

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014

Item 1, Report No. 26, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 24, 2014, as follows:

By approving that the City of Vaughan's Natural Heritage Network Study be shifted into its own line item, to recognize that it is not part of the Landowners' background environmental studies.

Regional Councillor Di Biase declared an interest with respect to the foregoing matter insofar as it relates to Block 27, as his children own land in Block 27 given to them by their maternal Grandfather and did not take part in the discussion or vote on the matter.

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**NEW COMMUNITY AREAS
VAUGHAN OFFICIAL PLAN 2010
SECONDARY PLAN STUDIES - SUB-WATERSHED COMPONENT
TERMS OF REFERENCE FOR THE SUB-WATERSHED STUDIES: BLOCKS 27 & 41
FILE: 26.4
WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, Interim Director of Planning/Director of Development Planning, and Manager of Policy Planning, dated June 3, 2014:

Recommendation

The Commissioner of Planning, Interim Director of Planning/Director of Development Planning, and Manager of Policy Planning in consultation with the Director of Development Finance & Investments recommend:

1. That the Terms of Reference forming Attachments 2 and 3, be endorsed as the basis for undertaking the Sub-watershed Studies which will support the preparation of the Secondary Plans and inform the subsequent preparation of Block Plans and supporting studies for the Blocks 27 and 41 New Community Areas.
2. That the Sub-watershed Studies (the "SWS") be undertaken by the Blocks 27 and 41 Landowners' Environmental Consultants and the full cost of each of the studies be funded wholly by the respective Landowner Group with no recovery from City funds.
3. That the Sub-watershed Studies be completed in consultation with, and to the satisfaction of, the City of Vaughan and TRCA; and, that they be subject to Peer Reviews to be undertaken on behalf of the City as part of the Secondary Plan process, and these peer reviews be funded through the previously approved 2013 Capital Budget for the New Communities' Secondary Plan Studies (PL-9535-13 and PL-9533-13).
4. That staff proceed to initiate procurement of Secondary Plan Study Consultants as per the Council approved recommendation of December 10, 2013; and, that the City Manager be delegated authority to award the contracts during the summer or election hiatus if necessary.
5. That this report and corresponding Council minutes be forwarded to the Toronto and Region Conservation Authority and York Region for information purposes.

Contribution to Sustainability

Policies arising from these studies must be consistent with those of the Provincial Policy Statement 2014, the Provincial "Places to Grow: Growth Plan for the Greater Golden Horseshoe",

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the York Region Official Plan, the Vaughan Official Plan 2010; and, with “Green Directions Vaughan, Community Sustainability and Environmental Master Plan” respecting sustainable development and complete communities. The latter includes consideration of the Objectives and Actions under:

- Goal 2: To ensure sustainable development and redevelopment;
- Goal 3: To ensure that Vaughan is a city that is easy to get around with a low environmental impact; and
- Goal 4: To create a vibrant community where citizens, business and visitors thrive.

Economic Impact

It is proposed that the sub-watershed studies be completed by the Blocks 27 and 41 landowner groups' Environmental Consultants and funded fully by the landowners, with no expectation of recovery for these costs. Upon completion, the studies will be peer reviewed by the City's Environmental Consultants retained for the Secondary Plan Studies. The budget that has been allocated to the Secondary Plan Studies is sufficient to cover the costs of the City's peer reviews for each of the studies. Each peer review is expected to cost between \$15K and \$20K. Funding the peer reviews from these capital projects is not expected to have any adverse impact on the City's ability to fund the remaining costs of the Secondary Plan Studies.

The funding for the New Communities' Secondary Plan Studies was approved in the 2013 Capital Budget as follows:

- New Community - Block 27: Project PL-9535-13, budgeted at \$515,000.00 ; and
- New Community - Block 41: Project PL-9533-13, budgeted at \$515,000.00.

Communications Plan

The Secondary Plan Studies will require a public consultation program involving three stakeholder groups:

- A Technical Advisory Committee (TAC) made-up of the public sector, with representation from the Provincial and Regional governments, technical agencies and authorities, and utilities;
- A Landowners' and Landowners' Representatives Group (LLRG) focusing on landowners in the study area; and,
- Broader public consultation through a Wider General Consultation Program (WGCP).

Meetings will be held with the groups jointly, and separately as required and at important milestones throughout the study process. The RFPs for the Secondary Plan Studies will require the submission of public consultation plans as part of the proposal package. The final public consultation process will be approved by the Commissioner of Planning in consultation with the Director of Corporate Communications, prior to the initiation of the respective studies by the successful proponents. The peer review process for the sub-watershed studies will be part of the Secondary Plan process.

Purpose

To report back to Committee of the Whole on the Terms of Reference for the Sub-watershed Study (SWS) component of the New Communities' Secondary Plan process, and the funding and

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implementation strategy for the completion of the studies; and to obtain endorsement of the draft terms of reference for the SWS, for the purposes of moving forward concurrently with and in support of the Secondary Plan process.

In addition, Council approval is sought to delegate the awarding of the consultant contracts for the Secondary Plan Studies within the approved funding envelope, during the summer or election hiatus if required.

Background - Analysis and Options

On December 10, 2013, Council directed that Staff proceed with the completion of individual Terms of Reference for the New Communities' Secondary Plan Studies and to proceed with the preparation and issuance of the Requests for Proposal. Council directed (in part):

“That Planning staff report back to a future Committee of the Whole meeting on the Terms of Reference for the Sub-watershed Studies for the New Community Areas; and, a financial strategy detailing the expected costs and funding sources for their completion, after further consultation with TRCA and landowners.”

Since the sub-watershed studies are required components of the Secondary Plan studies as per VOP 2010 policy, staff cannot proceed to finalize and issue the terms of reference for the Secondary Plan consulting work until the foregoing Council directive has been addressed.

Vaughan Official Plan (VOP) 2010

The VOP 2010, policy 9.2.2.14 - New Community Areas, d. ii) requires the completion of a sub-watershed study to be undertaken by the TRCA in coordination with the City, either preceding the Secondary Plan or concurrent with it.

Discussions were held with the TRCA, the landowners and the City to establish the most effective way of undertaking the SWS. The landowners, through their respective consulting teams have already prepared substantial amounts of detailed environmental data respecting the new community blocks and the adjacent areas. The TRCA also has data which can inform the preparation of the studies. In addition, the City, through the Natural Heritage Network Study, the earlier work on VOP 2010 and a number of Master Plan Studies (including the City-Wide Stormwater Management Master Plan Class EA), has background data and information that can contribute to the sub-watershed studies.

On this basis it was jointly decided that the respective consulting teams for Blocks 27 and 41 would be responsible for the preparation of the SWS for their affected sub-watersheds. It was agreed that the terms of reference would be developed by the TRCA, the City and the landowners' consultants; and, that the resultant studies would be subject to the approval of the City and TRCA. In this process all parties will be able to benefit from the existing data pool and any gaps would be subject to further analysis.

The TRCA has confirmed that it is in agreement with this approach. This is reflected in correspondence received from the TRCA, dated May 14, 2014, which advises that they are satisfied with the terms of reference for the SWS attached to this report as Attachments 2 and 3, and that Policy 9.2.2.14 – New Community Areas, d. ii) of the VOP 2010 will be addressed through the approach described above.

Development of the Terms of Reference for the Subwatershed Studies

The development of the terms of reference for the SWS has been part of an ongoing consultation process. Staff met with the TRCA, the landowners and their consultants on December 9, 2013 to

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discuss the preferred approach to preparing the SWS, and the general requirements for the studies.

In January, 2014, staff met with each of the Blocks 27 and 41 landowner/consultant groups and TRCA staff, to define the required study components, preferred modelling approaches and the level of detail required for each of the SWS areas. Draft terms of reference were later submitted by each of the Blocks' Environmental Consultants in March of 2014; and further working meetings were held with City staff, TRCA and the landowners and their consultants in March and April of 2014 to review the drafts. Through consultation and the subsequent review of draft submissions, the terms of reference have been refined and the results are reflected in Attachments 2 and 3 to this report.

City staff, TRCA, the landowners and their consultants have all indicated that they are satisfied that the proposed terms of reference are appropriate to achieve the scope and monitoring requirements of the new communities' sub-watershed studies. The research and monitoring, which will be completed for the SWS areas, will also provide background information for the future Master Environmental Servicing Plans (MESP) which will be undertaken at the Block Plan approval stage.

Definition of Sub-watershed Study (Plan)

On May 6, 2014, the Toronto and Region Conservation Authority released the latest draft of *The Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority* (the "LCP") for comment, prior to its final adoption by the TRCA Board later this year. It defines a *Watershed* as:

"The entire area of land whose runoff water, sediments and dissolved materials, drain into a lake, river, creek, or estuary. Its boundary can be located on the ground by connecting the highest points of the area around the river, stream or creek, where water starts to flow when there is rain. It is not man-made and does not respect political boundaries."

A *Sub-watershed* is defined as:

"A subdivision of a watershed based on hydrology, generally corresponding to the area drained by a small tributary, as opposed to a major river."

A sub-watershed plan provides a framework for integrated decision-making for the management of human activities, land, water, aquatic life, and aquatic resources within the sub-watershed area. Sub-watershed studies typically include the characterization of aquatic and terrestrial resources, an analysis of surface and groundwater systems, an assessment of potential land use impacts on existing resources, and the identification of management strategies to address a range of watershed management objectives. They also provide input into land use studies on natural heritage systems and approaches to surface and groundwater management that affect land use plans and/or servicing approaches. These general requirements for sub-watershed plans are typically tailored to sub-watershed specific conditions and local municipal needs and processes.

In this instance the sub-watershed studies will apply to individual headwater tributaries of the Humber and the Don Rivers, adapted to the scale and context of each of the study areas, as reflected in the attached terms of reference. Planning at the watershed and sub-watershed scale allows for the better assessment of cumulative effects and support for integrated, long-term planning.

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Location of the Block 27 and 41 Sub-watershed Study Areas

The Block 27 sub-watershed area is part of the “Upper West Don Sub-watershed Area” as shown on Attachment 5. The SWS for Block 27 will consider the total area outlined as the “Upper West Don Sub-watershed”, but for certain tasks will focus on smaller areas within the defined boundary.

The Block 41 sub-watershed area forms part of the larger “Purpleville Creek Sub-watershed” of the Humber River, as outlined on Attachment 6. Some of the Block 41 SWS work will apply to the entire area of the Purpleville Creek Sub-watershed, while other tasks outlined in the terms of reference will apply only to the Block 41 lands.

Scope of the Terms of Reference

Recognizing that the natural land features, wildlife species and planning regulations vary across different areas of the City, and that differing sets of background data are available respecting the New Community Areas, an individualized terms of reference has been prepared for each block. A summary of each terms of reference is provided below in sections A and B of this report.

A. Block 27 SWS Terms of Reference

The Block 27 SWS terms of reference includes 6 study components, which are highlighted in the following sub-sections:

1) Hydrology update and Stormwater Management Criteria Verification

The hydrology update and stormwater management criteria verification is intended to estimate the potential hydrologic impacts to the sub-watershed area as a result of the proposed development for the Block 27 area. This work will aid in the siting of potential stormwater management ponds. The V02 hydrology model will be updated to reflect future considerations including proposed land use and proposed stormwater controls.

2) Regional Storm Assessment and Flood Impact Mitigation Strategy

The Regional storm assessment and flood impact mitigation strategy will update the hydrologic model to determine the potential flood impacts to the Block 27 SWS area as a result of the proposed development and confirm recommended flood control criteria for future development lands.

3) Erosion Assessment

An erosion threshold analysis, including field investigation, continuous modelling and evaluation of various control methods will be completed for the upper portion of the Upper West Don River Sub-watershed. This will require the development of a continuous model for the evaluation of the frequency at which erosive flows are experienced within the sub-watershed.

4) Hydrogeology

The hydrogeological component of the sub-watershed study will focus on the immediate Block 27 land area and will present a high level assessment of existing hydrogeological conditions based on a desktop study of existing information.

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In addition to a characterization of existing conditions, the study will include preliminary identification of potential development constraints (eg. groundwater receptors to be protected) and opportunities (eg. areas where enhanced infiltration may be feasible) that should be considered in more detail at the Master Environmental Servicing Plan (MESP) phase.

5) Water Balance

The water balance component of the SWS will focus on the Block 27 land area. It will present a high level assessment of the overall Block 27 water balance as well as identify features that are to be preserved and that may require recharge. The study will include preliminary identification of potential opportunities (eg. Areas where recharge may be feasible) that should be considered in more detail at the MESP phase. The results of the field examinations will be used to recommend mitigation strategies to maintain functions of natural areas to the extent feasible in this future urban setting.

6) Natural Heritage Assessment/Ecology

Based on the information available, existing natural heritage conditions will be described, including aquatic and terrestrial features and functions. This summary will be augmented with information obtained from the City's NHN Study and other relevant sources such as the TRCA and the Ontario Ministry of Natural Resources.

Additional updated natural heritage information will be required in support of the SWS, including headwater drainage features assessments, breeding bird surveys, updated ecological land classification mapping and community descriptions on participating properties within Block 27. A top-of-bank and features delineation will also be completed in conjunction with the TRCA and City staff.

B. Block 41 Sub-watershed Study Terms of Reference

The Block 41 SWS terms of reference focuses on the following 4 study components:

1) Regional Storm Assessment

The purpose of this component of the Block 41 SWS is to determine the need for, and if required, the type/size of Regional storm controls or other potential mitigation measures for future developing areas in the SWS area.

As part of this assessment, the existing Regional storm floodplain model and mapping will be reviewed and updated as required to reflect existing and future uncontrolled flows; and to identify existing and uncontrolled Regional storm water levels in downstream areas. In addition, the area downstream of Block 41, in the northern portion of Block 40, will be reviewed and the floodplain mapping updated as required.

2) Erosion Assessment

As part of this component of the SWS, detailed mapping and aerial photography, will be reviewed, stream reach delineated, and erosion thresholds determined to assist with stormwater management design (erosion control) for the SWS area. Based on the work completed through the erosion assessment, stormwater design criteria for stormwater management facilities and/or LID measures will be incorporated into the development design to maintain to the extent practical, existing conditions erosion potential.

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3) Floodplain Delineation

The focus of this component of the SWS is the delineation of hazard lands within Block 41 consistent with the Provincial Policy Statement, the VOP 2010, and the TRCA requirements. The resulting mapping will be important in helping establish preliminary development limits in draft Secondary Plan concepts.

4) Natural Environment and Hydrogeological Characterization

A suite of ecological surveys and inventories will be completed to assist in determining the extent and quality of natural heritage features within Block 41. This work will include a discussion regarding the “Endangered Species Act” legislation and the identification of a “go forward” plan for addressing species at risk through the subsequent MESP.

The baseline monitoring for the hydrogeological characterization will identify environmental conditions and key features for further study at the MESP stage. The SWS will include a preliminary identification of potential development constraints and opportunities related to the hydrogeological conditions in Block 41, and recommendations for any changes to the hydrogeological monitoring locations and/or frequency of monitoring. It will also identify monitoring requirements for feature-based water balance analyses.

Funding of the SWS Components of the New Communities’ Secondary Plan Studies

On April 15th, 2014, City Planning and Finance staff, met with the TRCA and landowners’ consultants to discuss the funding for the cost of the SWS. It was agreed by all proponents that given the local nature of the studies, the fact that the studies were not identified as projects under the 2013 Development Charge (DC) Background Study and the need to proceed with the project in a timely fashion, that they be funded directly by the landowners and allocation of such costs amongst landowners would be dealt with through the respective area Developer Group Agreements. It was further acknowledged that there would be no recovery of these funds from future DC By-laws, but rather these costs would be directly absorbed as a cost of development of the two blocks. Through their consultants, the landowner groups have provided letters outlining their commitment to this funding approach (see Attachments 7 and 8).

The cost of the SWS have been estimated to be in the range of \$220K for Block 27; and \$400K - \$500K for Block 41, and will be paid for by the landowner groups. These estimated costs are exclusive of City peer review costs as well as any review costs incurred by the TRCA. The TRCA is dealing directly with the landowners on their review costs, but it was acknowledged that the landowners would also be responsible for payment of the TRCA costs. It is proposed that the landowners’ Environmental Consultants undertake the studies as a continuation of their field work completed to date on the new community areas. The consultants will confer with the TRCA and City staff throughout the preparation of the SWS, and will meet with the Technical Advisory Committees for the Secondary Plan studies, at milestones defined in the final workplan.

At the completion of the SWS, the consultants’ reports will be subject to peer reviews by the City’s Environmental Consultant(s), for the Secondary Plans and finalized to the satisfaction of the TRCA and City. The cost of the City peer reviews for the SWS will be paid through the funds previously allocated in the 2013 Capital Budget, for the development of the New Community Secondary Plans and it is expected that the existing project budgets are sufficient to absorb these peer review costs.

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Study Timelines and Relationship to Secondary Plan Development

Preliminary work on the SWS has been undertaken by each of the landowners' Environmental Consultants and this work is expected to continue into the summer of 2015. Attachment 4 to this report shows the relative timelines of the SWS and the Secondary Plan studies. The attachment also reflects the milestones in the Secondary Plan process at which time the information available from the SWS is most important to the development of the Secondary Plan.

The SWS will aid in setting preliminary development limits and in helping determine appropriate stormwater management strategies/controls, in accordance with the conclusions and recommendations of the City-Wide SWM Master Plan, as required to accommodate the population and employment targets for the New Community Areas.

Next Steps

Once the SWS terms of reference and funding approach have been addressed to the satisfaction of Council, staff will proceed to finalize and implement the terms of reference for each of the Secondary Plan studies for the New Community Areas, and will prepare and issue the Requests for Proposals for the studies. This effort, including procurement and evaluation of proposals, is expected to occur through Summer/Fall 2014.

Relationship to Vaughan Vision 2020/Strategic Plan

The actions recommended in this report are consistent with the Vaughan Vision objectives to: Plan and Manage Growth and Economic Well-being; and to Lead and Support Environmental Sustainability.

Regional Implications

Regional staff will be requested to actively participate as members of the Technical Advisory Committee envisioned for each of the New Community Areas' Secondary Plan Studies, including the planning for transportation. The Region will also be circulated on all draft documents required for study deliverables.

Conclusion

The sub-watershed studies are an important component of the Secondary Plan development process. They will build on the conclusions and recommendations of the City-Wide SWM Master Plan Study and will assist in determining the appropriate stormwater management strategies for each of the new community blocks; by setting preliminary development limits, as well as addressing the management of endangered species. They will also advance the resulting Block Plan approval processes by providing the basis for the Master Environmental Servicing Plan (MESP).

Pursuant to the VOP 2010 requirement for the completion of sub-watershed studies concurrent with the development of the New Community Area Secondary Plans, City staff have worked with the Block 27 and 41 landowners and the TRCA to develop terms of reference for the Sub-watershed Studies for the affected portions of the upper reaches of the Humber and Don watersheds. The terms of reference form Attachments 2 and 3 to this report. As a result, it is recommended that the terms of reference be endorsed; the SWS be funded directly by the landowners with no expectation of recovery from City funds; and that the studies be undertaken by the landowners' Environmental Consultants. It is further recommended that they be subject to a peer review by the City's consultant, retained through the Secondary Plan process, and final approval by the City and the TRCA.

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On this basis, it is recommended that the recommendations set out in this report be approved.

Attachments

1. New Community Areas Location Map
2. Proposed Terms of Reference for the SWS for Block 27
3. Proposed Terms of Reference for the SWS for Block 41
4. Secondary Plan Development Process Chart
5. Block 27 Sub-watershed Study Area
6. Block 41 Sub-watershed Study Area
7. Letter from Block 27 – Funding of Sub-watershed Study
8. Letter from Block 41 – Funding of Sub-watershed Study

Report prepared by:

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

Regional Councillor Di Biase declared an interest with respect to the foregoing matter insofar as it relates to Block 27, as his children own land in Block 27 given to them by their maternal Grandfather and did not take part in the discussion or vote on the matter.