

Appendix "D" to
SRPBS.23.040
City Files: D01-20013 and
D02-20025



February 17, 2022

CFN: 64161.01
X-Ref: 33108.02

BY EMAIL ONLY

Mr. Jeff Healey
City of Richmond Hill
225 East Beaver Creek Road
Richmond Hill, ON L4B 3P4

Dear Mr. Jeff Healey:

**Re: D01-20013 (Official Plan Amendment)
D02-20025 (Zoning By-law Amendment)
11160 Yonge Street, Richmond Hill
Hazelview Developments Inc.**

Further to our letter dated February 22, 2021, Toronto and Region Conservation Authority (TRCA) staff have reviewed the submission and offer the following comments. A list of materials reviewed for this submission has been attached in Appendix A.

Purpose of Application

Original: High-density mixed use residential/commercial development comprised of three towers (15, 18 and 35 storeys) comprised of 731 residential units and 510 square metres of commercial floor space at grade.

Revised: It is our understanding that the proposal has been revised to comprised of three high density residential towers with building heights of 29, 27 and 7 storeys. The total number of dwelling units has been reduced from 731 units to 666 units.

Applicable Regulations and Policies

Ontario Regulation 166/06

The subject property is regulated by the TRCA as it traversed by a valley corridor containing a regional storm flood plain and continuous vegetation. In accordance with Ontario Regulation 166/06 (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses), a permit is required from the TRCA.

Background

For background on applicable policies, regulations and history related to this application please refer to our previous letter dated February 22, 2021.

Application Specific Comments

Please be advised our comments will identify outstanding Submission 1 comments (February 2021) and new comments/responses (February 2022). Please note, any future submissions may be subject to additional/revised comments.

Planning

1. **February 2021:** Please indicate on all relevant plans (Site Plan, Grading Plan, Servicing Plan etc.) the flood plain, contiguous dripline, top of bank and associated buffer in relation to the proposed development, confirming that development is outside of the natural hazard and features and associated buffers.

February 2022: Not Addressed. As noted in Comment 8, please plot the flood plain, contiguous dripline, top of bank and associated buffer on relevant plans (i.e. Site Plan) including a topographic survey.

2. **February 2021:** The submitted materials show an outfall discharging to the watercourse. The proponent should confirm the existing condition of the outfall. TRCA will require additional clarification on existing SWM controls and the proposed flows and required erosion protections.

February 2022: Not Addressed. Please refer to Comment 10.

3. **February 2021:** The Natural Heritage Evaluation (NHE), prepared by Savanta, dated October 2020 notes 0.0372 ha of woodland is proposed for removal. Please provide further clarification for the purpose of the removal of significant woodlands.

February 2022: Not Addressed. Please refer to Comment 5.

4. **February 2021:** The watercourse is considered contributing habitat to Redside Dace. Therefore, it is recommended that the proponents contact Ministry of the Environment, Conservation and Parks (MECP).

February 2022: Not Addressed. Please provide correspondence from MECP.

Ecology

5. **February 2021:** The subject site contains Significant Woodlands, Significant Valleyland, Significant Wildlife Habitat, Habitat of Threatened and Endangered Species therefore, the required buffers should be outlined in the Natural Heritage Evaluation (NHE), prepared by Savanta, dated October 2020. Please revise the NHE to include a discussion on required buffers associated with the relevant policies. A discussion is also required with respect to how these buffers are to be achieved in the site plan.

February 2022: Partly Addressed. The Natural Heritage Evaluation (prepared by Savanta, dated October 2021) provide discussion on required buffers however no buffers are being proposed, and a small portion of the significant woodland is being removed for the retaining wall maintenance, which does not conform to policy. A discussion is also required with respect to how these buffers are to be achieved in the site plan. At this time, the buffers are being ignored. It is recommended that the limit of the feature be respected, and some sort of buffer be provided so that policy conformity can be met.

6. **February 2021:** At detail design, please ensure the buffer restoration plans conform to TRCA's Post-Construction Restoration Guidelines.

February 2022: Not Addressed. This comment remains applicable.

7. **February 2021:** Please provide a stand-alone Erosion and Sediment Control (ESC) Plan during the detailed design stage including, but not limited to, the location and details (consistent with OPSDs) of all of the ESC measures required for the construction of the site. TRCA staff strongly encourage the applicant to explore a multi-barrier approach to be incorporated into the ESC plan, especially adjacent to the watercourse. The ESC plans should conform to our ESC Guidelines, all of which are available on our website.

February 2022: Not Addressed. This comment remains applicable.

Water Resources Engineer

8. **February 2021:** Please include TRCA's Regulatory Floodplain on the drawings. Please ensure all proposed works are located outside of the Regulatory Floodplain.

February 2022: Not Addressed. TRCA notes that the floodline and buffer was included in Figure 7 of the NHE, however to ensure the floodline has been delineated appropriately and development is located outside of the floodplain, the floodline must be illustrated on existing topography. Please illustrate the floodline on the topographic survey and on all relevant figures in the FSSR (prepared by KWA, dated November 5, 2021) and site plan.

9. **February 2021:** Please provide any relevant excerpts from the MESP (e.g. criteria requirements).

February 2022: Addressed.

10. **February 2021:** TRCA staff are unclear about the existing characteristics of the site. Please confirm the existing characteristics of the site, particularly the breakdown of impervious/pervious area of the existing site and any details about existing stormwater management controls for the site (if any), to help inform design requirements of the proposed site.

February 2022: Not Addressed. Per the FSSR (prepared by KWA, dated November 5, 2021), the allowable release rate was calculated based on an existing area of 1.15 ha (1.02 ha impervious area and 0.13 ha pervious area). However, the proposed development drainage area is 1.13 ha. Please confirm and ensure the allowable release rates are calculated based on the existing conditions land use that will be developed in the proposed conditions.

11. **February 2021:** Please provide a conceptual rating curve for the subject site for all storm events (i.e. 2, 5, 10, 25, 50, 100) based on the unitary release/storage rates noted in Anthony Sun's email in Appendix C (Functional Servicing & Stormwater Management Report, prepared by KWA, dated October 9, 2020).

Please confirm if Area ID 100 drains to the proposed underground storage tank as well as through the area drains. If so, please ensure the contributions from the area drains are added to the calculations of the underground storage tank.

February 2022: Not Addressed. Per the FSSR (prepared by KWA, dated November 5, 2021), Area 100 drains to the underground storage tank from the rooftop drains. However, the underground tank has not been sized to accommodate the additional

inflow from the rooftop drains. Please ensure the SWM tank has been sized for all tributary drainage area.

Please note the tank area and outlet invert listed in Figure 2 are not consistent with the orifice calculations in Appendix C. Furthermore, the existing Storm Drainage Plan M-2 indicated an existing outfall invert of 250.45 m, which does not match the proposed outfall invert on Figure 2. Please confirm and ensure the correct information is being used for orifice calculations and design.

Additionally, at the detailed design stage, please provide calculations demonstrating the required quantity control storage volume for each design storm (i.e. 2 through 100 year).

- 12. February 2021:** Water quality control criteria for the site would require an *Enhanced* level of protection (i.e. 80% T.S.S. removal). A “treatment train” approach should be utilized wherever feasible, in order to treat runoff at the source, en route, and at end-of-pipe. Please note that TRCA has taken a position whereby OGS units, regardless of manufacturer, as a stand-alone measure can achieve up to a 50% TSS removal. As TRCA requires 80% TSS removal, additional measures must be considered. Please provide supporting information to demonstrate that quality control criteria can be satisfied.

February 2022: Not Addressed. TRCA has no concerns on the proposed water quality control strategy. Please provide calculations for the weighted runoff coefficient of Catchment 201 used to size the jellyfish unit.

Additionally, please provide discussion confirming the drainage area from Catchment 201 is captured and directed to the jellyfish unit and the drainage area from Catchment 200 bypasses the jellyfish unit and drains directed to the underground SWM tank.

- 13. February 2021:** Section 5.3.2. (Functional Servicing & Stormwater Management Report, prepared by KWA, dated October 9, 2020) discusses TRCA’s retention requirement of 15 mm / impervious ha and calculates a retention volume of 123 m³. However, the discussion that follows appears to speak to the proposed detention volumes for the site, which a distinct concept to retention volumes. Please revise design / discussion accordingly to address.

February 2022: Not Addressed. TRCA accepts the 15 mm/impervious ha retention volume to be provided under the outlet control of the proposed SWM tank. However, the imperviousness of the permeable pavers has not been accounted for in the required retention volume. Please revise the calculations and design to retain 15 mm over the imperviousness of the permeable pavers in the retention volume under the SWM tank (using the assumed runoff coefficient of 0.6) or demonstrate the permeable pavers have the required storage capacity to retain the 15 mm rainfall depth within the underlying stone trench accounting for the 0.4 void ratio.

- 14. February 2021:** Section 5.3.4 (Functional Servicing & Stormwater Management Report, prepared by KWA, dated October 9, 2020) discusses water balance and retention volumes. Please note that retention volume requirements / sizing should be above the initial abstraction. Please revise calculations accordingly.

February 2022: Addressed.

15. **February 2021:** It is strongly recommended that options to retain water are explored at this stage and that potential reuse options (as a harvesting tank is noted for his purpose) are explored at this stage to demonstrate an acceptable drawdown time of the retained water (i.e. 48-72 hours).

February 2022: Not Addressed. Please note, TRCA does not recognize parking lot cleaning as a solution to provide drawdown of the on-site retention volume, as it may not be practical to clean the parking lot surface every 72 hours. At the detailed design stage, a detailed analysis will be required to demonstrate the water reuse calculations (irrigation and car washing).

Geotechnical

16. **February 2021:** The site plan shows an outfall discharging to the creek; however, the details on how the surrounding areas and slope is protected against the erosion by outfall discharge have not been provided within the submission. It is required that appropriate erosion protection be developed by qualified engineer for the outfall and the details of such protection need to be shown on the drawings accordingly.

February 2022: Addressed.

17. **February 2021:** No site grading plan has been provided. Please provide the site grading plan showing all grading strategy information. Depending on the grading strategy shown on the grading plan, the review and sign-off for the grading may be also needed by a geotechnical engineer.

February 2022: Not Addressed. At detailed design, the grading plan will need to be further developed as well as the protection against the erosion for the outfall discharge.

New Comments:

18. **February 2022:** The Natural Heritage Evaluation (prepared by Savanta, dated October 2021) states that 0.0372 ha of significant woodland is to be removed, which is **not** supported by the relevant policies. In addition, the report also indicated that 0.0372 ha of buffer is to be removed. It seems as if some sections of the report indicate removal of the feature, while other sections indicate buffer is to be removed. Please revise the report and clarify if the removal is associated with the feature or the buffer. It is recommended that the site plan be modified to avoid removal of the significant woodland and that some sort of buffer is provided. In addition, if reduced buffers are proposed, invasive species removal/management could be proposed to provide for a net ecological gain.

19. **February 2022:** According to Schedule A in the Draft Zoning By-law, the delineation of the Open Space (OS) and Flood (F) delineation does not appear to correlate with the natural hazard and features and associated buffers. Please update or provide clarity.

Natural Feature/Hazard Land Conveyance

As an element of this application, TRCA encourages the transfer of the natural system, where appropriate, into public ownership to reduce and/or eliminate the risk to life and property and to foster local and regional environmental linkages. As such, through this Planning Act application, it is our expectation that the boundaries of the natural system (including buffers) be placed in a

protective zoning category (i.e. Open Space/Hazard Land) and gratuitously dedicated into public ownership.

Permitting

As noted above, the subject property is located within TRCA's Regulated Area. On this basis, a TRCA permit is required from this Authority prior to the proposed works commencing on the subject site, pursuant to Ontario Regulation 166/06, as amended. Details with respect to permit submission requirements are available at our website (<https://trca.ca/planning-permits/apply-for-a-permit/>).

Application Review Fee

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 copy of this letter, the applicant is advised that the Toronto and Region Conservation Authority has implemented a fee schedule for our planning application review services. As such, the application is subject to a blended review fee of **\$8,950.00** (2018 TRCA Planning Fees Schedule – Official Plan Amendment/Zoning By-law Amendment - Standard). The applicant is responsible for fee payment and should forward the fee to this office within 60 days of this letter.

Recommendation

On the basis of the comments noted above, it is our opinion that this application is **premature** as additional information is required prior to TRCA staff providing support of the Official Plan Amendment and Zoning By-law Amendment. We request the applicant address our comments to TRCA's staff's satisfaction. Please include a response letter within your resubmission outlining how you have addressed each of the technical comments noted above.

We trust this is of assistance. Should you have any questions, please do not hesitate to contact me at the undersigned.

Yours truly,



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

Appendix 'A' **Materials Submitted**

- Architectural Package (A100 - A603), prepared by Graziani + Corazza Architects Inc., dated November 5, 2021
- Comment Response Matrix, prepared by unknown, dated October 28, 2021
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment
- Functional Servicing & Stormwater Management Report, prepared by KWA, dated November 5, 2021
- Landscape Plans Package (L-00 - TS-1.0), prepared by MEP Design, dated November 9, 2021
- Natural Heritage Evaluation, prepared by Savanta, dated October 2021
- Resubmission Letter, prepared by Goldberg Group, dated November 29, 2021