



December 10, 2021

Sandra DeMaria, MCIP, RPP
Senior Planner – Subdivisions
Development Planning Division
Planning & Regulatory Services Department
City of Richmond Hill
225 East Beaver Creek Road
Richmond Hill, ON L4B 3P4

Dear Sandra DeMaria,

**Re: Proposed Official Plan Amendment
Leslie Elgin Developments Inc.
City File Nos.: D01-21008 and D02-21016
York Region File Nos.: LOPA.21.R.0058 and ZBA.21.R.0119**

This is in response to your circulation and request for comments for the above-captioned Official Plan Amendment (OPA) application and Zoning By-law Amendment (ZBA) application.

The 0.94 hectares (2.33 acres) subject site is located within the North Leslie Secondary Plan Area, at the northeast corner of Leslie Street and John Birchall Road, north of Elgin Mills Road. According to the applicant's Planning Justification Report, prepared by Malone Given Parsons Ltd., dated August 2021, the proposed development consists of two high-rise residential apartment towers, at 31 and 27- storeys, connected by a 4-storey podium. The proposal includes 617 apartment units and 33 two storey townhouse units within the podium. A total of 740 parking spaces are provided: 482 parking spaces in two storeys below grade and 258 parking spaces at and above grade throughout the 4-storey podium. The overall density is 5.82 FSI.

Regional staff do not have any comments on the site-specific ZBA. The by-law amendment will permit the proposed development and prescribe site-specific development standards.

Purpose and Effect of the Proposed Amendment

According to the applicant's Planning Justification Report, the North Leslie Secondary Plan designates the subject lands "Medium/High Density Residential", Stormwater Pond, and Natural Heritage System. The Medium/High Density Residential designation permits a range of residential uses that include townhouses, stacked townhouses, back-to-back townhouses, low-rise to mid-rise apartment buildings and residential uses of a similar housing form (Policy 9.6.2.3a) to a maximum height of 10-storeys and maximum density of 2.0 FSI.

The OPA proposes to increase the maximum height from 10 to 31 storeys and increase the maximum density from 2.0 to 5.9 FSI.

2010 York Region Official Plan

The Regional Official Plan prescribes an urban structure focused on a system of Regional Centres and Regional Corridors. This policy direction has been well entrenched since the Region's first Official Plan (approved in 1994). The Regional Centres and Corridors are intended to accommodate the highest concentration of intensification. To facilitate the anticipated growth, a substantial amount of capital investment has been committed to build a rapid transit system on the Highway 7 and Yonge Street corridors. As such, it is a Regional interest to ensure appropriate levels of intensification occurs within these corridors. It is also important for developments that are not in a Regional Centre or on a Regional Corridor be subordinate in height and density to those typically intended for the Regional Centres and Corridors. Leslie Street is not identified as an intensification corridor in the Regional Official Plan.

Site specific increases in heights, densities, and therefore total number of residential units, sets a precedence and expectation for other properties in close proximity as well as across the Region. The local and Region's transportation and water and wastewater master plans are based on approved Official Plans and Secondary Plans. It is in the Region's interest to ensure adequate road and water and wastewater service capacity is available to accommodate the ultimate planned population and jobs. The cumulative impacts of site-specific amendments to permit development that exceeds comprehensive planned growth has potential to impact the ability to service areas where growth is intended to occur, such as the Richmond Hill Regional Centre, as well as Richmond Hill's future 17 Major Transit Station Areas.

There are 650 units proposed on the 0.94 hectare subject lands. Using the 2016 Canadian Census, the persons per unit ratio in Richmond Hill for apartment units is 1.88 persons per unit and for townhouse units is 2.97 persons per unit. The proposed development has the potential to generate 1,258 persons ($617 \times 1.88 + 33 \times 2.97$), or a population density of 1,338 persons per hectare.

The highest planned density in the City of Richmond Hill is Richmond Hill Centre, which is a Regional Centre, a Provincially defined Urban Growth Centre and proposed Richmond Hill Centre Subway Station Major Transit Station Area. The planned density target for this intensification area is 400 persons and jobs per hectare. The proposed development population density of 1,338 persons per hectare is more than triple the planned density target for Richmond Hill Centre.

The proposed density of 5.9 FSI and heights of 31 storey are more appropriate for developments within a Regional Centre, especially where higher order rapid transit, such as subways, are available to accommodate this intensity of growth.

Through the Partnership Memorandum for Planning Services, TRCA provides plan review and technical clearance services to York Region on matters of Natural Heritage Systems and the natural environment. Regional Planning staff defers the evaluation of natural heritage features to the subject matter experts at the TRCA and City of Richmond Hill and subsequently the implementation of the applicable Regional Official Plan policies found in Chapter 2.

City of Richmond Hill Official Plan

The Richmond Hill Official Plan 2010 (RHOP) progressed through a comprehensive review which resulted in a policy document that is in conformity with Provincial policy directions and the Regional Official Plan. Specifically, the Richmond Hill Official Plan has clearly defined its local urban structure and identified appropriate areas for intensification.

The RHOP contains a planned urban structure to ensure orderly city building efforts and contains a hierarchy of intensification areas. The intent is to direct the highest and most intense development to the Richmond Hill Centre Area, then to Local Centres and Key Development Areas, while limiting redevelopment in Neighbourhood Areas and prohibiting development in Greenway Systems. According to Schedule A1 – Urban Structure of the RHOP, the subject lands are not within an intensification area. However, according to the North Leslie Secondary Plan, the subject lands are designated “Medium/High Density Residential”. This designation is exclusive to this Secondary Plan and planned to accommodate context sensitive appropriately scaled intensification to a maximum height of 10 storeys and density of 2.0 FSI.

While the proposed density appears excessive, Regional staff believes the issue of compatibility is best determined by the local municipality. Regional staff encourages local municipalities to comprehensively determine appropriate levels of intensification along all Regional roads, as these corridors maybe more appropriate for mid-rise built forms and walk-up apartments.

Technical Comments

Below is a summary of technical comments received from Regional Departments.

Transportation

Transportation staff do not have any comments on the proposed OPA. The following are preliminary comments. Detailed technical comments and conditions will be provided at the subsequent stages of the proposed development as appropriate.

Transportation Planning

The applicant will be required to demonstrate that the median on Leslie Street will be extended to re-enforce the proposed right-in/right-out driveway. The applicant is advised that York Region's Capital Planning and Delivery team has finalized detailed design for this segment of

Leslie Street. It is recommended that the applicant coordinate their designs with York Region's Capital Planning and Delivery team to minimize the impacts to newly constructed facilities.

An exclusive right-turn lane will be required at the access on Leslie Street, as noted in Exhibit 5-1 in the Transportation Impact Study. A preliminary design shall be prepared, to the satisfaction of the Region.

Prior to final approval, the Owner shall provide a basic 41 metre right-of-way for this section of Leslie Street. As such, all municipal setbacks shall be referenced from a point 20.5 metres from the centreline of construction on Leslie Street and any additional lands required for turn lanes at intersections will be conveyed to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of York Region Solicitor.

Development Engineering

No comments on the OPA and ZBA.

Water and Wastewater Servicing

Infrastructure Asset Management (IAM) has reviewed the submission in conjunction with the Functional Servicing and Stormwater Management Report (SSMR), prepared by GEI Consulting and dated August 2021.

IAM does not have any objection to the approval of the OPA application subject to the following:

Municipal Wastewater and Water Servicing

Water servicing for the development will be provided from the existing local 300 mm diameter water main on John Birchall Road. Wastewater servicing is to be provided by the existing local 250 mm diameter sanitary sewer on John Birchall Road. Sewage will ultimately flow to the Highway 404 Trunk Sanitary Sewer.

The SSMR does not indicate that a hydrant flow test has been completed. This report shall be further revised to verify the adequacy of the proposed water system to maintain service levels, including fire flows through hydrant testing. The Owner shall forward the revised SSMR to the Region for review and record.

Servicing Allocation

Residential development proposed within the subject development area will require water and wastewater servicing allocation from the City of Richmond Hill. If the City 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 expected completion
- Other projects as may be identified in future studies, or any other appropriate servicing agreements.

Water Resources

Water Resources does not have any objections/concerns subject to the following comments with the Local Official Plan Amendment application as it relates to Source Protection policy. Should the proposal change and/or the application be amended, Water Resources will require recirculation for comment and/or approval.

Recharge Management Area

Please note the property is located within a Significant Groundwater Recharge Area (SGRA) and Wellhead Protection Area Q (WHPA-Q). As such the CTC Source Protection Plan water quantity recharge policy and York Region Official Plan Low Impact Development policy 2.3.41 will apply. The proponent should maximize infiltration at the site using best management practices. The use of the following resource is encouraged: Low Impact Development Stormwater Management Planning and Design Guide by Credit Valley Conservation Authority. The contact person for this requirement is June Little at TRCA. The approving body for compliance with the policy will be the local municipality.

Highly Vulnerable Aquifer

Should the proposed major development include bulk fuel ($\geq 2500L$) or bulk chemicals ($\geq 500L$) within the HVA, a Contaminant Management Plan (CMP) will be required prior to Local Official Plan Amendment approval, for Water Resources review and approval.

If a CMP is not required, a letter prepared by a qualified professional will be required in its place stating that the above noted activities will not be occurring.

Area of Concern

Water Resources would like to note the site is 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. Should there be a need for a permanent dewatering system and/or temporary dewatering for construction purposes, any geotechnical or hydrogeological reports must take into account that the groundwater levels in this area may currently be artificially depressed at the site due to third party dewatering systems in the area. Because new development should not rely on the influence of nearby third-party dewatering systems in its geotechnical/hydrogeological studies, the 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.

Due to the above-noted concerns, Water Resources staff would like to request that:

1. Prior to the execution of the Site Plan agreement, the owner shall arrange, to the satisfaction of the Water Resources group of York Region, for the proper assessment, design, and supervision of temporary construction dewatering on the subject property. The assessment, design and construction of the construction dewatering system(s) shall be based on conservative estimates of groundwater levels given that current groundwater levels may be influenced by third-party groundwater control systems in the area.
2. Prior to the execution of the Site Plan agreement, the owner shall arrange, to the satisfaction of the Water Resources group of York Region, for the proper assessment, design, and supervision of permanent groundwater control (including dewatering and/or drainage) on the subject property, if it is required. The assessment, design and construction of the permanent groundwater control system(s) shall be based on conservative estimates of groundwater levels given that current groundwater levels may be influenced by third-party groundwater control systems in the area.
3. Prior to the execution of the Site Plan agreement, the Owner shall provide confirmation to the Water Resources group of York Region that they have received, where necessary, from Ontario Ministry of the Environment, Conservation and Parks (MECP), Permits To Take Water for the groundwater withdrawals associated with the temporary and permanent dewatering systems on the subject property as well as any discharge permitted associated with the subject property.
4. Prior to the execution of the Site Plan Agreement, the Owner shall undertake a Hydrogeologic Assessment for the design of the temporary and permanent groundwater control systems on the Subject Lands, to the satisfaction of the Water Resources group of York Region, to determine the adequacy of the existing proposed systems under conditions where third party groundwater control systems are not in place. The design of the groundwater control systems shall be based on true static groundwater levels and shall not rely on third-party groundwater control. The hydrogeologic assessment shall include an assessment of the local and regional hydrogeology of the area, including all relevant aquifer units.
5. Prior to the execution of the Site Plan Agreement, the Owner shall assess the geotechnical recommendations for the subject site, in conjunction with the results of the Hydrogeologic Assessment in Condition 4.
6. Prior to Site Plan approval, the Owner shall submit detailed Engineering drawings for the building and permanent groundwater control system(s) to the Water Resources group of York Region for review and approval.

Comments on Watermark Environmental Hydrogeological Investigation

Water resources has reviewed the hydrogeological report dated August 9, 2021 for the Northeast Leslie Block 51 Proposed High Density Residential Development by Watermark Environmental. Please see the following comments to be addressed in the next submission.

Water Resources has identified numerous flowing wells and a number of current and past Permits to Take Water permitted to take more than 1,000,000 Liters per day. Water Resources recommends the consultant extend their search area to 2 km for those items within the report, and comment on the flowing wells and permits to take water with takings greater than 1000 m³ per day in proximity of the site.

Water Resources would also like to note that the property is close to the boundary of the Oak Ridges Moraine which would be consistent with the Oak Ridges Aquifer Complex pinching out resulting in the flowing conditions that are seen. Please comment on the safety of the 8m excavation and provide calculations to support that there will be no basal heave.

The report notes that a long-term water level monitoring program is underway to assess seasonal variability and provide data to confirm conclusions on the magnitude and direction of vertical hydraulic gradients at this location. Please provide the long-term monitoring program results and confirmation of vertical hydraulic gradients in the updated version of the report along with any revisions to analysis and conclusions which are reliant on groundwater levels.

Please note that while table 2-1 CTC Source Protection Plan Applicability Summary identifies salt DNAPL and organic solvents under the HVA, the report does not address fuels or other chemicals. Should there be bulk fuel (2500L or more) (i.e. fuel for backup generator other than propane or natural gas) or any other chemicals (500L or more) please note a contaminate management plan as noted previously in our comments will be required. As the site is in the SGRA, please note that it is the recharge management policy that applies (recharge is to be maintained). For the HVA and SGRA policy please be directed to the Regional Official Plan and Amendment No. 5 in addition to the CTC Source Protection Plan. Please note that WHPA-Q1 and Q2 are the same for York Region

Dewatering

A dewatering plan shall be prepared by a qualified person and submitted by the proponent to the Region's Water Resources Group for approval prior to excavation should dewatering be required (i.e. excavations are over 8 m deep and over 400,000 litres per day will be dewatered or permanent dewatering will occur).

Geotechnical and Hydrogeological Support

For your reference the Oak Ridges Moraine (YPDT-CAMC) Groundwater Management Tool: <https://oakridgeswater.ca/> can be accessed for geological data in support of geotechnical and hydrogeological analysis

Construction Best Management Practices

As the site is within a wellhead protection area, Water Resources does encourage the use of best management practices during construction and post construction with respect to the handling and storage of chemicals (such as used oil, degreasers and salt) on site. It is strongly recommended that Risk Management Measures are put in place with respect to chemical use and storage including spill kits, secondary containment, a spill response plan and training.

Salt Management

As the site is within a vulnerable area, Water Resources recommends the use of a contractor who is certified by Smart About Salt, and use of best management practices identified in the TAC Synthesis of Best Management Practices for Salt and Snow are followed: <https://www.tac-atc.ca/sites/tac-atc.ca/files/site/doc/resources/roadsalt-1.pdf>.

If the proposed development includes a parking lot, Water Resources recommends following the Parking Lot Design Guidelines: <https://www.lsrca.on.ca/Shared%20Documents/reports/Parking-Lot-Design-Guidelines-Salt-Reduction.pdf>

Summary

The subject site is located within the North Leslie Secondary Plan Area at the northeast corner of Leslie Street and John Birchall Road, north of Elgin Mills Road. The OPA application proposes to increase the maximum height from 10 to 31 storeys and increase the net density from 2.0 to 5.9 FSI. The proposed development consists of 617 apartment units and 33 two storey townhouse units within the podium of two high-rise residential apartment towers. The towers are 31 and 27- storeys and connected by a 4-storey podium.

The inforce Richmond Hill Official Plan, applicable to this site and on a City-wide basis, is in conformity with the Regional Official Plan and provincial policies. Specifically, the Regional and provincial policies on intensification have been met by the in-force Richmond Hill Official Plan. According to the RHOP, the subject site is not within an intensification area. The North Leslie Secondary Plan permits context sensitive and appropriately scaled intensification to a maximum of 10 storeys and maximum density of 2.0 FSI. A site-specific Amendment, to increase height and density, is not required to bring the property into conformity with intensification policies. Furthermore, the proposed population density of 1,336 persons per hectare far exceeds Richmond Hill Centre's density where the highest density is planned at 400 persons and jobs per hectare.

The applicant is encouraged to revise their proposal to better reflect the role and function of the immediate area and the intent of the in-force North Leslie Secondary Plan.

Please contact Augustine Ko, Senior Planner, at 1-877-464-9675, ext. 71524 or at augustine.ko@york.ca should you have any questions or require further assistance.

Sincerely,



Karen Whitney, M.C.I.P., R.P.P.
Director of Community Planning and Development Services

Copy to: TRCA

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