



Corporate Services

October 4, 2022

Appendix 'D'  
SRPI.22.108

Mr. Kelvin Kwan  
Planning and Regulatory Services Department  
City of Richmond Hill  
225 East Beaver Creek Road  
Richmond Hill, ON L4B 3P4

Attention: Kaitlyn Graham, Senior Planner

**RE: Draft Plan of Subdivision SUBP.22.R.0037 (SUB-22-008)  
Zoning By-law Amendment ZBA.21.R.0098 (D02-21010)  
Lot 24 and Part of Lot 23, Registered Plan 3806  
551 & 561 16<sup>th</sup> Avenue  
(Mina Mahroo)  
City of Richmond Hill**

York Region has now completed its review of the above noted draft plan of subdivision prepared by Altimap Land Surveyors Inc., Job No. 21-1593, dated August 2, 2022. The proposed development is located on lands municipally known as 551 & 561 16<sup>th</sup> Avenue, on the southwest corner of Fern Avenue and 16<sup>th</sup> Avenue, in the City of Richmond Hill. The proposal will facilitate the development of 2 single detached units, 10 semi-detached units and 2 future development blocks to accommodate 2 additional single detached units, within a 0.44 ha site.

#### **Transportation Comments**

Regional Transportation and Infrastructure Planning and Transit staff have reviewed the proposal along with supporting documents and technical transportation comments are attached hereto.

#### **Sanitary Water and Sewage Supply**

Residential development in the City of Richmond Hill requires servicing capacity allocation prior to final approval. If the City of Richmond Hill does not grant this development allocation from the existing capacity assignments to date, then the development may require additional Regional infrastructure based on conditions of future capacity assignment, which may include:

- Duffin Creek WPCP Outfall Modification – 2023 expected completion, and
- 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.

### *Municipal Servicing*

The Functional Servicing Report (FSR) indicates that water and wastewater servicing for the proposed development is planned to be provided through the existing local watermain and sanitary sewer located along 16<sup>th</sup> Avenue and Fern Avenue. The sanitary systems are tributary to the Region's YDSS Richmond Hill Collector Sanitary Trunk Sewer.

The unit count and site description presented in the FSR do not match the Preliminary Servicing Plan. Specifically, the report discusses four (4) proposed semi-detached units fronting 16<sup>th</sup> Avenue, however, the engineering drawings indicates only two (2) single detached units fronting 16<sup>th</sup> Avenue.

The applicant is to submit an updated FSR and/or Servicing Plan which reflects the latest site plan, unit count, population and proposed water and wastewater demands. In addition, the FSR shall be updated with the results of the hydrant test to demonstrate that sufficient flows and pressures can be supported at the proposed development. A copy of the updated FSR shall be forwarded to the Region for review and comment.

### **Zoning By-law Amendment**

The zoning by-law amendment proposes to zone the subject lands "SR-1" and "R6". This is considered a matter of local significance and Regional Planning staff do not have comments on the amendment.

### **Lapsing Provision**

York Region requests that the City of Richmond Hill apply a lapsing provision to the draft plan, pursuant to Section 51(32) of the *Ontario Planning Act*, and that York Region be provided an opportunity to comment on any proposed extensions of the approval.

### **Section "A"**

Section "A" is to be inserted into the City of Richmond Hill's Subdivision Agreement for the sole benefit of the Region and the City is not obligated in any manner whatsoever to enforce the terms thereof. Section "A" contains York Region's conditions and clauses to form a part of the City's Subdivision Agreement. Should the City not require a local Subdivision Agreement, a Regional Subdivision will be required in its place.

### **Summary**

York Region has no objection to draft plan approval of the draft plan of subdivision and zoning by-law amendment applications subject to the attached Schedule of Clauses/Conditions for the draft plan of subdivision application. We request a copy of the notice of decision, draft approved plan, and the clauses/conditions of draft approval should the plan be approved. Should you have any questions regarding the above, please contact Justin Wong, Planner, at 1-877-464-9675 ext. 71577 or by email at [Justin.Wong@york.ca](mailto:Justin.Wong@york.ca), should you require further assistance.

Yours truly,



Duncan MacAskill, M.C.I.P., R.P.P.  
Manager, Development Planning

JW/

Attachments (3): Section "A" – Clauses/Conditions to form a part of the City's or Regional Subdivision Agreement  
Section "B" – Schedule of Conditions to be Satisfied Prior to Final Approval  
Technical Transportation Comments

YORK-#14256005-v1-SUBP\_22\_R\_0037\_(SUB-22-008)\_&\_ZBA\_21\_R\_0098\_(D02-21010)\_-\_YR\_Condition\_Letter

**SUBP.22.R.0037 (SUB-22-008)**  
**Lot 24 and Part of Lot 23, Registered Plan 3806**  
**551 & 561 16th Avenue**  
**(Mina Mahroo)**  
**City of Richmond Hill**

Re: Altimap Land Surveyors Inc., Job No. 21-1593, dated August 2, 2022

**Section "A" – Clauses to form a part of the City's Subdivision Agreement OR Regional Subdivision Agreement**

1. The Owner shall save harmless York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
2. The Owner shall provide the passenger standing area identified in Condition #13 and the standing pad shall be installed to the satisfaction of the local municipality and YRT.
3. The Owner shall acknowledge that the bus stop location determined during the design phase is subject to change. The Owner agrees prior to construction of the passenger standing area to confirm with YRT the final bus stop location/requirements by contacting the YRT Contact Centre (tel. 1-866-668-3978).
4. The Owner shall include the following clause in the subsequent Purchase Agreement(s):  
  
"THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT DIRECT ACCESS TO 16<sup>TH</sup> AVENUE WILL BE RESTRICTED TO RIGHT-IN/RIGHT-OUT OPERATIONS ONLY."
5. The Owner shall agree where enhanced landscape features beyond street tree planting, sod and concrete walkways are proposed in the York Region right-of-way by the Owner or the area municipality, these features must be approved by Development Engineering and shall be maintained by the area municipality. Failure to maintain these landscape features to York Region's satisfaction will result in the area municipality incurring the cost of maintenance and/or removal undertaken by the Region.
6. The Owner shall implement the noise attenuation features as recommended by the noise study and to the satisfaction of Development Engineering.
7. The Owner shall agree that where berm, noise wall, window and/or oversized forced air mechanical systems are required, these features shall be certified by a professional engineer to have been installed as specified by the approved Noise Study and in conformance with the Ministry of Environment guidelines and the York Region Noise Policy.
8. The following warning clause shall be included with respect to the lots or blocks affected:

"Purchasers are advised that despite the inclusion of noise attenuation features within the development area and within the individual building units, noise levels will continue to increase, occasionally interfering with some activities of the building's occupants."

9. Where noise attenuation features will abut the Regional right-of-way, the Owner shall agree in wording satisfactory to York Region's Development Engineering, as follows:
  - a) That no part of any noise attenuation feature shall be constructed on or within the York Region right-of-way,
  - b) That noise fences adjacent to York Region roads may be constructed on the private side of the 0.3 metre reserve and may be a maximum 2.5 metres in height, subject to the area municipality's concurrence, and
  - c) That maintenance of the noise barriers and fences bordering on York Region right-of-way shall not be the responsibility of York Region.
10. The Owner shall agree to be responsible for determining the location of all utility plants within York Region right-of-way and for the cost of relocating, replacing, repairing and restoring any appurtenances damaged during construction of the proposed site works. The Owner must review, or ensure that any consultants retained by the Owner, review, at an early stage, the applicable authority's minimum vertical clearances for aerial cable systems and their minimum spacing and cover requirements. The Owner shall be entirely responsible for making any adjustments or relocations, if necessary, prior to the commencement of any construction.

**Section "B" - Schedule of Conditions to be Satisfied Prior to Final Approval**

11. 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) A copy of the Council resolution confirming that the City of Richmond Hill has allocated servicing capacity, specifying the specific source of the capacity, to the development proposed within this draft plan, or any phase thereof, and
  - b) A copy of an email confirmation by City of Richmond Hill staff stating that the allocation to the subject development remains valid at the time of the request for Regional clearance of this condition.
12. The Owner shall provide an electronic set of final engineering drawings showing the watermains and sewers for the proposed development to the Community Planning and Development Services Division and the Infrastructure Asset Management for record.

13. Subject to approval by YRT, the passenger standing area shall be provided at the following location:
  - a) On Street: 16<sup>th</sup> Avenue
  - b) At Street: Fern Avenue
  - c) Location: West of Fern Avenue, behind the sidewalk
  - d) Standard Specifications: 3.0m x 3.0m
  
14. The Owner shall contact York Region Sustainable Mobility (1-877-464-9675 x75829) to discuss Travel Demand Management options for this development.
  
15. Concurrent with the submission of the subdivision servicing application (MOE) to the area municipality, the Owner shall provide a set of engineering drawings, for any works to be constructed on or adjacent to the York Region road, to Development Engineering, Attention: Manager, Development Engineering, that includes the following drawings:
  - a) Grading and Servicing;
  - b) Intersection Improvements – extension of median island;
  - c) Construction Access Design;
  - d) Utility and underground services Location Plans;
  - e) Traffic Control/Management Plans;
  - f) Erosion and Siltation Control Plans;
  - g) Landscaping Plans, including tree preservation, relocation and removals;
  - h) Functional Servicing Report (water, sanitary and storm services); and
  - i) Engineering drawings showing plan and profile views of proposed sewers and watermains and appurtenances, including manholes, watermains, valves, hydrants, etc. proposed within the subdivision.
  
16. The Owner shall demonstrate, to the satisfaction of Development Engineering that elevations along the streetline shall be 2% above top of curb elevations of the York Region roadway, unless otherwise specified by Development Engineering.
  
17. The Owner shall have prepared, by a qualified Tree Professional, a Tree Inventory and Preservation / Removals Plan and Arborist Report identifying all existing woody vegetation within the York Region right-of-way to be removed, preserved or relocated. The report / plan, submitted to Development Engineering for review and approval, shall adhere to the requirements outlined in the York Region Street Tree and Forest Preservation Guidelines and shall be to the satisfaction of York Region Natural Heritage and Forestry Staff.
  
18. The Owner shall have prepared, by a qualified professional Landscape Architect, landscape design plans detailing landscape works and street tree planting in the York Region right-of-way as required by any and/or all of the following, York Region's Streetscaping Policy, York

Region's Street Tree Preservation and Planting Design Guidelines, any prevailing Streetscape Masterplan or Secondary Plan or as required by Urban and Architectural Design Guidelines.

19. The Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of Development Engineering recommending noise attenuation features.
20. Upon registration, the Owner shall convey the following lands to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of the Regional Solicitor:
  - a) A widening across the full frontage of the site where it abuts 16<sup>th</sup> Avenue of sufficient width to provide a minimum of 21.5 metres from the centreline of construction of 16<sup>th</sup> Avenue, and
  - b) A 10 metre by 10 metre daylight triangle at the southwest corner of 16<sup>th</sup> Avenue and Fern Avenue.
21. The Owner shall provide a solicitor's certificate of title in a form satisfactory to York Region Solicitor, at no cost to York Region with respect to the conveyance of the above noted lands to York Region.
22. 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. 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. 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, 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 MOECC 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.

23. The Owner shall provide a copy of the executed Subdivision Agreement to the Regional Corporate Services Department, outlining all requirements of the Corporate Services Department.
24. 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.
25. The Regional Corporate Services Department shall advise that Conditions 1 to 24 inclusive, have been satisfied.



**MEMORANDUM- TECHNICAL COMMENTS**

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Lot 24 and Part of Lot 23, Registered Plan 3806  
551 & 561 16th Avenue  
(Mina Mahroo)  
City of Richmond Hill**

Regional Staff have reviewed the above noted draft plan of subdivision and zoning by-law amendment application, as well as the supporting documents, and provide the following comments. These comments are not an approval and are intended to provide information to the applicant regarding the Regional requirements that have been identified to date.

**Transportation and Infrastructure Planning**

1. The driveways that front 16th Avenue will be restricted to right-in right out. This will be accomplished by extending the median at Fern Avenue/16<sup>th</sup> Avenue westerly. A drawing showing the median extension shall be provided.
2. The Owner is advised that in order to satisfy the Transportation Demand Management condition provided, that the Owner shall contact the Region's Sustainable Mobility Group at time of occupancy to discuss Travel Demand Management options for the proposed development. They can be reached at 1-877-464-9675 x75829 (voicemail).

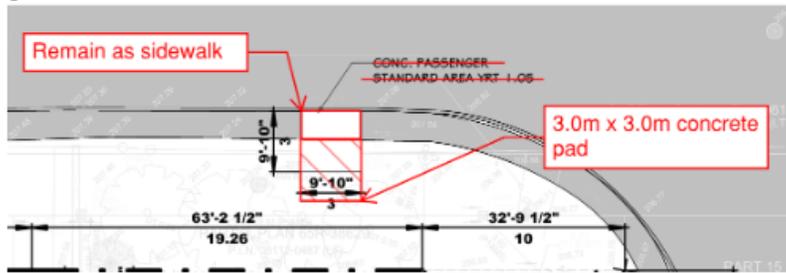
**Transit**

1. The Owner is strongly encouraged to coordinate with the City of Richmond Hill to provide sidewalk facilities along the "Future Public Street" that connect to the municipal network along Fern Avenue.
2. The pedestrian access connection shall meet the local municipality's standards for sidewalks and shall be owned and maintained by the local municipality.
3. Existing YRT transit services operate on the following roadways in the vicinity of the subject lands:
  - 16<sup>th</sup> Avenue – Route 16

10

(Mina Mahroo)

4. Please reference the redlined site plan below for more details regarding bus pad location and design.



5. The passenger standing area shall be constructed at no cost to York Region and shall be provided concurrently with construction of necessary sidewalks connecting the development to transit service.
6. Landscaping should not interfere with the bus stop, passenger standing area, shelter or corner sightlines.