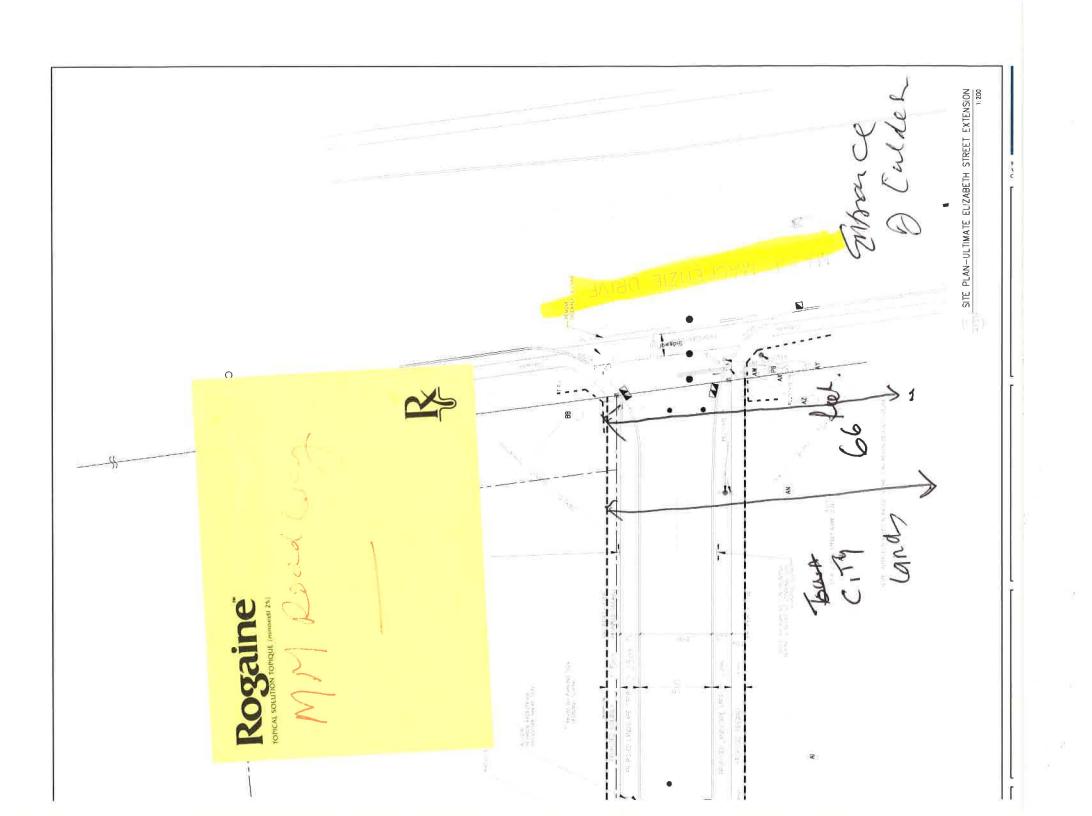
per: Jason Cherniak

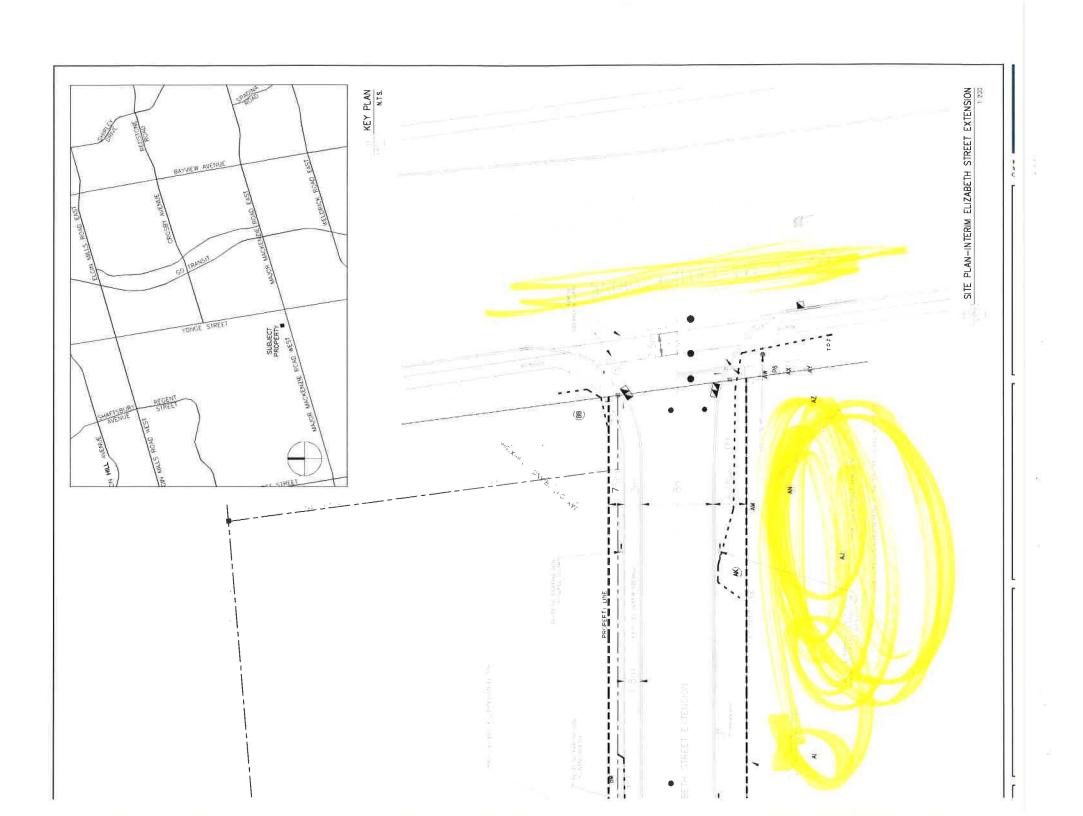
Barrister and Solicitor

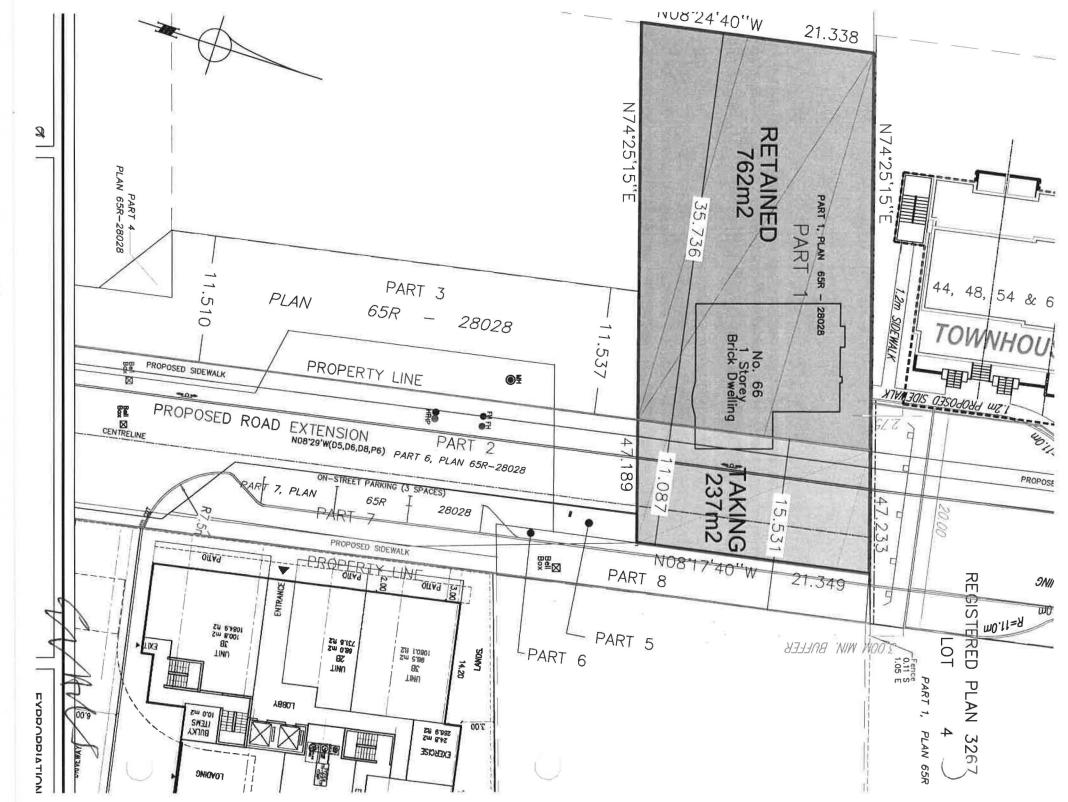
Kepeal J

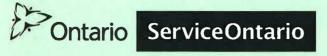
Suite 209 10909 Yonge Street Richmond Hill Ontario L4C 3E3











PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

PAGE 3 OF 3 PREPARED FOR HARRY ON 2019/06/11 AT 11:47:07

LAND REGISTRY OFFICE #65

03165-0199 (LT)

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
RI	EMARKS: RE: YF	409380			BLAIS, DENIS	The second
YR424814	2004/02/04	LR'S ORDER		BLAIS, DENIS	BLAIS, DENIS	с
65R28028	2005/05/19	PLAN REFERENCE				с,
YR1123461	2008/02/11	DISCH OF CHARGE		*** COMPLETELY DELETED ***		
RI	EMARKS: RE: LI	1574961		DUCA FINANCIAL SERVICES CREDIT UNION LTD.		
		TRANSFER REL&ABAND 3. PARTIAL RELEASE I		EUSER, THERESA RAGRAPH	LAURIER HOMES (RICHMOND HILL) INC.	c V
¥R2790843	2018/01/31	TRANSFER	\$2,400,000	EUSER, THERESA	YEDA MAJOR MACKENZIE INC.	c)
YR2790844	2018/01/31	CHARGE	\$1,200,000	YEDA MAJOR MACKENZIE INC.	EUSER, THERESA EUSER, DAN	с
YR2792604	2018/02/06	DISCH OF CHARGE		*** COMPLETELY DELETED ***		-
RI	MARKS: LT1574	962.		DUCA FINANCIAL SERVICES CREDIT UNION LTD.		
YR2793978	2018/02/08	DISCH OF CHARGE	-	*** COMPLETELY DELETED *** DUCA FINANCIAL SERVICES CREDIT UNION LTD.		
RI	MARKS: LT1574	963.				

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY. NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

