



**Toronto and Region
Conservation
Authority**

November 9, 2021

CFN 64161.11

BY EMAIL ONLY

Ms. Leigh Ann Penner
City of Richmond Hill
225 East Beaver Creek Road
Richmond Hill, ON L4B 3P4

Dear Ms. Leigh Ann Penner:

**Re: D01-21007 (Official Plan Amendment)
D02-21014 (Zoning By-law Amendment)
9651 Yonge Street, Richmond Hill
1246652 B.C. LTD.**

This letter will acknowledge receipt of the above noted applications. Toronto and Region Conservation Authority (TRCA) staff have reviewed the submission and offer the following comments.

Purpose of Application

It is our understanding that the purpose of the above applications is to permit a high density mixed use residential/commercial development comprised of three apartment buildings 20, 18 and 18 storeys in height (Towers 1, 2 and 3, respectively).

Towers 1 and 2 are to be connected by a 6 storey podium and contain commercial/retail, residential and amenity uses. Tower 3 is to be connected by a 6 storey podium and contain residential uses. The proposal includes a total of 610 dwelling units, 52,977 square metres (570,258.34 square feet) of gross floor area, a Floor Space Index of 5.0, a total of 750 parking spaces on the subject lands.

Applicable TRCA Regulations and Policies

The TRCA provides our technical review comments through a number of roles. This includes TRCA's commenting role under the *Planning Act*; the Conservation Authority's delegated responsibility of representing the provincial interest of natural hazards encompassed by Section 3.1 of the Provincial Policy Statement (2014); TRCA's Regulatory Authority under Ontario Regulation 166/06 (as amended), Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses; and our Memorandum of Understanding with the Region of York where we advise our municipal partners on matters related to provincial policies relevant to TRCA's jurisdiction.

Ontario Regulation 166/06

The subject property is located within the Don River Watershed but outside of an area regulated by the TRCA under Ontario Regulation 166/06 (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses), as amended. As such, a permit in accordance with Ontario Regulation 166/06 is not required for the proposed development.

CTC Source Protection Plan

Please be advised that the subject property appear to fall within a Wellhead Protection Area Q2 (WHPA –Q2) and Highly Vulnerable Aquifer (HVA) under the Credit Valley-Toronto & Region-Central Lake Ontario Source Protection Plan (CTC SPP). TRCA supports the legislated protection of municipal drinking water sources through the *Clean Water Act* and acts as a technical advisor to York Region for some aspects of the CTC SPP. However, municipalities are the approval authority responsible for ensuring that *Planning Act* applications conform to the CTC SPP. Therefore, TRCA staff recommend contacting Don Ford (Senior Management, Hydrogeology and Source Water Protection) for further information regarding the CTC SPP requirements.

Water Balance & CTC Source Protection Plan

The Source Protection Plan (SPP) under the *Clean Water Act, 2006*, developed for the Credit Valley, Toronto and Region and Central Lake Ontario (CTC) Source Protection Region came into effect on December 31, 2015 and was amended in 2019. The CTC SPP contains policies to ensure that existing activities occurring when the Plan took effect cease to be significant drinking water threats, and to prevent future activities from becoming significant threats to drinking water.

The subject property is located within a Wellhead Protection Area-Q (WHPA-Q) below the downgradient which is considered Vulnerable Areas pursuant to the CTC SPP. TRCA staff note that all Site Plan applications (excluding a single family dwelling with a building footprint of less than 500 square metres) and Subdivision applications within WHPA-Q areas must conform to Policy REC-1 of the CTC SPP which requires a water balance.

Application-Specific Comments

As the subject property is outside of TRCA's regulated area, TRCA staff defer overall review of stormwater management control and erosion-sediment controls to the City of Richmond Hill Engineering staff. The following comments are advisory in nature to the City of Richmond Hill.

Hydrogeology

TRCA's Hydrogeologist note the proponents have assessed the pre and post-development recharge, with a deficit of approximately 90 m³ per year. They are proposing a cistern with water reuse for irrigation, which will not result in any recharge, given the underground parking extends from lot line to lot line. TRCA staff defer to the City as to whether they accept the irrigation approach, however TRCA do not believe that this constitutes "best efforts" therefore, the proposed development does not meet the requirements of the REC-1 policy of the CTC Source Protection Plan.

Fees

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 way of this letter, the applicant is advised that this Official Plan Amendment and Zoning By-law Amendment application is subject to TRCA Planning Services review fee in the amount of **\$2,220.00** (Hydrogeology Review / Source Water Protection). The applicant is responsible for arranging payment of this fee to our office within 60 days of this letter.

Recommendation

The TRCA trusts that our technical review of this application is of assistance to the City of Richmond Hill. As the subject property is not located within a TRCA Regulated Area, staff recommends that the City of Richmond Hill ensure that the proposed works meet CTC SPP policies. Hereafter, TRCA staff defers the issue to the satisfaction of the municipality. However, the TRCA will provide technical expertise in the continued review of this application, per our operational protocol with York Region.

We trust this is of assistance. Should you have any further questions or comments, do not hesitate to contact the undersigned.

Yours truly,

A handwritten signature in black ink, appearing to read 'L. Bui', with a stylized flourish at the end.

Linda Bui
Planner, Development Planning and Permits
linda.bui@trca.ca, Extension 5289