



Corporate Services
Community Planning and Development Services

July 21, 2022

Sarah Mowder
Planning Department
City of Richmond Hill

Dear Ms Mowder:

**Re: 1st Submission Comments
2867515 ONTARIO INC.
282 and 292 Elgin Mills Rd West
City of Richmond Hill
Town File No.: D06-21008
Our File No.: SP.22.R.0146**

This is a preliminary letter, not an approval and is subject to modification. It is intended to provide information to the applicant regarding the Regional requirements and comments that have been identified to date. By copy of this letter, feedback regarding the status of this application is being provided to the owner / municipality.

General Comments:

1. A written response is required explaining how each comment has been addressed. The resubmission should include 1 digital copy for review.
2. In order for York Region to be able to complete its review, the owner or applicant must submit the following information:
 - Draft Reference Plan
 - Traffic Management Plan/s
 - Results of subsurface utility investigations
 - Confirmation of Allocation

Development Engineering Comments:

3. The Owner must obtain a Road Occupancy Permit from Corridor Control and Safety with the Roads and Traffic Operations Branch, prior to commencing any work on the Elgin Mills Road West. The Road Occupancy Permit will be released once the contractor has supplied proof that the Region is in receipt of securities and the Certificate of Insurance to the satisfaction of the Commissioner of Finance. A Road Occupancy Permit will be required as a condition of site plan approval. Details regarding the Road Occupancy Permit will be provided upon submission of the revised plan.

4. The Owner shall submit a ***Traffic Management Plan*** for all works to be undertaken in the road allowance of Elgin Mills Road West. Please note the following minimum requirements for working within a York Region Road allowance unless dictated otherwise on the Traffic/Construction Management Plan and Road Occupancy Permit:
 - i. No lane closures are permitted on weekdays between the hours of 7:00 a.m. to 9:30 a.m. and 3:30 p.m. to 6:00 p.m.;
 - ii. Any lane closures or lane encroachments that occur must be signed in accordance with the Ontario Traffic Manual (OTM) Book 7 “Temporary Conditions”;
 - iii. Safe pedestrian access must be maintained at all times by the Owner’s contractors. As such, safe passage for all pedestrians, including pedestrians with disabilities (blind, hearing impaired, on wheelchairs, etc.), must be ensured by the Owner’s contractors.
 - iv. 24-hour contacts must be available throughout the duration of the project;
 - v. The characteristic and placement of all signs and traffic control or management shall conform to the standards of the Ontario Traffic Manual (OTM) Book 7 “Temporary Conditions” and as per the Occupational Health and Safety Act;
 - vi. The manufacture and the erection of all signs for the Traffic Management Plan shall be the responsibility of the Contractor.
 - vii. Paid Duty officers will be required for proposed or existing signalized works within intersections.

Financial:

5. This application is subject to payment of the Region’s development review fees identified in York Region Fee By-law 2020-04, as amended. **The fee for application review is \$3,600.00 minimum or 7% of the estimated cost of works on the York Region road allowance, whichever is greater.** The minimum fee must be submitted so we can proceed with the review. Please forward a cheque in the amount of **\$3,600.00 or 7% whichever is greater** to the Community Planning and Development Services Branch, payable to "The Regional Municipality of York", to the attention of the Development Engineering Application Coordinator.

The Region acknowledges receipt of the minimum review fee of \$3,300.00.

6. For any applications (Site Plan or Zoning By-law Amendment) completed after January 1, 2020, the Owner shall enter into a Development Charge Rate Freezing Agreement with York Region to freeze/lock in the Development Charge rate at the time the site plan application or

Zoning By-law Amendment is deemed complete submission, satisfy all conditions, financial and otherwise, and confirm the date at which Regional development charge rates are frozen; Regional Development Charges are payable in accordance with Regional Development Charges By-law in effect at the time that Regional development charges, or any part thereof, are payable. Please contact Fabrizio Filippazzo, Manager, Development Financing Administration to initiate a Development Charge Agreement with York Region.

7. Upon final review York Region shall advise the Owner of any other property, financial, legal, insurance, technical, notification and other requirements, which will become part of the conditions of approval for the subject application.

Road Widening

8. Please be advised York Region is protecting a **36-metre** right-of-way for this section of Elgin Mills Rd West. As such, York Region requests that all municipal setbacks be referenced from a point **18 metres** from the centreline of construction of Elgin Mills Road West.
9. The Owner shall convey the following lands, along the entire frontage of the site adjacent to **Elgin Mills Road West**, to The Regional Municipality of York, free of costs and encumbrances:
 - sufficient property to provide for a road allowance of **18 metres** measured from the existing centerline of construction of Elgin Mills Road West;
 - sufficient property to provide a **5.0 metre** by **5.0 metre** daylighting trapezoid at the proposed access as a permanent easement for the purpose of maintaining clear sight lines. No feature exceeding 0.6 m will be permitted within the permanent easement.
10. The Owner shall arrange for the preparation, review and deposit on title of a 65R reference plan, describing the lands identified above, to the satisfaction of the Regional Community Planning and Development Services Branch. The reference plan(s) shall identify all lands to be conveyed to the Region of York.

Garbage Pick-Up

11. Prior to Approval the Owner shall provide written confirmation from the City that no garbage pick-up will occur from Elgin Mills Rd West.

Transportation Services Comments:

12. The Owner shall revise the site plan to include road signage to restrict the access to Elgin Mills Rd West to right-in, right-out movements only

13. The Owner shall agree in the Site Plan Agreement to provide the following clause in all subsequent Purchase Agreements, Lease and Tenant Agreements and any related Condominium Agreements and Declaration of Condominium Agreements, of the future vehicular interconnection(s) and the potential increase in traffic. "THE OWNER COVENANTS AND AGREES TO ADVISE POTENTIAL PURCHASERS, IN ALL AGREEMENTS OF PURCHASE AND SALE, CONDOMINIUM AGREEMENTS AND DECLARATION OF CONDOMINIUM AGREEMENTS, THAT THE ACCESS TO ELGIN MILLS ROAD WILL BE RESTRICTED TO RIGHT-IN/RIGHT-OUT OPERATIONS ONLY."
14. The Owner shall agree in the Site Plan Agreement to provide the following clause in all subsequent Purchase Agreements, Lease and Tenant Agreements and any related Condominium Agreements and Declaration of Condominium Agreements, of the future vehicular interconnection(s) and the potential increase in traffic. "THE OWNER COVENANTS AND AGREES TO ADVISE POTENTIAL PURCHASERS, IN ALL AGREEMENTS OF PURCHASE AND SALE, CONDOMINIUM AGREEMENTS AND DECLARATION OF CONDOMINIUM AGREEMENTS, THAT A VEHICULAR INTERCONNECTION WILL BE PROVIDED TO THE LANDS EAST OF THE SUBJECT SITE. AS SUCH TRAFFIC VOLUMES ARE EXPECTED TO INCREASE AT THE TIME THESE LANDS ARE DEVELOPED."

Environmental Services Comments:

15. **The Owner is advised that** if temporary dewatering discharge is proposed to a Regional storm sewer or any sanitary sewer then a **dewatering discharge permit** is required from the Region's Environmental Service Department prior to the commencement of dewatering. A temporary dewatering permit application is available on line at www.york.ca/seweruse; or by contacting 905-830 4444 x 5097.
16. The Owner is advised that residential development proposed within the subject area will require water and wastewater servicing allocation from the City of Richmond Hill. If the City of Richmond Hill does not grant this development the required allocation from the Region's existing capacity assignments to date, then the development may require additional infrastructure based on conditions of future capacity assignment, which may include:
- Duffin Creek WPCP Outfall Modification – 2023 anticipated completion
 - Other projects as may be identified in future studies, or other appropriate servicing agreements

The timing of the above infrastructure is the current estimate and may change as each infrastructure project progresses and is provided for information purposes only.

17. Prior to final approval, the Owner shall provide to the Region the following documentation to confirm that water and wastewater services are available to the subject development and have been allocated by the City of Richmond Hill:
 - a copy of the Council resolution or Council minutes confirming that the City has allocated servicing capacity, specifying the specific source of the capacity, to the development proposed within this draft plan, or any phase thereof.
 - a copy of an email confirmation by a City staff member stating that the allocation to the subject development remains valid at the time of the request for regional clearance of this condition.
18. The Owner is advised that the proposed servicing connections are in close proximity to the Regional 600mm watermain located in the Elgin Mills Road right-of-way. Integrity of the above Regional infrastructure shall be protected and maintained at all times during construction and grading of the proposed development. Please be advised that any construction works in close proximity of the watermain require the Region's approval prior to construction.
19. All construction drawings showing works in close proximity of the Region's infrastructure shall clearly show and label the Region's infrastructure and include the following note for the Contractor: "Integrity of the Regional 600mm watermain on Elgin Mills Road shall be protected at all times."
20. Infrastructure crossing the Region's infrastructure, such as the proposed sanitary and storm sewer connections, are required to provide a minimum of 1 metre vertical clearance.
21. Unless already completed, prior to approval the Owner shall daylight the Regional 600 mm trunk watermain to confirm its precise horizontal and vertical location. Regional staff must be present when the daylighting is undertaken. Please contact Robert Bailey (Robert.Bailey@york.ca) at least two weeks in advance.
22. The Region's construction inspection staff, (ENVassetapprovals@york.ca) shall be invited to pre-construction meetings and to inspect the construction site during works performed in close proximity of the Region's infrastructure. A minimum two weeks' notice is required.

Environmental Reports

23. The Region requires the Owner submit a Phase One Environmental Site Assessment ("ESA") in general accordance with the requirements of the Environmental Protection Act and O. Reg. 153/04 Records of Site Condition, as amended ("O. Reg. 153/04"). The Phase One ESA must be for the Owner's property that is the subject of the application and include the lands to be conveyed to the Region (the "Conveyance Lands"). The Phase One ESA cannot be more than two (2) years old at: (a) the date of submission to the Region; and (b) the date title to the Conveyance Lands is transferred to the Region. If the originally submitted Phase

One ESA is or would be more than two (2) years old at the actual date title of the Conveyance Lands is transferred to the Region, the Phase One ESA will need to be either updated or a new Phase One ESA submitted by the Owner. Any update or new Phase One ESA must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04, as amended. The Region, at its discretion, may require further study, investigation, assessment, delineation and preparation of reports to determine whether any action is required regardless of the findings or conclusions of the submitted Phase One ESA. The further study, investigation, assessment, delineation and subsequent reports or documentation must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04, as amended. Reliance on the Phase One ESA and any subsequent reports or documentation must be provided to the Region in the Region's standard format and/or contain terms and conditions satisfactory to the Region.

The Region requires a certified written statement from the Owner that, as of the date title to the Conveyance Lands is transferred to the Region: (i) there are no contaminants of concern, within the meaning of O. Reg. 153/04, as amended, which are present at, in, on, or under the property, or emanating or migrating from the property to the Conveyance Lands at levels that exceed the MECP full depth site condition standards applicable to the property; (ii) no pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, in, on or under the Conveyance Lands; and (iii) there are no underground or aboveground tanks, related piping, equipment and appurtenances located at, in, on or under the Conveyance Lands.

The Owner shall be responsible for all costs associated with the preparation and delivery of the Phase One ESA, any subsequent environmental work, reports or other documentation, reliance and the Owner's certified written statement.

24. The Region has the following comments on the Phase 1 ESA by nexTrans dated February 17, 2022:

- Have replies been received from MECP on the FOI and TSSA to date? If so, the Region requires copies and confirmation that the replies do not change the conclusions or recommendations contained in the Phase One ESA.
- Consultant to provide information associated with interview – date/time/who was the interviewer/questions asked and relationship between Mr. Ravadgar with the property.
- The Region requires a reliance letter in our template format.

Design and Construction Coordination

25. The Owner is advised the Elgin Mills Road adjacent to the Site is scheduled to be widened commencing in 2026.

26. The Owner is required to show the location of the future curb and sidewalk on all Site Plan drawings and shall demonstrate how the proposed access will tie into the future curb location. The Owner is advised to contact the Region's Project Manager, Jackson Marin (Jackson.Marin@york.ca) to obtain the latest design information.
27. The Owner shall ensure that the site's grading and servicing design is coordinated with the design of the Region's project.
28. The Owner is advised that that any construction activities that may be permitted within the Regional right-of-way prior to the completion of the Project, may be temporary in nature and are throw-away costs and shall be the sole responsibility of the Owner.

Source Water Protection:

29. The Owner is advised that the property is located within the WHPA-Q (Recharge Management Area). As such the CTC Source Protection Plan water quantity recharge policy will apply. The Owner must make best effort to maintain predevelopment recharge at the site using best management practices. The contact person for this requirement is Don Ford at TRCA. The approving body for compliance with the policy will be the local municipality.
30. The Owner is advised that the site is located in an identified area of concern due to known high water table conditions and confined artesian aquifer conditions, which could have geotechnical implications with respect to construction activities including, but not limited to, dewatering (short-term or long-term), foundation construction, and building stability.
31. As such, the Region recommends that any geotechnical and hydrogeological investigations undertaken by the owner take into account the fact that groundwater levels may currently be artificially depressed at the site due to third party permanent dewatering systems in the area. Because new development should not rely on the influence of nearby third party dewatering systems in its geotechnical and hydrogeological studies, any assessment for the subject site must account for third party dewatering systems in the surrounding area. It is recommended that the Owner arrange for a pre-consultation meeting with the applicable regulatory agencies, including the Ministry of Environment, Conservation and Parks (MECP) to assist in this process. Also, please note that the Environmental Monitoring and Enforcement group of the Environmental Services department should be contacted at sewerusebylaw@york.ca for a dewatering permit, if required.

If there are any questions in regard to the above noted application, please contact the undersigned at calvin.mollett@york.ca.

Sincerely,

A handwritten signature in black ink, appearing to read "Calvin J. Mollett". The signature is stylized and includes a colon at the end.

Calvin J. Mollett P.Eng
Program Manager: Development Engineering

CM

Copy to: Feridoon Ravadgar, Owner (e-mail)
Mark Jacobs, The Biglieri Group (e-mail)