

DATE: DECEMBER 5, 2013
TO: HONOURABLE MAYOR & MEMBERS OF COUNCIL
FROM: JOHN MACKENZIE, COMMISSIONER OF PLANNING
SUBJECT: COMMUNICATION – COUNCIL – DECEMBER 10, 2013

C	<u>9</u>
Item #	<u>44</u>
Report No.	<u>52 (CW)</u>
<u>Council - December 10/13</u>	

ITEM #44 - COMMITTEE OF THE WHOLE – NOVEMBER 26, 2013

**OFFICIAL PLAN AMENDMENT FILE OP.03.008
PINE HEIGHTS ESTATES
WARD 3 – VICINITY FOR PINE VALLEY FRIVE AND TESTON ROAD**

Recommendation

The Commissioner of Planning recommends:

1. That this Communication, BE RECEIVED, as information.

Background

On November 26, 2013 Committee of the Whole resolved that staff report back to Council of their assessment on the Committee of the Whole recommendations below (Resolution #5, Item #44):

- 1) *"That the recommendation contained in the following report of the Commissioner of Planning, dated November 26, 2013, be approved, subject to the addition into Section 10.3 of the draft amendment of the policy language referred to in Communication C1 (see Attachment 1 to this Communication), from Mr. John Zipay, Gilbert Court, Burlington, dated November 12, 2013, and Communication C7, from the Commissioner of Planning, dated November 26, 2013.*
- 2) *That the following be approved:*
 1. *That Official Plan Amendment Application OP.03.008, be approved as an amendment to OPA 600, and that the amendment forming Attachments 2, 4A, 4B and 4C to this report be brought forward for adoption, subject to final staff review and Council consideration of the proposed revisions contained in the submission dated November 25, 2013, from KLM Planning Partners Inc.;*
 2. *That upon Council approval of this amendment and upon withdrawal or resolution of owners OMB appeals of the Vaughan Official Plan 2010, this amendment become part of site specific policies of Volume 2 of the VOP 2010;*
 3. *That subject to staff review and confirmation by appropriate authorities, the limits if development for Block 40/47, save and except stormwater management ponds shown in the MESP and Block Plan, shall be the greater of the development limit staked by the Schaeffer and Dzaldov Limited, June 2004 (including top-of-bank and significant vegetation), the long term stable top of bank, flood plain, predicated meander belt, and the Provincially Significant Wetlands within the valley, plus the appropriate buffers as required in the approved Official Plan Amendment;*

4. *That staff include an appropriate mitigating measure between the proposed block plan farmland to the south including but not limited to a fence and or vegetation buffer; and*
5. *That staff report back to Council on their assessment of the above recommendations...."*

The following are staff comments and assessments in response to Committee of the Whole resolution 5) aforementioned:

Resolution #1:

"That the recommendation contained in the following report of the Commissioner of Planning, dated November 26, 2013, be approved, subject to the addition into Section 10.3 of the draft amendment of the policy language referred to in Communication C1 (see Attachment 1), from Mr. John Zipay, Gilbert Court, Burlington, dated November 12, 2013, and Communication C7 (see Attachment 2), from the Commissioner of Planning, dated November 26, 2013."

Comment:

Communication Item C1 (Attachment 1 to this Communication) requests that the Official Plan Amendment designation for the Skandatut Site maintain its "Urban Area" designation, rather than the proposed "Historical Site" designation for tax donation assessment purposes. The correspondence requests the deferral of a "definitive" land use designation for the subject lands, as it would have a "negative impact" on value for the purpose of the Donation Agreement.

The lands in question are currently subject to the Policies of 4.2.1.2 (i) – (iii) of Official Plan 600 which states:

- i) *The lands within Blocks 40 and 47, north of Cold Creek, south of Test on Road, east and west of Pine Valley Drive are designated Urban Area as indicated on Schedule B [OPA 600]. This area will be planned for predominately "executive housing" on large lots with full municipal services. The gross density within the designated area shall be between 5.0 and 7.5 units per hectare (2.0 – 3.0 units per acre)....*
- ii) *The lands designated Urban Area shall be the subject of a comprehensive plan providing the technical basis to support secondary plan land use designations consistent with the planning approach of OPA 600. Subsequent detailed planning of the area shall address the requirements of the Block Plan process.*
- iii) *The lands designated as Urban Area shall remain subject to the Rural Use Area, Rural-General and Agricultural Area policies of OPA 600 until such time as they are re-designated to specific urban land use categories, by an amendment to this Plan, adopted by the City and approved.*

The City acknowledges that the intent and vision of OPA 600 and the underlying designation of "Urban Area" was to enable executive housing on large lots as stated in policy 4.2.1.2 (i). The City also acknowledges that policy 4.2.1.2 (ii) requires that the designation and distribution of land uses are to occur once the required technical basis and comprehensive plan is complete and; until the lands are re-designated through an Official Plan Amendment; they shall remain subject to the "Rural Use Area, Rural-General and Agricultural Area" policies of OPA 600 (4.2.1.2.iii).

Through the Official Plan Amendment process, the results of technical studies such as the Archeological Assessments conducted and through extensive public consultation with various stakeholders such as residents, ratepayer groups, First Nations, Ministry of Culture Tourism and Sport, Ministry of Municipal Affairs and Housing, and Ministry of Natural Resources, have determined that the lands are of Historical, Archeological and Cultural significance recognizing the underlying designations outlined above.

The "Historical Site" designation was arrived at through a consultation process that involved the public, First Nations Communities and agencies identified above; City staff are of the view that the appropriate land uses for this site be "passive recreational uses". Staff are aware of and appreciate the ongoing efforts and interest to all parties in finalizing the donation agreement. Staff will continue to support the application of a "Historical Site" designation and associated policies for the subject lands prior to future Block Plan and development application approvals.

Staff Assessment:

Staff maintain the position that the "Historical Site" designation will be the most appropriate designation for the subject lands for the purposes of the Official Plan Amendment. However, should Council decide it is appropriate to accept the recommendation to maintain the "Urban Area" designation, it is recommended that the modified language set out in proposed Policy 4.2.1.4 (b) iii., forming Attachment 2 to this Communication be adopted to maintain the original intent of Policy 4.2.1.2 of OPA 600, until completion of the conditional donation process for the subject lands, at which time a re-designation to a more appropriate land use such as the Historical Site designation described above shall be initiated by the City through an Official Plan Amendment in consultation with the Province and First Nations.

Resolution # 2) 1:

"That Official Plan Amendment Application OP.03.008, be approved as an amendment to OPA 600, and that the amendment forming Attachments 3, 4A, 4B and 4C to this report be brought forward for adoption, subject to final staff review and Council consideration of the proposed revisions contained in the submission dated November 25, 2013, from KLM Planning Partners Inc.;

Comment:

The proposed revisions contained in the submission from KLM Planning Partners have been reviewed by Planning Staff and the TRCA. Generally, the changes reflect minor revisions to the policy language. However, staff felt further refinement of the revisions was appropriate to maintain the intent of the Official Plan Amendment that was recommended for adoption by Staff at the November 26, 2013 meeting of the Committee of the Whole. Staff has incorporated modified policy language that satisfies the TRCA and City staff while maintaining the intent of the proposed modifications by KLM Planning Partners (as shown in Attachment 2 to this Communication).

Staff Assessment:

Staff support the adoption of the additional policy language as identified in Attachment 2 (insofar as it relates to the proposed changes by KLM Planning Partners Inc.) which reflects Staff's suggested modifications to the proposed Official Plan Amendment presented to Committee of the Whole on November 26, 2013.

Resolution # 2) 3:

"That subject to staff review and confirmation by appropriate authorities, the limits of development for Block 40/47, save and except stormwater management ponds shown in the MESP and Block Plan, shall be the greater of the development limit staked by the Schaeffer and Dzaldov Limited, June 2004 (including top-of-bank and significant vegetation), the long term stable top of bank, flood plain, predicated meander belt, and the Provincially Significant Wetlands within the valley, plus the appropriate buffers as required in the approved Official Plan Amendment";

Comment:

A 'without prejudice' staking exercise took place in Spring 2004 with TRCA, City staff, landowners and their consultants. The City does not possess in their records a written sign-off from TRCA or City staff agreeing to the proposed staking limits set out in 2004. The applicant has been requested to provide this information but at the time of writing this Communication has not been able to provide evidence that the TRCA or City has agreed to said limits described in the Schaeffer and Dzaldov June 2004 staking described in the motion. According to City records, the issue of staking development limits has been ongoing since 2003. The City and TRCA through written correspondence and through the public process have continued to request from the landowner that the proper technical work be conducted and submitted for final sign-off. The issue of finalization of development limits and appropriate buffers were itemized in the following correspondence dating back to 2003 (Attachment 3):

- a. May 20, 2003 - Committee of the Whole (Public Hearing) Report – Pine Heights Estates (OPA OP.03.008);
- b. March 29, 2004 – Circulation comments from TRCA to City of Vaughan regarding Block 40/47;
- c. June 21, 2004 – Committee of the Whole (Public Hearing) Report – Pine Heights Estates BL.40/47.03;
- d. Feb 12, 2010 – Circulation comments from TRCA to Azimuth Environmental (Landowner's consultant);
- e. September 7, 2011 – Correspondence from TRCA to City of Vaughan;
- f. June 5, 2012 – Committee of the Whole (Public Hearing) report – Pine Heights Estates (OP.03.008);
- g. November 6, 2013 – Correspondence from TRCA to City of Vaughan

In addition, it is important to note that since 2004, many environmental factors have been identified by the City and commenting agencies, to address conformity issues with OPA 600. These include the Provincial Policy Statement, the Endangered Species Act, and Regulation 166/906 under the Conservation Authorities Act. These policies and regulations may impact the proposed limits of development as proposed in 2004. Factors such as: Provincially Significant Wetlands and appropriate vegetation protection zones; headwaters referenced in OPA 600 and in relation to habitat of endangered Redside Dace; slope erosion; significant habitat and required buffers for endangered and threatened species; evaluation and persistence of significant wildlife habitat; and slope stability are important considerations that must be assessed and confirmed.

Staff Assessment:

At this point in time the Planning Department cannot support the approval of the development limits staked by Schaeffer and Dzaldov Limited in June 2004. Issues have been identified through the review of technical work that may impact the limits of development. The appropriate studies and technical work must be completed through the Block Plan/MESP process to the satisfaction of the City, TRCA and Ministry of Natural Resources. It would be inappropriate to confirm the development limits concurrent with the adoption of the Official Plan Amendment. The appropriate studies and technical work are required to be submitted and evaluated as part of the block plan and future approval processes to ensure the City and proponents comply with regulations and do not incur risks related to safety and hazards.

Resolution # 2) 4:

"That staff include an appropriate mitigating measure between the proposed block plan farmland to the south including but not limited to a fence and or vegetation buffer; and"

Comment:

Staff agree that a mitigating measure between the proposed Amendment Area in Block 47 and the farmland to the south is appropriate given the sensitivity of the land use. Appropriate mitigation measures will be determined through the Block Plan planning process in consultation with the affected landowners.

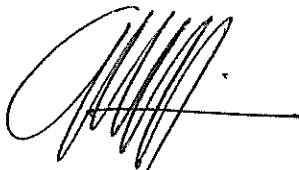
Staff Assessment:

That an appropriate mitigation measure(s) will be determined through the Block Plan planning process in consultation with the affected stakeholders to the satisfaction of the City.

Conclusion

After careful review and consideration, the Policy Planning Department maintains their position as set out in the recommendations listed above.

Respectfully submitted,



JOHN MACKENZIE
Commissioner of Planning

Attachments:

1. Communication (C1 – November 26, 2013 Committee of the Whole Item #44). Letter from John Zipay to City of Vaughan dated November 12, 2013.
2. Modified Official Plan Amendment to OPA 600 – Pine Heights Estates (Block 40/47), *includes staff modifications as of December 5, 2010.*
3. Compilation of Correspondence regarding issue of Development Limits
 - a. May 20, 2003 - Committee of the Whole (Public Hearing) Report – Pine Heights Estates (OPA OP.03.008);
 - b. March 29, 2004 – Circulation comments from TRCA to City of Vaughan regarding Block 40/47;
 - c. June 21, 2004 – Committee of the Whole (Public Hearing) Report – Pine Heights Estates BL.40/47.03;
 - d. Feb 12, 2010 – Circulation comments from TRCA to Azimuth Environmental (Landowner's consultant);
 - e. September 7, 2011 – Correspondence from TRCA to City of Vaughan;
 - f. June 5, 2012 – Committee of the Whole (Public Hearing) report – Pine Heights Estates (OP.03.008);
 - g. November 6, 2013 – Correspondence from TRCA to City of Vaughan

RM/lm

Copy To: Barbara Cribbett, Interim City Manager
Jeffrey A. Abrams, City Clerk

c 1
Communication
cw: NOV 26/13
Item: 44

John Zipay and Associates
2407 Gilbert Court
Burlington, On
L7P 4G4
jzipay@hotmail.com

November 12, 2013

John MacKenzie
Commissioner of Planning
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Dear Mr. MacKenzie

On behalf of the members of the Pandolfo family (the "Pandolfos"), I have been retained to review the proposed draft Official Plan Amendment for block 40/47 and more particularly, to review the proposed draft O.P.A. in terms of its application to that portion of the Pandolfo lands which contain an area that is subject to a donation agreement referred to below. Also, I am responding to issues discussed at a meeting held on November 11, 2013 with Planning Department representatives pertinent to the proposed draft O.P.A.

I have consulted with other participants of Block 40/47 (the "Block Group") who were also present in the November 11, 2013 meeting along with representatives of the Planning Department. The position put forth in this letter is supported by the Block Group and is basically a reiteration of what was said at the meeting.

The following puts the matter into context:

1. The Pandolfos have as of May 9, 2012 entered into a donation agreement with the TRCA (the "Donation Agreement") to donate the specific heritage lands to the TRCA.
2. The Oakridges Moraine Trust has facilitated this Donation Agreement through the Canadian Ecological Gifts Program administered by Environment Canada.
3. The requirements for completing an application have been fulfilled and we are waiting for the Notice of Determination of Fair Market Value from the Appraisal Review Panel to finalize the process.
4. A re-designation of the property at this time while the appraisal is in process may have an impact on the appraisal value of the property. Accordingly, the ultimate designation is premature at this time and should be deferred until the Donation Agreement is concluded.

5. The Pandolfos have and will continue to work towards conveying the lands to a public authority pursuant to the Donation Agreement with the TRCA.

In recognition of the Pandolfos' efforts, the Block Group supports a deferral of a definitive land use designation and supports what is currently prescribed under O.P.A. 600, until the Donation Agreement or any other satisfactory arrangement is completed, after which the City would initiate an O.P.A. to re-designate the subject property with appropriate consultation and due process. This position was presented to Planning representatives in the meeting of November 11, 2013. The Block Group supports this position on the condition and agreement that the Pandolfos not file an appeal to the plan if the City adopts the alternate O.P.A. as put forth in this letter. The Block Group acknowledges that the land use designation and policies as currently drafted by the Planning Department in respect of the specific heritage area of the Pandolfo lands may have a negative impact on value for the purposes of the Donation Agreement. In the interim, it is proposed, with the support of the Block Group, that an alternative option be approved which will preserve the ability to approve the long term, intended designation at a future date. This alternative option explains the current status of the lands vis-à-vis the Donation Agreement and will preserve the opportunity for full public engagement and consultation with First Nations, the public, and the Province at a more appropriate time.

In consultation with the Block Group and with your Planning representatives I have drafted the alternative option to the O.P.A. The attached proposed Draft O.P.A. outlines a context which provides an explanation and a rationale for deferring a definitive designation until the Donation Agreement is completed.

The proposed Draft O.P.A. preserves a land use designation which is currently in effect under O.P.A. 600. It retains the requirement for an Official Plan Amendment to enact a definitive land use designation. Further, it requires consultation with First Nations and the Province in determining the final designation and policies.

The position of the Pandolfos and the Block Group is that the City approve an Official Plan which retains the current designation of the lands under O.P.A. 600 for the reasons outlined above. The Pandolfos and the Block Group would prefer to move forward with this plan in a co-operative and productive manner and I believe that this Draft O.P.A. effectively establishes this position.

This letter is also to advise that the Pandolfos will, out of necessity, object to the draft official plan if the proposed 'interpretive park' designation and pertinent policies are approved at this time as the approval of same could jeopardize the donation agreement process. I also advise you that the Block Group is not in support of this objection/or appeal.

It is neither the intent of the Pandolfos to object and delay the implementation of the Official Plan Amendment, nor is there any intent to circumvent the process of consultation with appropriate parties. The proposed alternative, which clearly explains the current status of the lands subject to the Donation Agreement, is meant to further encourage and expedite the consultation and planning process and is simply intended

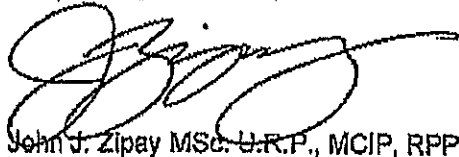
as an interim mechanism to provide the necessary time to conclude the Donation Agreement. We encourage public agencies to help facilitate the donation process being completed as quickly as possible.

This letter and alternative O.P.A. proposal is submitted on a without prejudice basis.

I thank you for your consideration of the alternative approach that is presented.

If I can be of assistance to you or anyone in receipt of this correspondence, please call me. I can be reached at (416) 305-7989.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Zipay", with a long horizontal flourish extending to the right.

John J. Zipay MSc. U.R.P., MCIP, RPP

Cc: Block Group
Mayor Maurizio Bivolaqua
Deputy and Regional Councillor Gino Rosati
Regional Councillor Michael DiBlase
Regional Councillor Deb Schulte
Ward 1 Councillor Marilyn Iafrate
Ward 2 Councillor Tony Carella
Ward 3 Councillor Rosanna DeFrancesca
Ward 4 Councillor Sandra Yeung Rocco
Ward 5 Councillor Alan Shefman
City Clerk, Jeff Abrams

DRAFT POLICY

CONTEXT

The subject lands are designated "Urban Area" in O.P.A. 600 which recognizes their development permission within the urban boundary.

Section 4.2.1.2 of O.P.A. 600 prescribes executive housing on large lots. Further, under the policies of Section 4.2.1.2 ii), the "Urban Area" is subject to further studies requiring a comprehensive review in support of a secondary plan with specific land use designations to be further refined through a "Block Plan" process.

Lands which are the subject of a donation agreement with the Toronto Regional Conservation Authority, are shown in Schedule _____ which identifies the limit of the subject lands that have been assessed and surveyed by the Ministry of Tourism and Culture and qualified archeologists retained by the owners.

As of May 9, 2012, the identified lands are the subject of a donation agreement between the owner and the Toronto Region Conservation Authority. This agreement contains provisions for these lands to be transferred into public ownership and is in the process of being completed.

In recognition of requirements under O.P.A. 600, an Official Plan Amendment (Secondary Plan) and Block Plan are in process.

The timing of the completion of the donation process is dependent upon the finalization of a review by an independent Appraisal Review Panel which is beyond the control of the donor, the City of Vaughan or the Province.

So as not to impact or affect the donation process, it is premature to assign a final land use designation until such time that the donation process has been completed. Accordingly, the following policy shall apply to the subject lands:

Policy

- i) As a land donation process has been entered into between the owners of the subject lands and a public authority and which is ongoing, the subject lands shall remain under their current designation in O.P.A. 600 and appurtenant policies until completion of the donation process.
- ii) A re-designation shall be initiated by the City of Vaughan upon the completion of the donation agreement through an official plan amendment.
- iii) Further consultation shall occur with the Ministry of Tourism and Culture and representatives of the First Nations prior to the approval of a final designation.

I DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Amendment No. 600 to the Official Plan of the Vaughan Planning Area is hereby amended by:

1. Redesignating the lands identified on Attachment 1 of this report from "Urban Area" and "Valley Lands" to "Low Density Residential", "Valley Lands", "Medium Density Residential-Commercial", "Stormwater Management Ponds", "Neighbourhood Commercial Centre", "Parks", "Elementary School", "Institutional", "Greenway System" and "~~Historical Site~~Urban Area" in the manner shown on Attachment 4a;
2. Amending Schedule "B" – Vellore Urban Village 1 to Official Plan Amendment No. 600 as identified in Attachment 4a, attached hereto;
3. Amending Schedule G1 – Wetlands to Official Plan Amendment No. 600 as identified in Attachment 4b, attached hereto;
4. Amending Schedule "J" –Transportation City Road Network to Official Plan Amendment No. 600 as identified in Attachment 4c, attached hereto;
5. Amending Section 4.2.1.1 v., by deleting it in its entirety and replacing it with the following:
 - v. Notwithstanding the above, within the lands of Block 40 and 47, north of Cold Creek, south of Teston Road, east and west of Pine Valley Drive and designated as Low Density Residential on Schedule B, the following shall apply:
 - a. The overall range of permitted gross density will be between 5.0 and 11.0 units per hectare (2 and 4.5 units per acre), calculated on the area of developable lands.
 - b. Street Townhouses may also be permitted within the Low Density Residential Areas within the above noted lands, provided that they are located adjacent to Pine Valley Drive and that the maximum permitted net density on a site does not exceed 18.0 units per net residential hectare.

6. Amending Section 4.2.1.2 by deleting subsection i., ii. and iii and adding the following policies:

- i. The lands within Blocks 40 and 47, north of Cold Creek, south of Teston Road, east and west of Pine Valley Drive are identified on Schedule B as "Low Density Residential", "Valley Lands", "Medium Density Residential-Commercial", "Stormwater Management Ponds", "Neighbourhood Commercial Centre", "Parks", "Elementary School", "Institutional", "Greenway System" and "~~Historical Site~~Urban Area". Significant Wildlife Habitat, Significant Woodlands, Significant Valleylands and Provincially Significant Wetlands are located within and adjacent to the subject lands. Prior to the determination of the development limits for the subject lands, an Environmental Impact Study (EIS) is required to identify the locations and demonstrate the protection of these features such that all proposed development will not result in a negative impact to the features and their associated functions, including the hydroperiod, and consistent with an integrated, ecosystems approach to planning as set out in Section 5.4.2 of this Plan. Sufficient reference data and site specific observations must be completed to the satisfaction of the City, TRCA and Ministry of Natural Resources. The following policies shall apply to the lands described above, in addition to any other requirements in this Plan:

- ii. Water Quality and Quantity

The appropriate permitted development pattern for this area shall be confirmed based on the following being completed to the satisfaction of the City and TRCA, prior to the approval of the Block Plan and subsequent Draft Plan of Subdivision:

- a. An assessment that confirms pre-development ground and surface water flows will be maintained post-development from head water drainage features that may be proposed to be removed or realigned to ensure sustainable flows to downstream features;

- b. An approximate post development water balance calculation to demonstrate that any infiltration deficit will be mitigated to protect the features and functions relying on surface or ground water contributions;
 - c. An exploration of any proposed mitigation measures to demonstrate no negative impact on the features and functions and the hydroperiod of the natural features, and,
 - d. A features-based Water Balance for all woodlands, wetlands and watercourses, and demonstrated maintenance of the hydroperiod for natural features to be retained. ~~A features-based Water Balance that demonstrates maintenance of the hydroperiod for all woodlands, wetlands and water courses.~~
 - iii. A hydrogeological study as part of the ME/SP for this area will be used to define the local pre-development water balance and establish site specific water balance criteria that maintain the ecological functions of related features and demonstrate how the appropriate proportions of infiltration and evaporation/reuse measures for stormwater management will achieve water balance objectives to the satisfaction of the City in consultation with the TRCA.
 - iv. To ensure the maintenance of ground and surface water quality and quantity throughout the Block 40/47 area, the following policies shall apply to all development within the subject lands:
 - a. All development and site alteration, infrastructure and recreational uses meet TRCA's stormwater management criteria for water quantity, water quality, erosion control and water balance for groundwater recharge and for natural features, as more specifically described in TRCA's Stormwater Management Criteria document.
 - b. Approaches to stormwater management shall use a series of measures that form a treatment 'train', including low impact approaches to achieve the criteria listed above and to mitigate potential impacts.

- c. As the development progresses through all stages of the development process, increasingly detailed reports may be required to demonstrate consistency with the criteria outlined in (a) and (b) above. At each stage of the process, studies shall be completed and implemented to the satisfaction of the City of Vaughan and the TRCA.
- v. Notwithstanding Policy 5.9.1.3 of this Plan, where it has been demonstrated through a comprehensive technical report that there are no reasonable alternative sites and alignments, underground infrastructure and related structures may be permitted in the valley corridor where it is demonstrated that:
 - a. ~~There are no negative impacts~~ to the quality and quantity of groundwater and surface water including stream baseflow are minimized and mitigated;
 - b. Impacts on groundwater flow and discharge are minimized and mitigated;
 - c. Erosion hazards are avoided;
 - d. All options for horizontal and vertical alignments to avoid, minimize and or mitigate impacts on aquifers and surface water receptors have been considered;
 - e. Dewatering and dewatering discharge during and post construction will be managed;
 - f. Design and construction technologies are used to reduce risk of hydrological and ecological impacts and minimize grade alterations to existing topography; and
 - g. A contingency plan is provided to address maintenance and spills.
- vi. Sensitive Land Features

Appropriate buffers will be required around all sensitive land features in accordance with the City, TRCA and Provincial requirements. To ensure the implementation of appropriate buffers, the following requirements shall be applied when establishing buffer areas around sensitive land features:

 - a. A minimum 10 metre restored buffer from the greatest extent of the stable top of bank, long-term stable top of slope, flood plain, predicted meander belt, or drip-line of the significant vegetation contiguous to the valley/stream corridor, for all development and site alteration;

- b. For grading associated with stormwater management ponds, a minimum 5 metre restored buffer is required from the drip-line of significant vegetation and wetlands provided it can be demonstrated that there will be no negative impact on the features and functions. Where public trails are provided adjacent to stormwater management ponds, they should be located along the street frontage of such facilities; and
- c. All buffers will be established in accordance with Provincial requirements. Where a conflict exists between Provincial requirements and the above policies, the more restrictive provision or standard shall apply.

vii. Known unevaluated wetlands in Block 40/47 shall be assessed for their significance in accordance with the criteria defined in the Ontario Wetland Evaluation System and if determined to be Provincially Significant Wetlands, no development shall be permitted.

viii. An adjacent lands analysis for lands with 120 metres of all wetlands in the Block 40/47 area identified on Schedule G1 and those determined to be Provincially Significant in accordance with policy 4.2.1.2.vii must be completed prior to development, and demonstrate that:

- a. there will be no loss of wetland features and functions, including the hydroperiod of the wetland (timing, volume, and duration of water);
- b. there will be no loss of contiguous wetland area;
- c. subsequent demand for development will not cause increased pressure on the wetland in the future; and,
- d. the minimum vegetation protection zone between the wetland and the proposed development is sufficient to address items (a) through (c) above.

ix. Notwithstanding Policy 4.2.1.2.viii, where it is determined by the City and TRCA that it is appropriate to relocate wetlands that are not Provincially Significant, the recreated wetland habitat must be established in accordance with the following requirements:

- a. Wetland habitat must be of a similar nature, character and area;

- b. Outside of existing significant features and habitats and that any relocation within the defined valley is in addition to the wetlands that occur in the valley, will constitute an enhancement to the ecological valley system and will be designed with appropriate wetland hydrology;
 - c. Minimize the extent of earth works which may cause additional habitat losses;
 - d. Be outside of the regulated habitat for Redside Dace, or be subject to compliance with Endangered Species Act requirements;
 - e. Suitable for wetland creation in terms of soils and hydrologic conditions; and
 - f. Construction (including access) of these wetlands will not damage other features.
- ix. With respect to the land feature identified as the 'Peninsula Lands' within the Block 40 proposed Block Plan, the precise limits of the valley land, and development land, in proximity of and inclusive of the 'Peninsula Lands' will be established to the satisfaction of the City and the TRCA through the Block Plan process based on studies and criteria as established by the City in conjunction with the TRCA. If it is determined by the City in conjunction with the TRCA that developable land is identified through these studies and in accordance with the criteria prescribed by the City and TRCA then the Low Density Residential designation will apply to the developable lands without further amendment to this Plan.
- xi. If it is demonstrated that development in the Peninsula Lands is appropriate based on policy 4.2.1.2.ix, than prior to the approval of any development applications associated with this area, in addition to all requirements of this Plan, the impact on the features adjacent to the Peninsula, including valleylands and seeps, shall be assessed and the following shall be completed to the satisfaction of the City, TRCA and Province:
 - a. That the access to the peninsula be designed and located to minimize alteration of, and intrusion into, the valley;
 - b. That any areas outside of the area deemed appropriate for development be planted in a manner that discourages human entry and enhances the features and functions of the area;

- c. A cultural/archaeological heritage study be completed and that such features be maintained in situ or removed; and
- d. All development permitted on the peninsula shall use Low Impact Development (LID) stormwater management techniques, and there shall not be any stormwater management ponds located on the peninsula. Where LID techniques convey surface water into the valley system, it shall also be demonstrated that such conveyance will not have a negative impact on the features or functions within the valley.

xii. Endangered and Threatened Species and Significant Wildlife Habitat:

The lands within Blocks 40 and 47, north of Cold Creek, south of Teston Road, east and west of Pine Valley Drive are located within the East Humber watershed, and more specifically traversed by several tributaries of the Cold Creek system. Cold Creek is a high quality, sensitive cold water system that supports a diverse range of aquatic species and provides habitat for the endangered Redside Dace. Ground and surface water sensitivities are also present given the network of tributaries and wetlands. Both valley land and table land wetland features are present. A substantial, continuous block of forest exists within the well defined valley systems, supporting a number of flora and fauna species of concern including a number of area sensitive, forest dependent breeding birds and the endangered butternut tree, and provides a range of ecosystem services, meeting the criteria for Significant Wildlife Habitat in the Provincial Policy Statement.

The above aquatic, terrestrial, and landscape attributes combine to create a significant valley system within the context of the Provincial Policy Statement. It is essential that any impacts resulting from urbanization of the area be carefully considered through ecologically-based site design, in accordance with Section 2.7 of this Plan, in order to protect and enhance the long term health, function and ecology of the natural and open space systems within the community and broader watershed landscape, including the population viability of endangered and threatened species and significant wildlife habitat.

- a. Within the lands described above, the habitat of Species at Risk has been identified. Through the preparation of the ME/SP, Block Plan and conditions of development approval, arrangements shall be made for the protection or enhancement of habitat to the satisfaction of the agency having jurisdiction.
- b. The habitat of endangered and threatened species and significant wildlife habitat shall be identified and mapped.
- c. Development or site alteration is not permitted on adjacent lands to significant habitat of endangered and threatened species or significant wildlife habitat unless it is demonstrated that there will be no negative impacts on the feature or its ecological function, or where compliance with Endangered Species Act requirements has been demonstrated.

xiii. Greenbelt Plan

The Block Plan and any further Planning Act applications required to implement the permitted uses within Block 40/47 are subject to the transitional provisions of Section 24(2) of the Greenbelt Act.

xiv.i Monitoring:

To provide for testing and maintenance of the final development form in the future for the lands identified in this Section, a monitoring program shall be established through the MESP process, which may assess the following:

- a. success/functions of buffer restoration areas;
- b. success/functions of habitat compensation areas;
- c. function of Low Impact Development (LID) measures;
- d. features that are subject to features-based water balance (headwater drainage features and small tributaries and wetlands) to confirm their post development function, including flows and erosion;
- e. erosion and sediment controls (including pond clean outs) in terms of water quality; and
- f. other areas related to ground and surface water conditions as required by TRCA and the City.

7. Amending Section 4.2.1.3.1 by adding the following policy:
 - d. Notwithstanding the above, within the lands of Block 40 and 47, north of Cold Creek, south of Teston Road, east and west of Pine Valley Drive designated as Medium Density Residential-Commercial on Schedule B, the following shall apply:
 - i. The minimum net residential density on any site shall be 11 units per net residential hectare. The maximum net residential density on any site shall be 40 units per hectare, with the exception of the lands at the south east corner of Pine Valley Drive and Teston Road which shall have a maximum net density of 80 units per hectare and stacked townhouses and low rise apartment buildings to a maximum height of 5 stories shall also be permitted.
 - ii. Within the Medium Density Residential-Commercial designation located on the west side of Pine Valley Drive south of the Primary Road, commercial use as permitted in section 4.2.1.3 shall not be permitted.
8. Amending Section 4.2.2.4, Neighbourhood Commercial Centre, by adding Sub-section vii., as follows:
 - vii. Notwithstanding the policies above, the following shall apply to the lands located on the southeast corner at the intersection of Teston Road and Pine Valley Drive and designated Neighbourhood Commercial Centre on Schedule "B":
 - a. The Gross Leasable Area (GLA) may be less than 5,000 square metres.
9. Amending Section 4.2.4.1 – Greenway System by adding the following section:
 - vi. The identified Greenway System on Schedule B within Block 40/47 is considered conceptual to allow the City to investigate the feasibility of providing public trails and crossings within the valley system and to evaluate connections with other potential public trail initiatives within the Humber River. The feasibility shall consider, amongst other matters, the impact on features and functions within the Valley in consultation with the

TRCA and MNR. In the event it is determined that the construction of the Trail is not feasible, an amendment to the Official Plan will not be required to approve the Block Plan.

10. Amending Section 4.2.6.4, Planning for Cultural Heritage Conservation, by numbering the first paragraph of section 4.2.6.4.i as paragraph "a", and adding the following subsections:

b. Block 40/47

- i. Heritage impact assessments shall be required for all properties or structures listed within the City's Inventory of Significant Structure prior to Block Plan approval to determine the need for any mitigation. In addition, the potential realignment of Teston Road and Pine Valley Drive shall consider the potential impact on the existing property that has been listed in the City's Inventory located at the southeast corner of Teston Road and Pine Valley Drive, municipally known as 10733 Pine Valley Drive.

The Stage 1 and Stage 2 Archaeological Assessments prepared for the area have identified a number of archaeological sites or find spots. Prior to development proceeding, further archaeological assessment will be submitted for approval to the Ministry of Tourism and Culture as required.

- ii. Prior to any development occurring in the amendment area, a heritage impact assessment for the area of the East Humber River tributary shall be conducted to determine whether or not the area constitutes a cultural heritage landscape.

- iii. ~~The location of the Historical Site~~Lands designated Urban Area within Block 40/47 ~~is~~are shown on Schedule "B". As of May 9, 2012 these lands are subject to a conditional donation agreement between the owner and the Toronto and Region Conservation Authority that contains provisions for these lands to be transferred into public ownership. Appendix "III" identifies the limit of the Historical Site~~lands~~ that ~~has~~have been assessed and surveyed by the Ministry of Tourism and Culture and qualified archaeologists retained by the owners. ~~Permitted uses shall include passive open space.~~ As part of the preparation of

the Block Plan and Urban Design Guidelines, consideration will be given to ensuring an appropriate interface with the adjoining residential development including incorporating other forms of creditable parkland adjacent to the ~~Historical-Sitelands designated as Urban Area, as a means of providing access and a visible presence within the community.~~ As an ongoing land donation process has been entered into between the owners of the subject lands and a public authority, the following policies shall apply to the subject lands until completion of the donation process, at which time a re-designation shall be initiated by the City through an Official Plan Amendment in consultation with the Province and First Nations:

- A. The lands designated as Urban Area shall be the subject of a comprehensive plan providing the technical basis to support secondary plan land use designations consistent with the planning approach of OPA 600. Subsequent detailed planning of the area shall address the requirements of the Block Plan process.
- B. The lands designated as Urban Area shall remain subject to the Rural Use Area, Rural-General and Agricultural Area policies of OPA 600 until such time as they are redesignated to specific urban land use categories, by an amendment to this Plan, adopted by the City and approved!

~~The adjacent parkland shall provide appropriate buffers, which shall be determined in consultation with, and to the satisfaction of, the City, the Province and First Nations, for the benefit of the Historical Site.~~

~~No alteration or soil disturbance shall take place within lands identified as "Historical Site" on Schedule B. This restriction shall remain in place until a licensed consultant archaeologist has recommended in a report that the site has no further cultural heritage value or interest, and the Ministry of Tourism, Culture and Sport has stated its satisfaction with that report and entered it into the Ontario Public Register of Archaeological Reports according to section 49(3) of the Ontario Heritage Act.~~

Comment [SJD1]: Modified text from the November 12, 2013 Communication of John Zipay and Associates to the November 26, 2013 Committee of the Whole. The text has been modified to reflect the existing policies of Section 4.2.1.2 of OPA 600 which would otherwise have been deleted through this Amendment.

11. Amending Section 5.10, Wetland Protection, by deleting the first paragraph and replacing it as follows:
 1. The Provincially Significant King-Vaughan Wetland Complex, the Provincially Significant Phillips-Bond Thompson Lake Wetland Complex located in Vaughan and the Provincially Significant East Humber Wetland Complex within the Block 40 and 47, north of Cold Creek, south of Teston Road, east and west of Pine Valley Drive are identified on Schedule G1. The locally significant Tormore Wetland Complex and the locally significant Keele Wetland are also identified on Schedule G1.
12. Amending Section 5.10.1, subsection 1 by deleting it in its entirety and replacing it with the following:
 1. The Provincially Significant King-Vaughan Wetland Complex, the Provincially significant Phillips-Bond Thompson Lake Wetland Complex and the Provincially Significant East Humber Wetland Complex is identified on Schedule G1. These wetland complexes shall be protected from incompatible development.
13. Amending Section 8.2.3, Arterial Roads, by adding the following subsections after paragraph "g":
 - h. The Pine Valley Drive and Teston Road realignment for the purposes of eliminating the existing jog remains under review. The preferred alignment is being considered by the Region of York and all options for right-of-way requirements are being protected. As such, the general location of lands within Blocks 40 and 47 that may be affected by the realignment are shown on Schedule B. These lands may be subject to Holding Zone provisions under the Planning Act, implemented through subsequent development applications. If it is determined through the Environmental Impact Assessment review that the lands are not required for the realignment, the underlying land use designations identified in this Plan shall prevail, without the need for further amendment to this Plan.

- I. Road intersections within the Regional road system are to be designed in conformity with York Region's Road Design Guidelines.
14. Amending Section 8.2.4, Primary Roads and Collector Roads, by adding subsection viii to part c, as follows:
- viii. Notwithstanding Section 8.2.4.c.i., a primary road in the Block 40/47 area shall consist of both 23.0 m and 20.0 m public right-of-ways and shall be established through the approval of the Block 40/47 Block Plan and Draft Plans of Subdivision.

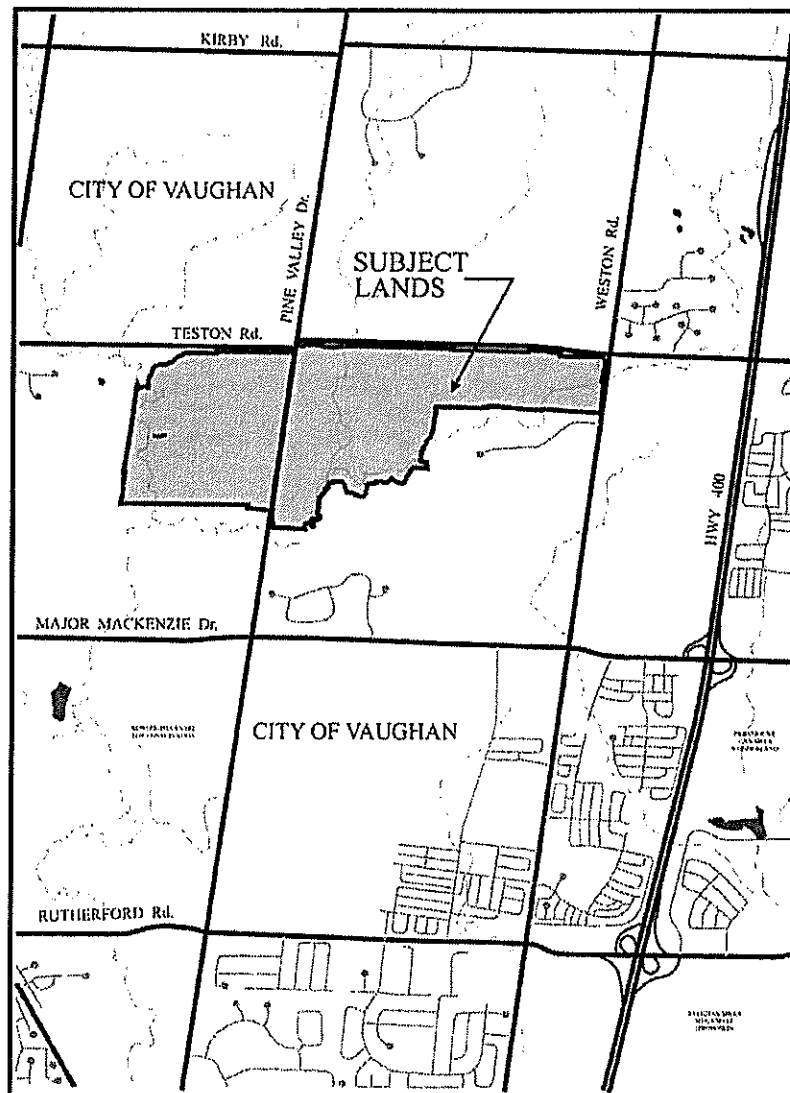
II IMPLEMENTATION

It is intended that the policies of the Official Plan of the Vaughan Planning Area pertaining to the subject lands shall be implemented by way of preparation and approval of Block Plan(s), plans of subdivision, amendments to the zoning by-law and site plan approval(s), pursuant to the "Planning Act" and the requirements of OPA 600.

III INTERPRETATION

The provisions of the Official Plan of The Vaughan Planning Area as amended from time to time regarding the interpretation of that plan shall apply with respect to this Amendment.

APPENDIX 1 – LOCATION MAP

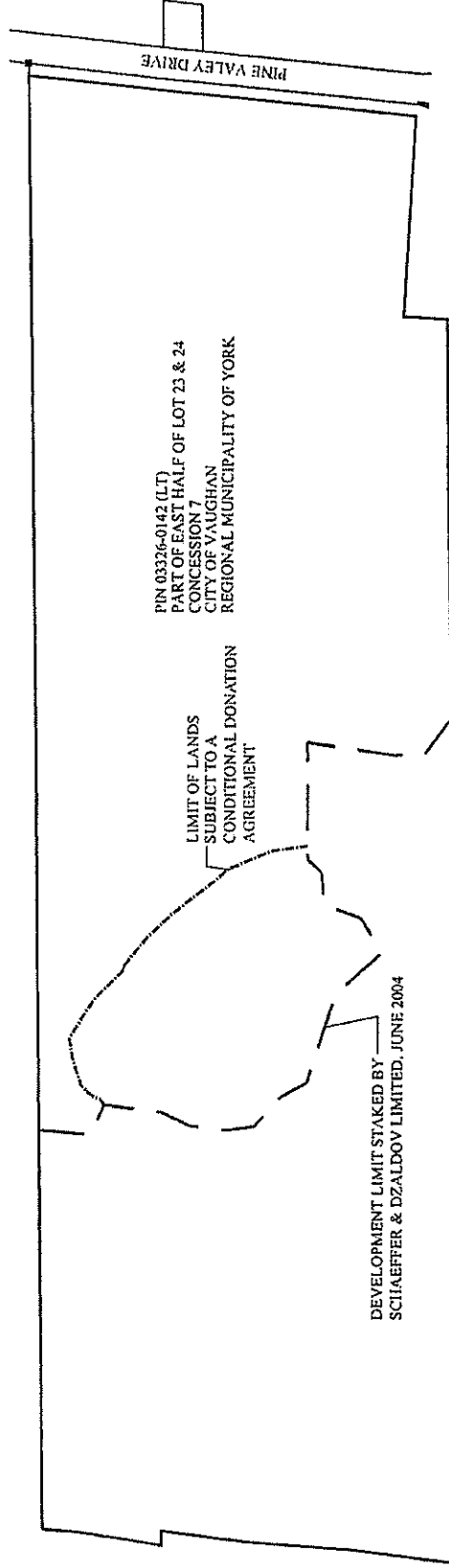


APPENDIX II

The lands subject to this Amendment are located in Parts 23, 24 and 25, Concessions 6 and 7, in the City of Vaughan in the Regional Municipality of York.

The purpose of this Official Plan Amendment is to establish the Secondary Plan Policies in the Block 40/47 area as shown on Appendix I. The lands are proposed to be redesignated from "Urban Area" and "Valley Lands" to "Low Density Residential", "Medium Density Residential" "Valley Lands", "Stormwater Management Ponds", "Neighbourhood Commercial Centre", "Parks", "Elementary School", "Green Way System", "Institutional" and "~~Historical Site~~Urban Area".

APPENDIX "III"
TO AMENDMENT NUMBER _____
TO THE OFFICIAL PLAN OF THE VAUGHAN PLANNING AREA



SOURCE: SCHAEFFER, DZALDOV BENNETT LTD.
DRAWING FILE 00-246-28_MAY_7_12.dwg

P.2003.39

The Commissioner of Planning recommends:

That the issues identified by the public and Council, together with those contained in this report, be addressed by Staff in a comprehensive report to Committee of the Whole."

Nine landowners within Blocks 40/47 have submitted an Official Plan Amendment application to re-designate the lands to "Low Density Residential", with an exception to incorporate the "Executive Lot" policies of OPA #600; "Valley Lands"; "Storm Water Management"; "Neighbourhood Park"; and, "General Commercial" with an exception to include restaurants, banks, personal service shops, business and professional offices, and institutional uses as defined in OPA #600, Section 4.2.4. The redesignation to specific urban land use categories will facilitate the review of a subsequent Block Plan for the lands.

The subject lands are located on the south side of Teston Road, east and west of Pine Valley Drive, north of Cold Creek, in parts of Lots 23, 24, and 25 Concessions 6 and 7, City of Vaughan. The lands comprise a total area of 221.3 ha, including valley lands. The tableland portion of the lands is estimated to be approximately 143 ha, 69.7 ha of which is located west of Pine Valley Drive, and 73.3 ha east of Pine Valley Drive. The subject lands are currently used for field crops and scattered rural residential. The surrounding land uses are:

The lands are designated "Urban Area" and "Valley Lands" by OPA #600, and zoned A Agricultural, OS1 Open Space Conservation Land, and OS2 Open Space Park Zones by By-law 1-88. The lands also form part of Vellore Urban Village 1.

Official Plan

The subject area was formerly designated "Future Urban Area" in OPA #400, and was redesignated to "Urban Area" as a result of the revised population forecasts available at the time of the Official Plan review of OPA #400. The forecasts indicated that by 2026, areas outside existing communities would need to accommodate more than 130,000 people. OPA #600 provides further rationale for the redesignation, as follows:

- (i) The lands will provide a supply of "executive housing" on large, serviced lots, providing an opportunity for this component of the City's housing market not addressed elsewhere in the Official Plan.
- (ii) The lands along the Cold Creek Valley are well suited for ravine lot development.

OPA #600 includes the following specific policies for the subject lands:

- The lands shall be the subject of a comprehensive plan providing the technical basis to support secondary plan land use designations consistent with the planning approach of the Official Plan.
- OPA #600, Section 4.2.1.2 states that Blocks 40/47 north should be planned for predominantly "executive housing" on large lots with full municipal services.
- The gross density within the designated area shall be between 5.0 and 7.5 units per hectare.
- The projected housing unit yield is 1,000 units to accommodate a population of about 3,490.

Preliminary Review

Following a preliminary review of the proposed Official Plan Amendment, Staff has identified the following matters to be reviewed in greater detail:

Master Environmental Servicing Plan (MESP)

- The availability of sewage and water capacity for the subject lands must be identified by the Region of York and will be subject to all required Regional infrastructure improvements.
- The servicing, transportation and environmental feasibility of the proposed peninsula parcel within the Block Plan is not apparent at this time. Further examination and discussion with the relevant City departments will be required to confirm this particular aspect of the proposed plan.
- All properties within the limits of the proposed OPA must be planned comprehensively. The transportation and servicing connectivity for the non-participating land owners must be identified within the MESP.

Transportation

- Proposed internal road network is not practical for providing transit service, and relies on arterial road transit provision. The arterial roads will provide coverage to approximately 66% of the residential area based on a walking distance of 400 metres, lower than the 80% required in the Official Plan. The road network will be reviewed for possible improvements.
- Non-participating owners' lands must be considered in the layout of the internal road system to provide flexibility for possible future development of these lands.

Environmental

- The precise limits of the valley lands will be determined at the Block Plan stage by the TRCA and Vaughan Staff in accordance with OPA # 600 policies (Section 5.9.1).

Proposed Commercial

- There is one proposed neighbourhood commercial site, located at the northeast corner of the block plan area. Consideration should be given to relocating this designation more centrally within the area.

Schools

- The York Region District School Board has indicated that an analysis to determine whether the projected number of students resulting from the proposed residential may be accommodated within the existing/planned schools serving the adjacent areas.

Region of York

- The Region has advised that the proposed Official Plan Amendment will be subject to a review pursuant to Section 5.2.7 of the Regional Official Plan.

Conclusion

All issues relevant to the preparation of the Block Plan will be considered in the technical review of the application, including the issues and concerns identified at this Public Hearing. These issues will be subsequently addressed in a comprehensive report to a future Committee of the Whole meeting.

Attachments

1. Location Map
2. Current OPA #600 Schedule
3. Proposed Official Plan Amendment Schedule

Report prepared by:

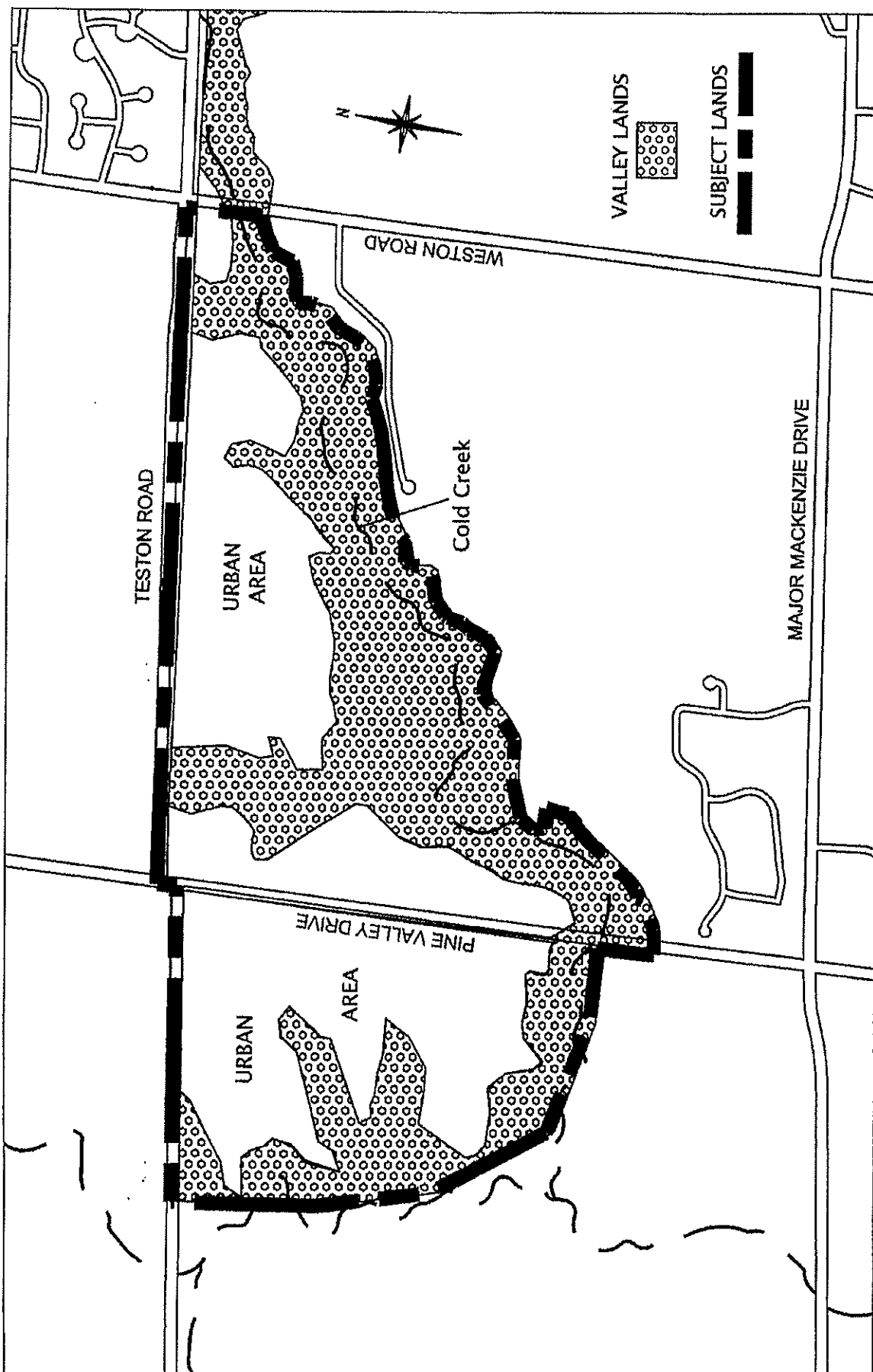
Anna Sicilia, Planner, ext. 8063
Rob Gibson, Senior Planner, ext. 8409
Wayne McEachern, Manager of Policy, ext. 8026

Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

/CM



Location Map

Lots 23, 24, & 25,
Concessions 6 & 7

APPLICANT:
PINE HEIGHTS ESTATES

NA/PTA1 ATTACHMENTS/OP/PA/03.0006

City of
Vaughan

Community Planning Department

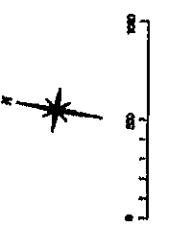
Attachment

1

FILE No.:
OP.03.008

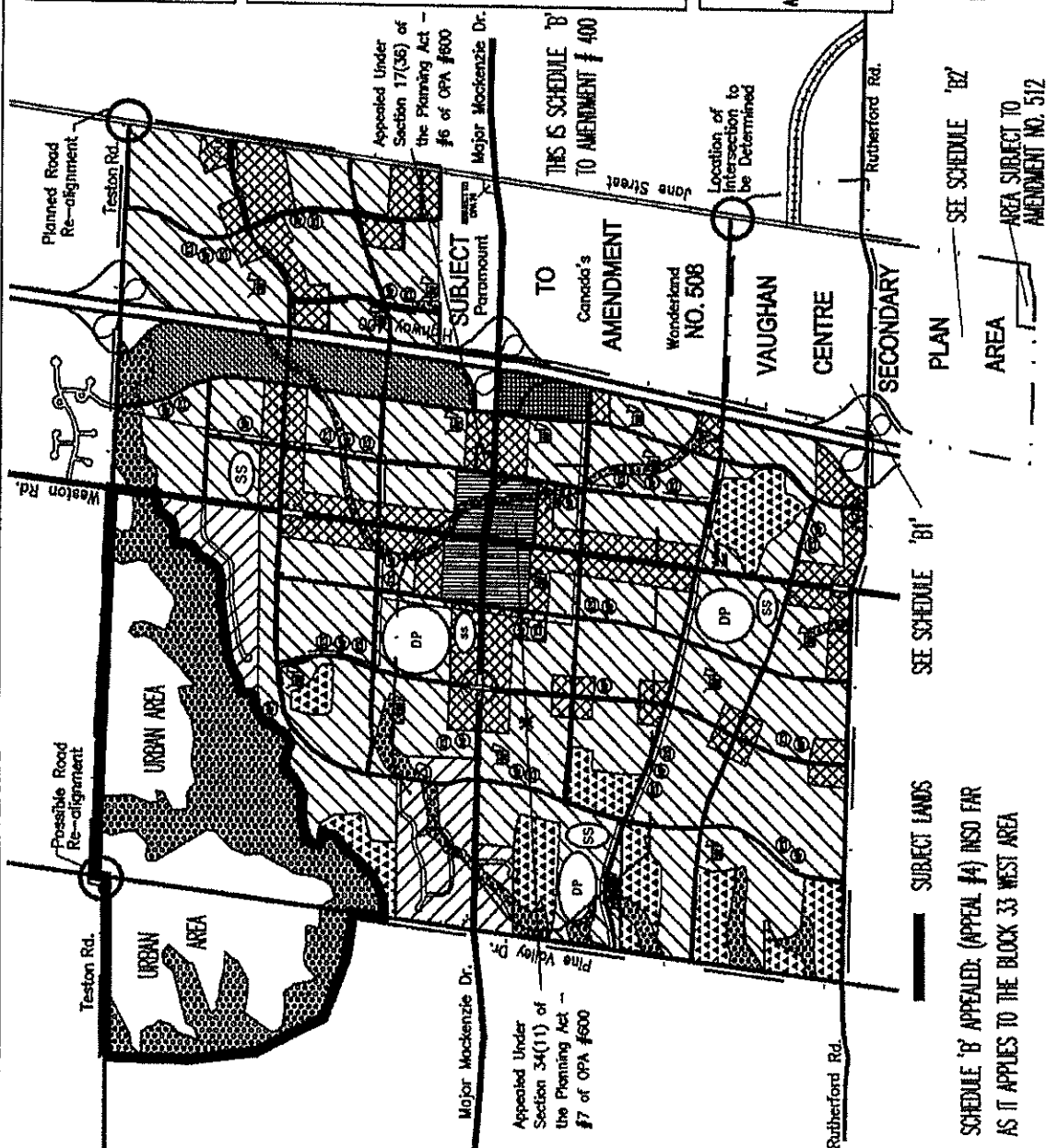
May 5, 2003

Not to scale



LEGEND	
	Elementary School
	Secondary School
	Neighborhood Park
	District Park
	Neighborhood Commercial Center
	Land Subject to Easement
	Low Density Residential
	Medium Density Residential
	Urban Village Centre
	Exclusive Residential
	Urban Area
	High Performance Commercial Area
	Water Land
	Stream Corridor
	Drainage System
	Tributed Woodlands
	General Commercial
	Storm Water Management
	Highly Tributed Wetland Area

THIS IS SCHEDULE 'R' TO
AMENDMENT # 600
ADOPTED THE DAY OF 2006
SIGNED BY



**Plots 23, 24, & 25,
Concessions 6 & 7**

APPLICANT:
PINE HEIGHTS ESTATES

City of Vaughan

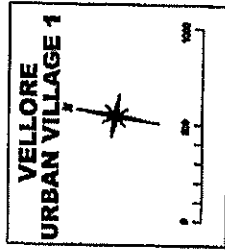
Community Planning Department

Attachment 2

FILE No.:
OP.03.008

May 5, 2003

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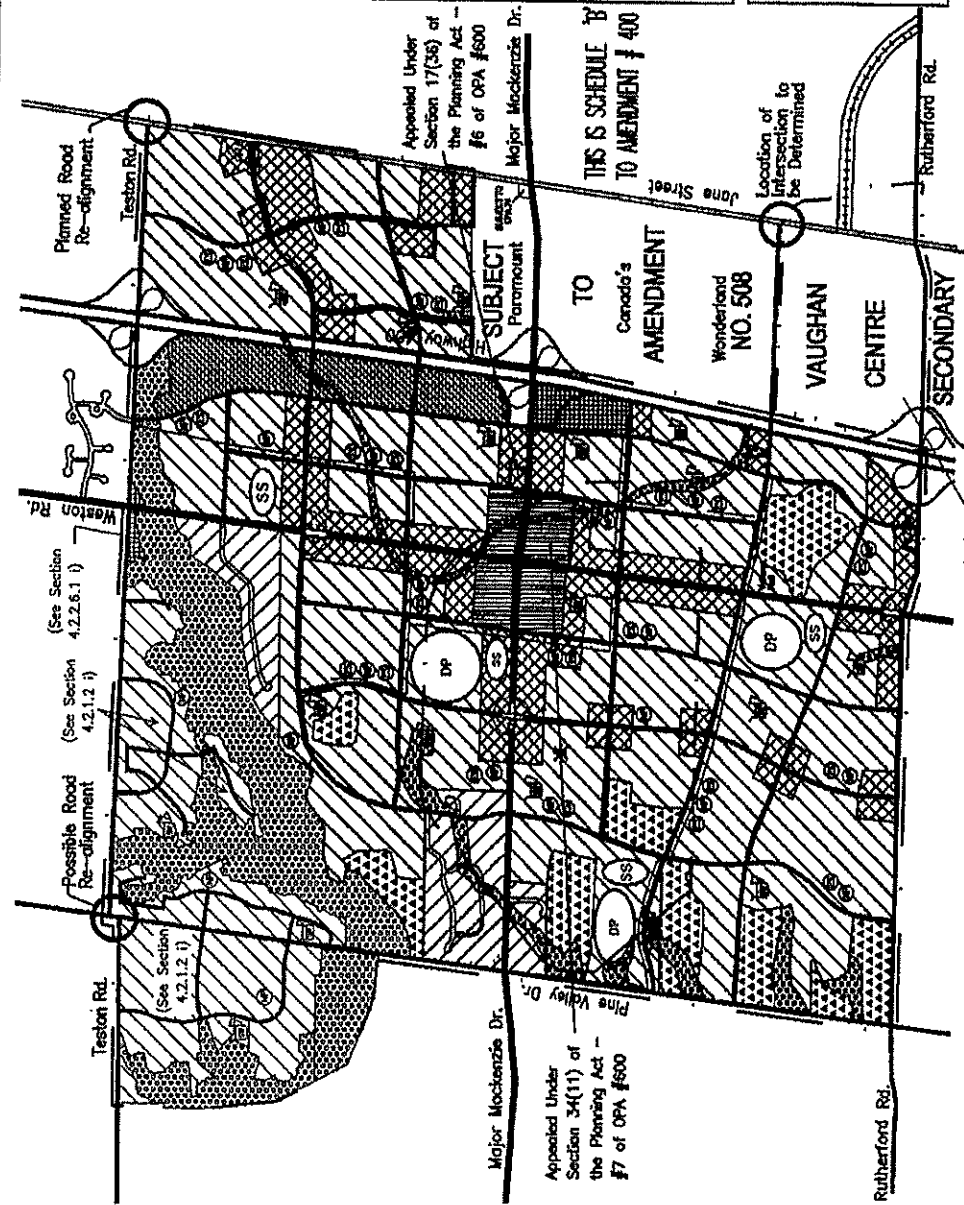
LEGEND

(S)	Secondary School
(SS)	Secondary School
(P)	Neighbourhood Park
(DP)	Disposal Park
(C)	Neighbourhood Commercial Core
(C1)	Urban Village Area #1
(C2)	Urban Village Area #2
(C3)	Urban Village Area #3
(C4)	Urban Village Area #4
(C5)	Urban Village Area #5
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(C100)	Urban Village Area #100

THIS IS SCHEDULE 'B' TO AMENDMENT # 600
 ADAPTED THE MAY 15, 2003
 COUNCIL DECISION

MODIFICATION #17
 UNDER SECTION 17(9)
 OF THE PLANNING ACT

Attachment 3
 FILE No.:
 OP-03.008
 May 5, 2003
 Not to scale



SCHEDULE 'B' APPEAL: (APPEAL #4) NSO FAR
 AS IT APPLIES TO THE BLOCK 33 WEST AREA
 PLAN SEE SCHEDULE 'B2'
 AREA AREA SUBJECT TO AMENDMENT NO. 512

Schedule 1 to
 OPA#

City of Vaughan
 Community Planning Department

Proposed OPA Schedule

Lots 23, 24, & 25,
 Concessions 6 & 7

APPLICANT:
 PINE HEIGHTS ESTATES



ATTACHMENT 3B

March 29, 2004

CFN 31854

Ms. Anna Sicilia
Policy Planner
City of Vaughan Planning Department
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Ms. Sicilia:

**Re: Block Plan for Blocks 40/47 North,
Pine Heights Estates
Part of Lots 23, 24, 25, Concession 6 and 7
Pine Valley Drive / Teston Road, City of Vaughan
Master Environmental Servicing Plan**

Further to the meeting that was held at the City of Vaughan on March 22, 2004, Toronto and Region Conservation Authority (TRCA), staff have completed their review of the Master Environmental Servicing Plan for Blocks 40/47 North, and we offer the following detailed comments. Please note that these comments should be cross-referenced to ensure responses consider them comprehensively.

Ecology Comments:

Very little ecological information was collected to support the conclusions and recommendations within the Environmental reports. Field visits were restricted to the fall. No fauna inventories were done and only partial flora lists were completed. It is difficult to make informed decisions about aspects of the development that may impact the natural system without having an appropriate level of information. In providing comments on this application, information contained within the submitted report has been supplemented with site specific inventory work collected by TRCA staff, as well as extensive research and data collection obtained by TRCA on the function of natural systems and the impacts associated with urban development.

1. Page 3 of the report concludes that the site does not function as a significant groundwater recharge area. However, this is based on very little information. Based on comments from TRCA's hydrogeologist and recent data collected to support other developments in the area, it is likely that the site is acting as a recharge area that helps to support the discharge occurring throughout the Cold Creek Valley. The Environmental Report in Appendix A indicates that numerous seepage areas were noted within this section of the East Cold Creek valley. This ground water seepage supports wetland pockets in the valley bottom as well as contributes to the base flow of the East Cold Creek. This section of the East Cold Creek is a high quality, highly sensitive cold water system, supporting a diverse range of aquatic species including the Provincially threatened Red Side Dace. The wetlands in the valley provide numerous ecological functions including breeding habitat for woodland frogs, a group of species



Ms. A. Sicilia

- 2 -

March 29, 2004

that are in decline in the TRCA region. The creek, wetlands and other valley vegetation communities are sensitive to modifications of the hydrological cycle. Therefore, the ground water recharge and discharge on this site must be maintained post development. Please refer to the TRCA's hydrogeological comments on the requirements for additional information.

- * 2. No figure within the Report clearly shows the limit of the staked top of bank. This must be provided. It appears based on Figure 2 of the Report, that development is actually proposed below top of bank. Page 25 of the Environmental Report indicates that this encroachment will result in loss of a portion of a hemlock/cedar forest. This encroachment beyond the top of bank is inconsistent with TRCA policy and can not be supported.
- * 3. No setbacks are recommended from the staked top of bank. Page 7 indicates that all ravine lots will be subject to TRCA's standard 10 metre structural setback. TRCA's setback policy is not a structural setback but a development setback. Therefore, based on TRCA policy the development limit (i.e. the lot line) must be located 10 metres from the Regional Storm floodline, the stable top of bank or dripline of significant vegetation, whichever is greater. The plan must be modified to include a 10 metre development limit setback.
- * 4. Page 8 of the Report indicates that there are some opportunities to provide buffer strips to protect the valley. However, these proposed "buffer strips" actually involve regrading portions of the valley in areas where the valley slope is less defined. This regrading would actually increase the development area by steepening the slopes and reducing the valley area. No regrading can occur within the valley and all buffer strips / setbacks must be located outside of the staked top of bank area. TRCA would be supportive of re-naturalizing portions of the valley that are not currently vegetated, but would not support any regrading. Re-naturalization of portions of the valley is not a substitute for setbacks.
- 5. Both the proposed sanitary line and the watermain are proposed to be located within the valley. A perpendicular crossing of the valley may be inevitable. However, the proposed services run lengthwise through the valley bottom for a significant distance. This is not acceptable. Based on the Environmental Report in Appendix A, the valley contains high quality aquatic and terrestrial habitats, including Hemlock forests, wetlands and Old-growth communities. Based on TRCA data, many species of concern inhabit these valley lands. A pumping station is also proposed to be located within a natural area. This is also not acceptable. The servicing plan must be redesigned to eliminate the need to run services through the valley, to remove the proposed pumping station from the valley and to minimize the number of perpendicular crossings of the valley. Any required crossings must be strategically located to minimize the disturbance to the ecology of the valley. Site specific inventory data must be collected on vegetation communities and species when determining the appropriate location for the crossing. Some portions of services within the valley are proposed to be tunnelled. However, based on the extent of ground water discharge this may not be feasible. A geotechnical report will be required to justify the proposed method of installation.

Ms. A. Sicilia

- 3 -

March 29, 2004

6. Stormwater management ponds are proposed below the top of bank. No rationale has been provided as to why the ponds should be located within the valley. TRCA policy discourages ponds within valleys and only allows them when there is a legitimate engineering requirement and when certain criteria have been met including no loss of significant vegetation, located outside of the 100 year flood line, located outside of the 100 year erosion line and meander belt, etc. as per the TRCA's Valley and Stream Corridor Management Program. The ponds should either be removed from the valley or a justification must be provided to clearly indicate the need for the ponds within the valley and how all of TRCA's criteria have been met.
7. Due to the sensitive cold water creek system, it will be important to insure that the stormwater management plan incorporates all necessary mitigation measures to insure that the temperature regime and recharge/discharge function are maintained. Please see previous comment on this issue.
8. Based on a review of aerial photos there is a small pond/wetland located just east of Pine Valley Drive. Based on TRCA fauna inventory, this feature provides breeding habitat for wood frog, spring peeper and leopard frogs. All three of these species are species of concern within the TRCA jurisdiction due to habitat loss associated with development. This pond/wetland feature has not been identified or evaluated within the Environmental Report. This must be completed to determine its function and role within the larger natural system on and adjacent to the site, before a decision can be made on whether it can be removed.
9. The Environmental Report indicates that there are no permanently flowing watercourses within the proposed development limits and therefore impacts to aquatic resources are not anticipated. However, intermittent watercourses can also play an important aquatic function as well. Based on aerial photos and other information TRCA has on this area, it would appear that there may be one or two small watercourses located on the property that are not identified within the report and are not proposed for protection. One of these features is located east of Pine Valley, in the south east quadrant of the Block Plan. A site visit is required to assess these features.
10. Although the forested valley is proposed to be retained, there is very little discussion on the indirect impacts associated with urban development. The Environmental Report indicates that there will be some impacts to the wildlife using the valley from increased light, noise, etc., but provides no practical solutions to mitigate the impacts. The report goes on to suggest that the valley may actually be enhanced post development with the removal of cattle access. TRCA has years of data and experience relating to the loss of bio-diversity and ecological function associated with urban development. It has been shown that residential development can have significant impacts on adjacent natural features even if the feature is physically protected. This is due to loss of connectivity between natural features and a whole host of indirect impacts associated with human use. TRCA inventory work indicates that there are a number of sensitive species and vegetation communities inhabiting this reach of the Cold Creek valley including Scarlet Tanager, Ovenbird, Spring peeper, wood frog, leopard frog, grey tree frog, screech owl, cooper's hawk and wood thrush. Many of these species and vegetation communities are sensitive to urban development and may not be able to persist post development

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unless the development is designed and implemented in an ecologically appropriate manner. This should include protecting the existing natural vegetation, minimizing disturbances to the valley associated with services, providing appropriate development setbacks and addressing the additional ecological issues as outlined in the above comments.

Water Management Comments

Please provide the following studies:

11. A detailed study to quantify existing groundwater recharge contributions over the study area under existing conditions, supported by field work and analysis (i.e. considering gradients, discharge locations, etc.). The study must also quantify proposed conditions recharge, identify any recharge deficit and develop a mitigation strategy. The mitigation strategy should include appropriate infiltration measures, applicable locations, sizing information, phasing and construction details, and identify future study requirements to support the detailed design of any mitigation measures.
12. A detailed erosion assessment to determine the required stormwater management pond storage volumes and release rates to prevent any increase in the frequency and severity of erosive events in the receiving watercourses and the main branch of Cold Creek. This study should be completed in co-operation with other active development applicants along Cold Creek (i.e. Block 40 South, Block 33 West). This issue was raised previously by the TRCA, as per the attached correspondence to the City of Vaughan dated April 1, 2003.
13. A hydraulic analysis to determine the extent of the Regional Storm Flood Plain for all tributaries of Cold Creek through the development area that are to remain open. Please contact TRCA staff to obtain the recently updated flood plain mapping and modelling for Cold Creek.
14. A monitoring program to establish baseline conditions, and to evaluate mitigation measures following construction. In addition to groundwater monitoring, the flow in Cold Creek should be measured upstream and downstream of the development area (with emphasis on low flow conditions), and a detailed fluvial geomorphology monitoring site should be established at a suitable location downstream from the development. Note that there is an opportunity to develop and implement the monitoring program in co-operation with the Block 40 South development.

Development Layout / Limits

15. Please remove the ponds from the valleys, or provide strong evidence to show that stormwater management ponds in the tableland areas are not technically feasible.
16. A considerable portion of Area 3 drains southward to the tributary between Area 3 and Area 5. To maintain flows to this tributary, drainage from some or all of Area 3 must be directed southward and treated in a stormwater management pond at the head of the tributary. Related to this is the need to quantify the drainage areas to each of the

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tributaries of Cold Creek under both existing and post development conditions, and to minimize the diversion of drainage areas.

17. Please include all developable lands north of the main tributary of Cold Creek in the plan. There are areas to the south of Area 1 and to the west of Area 4 that appear to have some development potential. To aid in the implementation of development in light of 'holdout' owners, please provide a plan showing all landowners and their present status (participating / non-participating).

Stormwater Management Plan

18. Please include all external areas draining through the proposed developed lands in the stormwater management calculations and modelling. If the areas are to be collected and directed to the stormwater management facilities, they may be considered as undeveloped. If they are not to be directed to stormwater management facilities, please provide details for any measures required to intercept flows and convey them to the receiving watercourses. Please also provide a plan with the delineation of the external drainage areas.
19. Please include the surrounding major road right-of-way areas (Teston Road, Pine Valley Drive), assumed widened to their ultimate condition, in the design of the storm servicing and stormwater management ponds.
20. In using the unit rate equations to calculate target pond release rates, the area should reflect the pre-development drainage area to the discharge location. Please also evaluate the capacity of the drainage course below Pond 1 against the proposed pond release rates.
21. Oil-grit separators are not acceptable stormwater management measures for greenfield development adjacent to such a sensitive watercourse. Please consider alternative, innovative strategies to adequately treat runoff from these areas.
22. Please describe the measures that will be implemented to mitigate temperature impacts of runoff on the receiving streams. Bottom draw outlets from the stormwater management ponds will not be sufficient on their own to ensure a sufficiently low discharge temperature. Other measures, such as separate foundation drain collectors and subsurface thermal trench outlets from the ponds should be considered.
23. In the hydrologic modelling, the CN value of 77 agrees closely with that used to represent the area in the Humber River Watershed Hydrology Update (Aquafor. Beech, November 2002), and the directly connected / total impervious fractions of 35% / 45% are appropriate for the described intensity of development. However, the approach of 0.2"S to represent depression storage over pervious areas is not acceptable. Note that in the watershed hydrology study, the pervious area depression storage for the subject area is 4 mm to 5 mm.
24. Some details have been provided on the stormwater management ponds to determine a preliminary pond footprint. To determine the required size of the stormwater

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- completed for Blocks 40/47 and provide the sufficient information about:
- surficial geology in the study area;
 - groundwater contour lines and flow patterns in the site and surrounding area;
 - assessment of hydrogeological coefficients, especially hydraulic conductivity (K) based on slug test results;
 - water budget calculations regarding the groundwater infiltration.
32. Subsection 5.5.1 of the OPA 600 (p.91) states that protection of significant infiltration/recharge areas will be crucial and these areas need to be protected. The significant hydrogeological functions must be maintained. In Schedule E of OPA 600, the Cold Creek tributaries' valley system is assessed as Highly Sensitive area, which requires more detailed site investigation at the Block Plan stage and at later stages of the planning process.
33. The "island" parcel is part of this valley system, which can be confirmed by the current depression between the "main land" and "island" at the north-east corner and alluvial sand deposits presented in BH-53. Therefore, this land and its hydrogeological features should be protected.
34. A part of proposed sewer is shown crossing the Cold Creek tributaries' valley system and will definitely impact the aquifer, which underlies the surface creek and provides the baseflow for this creek. Therefore, more data are required to assess and locate all recharge/discharge areas along the creek within the sewer crossing as well as the hydrogeological coefficients. Future dewatering for a period of sewer construction may dramatically decrease the amount of baseflow. This impact must be considered. In addition, locating sewer lines within an aquifer may result in pollution from leakage of pipes.
35. The consultant confirmed the presence of shallow sandy lenses, which contain groundwater. More data are required to estimate the location and thickness of these localized aquifers and their connection with any wetlands and wood lots (BH 28 – groundwater level is 0.5 m below the existing grade, relatively high for the dry season November 5-23, 2001).
36. The consultant accepted that groundwater infiltration occurs through the weathered till, especially along fractures. Mitigation techniques are required to eliminate the groundwater infiltration loss under the post-development condition (grassed swales are not sufficient to maintain the current groundwater infiltration rate).
37. Sandy layers observed in BH 1, 52 and 53 just below the grade should be considered as highly permeable materials (groundwater recharge zones) that more likely permit a penetration of possible contaminants toward the aquifer below. More data are required to mitigate the potential contamination of below aquifers within the zones of boreholes listed above.
38. The consultant determined in the report (Geotechnical Investigation Report; p.12) that dewatering would be required in low lying areas. More details should be provided for possible dewatering discharge capacities, durations and potential receptors.

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39. A high groundwater level was observed in BH 28 (proposed SWM pond #2) 0.5 m below the surface grade. The construction of the stormwater pond within this zone will maintain an interconnection between surface run-off and groundwater, which is not preferred. More data are required to evaluate any potential impact on groundwater within this zone.
40. The groundwater assessment in the report mentions only a deep aquifer about 20-25 m below the surface. However, the existing Cedar trees and Brook Trout spawning areas are signs of groundwater upwelling and should be considered.

Geotechnical Comments:

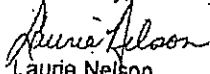
41. For the slope stability analysis that was completed, please provide the attachments pertinent to the computer-generated calculations, as well as the values for the soil parameters taken into consideration.
42. Please substantiate the selection of the specific values for the soil parameters.
43. Please show, on the plan drawings, the line of the physical (current) Top-of-Bank, the drip line, as well as the line of the Long-Term Stable Top-of Bank.
44. In determining the Long-Term line, please take into consideration all the sectors which are affected by or prone to major toe riverbank erosion.

Summary:

TRCA staff will review and discuss the above noted comments with City staff and the Block 40/47 consulting team at our meeting on April 1, 2004. However, based upon the above noted comments, the TRCA's letter of March 17, 2003 regarding the "peninsula parcel", and as indicated during our initial meeting on March 22, 2004, the TRCA has significant environmental concerns about the development of the Block 40/47 as currently proposed.

As well, the TRCA needs to highlight its concerns related to any premature approvals of the Block Plan until contextual infrastructure issues (sewer, water and transportation) are resolved. This includes any dependency on the Pine Valley Link for the provision of transportation servicing prior to the completion of the existing Environmental Assessment process.

Yours truly,


Laurie Nelson
Senior Planner
Development Services Section
Extension 5281

Encl.

cc. Rob Gibson, City of Vaughan
Karen Antonio, City of Vaughan

COMMITTEE OF THE WHOLE (PUBLIC HEARING) JUNE 21, 2004

2. **BLOCK 40/47 BLOCK PLAN**
BLOCK PLAN FILE BL.40/47.03
PINE HEIGHTS ESTATES
RELATED FILE OP.03.008
PRELIMINARY REPORT

P.2004.76

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing for File BL.40/47.03 (Block 40/47 Block Plan) BE RECEIVED, and that the issues identified by the public and Council, together with those contained in this report, be addressed by Staff in a comprehensive report to Committee of the Whole.

Purpose

On February 7, 2003, the Block 40/47 Landowners Group submitted a Block Plan application detailing land uses for the northern area of Concession Blocks 40 and 47, north of the Cold Creek Valley, to provide guidance in the assessment of future development applications for individual parcels within the Block Plan.

The Block Plan includes approximately 915 detached residential units, with frontages ranging from 15.0m to 22.8m, to accommodate a population of approximately 3,193 persons. The Block Plan also includes three neighbourhood parks, two neighbourhood commercial sites, valley lands, and three stormwater management ponds. The distribution of land uses in the proposed Block Plan are as follows:

• residential	42.4%
• parks/parkettes	3.1%
• roads	13.6%
• stormwater management ponds	2.4%
• neighbourhood commercial	0.8%
• valleylands	35.4%
• landscape buffers	1.0%

Background - Analysis and Options**Land Use Status**

The lands are designated "Urban Area" and "Valleylands" by OPA 600, and form part of Vellore Urban Village 1. OPA 600 requires that a Secondary Plan be approved in the form of an Official Plan Amendment to support the land use designations provided in the Official Plan. The lands are zoned A Agricultural, OS1 Open Space Conservation Land, and OS2 Open Space Park Zones by By-law 1-88. The applicant has submitted an Official Plan Amendment application for the subject lands, which was received at the May 20, 2003 Committee of the Whole (Public Hearing).

Site Description

The 230.9 ha subject lands are located on the south side of Teston Road, east and west of Pine Valley Drive, north of Cold Creek (see Attachment 1). The table land portion of the subject lands is approximately 143 ha, 69.7 ha to the west and 73.3 ha to the east of Pine Valley Drive, with the

remaining 88 ha as valleylands. The subject lands are currently used for field crops and scattered rural residential. The surrounding land uses are:

North - Teston Road; lands designated "Rural Use" and "Agricultural Area"
South - Cold (Purpleville) Creek Valley lands
East - Cold (Purpleville) Creek Valley lands
West - Cold (Purpleville) Creek Valley lands

Neighbourhood Circulation

On May 31, 2004 a notice of public hearing was published in the Vaughan Citizen. To date, no responses have been received from the notice. Any responses received prior to or at the hearing will be included in the detailed staff report to Committee of the Whole.

Preliminary Review

To date, the following issues have been identified:

- Official Plan Amendment 600 provides that the lands should provide a supply of detached "executive housing" on large, serviced lots, a component of the City's housing market not addressed elsewhere in the Official Plan; the proposed average density of 6.5 units per ha conforms to the Official Plan range of 5.0 to 7.5 uph, and all lots must have a minimum lot frontage of 18m
- preliminary review of the MESP (Master Environmental Servicing Plan) has identified the following matters to be addressed:
 - sewage and water capacity for the subject lands must be identified by the Region of York, and will be subject to all required Regional infrastructure improvements
 - the appropriateness of the redesignation of the "Valley Area" peninsula for residential use will require a technical justification report to the satisfaction of the TRCA
 - the locations of the stormwater management ponds are subject to more detailed review, and any location below top-of-bank must be approved by the TRCA
 - a detailed erosion assessment is required and is to be co-ordinated with the Block 40 Plan, south of Cold (Purpleville) Creek
 - TRCA has advised that the development limit (eg. lot line) must be located 10 metres from the greater of the Regional Storm Floodplain, the staked top-of-bank, the stable top-of-bank, or the dripline of significant vegetation; additional details from the geotechnical analysis (eg. long-term stable top-of-bank line) are required to define development limits
 - a hydrogeological study for the Block Plan is required to provide sufficient information, including the surficial geology in the study area, groundwater contour lines and flow patterns within the Block Plan and surrounding area, and water budget calculations regarding infiltration
 - additional information and analysis of environmental features within the Block Plan that were not included in the MESP (eg. wetland and watercourse feature along the east side of Pine Valley Drive) are required

- Both of the York Region School Boards have indicated that the students from this area will be served by the school sites to be established within Block 40 to the south
- a Transportation Management/Sidewalk Plan, co-ordinated with the City's draft Pedestrian and Bicycle Master Plan Study, will be required once the road network is established and prior to Block Plan approval
- the 0.4 ha neighbourhood commercial site on the east side of Pine Valley Drive is the size of a convenience commercial site, and will be reviewed for the appropriate designation
- the configuration of the most easterly park (2.05 ha) requires further review
- the lands have substantial potential of containing archaeological resources and require an Archaeological Assessment (Stage 1 and 2) prior to Block Plan approval.

Relationship to Vaughan Vision 2007

The applicability of this application to the Vaughan Vision will be determined when the technical report is completed.

Conclusion

All issues relevant to the preparation of the Block Plan will be considered in the technical review of the application, together with issues and concerns identified at the public hearing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting. Both the Official Plan Amendment application (Secondary Plan) and the Block Plan will be addressed together in the establishment of appropriate land uses and policies for the area.

Attachments

1. Location Map
2. OPA 600 Schedule "B"
3. Draft Block Plan
4. Draft Block Plan - Westerly Portion
5. Draft Block Plan - Easterly Portion

Report prepared by:

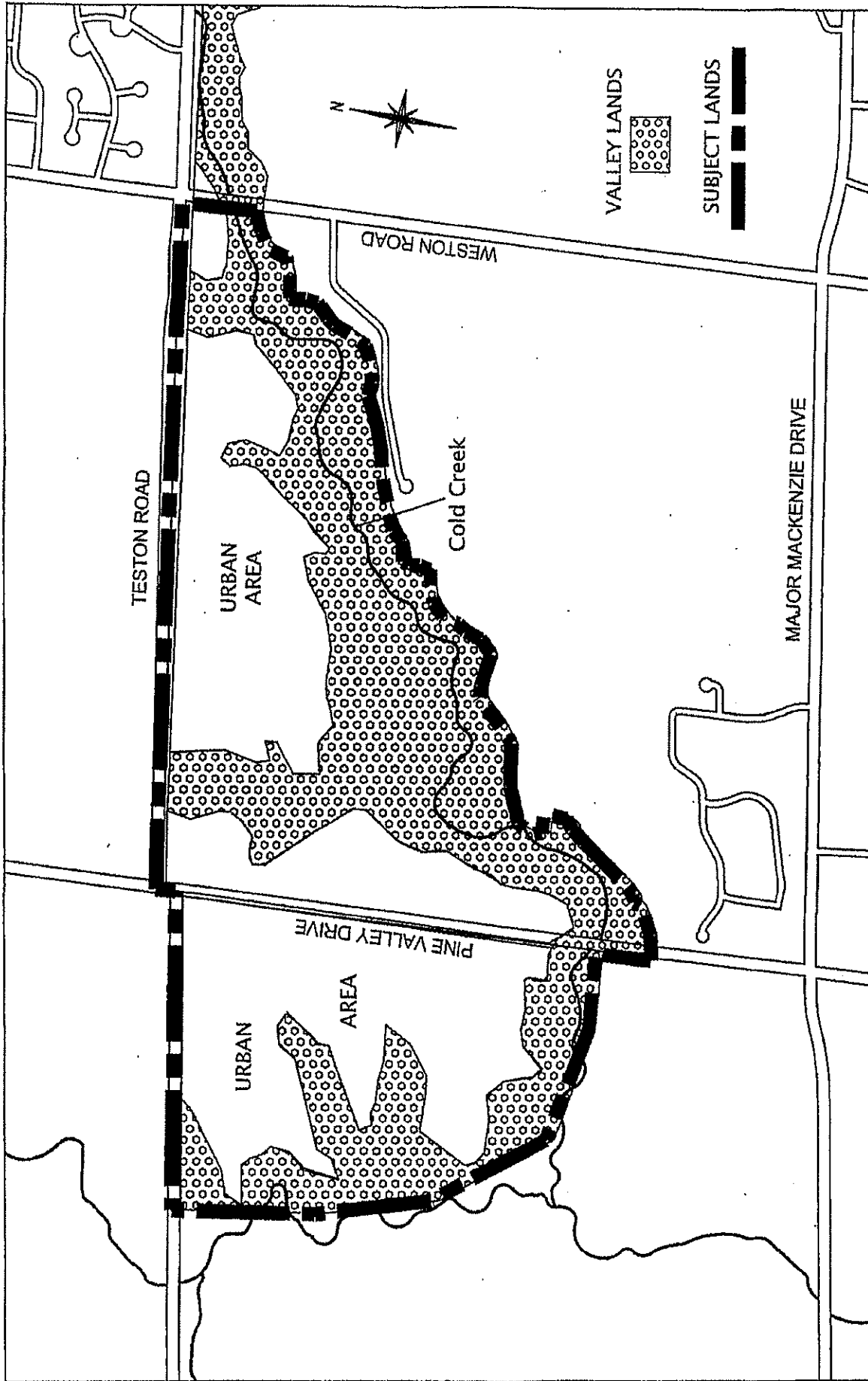
Anna Sicilia, Planner, ext. 8063
Paul Robinson, Senior Planner-Policy, ext. 8410

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

WAYNE McEACHERN
Manager of Policy

/LG



Location Map

Lots 23, 24, & 25,
Concessions 6 & 7

APPLICANT:
PINE HEIGHTS ESTATES

MAPS/PLATTING/003/Revised 49, 47, 18, 40, 42, 03

City of
Vaughan

Community Planning Department

Attachment

1

FILE No.:
BL 40/47.03

June 8, 2004

Not to scale

VELLORE URBAN VILLAGE 1

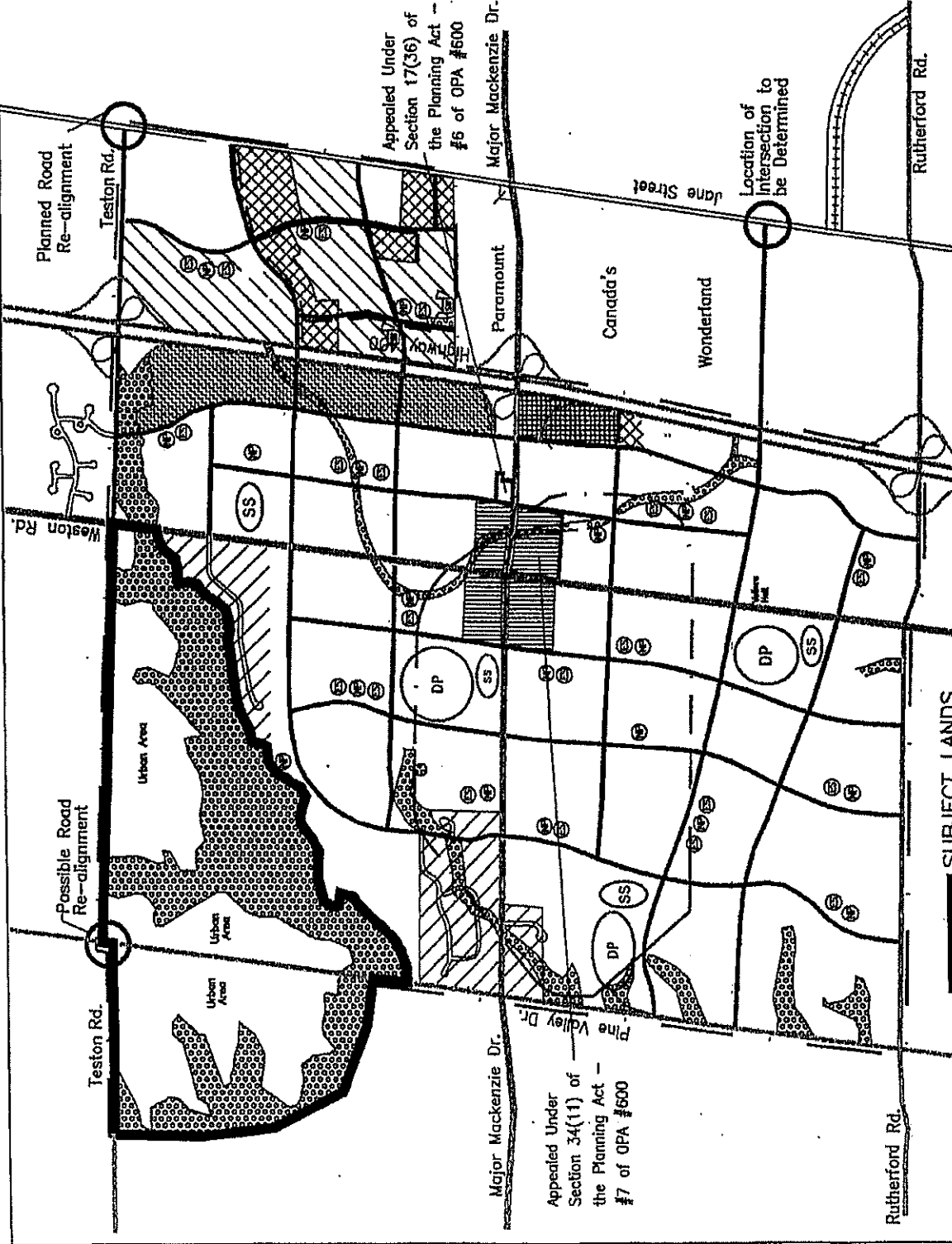


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LEGEND

- Elementary School
- Secondary School
- Neighbourhood Park
- District Park
- Neighbourhood Commercial Core
- Land Subject to Vellore - Urban Village Area #1
- Low Density Residential
- Medium Density Residential
- Vellore Village Centre
- Estates Residential
- Urban Area
- High Performance Employment Area
- Valley Lands
- Stream Corridor
- Greenway System
- Tableland Woodlands
- General Commercial
- Storm Water Management
- Vaughan Centre
- Neighbourhood Assessment Area (Parker Estates)

THIS IS SCHEDULE 'B' TO
AMENDMENT # 600
ADOPTED THE DAY OF 2004
TERMS 07/2003



— SUBJECT LANDS

OPA #600 Schedule 'B'

Lots 23, 24, & 25,
Concessions 6 & 7

APPLICANT:
PINE HEIGHTS ESTATES

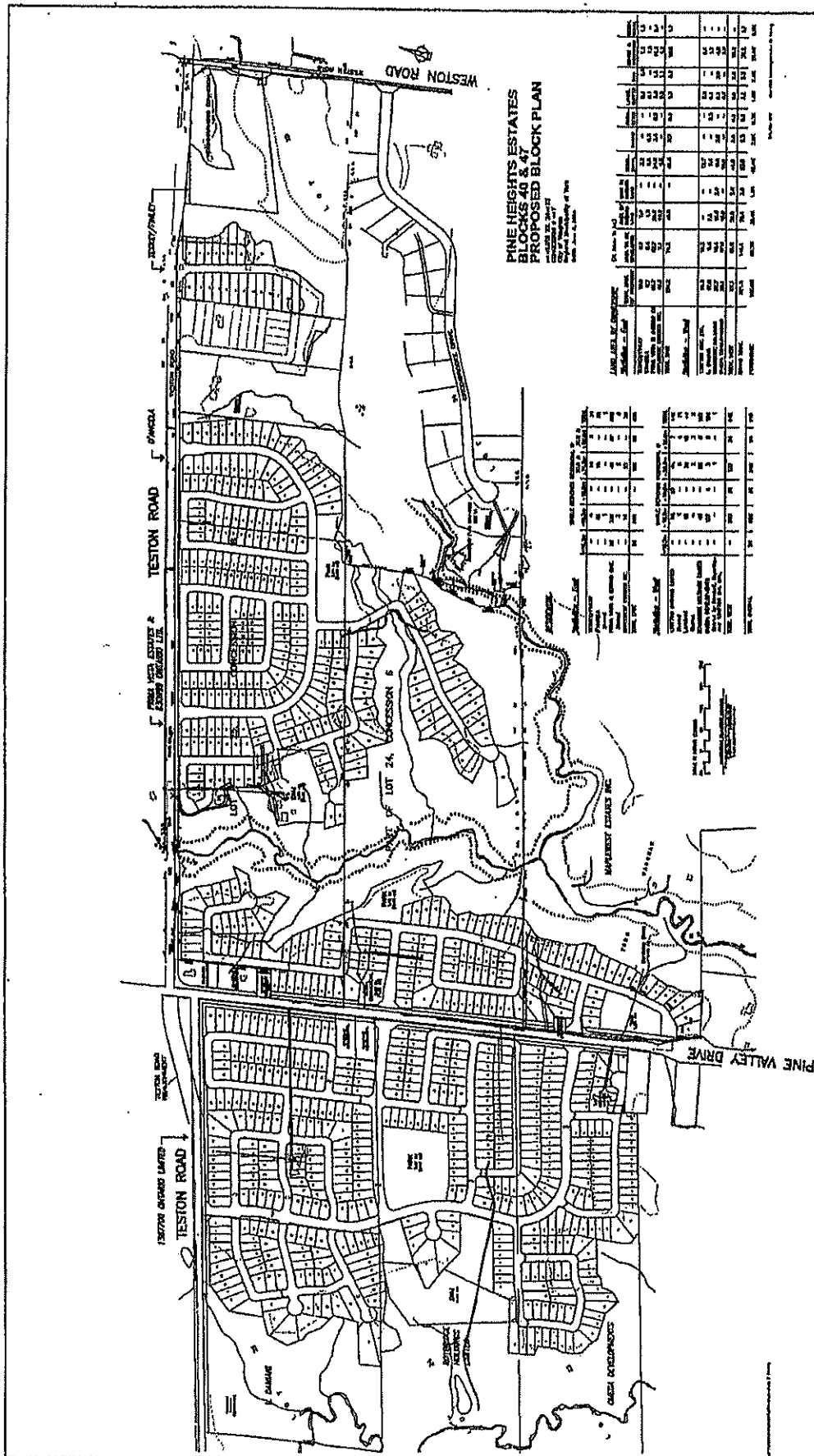
City of
Vaughan

Community Planning Department

Attachment

FILE No.:
BL/40/47.03
June 8, 2004
Not to scale

MAPS 1, ATTACHMENT 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100



Draft Block Plan

Lots 23, 24, & 25,
Concessions 6 & 7

APPLICANT:
PINE HEIGHTS ESTATES

City of
Vaughan

Community Planning Department

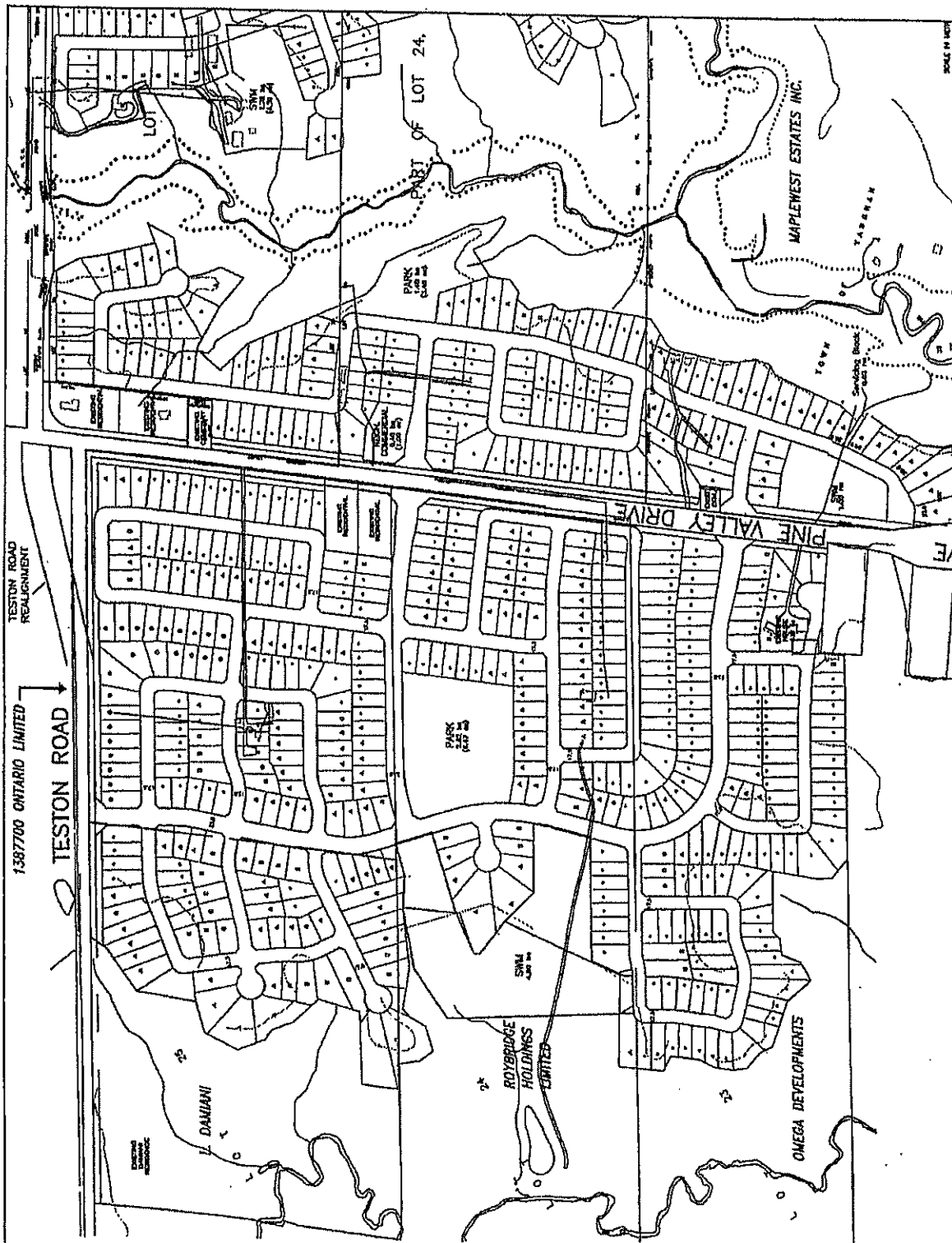
Attachment

3

FILE No.:
BL 40/47.03

June 8, 2004

Not to scale



Draft Block Plan Westerly Portion

APPLICANT:
PINE HEIGHTS ESTATES
Lots 23, 24, & 25,
Concessions 6 & 7

HAUPET\ATTACHMENTS\B-58419_47A,B,C,D,E_47.03

City of
Vaughan

Community Planning Department

Attachment

4

FILE No.:
BL 40/47.03

June 8, 2004

Not to scale



February 12, 2010

CFN 31854

BY MAIL and E-MAIL (paul@azimuthenvironmental.com)

Mr. Paul Neals
 Vice President
 Azimuth Environmental Consulting, Inc.
 229 Maplevue Drive East, Unit 1
 Barrie, ON L4N 0W5

Dear Mr. Neals:

Re: Master Environmental Servicing Plan
 Blocks 40N and 47
 City of Vaughan, Region of York

This purpose of this letter is to provide you with Toronto and Region Conservation Authority's (TRCA) staff comments respecting the most recent submission seeking further clarification with respect to the Block 40N/47 MESP process. TRCA has had an opportunity to review the following materials:

Response to TRCA Issues Documented in September 23, 2008 Minutes of Meeting, prepared by Azimuth Environmental, received by TRCA November 16th, 2009; and Memorandum, prepared by Azimuth Environmental, dated November 17th, 2009 and received by TRCA November 16th, 2009.

The comments below are reflective of the ecological components associated with the memorandum noted above.

Comments

Ecology

Groundwater Issues

Some mitigation measures are outlined in the report (page 22 of the Azimuth report March 2008) to help promote infiltration. These include soak away pits and infiltration trenches. If these features are to be located within the proposed valley buffers, the buffers may need to be increased in width to accommodate this infrastructure, while still providing the buffer function (planted with native trees and shrubs). Accordingly, details demonstrating the feasibility of this approach are required.

Action: Please provide the details as noted above.

The bottom of page 3 of the Azimuth report indicates that any infiltration measures will not be located in the valley buffers. This issue is therefore addressed:

F:\Home\Public\Development Services\York Region\Vaughan\Paul Neals Blk40n 47 Eco Hydrog.wpd

Member of Conservation Ontario



Top-of-Bank Figure

A figure has been provided that clearly illustrates where the top of bank has been staked. (Figure 9 in the Azimuth 2008 report) There is one discrepancy between the TRCA staked line and the proposed development limit. This area is located in the north/west corner of Block 40 North.

Action: Further dialogue is required to finalize the top-of-bank.

As discussed in September 2008, TRCA agreed to the proposed development limit in the north/west corner of Block 40. However, we asked for additional data in the form of cross sections and profiles. This information is not in the current package. This additional information was required to help ensure that retaining walls would not be needed and that no vegetation would be impacted.

 Setbacks

Based on the text of the 2008 Azimuth report (page 44 and 47), a 10 metre setback has now been incorporated into the development plan. This setback has been illustrated on Figure 9 of the 2008 Azimuth report and the proposed block plan. Although the majority of the block plan area respects the ten metre buffer, there are numerous locations within the peninsula area with minimal or no buffer. The peninsula area is one of the more sensitive portions of the natural system within the subject planning area. This is confirmed by the assessment provided within the Azimuth report. Therefore, the development limits (both lot lines and road alignment) must be modified to provide the required 10 metre buffer. Justification and a rationale for any proposed reductions/increases in buffers is required. It is suggested that a modest (5 metre) buffer must also be applied to the edge of SWM Pond 2 to protect the edge vegetation during and post construction. No construction activity, including grading, can occur within this buffer.

Action: Further dialogue is required to finalize the buffers.

This issue is still outstanding. The minutes of the September 2008 meeting does not address this issue, nor does the remaining sections of the current Azimuth report.

Sanitary and Watermain Lines within the Valley

Both a sanitary line and watermain continue to be proposed within the valley. The response does not propose modification to the services through the valley. If the services are to be contemplated within the valley, some additional discussion and information is required, such as:

- how much of the line is proposed to be installed using trenchless technology and is this feasible and how much information has been collected to support this direction?
- what are the proposed clearances between the bottom of the watercourse bed and the services?
- concepts for restoration will be required, including a commitment in the block plan that the areas disturbed within the valley must be restored with a robust native restoration plan, and

if servicing is considered in the valley, other ecological gains should be made in other portions of the plan, such as the wetland and stream protection.

Action: Further dialogue is required to finalize the ultimate location of the servicing.

This issue was discussed at the Sept 2008 meeting. It was left that EMC and Azimuth would provide additional details addressing environmental impacts, erosion and meander belt. The current Azimuth report does not address the outstanding request for information.

Stormwater Ponds in the Valley

Two Storm water ponds are proposed within the Valley, however, justification must be provided for the pond locations to ensure they meet TRCA policy. TRCA's VSCMP policy document provides clear direction on which criteria must be met for ponds proposed in valleys. This includes the ponds being located outside of the 100 year flood plain, meander belt, 100 erosion limit, etc. The ponds must also be located outside of significant vegetation. It would appear that the grading for pond 1 may extend into woodland vegetation. This is not acceptable.

No native woody vegetation must be removed or impacted by the pond construction. Both Ponds 1 and 3 must provide a modest buffer from the drip line of woody vegetation. A 5 metre buffer should be provided between the edge of the vegetation and any construction activity including grading. As noted above, a 5 metre buffer needs to be provided between pond 2 and the staked valley vegetation limit.

Action: Please provide a rationale/justification for the location of the ponds. Further dialogue is required to finalize this matter.

This issue was discussed in part at the September 2008 meeting. Particularly, the need to maintain all existing woody vegetation and provide for 5 metre setbacks. The current Azimuth report indicates that MNR has reviewed the Butternut that was proposed to be removed and found it to be a retainable tree. Azimuth indicates that either the Butternut will be maintained with a buffer or a permit for removal will be applied for. Although the Azimuth response partially addresses the Butternut issue, it does not speak to the larger issue of preserving all woody vegetation or providing a buffer. The issue of ensuring that all of the ponds are located outside of the 100 year flood plain, meander belt and 100 year erosion limit has not been addressed.

Wetland on East side of Pine Valley Drive

As outlined in previous TRCA correspondence, there are small wetland pockets located on the east side of Pine Valley Dr. in the southern portion of the planning area. The wetlands support at least 6 different amphibian species. There is also a stream that originates in this area that discharges into the west branch of Purpleville Creek. Both the stream and the wetland pockets are being supported due to a perched groundwater system with water at surface. The current proposal involves removing the wetlands and stream. This proposal will not maintain or replicate many of the functions the current stream and wetlands provide. The stream provides numerous functions including food

production, sediment regulation, water quality improvements, flow attenuation and conveyance. The proposal to pipe and divert the groundwater flow will only replicate one of the many important functions (conveyance).

The proposal to recreate the wetland habitat in the valley as replacement for the lost tableland wetlands also has shortcomings:

1. The current proposal suggests using discharged storm water from SWM Pond 2 to support the created valley wetlands. This has implications from both a water quality and hydrology perspective.
2. The compensation plan results in overall wetland area loss;
3. The compensation plan converts meadow habitat into wetland and therefore results in overall natural area loss

The most ecologically preferable option is to protect the wetlands and stream in their current location and provide a wide corridor between the wetlands and the valley to the east.

If the development team wishes to continue to pursue the removal of the stream and wetlands, a justification and concept compensation report must be provided for TRCA review. The following must be incorporated into any compensation plan:

4. There must be no loss of overall wetland habitat area.
5. There must be no loss of overall natural cover. Converting meadow habitat to wetland is not fully compensating for the lost wetland habitat as there remains an overall loss of natural cover (lost meadow). Therefore an appropriate compensation plan must address both the creation of wetland habitat and the maintenance of overall natural cover.
6. The hydrology and water quality of the newly created wetlands must be able to support breeding amphibians.
7. The removal of the stream will be subject to the Fisheries Act. The compensation plan must adhere to the policies of the DFO. The removal of the stream must have no net loss of fish habitat. All of the identified functions of the stream must be recreated or enhanced elsewhere within the subject block plan.

Action: Please provide a rationale/justification for the relocation of these features. Further dialogue is required to finalize this matter.

The current Azimuth report includes a discussion on the wetland compensation plan. It addresses some of the issues identified in the TRCA letter of August 2008. The concepts outlined in the recent Azimuth report illustrates that the creation of wetland habitat is feasible within the valley. Generally the design principles of the wetlands are acceptable. The details of the design will be developed at a later date. The creation of new wetland habitat will be an important component of the compensation plan. However, the Azimuth report does not address the overall loss of habitat or the need to compensate for the lost stream length. We defer to the remaining issues outlined within the TRCA August 2008 letter. All of the issues within that letter pertaining to the wetland/stream compensation must be addressed.

Proposed Development of the Peninsula / Island

TRCA staff do not support the redevelopment of the peninsula piece, as such, this matter of development on the peninsula piece has not been resolved. Previous correspondence provided by TRCA staff has identified a number of criteria that must be met prior to TRCA considering any form of development of this important piece of the natural heritage landscape.

Action: Further dialogue is required to finalize this matter.

This issue has not been discussed, either in the meeting of September 2008 or in the recent Azimuth report and therefore remains outstanding.

Additional Comments

Butternut trees have been identified within the block plan area. The Butternut have been identified in polygon 16 and on the edge of 21 (Figure 2) Polygon 16 is proposed to be removed. It is not clear if the butternut on the edge of polygon 21 will be removed. No discussion is provided within the report regarding the implications of removing the endangered butternut. Both the PPS (significant portions of habitat for threatened and endangered species) and the new Endangered Species Act must be addressed before a decision can be made on the appropriateness of removing butternut trees. MNR is the authority on determining habitat for endangered species and administers the Endangered Species Act. MNR will provide direction to the consultant team regarding the information needed to determine the appropriate course of action. Please contact the following staff at MNR: Bohdan Kowalyk or Melinda Thompson-Black at (905) 713-7425.

Action: The proponent is required to contact MNR staff.

The Azimuth report indicates that MNR has indicated the southern Butternut is a retainable individual. It remains unclear if it is proposed that the tree is proposed to be removed or not.

Modification of Minor Drainage Patterns

Page 37 of the report indicates that, post development, flow will be decreased to tributaries 1, 3, 4 and 5. Flow to tributary 2 will be increased. All of these features support downstream habitat that is dependant on flow from the tributaries. The report suggests that the downstream habitat will not be impacted by the modified flow as significant groundwater discharge occurs that provides the main source of water to the downstream habitats and that this discharge will be maintained post development. The report refers to Table 3 to help support this conclusion. I am not able to locate table three within the report. The proposed modifications in flow must be quantified to more fully address potential impacts to the downstream features. Existing drainage areas must be compared to proposed drainage areas. If significant modifications are proposed that have the potential to impact downstream habitat, mitigation measures must be explored. This could include directing clean roof and yard water to the valley tributaries.

Action: Please provide a copy of Table 3.

Based on the materials submitted, it appears that Table three was not provided for our review because we are unable to locate it.

Engineering

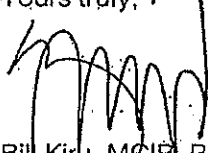
TRCA staff met with the Engineering Consultants on February 3, 2010 to discuss the engineering matters requiring resolution as part of the next resubmission of the MESP. As part of the discussion, meeting notes have been created and further follow-up with TRCA staff will occur shortly. As such, a letter from TRCA will be sent under separate cover to deal with this matter.

TRCA will provide comments under separate cover detailing the engineering matters.

Conclusions

We trust these comments are of assistance. Should you have any questions, please do not hesitate to contact the undersigned at Extension 5306.

Yours truly,

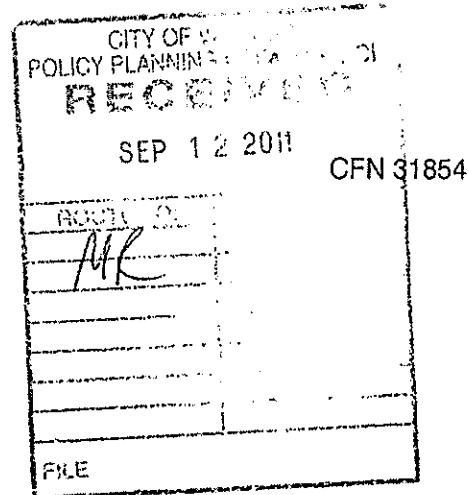


Bill Kiru, MCIP, RPP
Manager, Development Planning and Regulation
Planning and Development

September 7, 2011

BY MAIL and E-MAIL (Melissa.rossi@vaughan.ca)

Ms. Melissa Rossi
Planner
Development Planning
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON. L6A 1T1



Dear Ms. Rossi:

**Re: Proposed Official Plan Amendment and Master Environmental Servicing Plan
Blocks 40N and 47
City of Vaughan, Region of York**

Thank you for circulating the above noted documents for our review and comment. The purpose of this letter is to provide Toronto and Region Conservation Authority's (TRCA) high level comments respecting the most recent version of the circulated Draft Official Plan Amendment (dated April 2011) and the Block 40N/47 Master Environmental Servicing Plan (MESP) (dated December 2010). The specific material taken into consideration is listed in Appendix A.

The Block 40N/47 lands are located within the East Humber watershed, and more specifically traversed by several tributaries of the Cold Creek system. Cold Creek is a high quality, sensitive cold water system that supports a diverse range of aquatic species and provides habitat for the endangered Redside Dace. Ground and surface water sensitivities are also present given the network of tributaries. Both valley land and table land wetland features are present. A substantial, continuous block of forest exists within the well defined valley systems in the Block Plan, supporting a number of flora and fauna species of concern including a number of area sensitive, forest dependent breeding birds. The table lands, although historically farmed, provide habitat for the endangered bird species, the Bobolink. This part of the Humber watershed was identified as one of the 'centres of biodiversity' in the City of Vaughan's natural heritage background report for the new Official Plan, and as such provides a range of ecosystem services.

All of the above aquatic, terrestrial, and landscape attributes combined creates a valley system that would be considered significant within the context of the Provincial Policy Statement (PPS). As part of the City's Natural Heritage System, it is essential that any negative impacts resulting from urbanization of the area be carefully considered through ecologically-based site design in order to protect the long term health, function and ecological services of the natural system and open space amenity within the Block Plan area, as well as the broader watershed landscape.

TRCA appreciates the substantial amount of work that has been completed to date by the consulting team in an effort to address our previous concerns. We have summarized our high level comments by topic area and they reflect our role as a watershed management agency, public commenting body, and our delegated and regulatory responsibilities related to natural hazards.



Development Limits & Non-Participating Owners

The MESP conceptually includes the lands of non-participating owners that have not been subject to detailed review through field investigation and/or associated studies. While the TRCA has no concern with these areas being considered for servicing purposes, it would be premature to assign specific development patterns at this time. The development limit will need to be determined based on existing features and appropriate buffers, taking into consideration the environmental sensitivity and natural hazards of the surrounding natural features as they are brought forward as part of the development process.

TRCA recommends the MESP and Official Plan Amendment clearly indicate that the development limits and buffers associated with non-participating lands have not yet been determined and further detailed review will be required to determine appropriate buffers and development limits to the satisfaction of the City of Vaughan and TRCA.



Extent of Buffers and Development Limits

TRCA recommends that the proposed official plan amendment include the following buffer requirements:

- Minimum 10 metre restored buffer from the greatest extent of top of bank, long-term stable slope, or drip-line of the contiguous significant vegetation, for all development and site alteration including grading and infiltration facilities as recommended in the MESP Environmental Conditions Report dated December 2010.
- Minimum 5 metre restored buffer from the drip-line of significant vegetation for grading associated with stormwater management ponds, and that public trails extend along the street frontage of such facilities as recommended in The Urban Design and Architectural Control Guideline, dated December 2010.
- An appropriate buffer needs to be established from the existing archaeological site to the proposed stormwater management pond in consultation with the City, the Province and First Nations.
- Due to the number of highly sensitive habitats, including Redside Dace, and natural hazards associated with the topography of the landscape, more discussion with the City of Vaughan regarding the location of any proposed trail systems within the valley system is warranted.

- The Ministry of Natural Resources (MNR), in accordance with the Endangered Species Act, will provide guidance respecting protection of species of concern in the area. It is generally anticipated that such protection may include consideration of appropriate buffers and maintaining surface flows, groundwater and base flow contributions to address long-term maintenance of redbreasted blackbird populations. Managing surface flows by maintaining infiltration functions and water quality through low impact development measures has the potential to alter the development pattern. Other listed species are identified on the lands, including Bobolink and butternut. Hence, species at risk must be addressed according to regulations under the Endangered Species Act prior to determining the development limits and proposed road layout and lot fabric.
- The MNR has mapped, identified and evaluated a wetlands complex within and abutting the valley and stream corridors in Block 40. TRCA just received this draft provincially significant wetlands complex mapping. Identifying appropriate vegetation protection zones and understanding the interaction of surface flows and groundwater contributions to the maintenance of wetland function is important in this area.
- We understand that the applicability of the Greenbelt Plan has not yet been determined. TRCA has proceeded based on the Provincial Policy Statement and the TRCA's Valley and Stream Corridor Policies. In the event it is determined that the Official Plan Amendment is subject to the Greenbelt Plan, TRCA acknowledges that the Greenbelt policy framework would apply when determining development limits and buffers on the limits of development within Block 47.

Stormwater Management and Water Balance

Based on the information received to date, it is difficult to confirm that the proposed stormwater management system will support the proposed development pattern and density while maintaining the natural features and functions. The following background information is requested in order for TRCA to make such a determination:

- Confirmation through an assessment that pre-development flows will be maintained post-development from head water drainage features that are proposed to be removed or realigned to ensure continued flows to downstream features.
- An approximate post development water balance calculation to demonstrate that the infiltration deficit will be mitigated through the proposed infiltration measures.

TRCA recommends that the above water balance and stormwater related matters be addressed prior to approval of the Official Plan Amendment and acceptance of the MESP as they have the potential to impact the proposed development pattern.

In addition to the above, TRCA suggests the following Area specific recommendations be included in the MESP as direction for future Functional Servicing Reports:

- Area 6: include additional water quality improvement measures in addition to Oil/Grit separators;

- Area 4 and 5: discharge runoff from the rooftops, in the absence of a SWM pond, quantity control and extended detention must be achieved using LID measures. Details of the measures should be demonstrated;
- Area 5: LID right of way cross sections that incorporate shallow swales and infiltration trenches along the boulevard have been recommended and no such measure is shown.
- For all areas, a more detailed infiltration mitigation assessment should be provided

Servicing in the Valley

TRCA is not supportive of servicing through valleys due to the construction and post construction maintenance requirements and potential costly risks. We have worked with the City and the proponent to identify alternative solutions and acknowledge that there appears to be few viable options to service Block 40N. Sanitary servicing using trench-less technology is proposed within the Cold Creek valley system. If the City is prepared to accept the proposed approach to sanitary servicing, TRCA requests that the following conditions can be satisfied:

- That surface access to the sewer not be provided through the valley;
- That the entire sewer length be installed by trenchless technologies
- That the minimum separation between manholes be 470 metres;
- That future maintenance or repairs be completed from either end;
- That it be confirmed that the risk of frac-out is low and that any relief-wells that may be needed can be located outside the sensitive valley habitats;
- That there is minimal disturbance to the valley during installation; and
- That an evaluation of risks be completed based on the proposed servicing approach that assesses the short and long term risks (e.g. frac-out, water quality impacts, water quantity impacts, habitat loss, etc).

Wetland & Minor Watercourse Considerations

As outlined in the MESP Environmental Conditions Report, dated December 2010, there are small wetland pockets located on the east side of Pine Valley Dr. in the southern portion of the planning area. The wetlands support at least 6 different amphibian species. There is also a stream that originates in this area that discharges into the west branch of Purpleville Creek. The stream provides numerous functions including food production, sediment regulation, water quality improvements, flow attenuation and conveyance. In keeping with Regulation 166/06, and in partnership with the City, TRCA can support the relocation of the stream and wetlands, as proposed in the MESP Environmental Conditions Report subject to appropriate compensation being provided. The current compensation proposal within an existing swamp site located in the valley is not acceptable to TRCA.

TRCA requests that the MESP be amended to require that an alternative compensation plan be completed and implemented to the satisfaction of the City and TRCA, and include the following:

1. No loss of overall wetland habitat area.
2. No loss of overall natural cover. Converting meadow habitat to wetland is not fully compensating for the lost wetland habitat as there remains an overall loss of natural cover (lost meadow).
3. The hydrology and water quality of the created wetlands must be designed to support breeding amphibians.
4. The removal of the stream must have no net loss of fish habitat in accordance with the requirements of the federal *Fisheries Act*.
5. All of the identified functions of the stream must be recreated or enhanced elsewhere within the Block Plan.
6. Where applicable, confirmation from MNR that this approach is acceptable with respect to their endangered species interest.
7. No damage to the existing natural heritage system for access and construction.

Protection/Development of the Peninsula

The area referred to as the "peninsula parcel" in the Block Plan is a narrow strip of table land situated at the confluence of two, well defined and forested valley systems that support significant aquatic and terrestrial habitat. This peninsula parcel is located within the City of Vaughan's designated natural heritage system. It is identified as 'Major Open Space and Valley Lands' on Schedule 'A' and as 'Valley and Stream Corridor' on Schedule 'F' to OPA 600. These designations were maintained within the Core Features overlay on Schedule 2 and 'Natural Areas' on Schedule 13 of the adopted Official Plan, 2010.

The table land area of the peninsula parcel is surrounded by steep slopes. A detailed analysis is required to determine the extent of hazardous lands associated with these steep slopes, (i.e. the long term stable slope), as well as the appropriate setback to avoid hazardous areas. This has not yet been completed and is necessary to determine any potential development envelope.

On the basis of the above, TRCA recommends consideration of the following:

- An analysis to delineate the stable slope and associated buffer/setback to determine the development potential of the peninsula parcel with respect to natural hazard protection
- that the access to the peninsula be designed and re-located to minimize alteration of, and intrusion into, the valley (the proposed road access severs the steep valley corridor in a new currently forested/undisturbed location).

Introducing urban uses into the centre of the natural heritage system will have an impact on the long term functioning of the system.

- Edge effects on the populations of native species and other impacts to the ecological integrity of the natural heritage network;
- Adequate protection of adjacent lands to the valley wetlands to maintain wetland functions;
- Adequate protection of fish habitat and the thermal regime for sensitive species such as reidside dace;
- Ensuring sufficient interior habitat and adequately evaluating opportunities to improve

interior forest habitat on the 'peninsula parcel' in Block 40 and additions to Sprengel's Area ESA in Block 47.

TRCA has previously indicated to the City and representatives of Goldpark, that should the proponent demonstrate through successive studies that meet all relevant regulatory and policy requirements, that development potential is present on the peninsula parcel, that it be done to demonstrate community sustainability practices. Accordingly, it was requested that the following conditions be addressed for the peninsula parcel, and be considered for the entire development:

- the peninsula parcel, if developed, shall use Low Impact Development (LID) techniques; there is to be no stormwater management pond or outlet to the valley system;
- the interior forest habitat shall be increased by 50% within the Cold Creek valley (that is maintaining the existing plus 50%, resulting in adding 4.4 hectares);
- energy efficient homes (eg. LEED for homes (single-family), Energy Star homes, ground source heating and cooling, orientation, pre-wired photovoltaics or ducted from attic to basement for solar hot water);
- community design that is transit supportive, including- design, trails, bike lanes and safe walking, linked open space, and water balance (low maintenance gardens, naturalized yards, cisterns for irrigation);
- compensation for loss of targeted natural heritage system (value for land acquisition or other lands to be donated);
- cultural/archaeological heritage, to be maintained in situ or removed with opportunity for joint provincial, municipal, and TRCA Heritage Museum celebrating native culture in the Humber Watershed; and
- consultation and comment from MNR regarding Species At Risk considerations may be helpful in determining what if any development potential may be present for this area.

These conditions have not yet been completely addressed within the circulated MESP or draft OPA and therefore a determination of the development potential for this piece is difficult to provide at this time. Discussion with the City, and other relevant agencies may be required to determine what criteria would be required if studies demonstrate that proposed development or site alteration in this location is feasible.

Summary

In light of the comments included above, TRCA recommends that these issues be addressed in a revised MESP prior to contemplating approval of the proposed Official Plan Amendment.

We thank you for the opportunity to comment and hope that the City finds the above of assistance in advancing this important development project. We would be pleased to meet with the City and proponents to discuss these matters further.

By copy of this letter we are advising the applicant that a fee is presently required of \$4,320.00 for review of the official plan amendment. Payment should be made at the applicant's earliest convenience.

We appreciate our partnerships with the City and development proponents and the collective effort to create a Living City for all to enjoy. Should you have any questions, please do not hesitate to contact the undersigned or June Little at Extension 5756.

Yours truly,



Carolyn Woodland, OALA, FCSLA, MCIP, RPP
Director, Planning and Development
Ext. 5214

CW/jl

cc: By email

John Mackenzie, Commissioner of Planning
George Karakokkinos, Nu-Land Management
Brian Denney, CAO, TRCA
Deborah Martin-Downs, Director, Ecology Division, TRCA
June Little, Laurie Nelson, Dena Lewis, Lori Cook, Michael Heralall, Andrew Taylor - TRCA

Appendix A

A site visit was conducted June 23, 2011 with the Proponent's Representatives, City and TRCA Staff.

Material Reviewed:

Master Environmental Servicing Plan Blocks 40/47, December 2010, by EMC Group Ltd.

Environmental Conditions Report Block 40/47 Landowners Group For the Block 40/47 MESP City of Vaughan, December 2010, by Azimuth Environmental Consulting Inc.

Geotechnical Investigation Pine Heights Estates City of Vaughan, dated February 2002, by Geospec Engineering Ltd.

Stormwater Management Report MESP Blocks 40/47, dated December 2010, by EMC Group Limited

Addendum Block Plan Report, Block 40/47, dated April 2011, by KLM Planning Partners Inc.

Servicing Report MESP, dated December 2010, by EMC Group Limited

Environmental Impact Statement, not dated or signed, by Azimuth Environmental Inc.

Planning Basis Report, dated December 2010, by Templeton Planning Ltd.

Traffic Impact Study, dated December 2010, by Cole Engineering Ltd.

Environmental Noise Feasibility Analysis Block 40/47, dated December 2010, by Valcoustics Canada Ltd.

Block 40/47 Urban Design Guidelines, dated December 2010, by Nak STLA Inc.

Meander Belt Analysis for Redside Dace Habitat Setbacks, dated March 2011, by Aqualogic

Item 4, Report No. 27, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on June 26, 2012.

The Committee of the Whole (Public Hearing) recommends:

- ### Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File OP.03.008 (Pine Heights Estates) BE RECEIVED; and, that any issues identified be addressed by the Policy Planning Department in a comprehensive report to the Committee of the Whole.

Contribution to Sustainability

The contribution to sustainability will be determined when the technical report is considered.

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

On May 11, 2012 a notice of Public Hearing was mailed to landowners within 200 m of the subject lands. In addition, a notice was mailed to the Kleinburg & Area Ratepayers Association and Millwood Woodend Ratepayers' Association. The notice was posted on Vaughan's website www.vaughan.ca, online *City Page* on May 17, 2012, in addition to signage posted on site May 16, 2012. No responses have been received as of May 29, 2012. Any responses received will be addressed in the technical review and included in the detailed staff report.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES JUNE 26, 2012

Item 4, CW(PH) Report No. 27 – Page 2

Purpose

Six participating landowners within Blocks 40/47 have submitted an Official Plan Amendment application to re-designate the subject lands from "Urban Area" and "Valley Lands" under OPA 600 to "Low Density Residential", "Valley Lands", "Stormwater Management Pond", "Neighbourhood Commercial Centre", "Parks", "Institutional", "Greenway System", with special provisions to accommodate a historical site. The application proposes four (4) stormwater management ponds, three (3) neighbourhood parks, and two (2) neighbourhood commercial centres.

The application proposes to amend OPA 600 to:

- Increase the range in residential density from the permitted range of 5.0 – 7.5 units per hectare (2.0 – 3.0 units per acre) in Section 4.2.1.2. to a range of 5.0 – 11.0 units per hectare (2.0 – 4.5 units per acre);
- Amend Section 8.2.4.c (i) to reduce the road right-of-way width from 23 m to 20m for Primary Roads;
- Amend Section 4.2.2.4 (v) to permit a Gross Leasable Area of less than 5,000 m², from the required 5,000 – 15,000 m² in OPA #600; and permit additional uses such as "Institutional" and "Place of Worship" for Neighbourhood Commercial Centres;
- Increase in population from the forecasted 3,490 in OPA #600 to 5270 (based on 3.69 ppu), and an increased unit count from the forecasted 1000 to 1428 (See Appendix B, OPA #600);
- To recognize two existing cemeteries designated as "Institutional";
- Identify the of Skandatut site under the "Historical Site" designation to permit only passive open space uses, and require a minimum 20 metre buffer area as per Ministry of Tourism, Culture and Sport requirements, while including an appropriate interface with the proposed adjoining residential development such as dedicated parkland, pursuant to the 5% dedication under the *Planning Act*. The adjacent parkland shall include buffers for the benefit of the preservation of the site.
- Re-designate the "Peninsula Parcel" as identified in Attachment 3 of this report from "Valley Lands" designation in OPA #600, to the proposed "Low Rise Residential", subject to further assessment to the satisfaction of the City and TRCA.
- Amend Section 5.10 "Wetland Protection" to add the East Humber Wetland Complex, by amending Schedule G1 in OPA #600, as shown in Attachment 4a) and 4b);
- Amending section 8.2 to include special provisions for the preservation of lands at the Teston Road and Pine Valley Drive intersection (to facilitate the planning for the jog elimination). The policies require that the potential realignment be protected to allow the City and the Region with the reasonable opportunity to assess the need for the re-alignment and other alternatives as part of a future Environmental Assessment.
- Amend Section 4.2.4.6.4. to require the submission of Cultural Heritage Impact Assessments for structures listed by the City's Inventory of Significant Structures, prior to the Block Plan approval. The future Teston Road and Pine Valley Environmental Assessment for the potential jog elimination shall take the preservation of the structure at 10733 Pine Valley Drive into consideration.

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- Amending OPA #600 to add a new Section 5.5.2 of OPA #600, to require the use of the hydrogeological study completed as part of the MESP to define the local pre-development water balance and to establish of site specific water balance criteria.
- Adding Section 5.15 "Species-at-risk" to acknowledge that species-at-risk and their habitats have been identified in Block 40/47, and require, through the preparation of the MESP, Block Plan and conditions of development approval, arrangements for the protection or enhancement of habitat to the satisfaction of the pertinent government agencies;
- Adding a new clause to Section 4.2.4.1. "Greenway System" to investigate the feasibility of providing public trails and crossings in the valley system and to evaluate connections with other potential public trail initiatives in the Humber River Valley without amendment to OPA #600.

The redesignation to specific urban land use categories will facilitate the review of the Block Plan submission.

Background Analysis and Options.

Previous Application

On May 20, 2003 Official Plan amendment application file OP.08.2003 was considered by Committee of Whole. The initial application proposed a unit count of 883, a density of 6.2 units per ha, and an estimated population of 3,089 (assuming 3.49 ppu). The application did not proceed to approval. The file has been subsequently revised to reflect the current application.

Location and Context

The subject lands are located on the south side of Teston Road, east and west of Pine Valley Drive, north of Cold Creek, in parts of Lots 23, 24, and 25 Concessions 6 and 7, City of Vaughan. The lands have a total area of 233.73 ha, including the valley lands. The tableland portion is estimated to have an area of approximately 141.75 ha, with 74.48 ha being located east of Pine Valley Drive, with 67.27 ha located west of Pine Valley Drive. The lands also form part of the Vellore Village 1 area as shown on Schedule "B" of OPA #600.

The location of the subject lands and existing land use context and zoning are shown on Attachment 1 and 2.

Official Plan

OPA #600 was adopted by Vaughan Council on September 25, 2000 and approved by the Regional Municipality of York on June 29, 2001 it includes the following specific policies for the subject lands:

- i) The lands shall be the subject of a comprehensive plan providing the technical basis to support secondary plan land use designations consistent with the planning approach of the Official Plan;
- ii) OPA #600, Section 4.2.1.2 states that Blocks 40/47 north should be planned for predominately "executive housing" on large lots with full municipal services;
- iii) The gross density within the designated area shall be between 5.0 and 7.5 units per hectare;

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EXTRACT FROM COUNCIL MEETING MINUTES JUNE 26, 2012

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- iv) The projected housing unit yield is 1,000 units to accommodate a population of about 3,490.

The Official Plan Amendment application for the Pine Heights Estate Community proposes to create approximately 1428 dwelling units with a corresponding residential population of 5270 people. Appendix B of OPA #600 permits a forecasted population of 3490 people.

OPA #600 also requires that the secondary plan area be developed by way of Block Plan approval. The applicants have submitted a Block Plan application under file BL.40/47.2003 (Pine Heights Estates). Block Plan approval will take place after the adoption of this Official Plan Amendment and will form the basis for the submission of the individual draft plan of subdivision and zoning amendment applications. Staff is processing the Block Plan applications in conjunction with the Official Plan Amendment application. The information contained in the Block Plan submission is informing the evaluation the proposed Official Plan amendment.

Preliminary Review

In April 2011, the applicant submitted a revised Official Plan Amendment and additional supporting documentation including responses to address comments from the original OPA in 2003. The most recent modification was submitted in February 2012, which provides the basis for this report.

Following a preliminary review of the proposed Official Plan Amendment, the Policy Planning Department has identified the following matters for further consideration. It is noted that the issues identified in this section will be addressed through a number of processes including the Official Plan Amendment, the Block Plan and ultimately through the implementing subdivision plans and zoning by-law. The Official Plan amendment will address such issues through policy or where necessary, be addressed prior to the adoption of the amendment. The approaches taken will be discussed in the comprehensive technical report to Committee of the Whole.

General

- i) The applications will be reviewed in the context of the City's Official Plan, Region of York Official Plan, Provincial Policy Statement and other pertinent provincial legislation (e.g. *Heritage Act*, *Endangered Species Act*, etc.) with respect to conformity of the subject application to the applicable policies and requirements of these documents respecting the proposed land uses, sustainability, environment, servicing and transportation infrastructure;
- ii) The appropriateness of the proposed densities will be reviewed;
- iii) The Official Plan requires that features such as valleylands/woodlots and linkages for passive environmental, recreation and education uses be protected; that community edge buffers be provided; and that staking of the lands be undertaken to establish the limits of development to allow implementing development applications to be reviewed in the context of these requirements;

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- iv) The following supporting reports were submitted to support the applications for the "Pine Heights Estates Community": *Master Environmental/ Servicing Report, prepared by EMC Group Limited, dated December 2010; Environmental Conditions Report, prepared by Azimuth Environmental, dated December 2010; Geotechnical Investigation, prepared by Geospec Engineering Ltd, dated February 19, 2002; Stormwater Management Report, prepared by EMC Group Limited, Revision 3, dated December 2010; Servicing Report, prepared by EMC Group Limited, dated December 2010; Environmental Impact Statement, prepared by Azimuth Environmental, dated March 2011; Planning Basis Report, prepared by Templeton Planning Ltd., dated December 2010; Traffic Impact Study, prepared by Cole Engineering Ltd., dated December 2010; Environmental Noise Feasibility Analysis, prepared by Valcoustics Canada Ltd., revision 3, dated December 2010; Urban Design Guidelines, prepared by NAK STLA Inc. & John G. Williams Architect Inc., dated December 2010, Meander Belt Analysis, prepared by Aqualogic Consulting, dated March 10, 2011; Addendum Block Plan Report, prepared by KLM Planning Partners Inc., dated April 2011. The applications and supporting documents will be reviewed by the applicable City Departments and external public agencies;*
- v) Any required studies not already submitted to support the Block Plan approval application will be required prior to the consideration of the Block Plan application, such as: Transportation Master plan, Woodland Edge Management Report, Parks and Open Space Master plan, final comprehensive archeological report, Community Concept Plan, Urban Design Guidelines and Architectural Guidelines; Transportation Demand Management Framework are required to undertake a comprehensive review of the proposal through the Block Plan process; the implementation of development for the subject lands shall be through the Block Plan, Subdivision and Zoning By-law processes, should the application to amend the Official Plan be approved;

Land Use

- vi) There will be the need to clarify the range of uses to be permitted in the "Historical Site" designation. Currently "passive" recreational uses are identified.
- vii) The appropriateness of the proposed land uses, including the road pattern for the subject lands, will be reviewed the context of the surrounding existing and planned land uses.
- viii) The provision of parkland is currently under review by the City. Parkland dedication shall be provided in accordance with City Policy and in a manner that conforms to the Planning Act. The location, size, number, configuration and permitted use of the proposed parks must be reviewed and approved by the City.
- ix) The precise limits of the valley lands will be determined at the Block Plan stage by the TRCA and Vaughan staff in accordance with OPA #600 policies (Section 5.9.1);
- x) Development limits and buffers associated with non-participating lands have not yet been determined and further detailed review will be required to determine appropriate buffers and development limits to the satisfaction of City of Vaughan, TRCA and other pertinent government authorities prior to proceeding with any development applications on these lands;

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- xi) The western portion of the Block 47 area is located within the boundary limits of the provincial Greenbelt Plan. The original application for file OP.03.008 was submitted to the City of Vaughan on February 21, 2003. The Ministry of Municipal Affairs and Housing has confirmed that the portion of the Pine Heights Estate development in Block 47 is not subject to the PPS 2005, the Greenbelt Plan and Growth Plan for the Greater Golden Horseshoe (Growth Plan). The City is working with the Region of York and MMAH to adjust the Greenbelt Plan boundary as it pertains to the subject lands. The adjustment of the boundary will not affect this OP amendment application.

Engineering

- xii) The availability of sewage and water capacity for the subject lands must be identified by the Region of York and will be subject to all required Regional infrastructure improvements;
- xiii) The servicing, access and development potential of the "peninsula parcel" (Attachment 3) the proposed OPA and Block Plan has not been demonstrated at this time. A site specific policy has been added to VOP 2010 Volume 2 which would provide for the determination of the development potential for the Peninsula parcel (see paragraph xxvi of this report), which requires additional studies to define the development limits.
- xiv) All properties within the proposed OP amendment area must be planned comprehensively. The transportation and servicing connectivity for the non-participating land owners must be identified in the Block Plan and the MESP.
- xv) The proposed internal road network and block configuration will be reviewed for possible improvements;
- xvi) Non-participating owners lands must be considered in the layout of the internal road system to provide flexibility for possible future development of these lands;
- xvii) Schedule "B" of OPA #600 identifies the intersection of Teston Road and Pine Valley Drive as an area for "Possible Road Re-Alignment". An Environmental Assessment with the proponent likely being the Region is required to determine road alternatives for lands in the immediate vicinity of this intersection. The protection of lands required for the Pine Valley Drive and Teston Road jog-elimination is currently under discussion and review by the City and Region of York and will require further refinement and adjustments.

Cultural Heritage

- xviii) A significant archeological site (Skandatut), a historical First Nations settlement, had been identified. This site was delineated through surveys by licensed archeologists and has been protected for in situ. The efforts leading to the protection of the Skandatut site have involved consultation with several different parties including the Huron Wendat and Williams Treaty First Nations, Province of Ontario, the Toronto Region Conservation Authority, the City and owners of land in Blocks 40/47. A conditional donation agreement has been executed between the landowners and the TRCA providing for the donation of the site to TRCA and implementation steps are underway. The City has agreed that the lands abutting the site to the east will be park.

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- xix) Archeological assessment reports for all sites identified on the subject lands are currently under review by the Ministry of Tourism, Culture and Sport (MTCS). Compliance letters for all outstanding sites subject to archeological assessment from MTC is required prior to proceeding with the proposed Block Plan.
- xx) The precise location of the historical hamlet of "Purpleville" at the intersection of Pine Valley Drive and Teston Road is currently under review by the Cultural Services Department and the Region of York. The policy implications of a change in its location are also being reviewed.
- xxi) A registered heritage building under Section 27 of the Ontario Heritage Act has been identified at the south east corner of Pine Valley Drive and Teston Road (10733 Pine Valley Drive). A comprehensive review of the Salvage Mitigation Options, including the feasibility of relocation within the existing site or to another location within the subject development is required. A Built Heritage and Assessment Report outlining preservation or mitigation options for the properties located at 10733 Pine Valley Drive are required, to the satisfaction of the City.

Master Environmental Servicing Plan

- xxii) Buffers from Provincially Significant Wetlands, Habitat of Endangered and Threatened Species, and Significant Cultural/Archeological Sites/landscapes shall be reviewed and be subject to the satisfaction of the City of Vaughan, TRCA, Ministry of Natural Resources, and Ministry of Tourism, Culture and Sport;
- xxiii) All outstanding analyses concerning the tree inventory, species-at-risk and endangered species preservation and protection, including methodology used for the environmental sensitivity matrix must be addressed prior to finalization of Official Plan Amendment.
- xxiv) A total of five (5) species-at-risk have been identified within the boundaries of the subject lands: Butternut Tree (provincially endangered), Redside Dace (protected under 2007 ESA), Barn Swallow, Bobolink (provincially threatened bird species, protected under ESA 2007), and the Eastern Meadowlark (as per Ontario Regulation 242/08 under ESA 2007). Species-at-risk evaluations must be completed according to the regulations under the Endangered Species Act prior to determining the development limits and proposed road layout and lot fabric.
- xxv) The precise limits of the valley land and development land, in proximity to and inclusive of the "Peninsula Lands" is shown on Attachment 3 subject to review and will be determined based on studies and criteria established by the City in conjunction with the TRCA.

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xxvi) On April 17, 2012 Council resolved that:

"With respect to a land feature identified as the "Peninsula Lands" within the Block 40 proposed Block Plan, the precise limits of the valley land, and development land, in proximity of and inclusive of the "Peninsula Lands" will be established to the satisfaction of the City and the TRCA through the Block Plan process based on studies and criteria as established by the City in conjunction with the TRCA. If it is determined by the City in conjunction with the TRCA that developable land is identified through these studies and in accordance with the criteria prescribed by the City and the TRCA then the Low-Rise Residential designation will apply to the developable lands without further Amendment to the Plan."

The range of studies is under consideration by the City in consultation with TRCA. The studies will be further detailed in the comprehensive report to the Committee of the Whole. There will need to be both a systems and features approach to the required studies.

The peninsula parcel has been assessed by staff, of who are of the opinion that it is part of a core area as defined in the Natural Heritage Reference Manual (OMNR 2010). Given that there are established elements of Provincial and Regional significance (i.e. species at risk, wetlands, woodlands, significant wildlife habitat) in the core area, a natural heritage systems approach is required for studies and criteria concerning the protection of the "peninsula" lands. The following criteria define aspects of core areas of the natural heritage system that will need to be considered:

- Size: Maintain species persistence;
- Shape: Maintain and/or improve the quality of wildlife habitat;
- Completeness: Optimize completeness and degree of naturalness of the core area;
- Habitat and Species Diversity: Improve core area resilience to stresses by maximizing diversity;
- Interior Habitat: This criterion is addressed through aspects of 'size' and 'shape' regarding species persistence and habitat quality;
- Sensitive Natural Communities: Persistence of sensitive natural communities;
- Under-represented Natural Communities: Persistence of under-represented natural communities;
- Connectivity: Maximize options for animal movement and population dispersal in the core area;
- Important Hydrological Areas: Protect water features by maintaining the hydroperiod of hydrological areas; and
- Potential to Persist: Ensure ecological functions persist without being diminished.

Impacts on individual features would also have to be considered, this will include:

- Stable slope and buffer/setback analysis determining natural hazard and related protection requirements;
- Appropriate buffers defined in accordance with requirements of the City, TRCA and MNR;
- Access to peninsula design (minimizing intrusion into the valley);

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- Compensation for loss of targeted natural heritage system (value for land acquisition or other lands to be donated);
- A Low Impact Development (LID) assessment.

Consultation with the Province, Region, TRCA will occur to determine how much of this work will be necessary to satisfy OPA requirements and what elements can be included in future Block Plan and draft plan of subdivision processes for the subject lands.

School Board

- xxvii) The York Region District Catholic School Board requires that one elementary school site be protected within the proposed community. The location of the school site is currently under review and shall be determined prior to the comprehensive Committee of the Whole report.

Relationship to Vaughan Vision 2020/Strategic Plan

The applicability of this application to the Vaughan Vision will be determined when the technical report is considered.

Regional Implications

The Region of York is the approval authority for the proposed amendment. The application has been circulated to the Region of York for review and comment. The subject lands are designated "Urban Area" by the Regional Official Plan. Any issues raised by the Region of York will be addressed when the technical report is considered.

Conclusion

The above issues, but not limited to those cited, will be considered in the technical review of the application, together with comments from the public and Council expressed at the Public Hearing or in writing. The technical review will be the basis for a comprehensive report to a future Committee of the Whole meeting. In particular, the applications will be reviewed in the context of the applicable Provincial, Regional and City policies; the requirements of external agencies (i.e. Ministry of Natural Resources, Ministry of Tourism, Culture and Sport, Toronto Region Conservation Authority, York Region School Boards, etc.); the land uses being proposed in regards to density, sustainability and the environmental; servicing and transportation infrastructure requirements; and, the review of the supporting studies.

Attachments

1. Location Map
2. Context Map
3. Proposed Official Plan Amendment Schedule
- 4a. Proposed Amendment to Schedule G1 "Wetlands"
- 4b. Provincially Significant East Humber River Wetland Complex within Subject OPA Boundaries
5. Property Ownership

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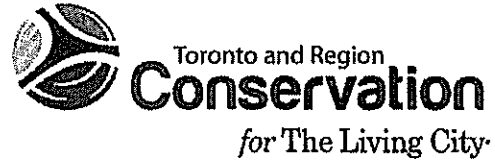
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Report Prepared By:

Melissa Rossi, Senior Planner, ext. 8320

Roy McQuillin, Manager of Policy Planning, ext. 8211

(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.)



November 6, 2013

CFN 31854

BY MAIL and E-MAIL (armine.hassakourians@vaughan.ca)

Ms. Armine Hassakourians
Planner
Development Planning
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON. L6A 1T1

Dear Ms. Hassakourians:

**Re: Proposed Master Environmental Servicing Plan & Peninsula EIS
Blocks 40N and 47, dated April/May 2013
City of Vaughan, Region of York**

Thank you for circulating the above noted documents for our review and comment. The purpose of this letter is to provide Toronto and Region Conservation Authority's (TRCA) comments respecting the most recent version of the Block 40N/47 Master Environmental Servicing Plan (MESP) dated April/May 2013. Comments are provided on both the MESP and the EIS submitted for the Peninsula. The specific material taken into consideration is listed in Appendix A.

The Block 40N/47 lands are located within the East Humber watershed, and more specifically traversed by several tributaries of the Cold Creek system. Cold Creek is a high quality, sensitive cold water system that supports a diverse range of aquatic species and provides habitat for the endangered Redside Dace. Ground and surface water sensitivities are also present given the network of tributaries. Both valley land and table land wetland features are present. A substantial, continuous block of forest exists within the well defined valley systems in the Block Plan, supporting a number of flora and fauna species of concern including a number of area sensitive, forest dependent breeding birds. The table lands, although historically farmed, provide habitat for the endangered bird species, the Bobolink. This part of the Humber watershed was identified as one of the 'centres of biodiversity' in the City of Vaughan's natural heritage background report for the new Official Plan, and as such provides a range of ecosystem services.

All of the above aquatic, terrestrial, and landscape attributes combined creates a valley system that would be considered significant within the context of the Provincial Policy Statement (PPS). As part of the City's Natural Heritage System, it is essential that any negative impacts resulting from urbanization of the area be carefully considered through



ecologically-based site design in order to protect the long term health, function and ecological services of the natural system and open space amenity within the Block Plan area, as well as the broader watershed landscape.

TRCA appreciates the substantial amount of work that has been completed to date by the consulting team in an effort to address our previously presented high level concerns. This review is very detailed. We have summarized our comments by topic area and by report including the Peninsula. Please see Appendix B attached to this letter for detailed comments on the EIS submitted for the Peninsula. We note that this document was not included within the MESP submission.

The comments reflect our role as a watershed management agency, public commenting body, and our delegated and regulatory responsibilities related to natural hazards.

Comprehensive MESP

TRCA anticipates the MESP to be a comprehensive and accurate document that provides the detail necessary to support the submission of draft plans of subdivision. In keeping with current and common practice, TRCA supports preliminary review and discussion of proposed concepts prior to submission.

1. The Peninsula EIS and other information has not been included in the submission. We were advised that as technical information is completed and agreed upon, it is removed from the MESP. Following this logic, at the end of the process, an empty MESP binder would result, once all information is agreed upon. We are also concerned with the advancement of comprehensive strategies to individual agencies without the consultation of others. Advancement of future drafts should not occur in the absence of consultation and discussion with the City and all agencies. The proposed works, including low impact development measures and the groundwater emulation system, need to be addressed within the supporting reports for the MESP.

Development Limits

Generally, support is necessary from the City and all agencies with respect to the limits of development, buffers and uses within buffers in accordance with all relevant policies and legislation.

2. The scale of the drawings submitted is providing a challenge. The constraint lines and drawings are being completed at such a large scale that it is difficult to determine the relationship between the constraints, required buffers and the proposed development pattern. We request that plans be provided at a scale of 1:500 to confirm the accuracy of the information relative to the features and the contours on the site. This will enable drafting of accurate plans of subdivision in relation to the landscape.

3. With respect to geotechnical matters, the relationship between the results of these studies and the proposed development pattern is not clear. The geotechnical mapping is at a large scale and it is difficult to determine where the top of slope and recommended setbacks are located in relation to the proposed development limits to ensure existing slope hazards are addressed. Consideration also needs to be given to the TRCA setback requirement of 10 metres. The MESP review of the sloped areas should include a detailed review of the sloped areas and the location of the proposed development including cross sections showing proposed lot line, elevations, proposed and existing ground, building locations, buffers, flood plain and edge of existing vegetation.
4. The limits of development including buffers related to those policy tests defined in the Provincial Policy Statement (and refined within the MNR Natural Heritage Manual), OPA 600, as required by the Endangered Species Act, Regulation 166/06 and the Valley and Stream Corridor Policies of the TRCA. It is difficult for any agency to provide clearance without an accurate representation of the location of these features and a comprehensive set of supporting information. All of this information will be necessary to inform the subdivision process.
5. The MESP indicates the location of the non-participating lands. A note needs to be added to the text indicating that all matters are outstanding.

Water Resources

Generally, the water balance remains outstanding, information is inconsistent and review of proposed methodologies is required, once submitted.

6. A method was proposed at the recent working session that proposes to maintain base flows. This information was not included in the MESP.
7. Staff note for Area 2 and Area 3 rear lot drainage will be directed to the valley uncontrolled. Confirmation is required from the proponent whether over control for SWM pond 2 and 3 will be provided to account for the uncontrolled drainage from the rear lots.
8. In section 9.5, Page 25 of Volume 1 it is stated that the minimum requirements of the TRCA and MNR runoff reduction target is the first 10 mm of rainfall. It is not clear whether the proposed infiltration mitigation measures were designed to satisfy this target. Further it is not clear whether this target will be applied over the entire MESP area or specific areas to satisfy feature based water balance. While reviewing the "Drainage Feature Based Water Study" there was no reference to this target. There are significant challenges to achieving a 10 mm infiltration target for the entire area and specific targets must be set based on pre-development infiltration and the sensitive features in the area.

9. Staff notes in Figure 7 of the Feature Based Water Balance Study, rear lot infiltration trenches have been proposed as one of the primary measures for mitigating water balance. Please be advised that confirmation from the City is required as to whether rear lot infiltration galleries are acceptable due to maintenance access requirements.
10. In section 2.2 of the Feature Based Water Balance, six different options have been listed to address TRCA's water balance and water quality objectives, however only two options are shown on Figure 7. Staff requires clarification as to where the additional options will be used.
11. In table 7 of the Feature Based Water Balance Study a Water Balance Summary has been provided for each Reach. An average annual infiltration of 117 mm is listed with a note that this is the previously agreed infiltration amount. Staff requires further clarification on the methodology that was used to develop the table.

Ecology

Generally, it is difficult to determine if the proposed development is located outside of the features and buffers provided. No negative impact has been declared however has not been substantiated.

Missing Information

12. All of the plans (including the x-sections) need to clearly show the surveyed constraint lines (top of bank, drip line, all wetland limits, flood line, meander belt) and the related buffers. The lines should be geo referenced, and also be representative of the lines that were agreed to in the field with TRCA and MNR.
13. The MESP does not explain the source of water that is supporting the Provincially Significant Wetland and seepage areas and how that source will be protected post development (i.e. features based water balance).
14. No seasonal features based water balance has been provided for wetlands and headwater drainage features (HDF). The water balance provided is focused on annual surface runoff and does not address the hydroperiods of the features. It also does not look at the HDFs that will have their drainage re-directed to the SWM facilities. Water balance work is also required for the forests and wetlands.
15. The plans should show the proposed trail network. We understand that the City wants a trail network but based on the environmental information provided, there are many locations within the valley that are unsuitable for a trail, in addition the proposed grading of many of the buffers may preclude them as being suitable for a trail (due to slopes).

16. The recommendations, targets, criteria etc. for the non-participating are very conceptual and it is unclear how and when they will be refined and evaluated.
17. The plans do not show if or where permanent maintenance access roads will be required for pond outlets and servicing. The impacts of the accesses need to be assessed.
18. It is unclear whether the MESP is assuming the same route and technology for the sanitary sewer that is running from the peninsula to the pumping station to the south.
19. The EIS for the peninsula lands spoke of having an outlet channel into the valley to a wetland to overflow from the boulevard LID. This is not mentioned in the MESP. Clarification is required.
20. There should be a strategy for how the development will proceed to avoid having large areas stripped due to the sensitivity of the habitats.
21. It is unclear what the status of the EA for Teston Road is and whether or not it will impact the Block 40/47 Plans.

High Level Issues

22. The environmental impact assessment does not properly evaluate the impacts that will occur as a result of the urbanization of the surrounding lands. The conclusions are often unsubstantiated or not supported by the information provided. The information provided is essentially the same as was provided in the EIS for the Peninsula lands (comments in Appendix B attached). It makes broad sweeping statements. For example, it indicates that the forests will be protected, but the detail for SWM pond 2 shows an emergency spill way cut through the forest down the slope. The environmental evaluation generally under values and disregards small contributions. This leads to incremental decline of the health of the watersheds and the natural heritage system.
23. The environmental evaluation does not recognize the importance of adequate buffers in protecting the natural heritage system on these lands. This is a major deficiency.
24. It appears that many of the buffers are proposed to be graded. The cross sections provided show grading of the entire buffer on a 3:1 slope. Buffers should be protected and not re-graded. Filling of the buffer areas can put the adjacent natural areas at risk, mean that the lots are now immediately adjacent to a new Top of Bank, and the sloping area may not be suitable for access for trails or erosion maintenance access. The graded buffers would also be unsuitable to perform as "vegetated buffer strips" which is one of the LID measures that are proposed. Buffer strips to provide filtering of overland flow need to be flat to be

effective. Statements like "Re-grading of these areas can better define the stream and valley corridor and form a buffer strip between the valley and the development" (Section 8.3 and on page 38) are erroneous.

25. A number of LID measures are proposed on private properties. Cooling trenches, ground water emulation techniques and vegetated islands within the SWM facilities to mitigate temperature are proposed. Are these acceptable to the City? The MESP does mention that they are seeking an exemption from the City's standards to permit the runoff from roof tops to be directed to the valley lands, at least for the peninsula (Section 9.7.5).
26. The proposed LID strategy includes passive infiltration techniques; however the report also notes in many places that the soils are not conducive to infiltration. Clarification is required.

Detailed Comments Main Report

27. The report needs to be clear that the top of bank or feature limits are NOT the development limit. Currently the report and plans refer to the feature limits as the development limits.
28. Section 6.2 and Section 6.3 do not accurately summarize the conclusion of the environmental report. For example, there is no mention of the Provincially Significant Wetlands, unevaluated wetlands, significant woodlands, significant wildlife habitat, or species of conservation concern like the amphibians and area sensitive forest birds.
29. Section 7 – Opportunities for Enhancements - most of the items on the list are not enhancements. For example, preservation of the mature forests in the valley, re-vegetation of disturbed areas etc. are required and do not represent enhancements to the natural heritage system. The constraints indicate that SWM ponds will be set back 5 m from the Top of Bank, however, pond 1 and 3 are actually within the valley.

Detailed Comments

Appendix A Revised Environmental Conditions Report

30. Section 3.2.4 (page 19) – States that the tableland wetlands are all surface water fed. This is inconsistent with the information on the wetland near pond #2. The other reports indicate that this is an area of shallow ground water. In fact the ground water elevations are such that the proposed SWM pond will require a liner. Clarification is required.
31. Section 3.3.3 Social Benefit. The report overlooks the contributions of the natural heritage on these lands to the overall health of the watershed (as per the PPS).

32. Section 3.3.4 (page 33) foraging is an important part of landscape connectivity yet they have excluded it from the analysis. Foraging habitat needs to be included as part of the evaluation.

Appendix 7 Headwater Evaluation

33. Section 2.2 - Page 1- Note that 2012 was an unusual year due to the warm winter and no snowfall or spring freshet for evaluating the functions of HDFs.
34. Section 3.1.1, Page 3 - The evaluation should describe the slope and soils of the HDFs
35. Section 3.2.1, Page 4 - The report indicates that the seeps appear to be the function of shallow groundwater rather than being supplied from groundwater at depth. This appears to be in contradiction to the assessments in the main report that say the groundwater contributions are the result of the ORAC which has its recharge outside the study area. What is the source of the shallow groundwater? Will the sources be impacted by the proposed development? How will the seeps be protected in the long term?
36. Section 5.0, Page 5 - Why are reaches 5B and 7A not mentioned for mitigation? Note that 5B and 5A are not HDFs, but watercourses within a very well defined valley. It is the inclusion of reaches that are not HDFs that leads us to believe that the guideline has not been properly applied
37. Table 1, Page 7 - What aspects of the OSAP protocol were used. It should be noted that the updated HDF guideline is now a module under OSAP.
38. Table 7, Page 14 - As noted above it is unclear why reaches that are well defined watercourses in large valleys are being considered as HDFs. Even so the assessment that these well defined and forested valleys are not considered part of a terrestrial linkage does not make sense. They are well connected to the main purpleville creek. (and others to the Humber). 5B is also part of the forested valley so why is this not documented in the table.
39. Table 8, Page 15 - Why is 5B not considered contributing habitat? Why is 5C not included in the table?

Appendix C Stormwater Management

40. Section 10.1 page 31 – the report indicates that existing grassy swale at the outlet for the SWM pond in Area 1 (West of Pine Valley) will provide shade to mitigate the temperature increases in the storm water discharge. However, this intermittent swale may not be able to withstand the change in drainage volumes and hydroperiod associated with the stormwater outfall. Will the channel need to be hardened to prevent erosion? If so the benefits described will not be accrued.

41. Section 10.2 page 31 – The report indicates that due to the erodability of Reach #3 the storm pond will outlet to purpleville creek. How will the water balance and hydroperiod for Reach 3 be maintained?
42. Section 11- only speaks to sediment controls not erosion controls this is an important gap that needs to be filled.

Figures in Appendix C

43. Conceptual Grading West - What is the "further Study area" shown at the South Western portion of the site?
44. As noted above the figures need to show all the proper constraint lines clearly labeled.
45. Figure 2A – Terrestrial Environmental features requires a proper reference plan overlaid on the ortho photo.
46. Figure 5 – Please note that stormwater ponds are not considered restoration areas.
47. Figure 3 (stormwater)- it is unclear where the major system flows from the peninsula are going. It is also unclear how the flows are being taken to Pond 3. The EIS spoke to an overland flow route to a wetland in the valley but it is not shown on the figure.
48. Figure 8 LID Plan shows vegetative filter strips in 10 metre buffers whereas in various locations such buffers are not proposed.
49. Figures 17-20 Cross sections – The cross sections should note the various constraint lines and buffers so one can determine whether or not the grading is a problem.
50. Figure 17 – x-section A-A appears there is an acoustic fence adjacent to the valley, please clarify. X-section B-B appears they may be grading past the staked feature line.
51. Figure 18 – x-section C-C they are grading the entire buffer from flat to a 3:1 slope.
52. Figure 19- x-section F-F appears that grading will extend through the corridor including a headwall and spillway. What water is being directed here? Will there be a need to realign or harden the watercourse?

53. Figure 20- x-section H-H the entire buffer is being graded from flat to 3:1. Where is the water coming from to the headwall and outlet shown here? Will there be the need for an access road?
54. Appendix G Drainage Feature Based Water Balance. As noted above this is not a Features Based Water Balance. It only looks at annual runoff volumes. It does not consider seasonal hydro periods or groundwater inputs and does not assess HDFs where their catchments are now being directed to the SWM facilities. It also does not consider water balance for the wetlands and forests or seeps.

Hydrogeological

Generally, sufficient site specific detail has not been provided to support the conclusions within the MESP which are based on regional information.

55. Previous hydrogeological comments were based on the Memorandum Re: Edits to Block 40/47 Master Servicing Plan – Azimuth Reports, dated November 17, 2009, prepared by Azimuth Environmental. The information related to hydrogeology has been removed from the Environmental Conditions Report within the MESP. It needs to be re-instated and updated to include any work completed since the last submission.
56. Limited test drilling on the peninsula lands (i.e. Geo-Spec BH-53, SPL BH12-3) has identified water-bearing intervals which may be associated with seepage areas located near the base of the valley side-slope. Previous interpretations have suggested that contribution to the valley wetlands and seepage area originate from the underlying granular Oak Ridges Moraine Aquifer formation. Given the proposed residential development on the tableland, maintaining the existing groundwater flow regime to the wetland remains a primary objective. Based on the existence of sand and gravelly sand intervals, what evidence can the proponent provide that substantiates whether groundwater inputs to the wetland from the seepage areas occur from the deeper Oak Ridges Moraine Aquifer or from lateral flow from the granular formations beneath the tableland?
57. The Soil Engineers geotechnical report letter dated October 9, 2012 on slope stability in Appendix 5 of the Peninsula EIS dated November 7, 2012, provides an analysis based on a borehole Log No. 1, referenced back to an original slope stability letter of August 16, 2011. The letter schematic diagram suggests that there is slightly less than 12 metres of fine and fine and medium sand at the borehole site. As TRCA hydrogeology staff has no record of the August 16, 2011 letter being circulated, staff requests a copy of the borehole BH1 log and any recent groundwater level measurements taken. Was a monitoring well / piezometer installed at the site to allow supplemental water level measurements to be taken?

58. Although Figure 2a Peninsula EIS dated November 7, 2012, depicts the approximate location of seepage areas along the peninsula side-slopes, the mini-piezometer (drive-point) locations were not shown. A map should be prepared that depicts the seepage zones along with the mini-piezometer locations. Supplemental current groundwater / surface water levels should be provided along with the previous measurements.
59. Supplemental field work was undertaken subsequent to the previously submitted March 2008 Azimuth Environmental Conditions Report that dealt with the proposed sanitary sewer servicing options or alternatives.

An electrical resistivity geophysical survey was undertaken in August of 2009 by Geophysics GPR International and reported in the EMC Appendix B Volume II March 2011. The document dated September 2009 and entitled "Electrical Resistivity Survey for Geologic Mapping of Directional Drill Alignment, Block 40/47 Vaughan" provides conclusions and recommendations relative to the proposed drill alignments and especially related to Alternative 1B.

In the EMC Report Appendix D, reference is made to the Earth Boring "Sanitary Installation for Valley 1B, Block 40/47 North MESP on page 7 of the Sanitary Services Analysis Report (EMC dated February 2010). The Bore Plan is dated January 25, 2010 and contains an information source list. The 2009 Geophysics GPR International report is included as a citation.

Given the conclusions provided in the Geophysical Report, did the Earth Boring plan take into account those findings for their plan, and were any modifications made to proposed alignment/trajectory that minimizes frac-out potential from very coarse formations along the drill path?

(Note – SPL Beatty recently submitted an application to undertake geological borehole drilling relative to the sanitary sewer system design and construction (pumping station, gravity sewers and sewer forcemains). Geotechnical results should be assessed relative to the HDD Alternative 1B alignment and the geophysical results where appropriate).

60. Although not specifically a groundwater issue, best management practices for planning service installation through horizontal directional drilling (HDD) techniques includes knowledge of what type of formations the drilling contractor will have to contend with during drilling/reaming/pullback operations especially under this watercourse. Intrusive geotechnical investigation may be necessary to determine ground conditions, risks and selection of alignment that minimizes risk (i.e. frac-out), as well as contingency plans. This evaluation can be done at a later stage prior to detail design.

61. There appears to be inconsistency between the 2010 and 2013 reports respecting the proposed trajectory of the sanitary main. Clarification is requested.

Planning

Generally, it has not yet been demonstrated that the proposed development pattern satisfies the tests of the relevant policies and regulations.

Appendix D - Servicing Report

62. Conceptual Grading Plans East and West both have cross sections indicated but the sections could not be located in the binders.
63. Same with the Geotechnical Report, it provides an Existing Slopes Map showing cross section locations, however none are provided.
62. Confirm if line staked by surveyor shown on the plans is co-incident with TRCA top of bank line? And if not, where and why not?
63. The east side of watercourse and development limits appear problematic...many retaining walls. Street 26 and 28 appear to be too close to the valley and generate the need for these walls and filling within the valley. Cross sections and detail are needed for further consideration.
64. All of the outfalls from SWM Ponds need more detail in terms of how the water enters the valley and related impacts.
65. Buffers appear to vary and be less than 10 metres throughout the proposed development pattern. A detailed review of all edges is needed with respect to slope stability and toe erosion, adequate buffering, natural features, flood plains, as well as the proposed LID Plan.
66. The MESP does not speak to the jog elimination at Teston and Pinevalley and impacts to the PSW.

Appendix E - EIS May 2013

67. Outfalls within PSW subject to staking will need to be relocated and impacts assessed. SWM #1 p. 7
68. Valleylands – incorrectly states development limit as top of bank and drip line. P. 7
70. Significant woodlands – loss of tree cover is stated to be made up through an edge management plan. Please explain.

71. Also please explain the significant woodland as described in the report seems to arbitrarily exclude portions of the woodland surrounding the peninsula parcel?

Appendix F – Planning Report

72. Detailed planning comments were provided by letter of September 13, 2013. These comments, while directed specifically toward the OPA, also relate to the MESP in terms of the need to translate the impacts and limits of the features and buffers into the proposed development pattern. None of this explanation is provided within the Planning Report and this should be added and explained in relation to the proposed development pattern.
73. Sections 3.7 and 3.8 of the December 2010 Planning Report do not adequately reflect the position of the TRCA.
74. The PSW at northwest corner Pinevalley Road and Teston Roads need to be addressed within the context of the proposed development pattern.
75. Constraints and Development Overlay Map received October 4, 2013, dated April 2013 is missing the following layers: long term stable top of slope, buffers, significant environmental features, southern re-alignment of Teston Road, delineation and setbacks associated with Trib 5. Detailed, area-specific, snap shots of the development limits are needed to provide clarity at a scale of 1:500.
76. The extent of development limits needs to be confirmed by the City and all agencies to determine if the proposed development pattern is appropriate and all buffers have been provided.

Conclusion

TRCA would appreciate the opportunity to have a working session as was proposed at the recent meeting to discuss the proposed Draft Official Plan Amendment. The proponent needs to respond to the above comments in corresponding numerical order.

We have noted that over time there have been changes to the content of the supporting reports being submitted, and that material in the MESP has not been adjusted accordingly. This seems to be creating the 'log jam' associated with the advancement of this project. These comments are intended to be comprehensive however may be subject to change as discussions continue in the fullness of time.

Fees related to the MESP and Official Plan Amendment Review are now required. The fees submitted in 2009 have been exhausted through background work, three major reviews, review of submissions dealing with site specific issues, site visits and meetings that have all been undertaken over the last 13 years. A fee submission of \$50,000.00 is being requested at this time, and the proponent is welcome to contact us to discuss.

We appreciate our partnerships with the City and development proponents and the collective effort to create a Living City for all to enjoy. Should you have any questions, please do not hesitate to contact the undersigned or June Little at Extension 5756.

Yours truly,



June Little, MCIP, RPP
Manager, Development Planning & Regulation
Ext. 5756

/jl

cc: By email

John Mackenzie, Commissioner of Planning, Vaughan
Melissa Rossi, Senior Planner, Vaughan
Tony Iacobelli, Environmental Planner, Vaughan
George Karakokinos, Nu-Land Management
Steve Strong, Planner, MNR
Brian Denney, CEO, TRCA
Carolyn Woodland, Director, Planning & Development, TRCA
Laurie Nelson, Dena Lewis, Shahzad Khan, Andrew Taylor - TRCA

Appendix A*Recent Material Received:*

Master Environmental/Servicing Plan Blocks 40/47 Pine Valley Drive/Teston Road City of Vaughan by EMC Group Limited dated April 2013

- A. Revised Environmental Conditions Report Block 40/47 Landowners Group for the Block 40/47 MESP by Azimuth Environmental dated May 2013
- B. Geotechnical Investigation Pine Heights Estates by Geospec Engineering dated February 2002 & Slope Stability Analysis Letter Report – Peninsula Overview by Soil Engineers Ltd dated April 18, 2013

A site visit was also conducted with TRCA and proponent geotechnical experts to visually confirm report information

- C. Stormwater Management Report Block 40/47 by EMC Group Ltd Revised Version April 2013 including Drainage Feature Based Water Balance Study Blocks 40/47 by EMC Group Ltd dated April 2013
- D. Servicing Report Master Environmental Servicing Report by EMC Group last revised April 2013
- E. Impact Assessment Statement – Development Proposed for the Block 40/47 Plan Area, City of Vaughan by Azimuth Environmental dated May 9, 2013
- F. Supplementary Block plan Report Block 40/47 by KLM Planning Partners Inc dated April 2013
- G. Traffic Impact Study by Cole Engineering dated May 2013
- H. Environmental Noise Feasibility Study by Valcoustics dated May 2013
- I. Block 40/47 Urban Design Guidelines by NAK & Williams dated May 2013
- J. Meander Belt Analysis by Aqualogic Consulting dated March 10, 2011

Submitted under separate cover and not included in the MESP:

Environmental Impact Study – Block 40 – Peninsula – Vellore Urban Village – City of Vaughan, dated May 2013, prepared by Azimuth Environmental Consulting Inc.

Past Information:

A site visit was conducted June 23, 2011 with the Proponent's Representatives, City and TRCA Staff.

Master Environmental Servicing Plan Blocks 40/47, December 2010, by EMC Group Ltd.

Environmental Conditions Report Block 40/47 Landowners Group For the Block 40/47 MESP City of Vaughan, December 2010, by Azimuth Environmental Consulting Inc.

Geotechnical Investigation Pine Heights Estates City of Vaughan, dated February 2002, by Geospec Engineering Ltd.

Stormwater Management Report MESP Blocks 40/47, dated December 2010, by EMC Group Limited

Addendum Block Plan Report, Block 40/47, dated April 2011, by KLM Planning Partners Inc.

Servicing Report MESP, dated December 2010, by EMC Group Limited

Environmental Impact Statement, not dated or signed, by Azimuth Environmental Inc.

Planning Basis Report, dated December 2010, by Templeton Planning Ltd.

Traffic Impact Study, dated December 2010, by Cole Engineering Ltd.

Environmental Noise Feasibility Analysis Block 40/47, dated December 2010, by Valcoustics Canada Ltd.

Block 40/47 Urban Design Guidelines, dated December 2010, by Nak STLA Inc.

Meander Belt Analysis for Redside Dace Habitat Setbacks, dated March 2011, by Aqualogic

Environmental Impact Study – Block 40 – Peninsula – Vellore Urban Village – City of Vaughan, dated November 7, 2012, prepared by Azimuth Environmental Consulting Inc.

Appendix B - Comments on Revised Peninsula EIS, by Azimuth, Dated May 2013
Issued November 2013

No.	SECTION	PAGE	COMMENT	ACTION REQUIRED/RESPONSE
	GENERAL COMMENTS			
1.			The mapping is very schematic and the various constraint lines shown on the ortho photos are hard to reconcile with the proposed development plan	Please provide a proper reference plan that shows the constraint lines, buffers and the development proposal.
2.			Updated Geotechnical work was provided.	The updated geotech work needs to be included as part of the evaluation for the peninsula
3.			The limits of the PSW have been confirmed by MNR. A proper adjacent lands assessment needs to be included as part of this EIS and the MESP	MNR has stated the limits of the PSW. Please provide the MNR approved survey and include the approved line on the reference plan noted above
4.			The impact analyses provided contains many blanket statements about there being no direct or indirect impacts. However these statements are not substantiated (in fact, some of the information contained within the report would suggest otherwise). The approach taken evaluates each element separately but does not look at the domino effects on one element that could affect another element. For example damage to the forest edge could not only affect the tree cover but loss of edge trees could affect erosion on the slope (creating more loss) which in turn could affect the amount of interior habitat, or the functions of the wetlands on the valley floor. It is this comprehensive evaluation that we were anticipating in this report.	The report should contain comprehensive impact assessments (both direct and indirect as well as short (during build out) and long term) that contain the appropriate information and analyses to support the conclusions.
5.			The HDF guideline has been interpreted incorrectly around the peninsula, and perhaps in relation to the features on the west side of Pine Valley Drive but that is part of the MESP review.	
6.			There are references to other works related to servicing and water balance that have not been included in this report.	
7.	3.1.3	9	The report has misinterpreted the TRCA's TNHSS, implying that the TNHSS has given the peninsula an "urbanizing" designation. The TNHSS used 3 broad swaths from the southern part of the watersheds that is currently built up	Please correct the text of the report.

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			and was labeled "urban" areas in the middle reaches of the watersheds that are generally within the urban boundary but are not completely built out yet were described as "urbanizing" and the northern parts of the watersheds outside the existing urban boundaries are described as "rural". These are not land use designations such as one finds in an official plan or under the planning act.	
8.	3.1.3	9	The evaluation of the natural cover has been refined in the Humber Watershed Study. The Study shows the evaluation of the existing natural cover with scores of fair (for the peninsula area). The target system shows the scoring of the area as still fair, however, the areas around this part of the Humber Watershed improve the score to "good". It is important to note that improvements within the system not only affect an individual patch, but the patches then influence each other resulting in a much improved system.	Please revise the report to correctly represent the results of the modeling as shown in the Humber Watershed plan.
9.	3.1.5	9	There is updated geo technical information and it is unclear whether or not that information has formed part of this analysis	Please confirm that the most recent geotechnical recommendations have been included in the EIS.
10.	3.1.7	10	The report refers to the "development limit" defined by TRCA in 2004. This is incorrect. This represented the limit of the "features" (either top of bank or dipline). The development limit has yet to be determined and will be based on appropriate buffers from the natural heritage features and natural hazards.	Please correct the EIS.
11.	3.1.7	10	It is unclear whether the conclusion regarding the stability of the slopes is based on the most recent geotechnical information or whether is also looks at toe erosion risks as well as inherent slope stability.	Please confirm
12.	3.2.1	11	The report mentions remnants of farm buildings and paddocks within the forested valley lands. Where are these in relation to the peninsula? This section mentions the fact there has been regeneration of many areas in Block 40/47 over the last 50 years. This	Please indicate where these elements are found in the forests surrounding the peninsula.

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			ecologically improved condition should be protected, enhanced and managed.	
13.	3.2.2	13	What is the source of the groundwater seepage areas that have been identified in the valleys? Are they associated with the ORAC?	Please clarify in the report.
14.	3.2.3	15	Reference is made to Reach 92 on Figure 6, however it cannot be located. From the description provided it, would appear that reach 92 should have been assessed using the HDF guidelines. It appears from the text that the HDF assessment was only used as it relates to the habitat for RSD. This Guideline is applicable to all such features. The report indicates that this reach is one of the sources for the PSW (unit #133). As such needs to be assessed in terms of maintaining the features based water balance for the wetland.	Please provide a figure showing the location of Reach 92. From the review of the text of the document and Appendix 7 it does not appear that the HDF guideline has been properly employed in the analysis. (see comments on Appendix 7)
15.	3.2.2	16	The report indicates that the table lands of Block 40/47 do not provide a recharge function contributing to baseflow in Purpleville Creek, however there is no discussion on any possible contributions to the PSW that is associated with the valley. The report has identified a number of seepage areas on the valley wall. What is the source of this water? Is it locally recharged? What is the role of this water in terms of the water balance for the various wetland units? The report states that the valleylands are shown on Figure (2a) in a "general way". As noted earlier a reference plan is required.	The report needs to be updated to include the assessment of the impacts on the water balance for the PSW related to reach 92. Clarification and additional information is required to address these questions.
16.	3.2.4	16		Please provide a proper reference plan depicting all the pertinent constraint lines.
17.	3.2.4	18	The report notes that 81% of the vascular plants found on and adjacent to the peninsula are native to Ontario. We note that this is exceptionally good for the TRCA jurisdiction where typically we find around 30% non-native. As noted earlier, the HDF guideline has not been properly applied. Reach 5B for example is not a HDF it is a	No action required.
18.	3.2.4	20		The application of the HDF guideline appears to have not been correctly applied. (see comments on Appendix

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			watercourse in a well-defined forested valley.	7. *Note that the updated/finalized HDF guideline has been approved and is on the website.
19.	3.2.4	21	Note that "log turning" would not identify the presence of Jefferson Salamanders as they are mole salamanders. Were field observations made for egg masses?	Please clarify. If the investigations were not conducted it is not appropriate to conclude Jefferson or other mole salamanders are not present.
20.	3.2.4	23	Please note that the TRCA ranking of species is not a rarity ranking (although "element occurrence" is one of the factors considered in the ranking). L1-L3 species are considered of "conservation concern" based on a number of factors that are affecting their distribution and persistence within watersheds.	Information only
21.	3.3.1	26	The statement that "most of the wetland habitat provides none of the wildlife functions often attributed to wetlands". This statement is inaccurate and not supported by the information that is available on these wetlands.	Please delete this statement.
22.	3.3.1	27	The report states that "tableland wetlands do not have any groundwater recharge function." if water is held on the land (even on tight soils) some of it will infiltrate.	Please clarify and elaborate on this statement
23.	3.3.1	28	Species richness is not the only measure of biodiversity, since some of the most important and vulnerable habitats (mature forests) may, in fact have low species diversity compared to some edge or disturbed habitats. One must also look at the contributions to the overall biodiversity of the larger landscape as well as species that are "conservative" in terms of their exacting habitat needs.	Please revise.
24.	3.3.3	28	The discussion on social benefits does not really include the most recent thinking on quantification of "ecosystem services" and as a result, downplays the value of the natural heritage system both locally and more broadly in the landscape.	Please add such considerations to the discussion.
25.	3.3.4	28	The discussion on Wildlife corridors should be a discussion of habitat connectivity. A more comprehensive evaluation of landscape permeability and changes to this as a result of the conversion to urban uses needs to be provided.	Please revise

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			Landscape connectivity goes beyond migration to include functions like movement between habitats to complete life cycles, dispersal, foraging etc.	
26.	3.3.5	30-32	The assessment of species under the Endangered Species Act needs to be confirmed and accepted by MNR and included within this report.	Please provide confirmation from MNR that the assessments and conclusions are appropriate.
27.	3.4	32	The statement that TRCA used the 2005 PPS definition of a natural heritage system is not totally correct. The development of our system was undertaken before the 2005 PPS. Having said that, our work is consistent with what was contained in the earlier versions of the PPS as well as the 2005 PPS.	For information.
28.	3.4.1	34	The report incorrectly interprets the terrestrial targets for the TRCA's TNHSS and the Humber watershed. The targets are set for the landscape (region, watershed) they are not confined to greenfield development or a specific development area. Even though a proposed development area may already have more than 30% forest cover, there is still the need for it to contribute positively to the "target" or expanded system that is required to maintain the natural heritage values (biodiversity and other ecosystem services) for the watershed. It is inappropriate to apply the targets in isolation to a given development area.	Please revise and indicate how the proposed development here will contribute to achieving the expanded natural system identified in the TNHSS and the Humber Watershed plan.
29.	3.4.2	34	This section should clearly note that the identification of KNHFs and KHFs includes features that may not have been mapped by the Region.	Please clarify
30.	3.4.4	35	This section does not speak to the basic principles of system expansion, and the negative matrix influences associated with urban development.	Please revise to consider these principles.
31.	4.1	35	This section incorrectly refers to the "development limit" established in the field by TRCA. TRCA has not established the "development limit". Any areas that have been surveyed in the field with TRCA represent the limits of the feature not the development limit. This is a key and fundamental error.	Please revise

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32.	4.2	35	The development limit will be based on the evaluations and assessments to determine where a buffer greater than the 10m minimum along with other mitigation measures that will be required to ensure the long term protection of the feature and the persistence of the important habitat functions. Natural hazards (slopes, erosion, flooding, hazard trees etc) must also be considered. The reference should be to Appendix 8? The plan does not appear to respect the long term stable top of bank or provide for development outside of setbacks adjacent thereto in various locations.	Please revise the plan as indicated "beyond stable top of bank and outside of setbacks required."
33.	4.2	36	The report states that "minor alterations to grades to allow drainage from the rear half of the proposed lots to flow uncontrolled to valleylands as per the existing conditions" The report goes on to say that "rear lot grades will match the existing grades of the development limit buffer". Uncontrolled or concentrated urban drainage over the top of bank is a significant concern. Erosion or damage to the existing forest vegetation on the slopes will negatively impact the natural heritage values and could lead to additional slope hazards for the new development. It is unclear where and why the grading mentioned would be required and whether or not this grading can all be contained within the development envelopes. The statement is not substantiated. The peninsula exhibits a fair bit of topography (as does the rest of block 40/47). There are no plans included that demonstrate that all the grading can be retained within the development lots and that there will be no need for grading in the buffer or large retaining walls.	Please clarify and provide the supporting documentation and analysis within the report.
34.	4.2	36	The proposed storm drainage system is not contained within the document, including the proposed storm pipes	Please provide the FBWB information and the details of the storm water scheme to us for review.

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			that will take storm water from the peninsula lands to the SWM facility on the lands to the north. How will this be accomplished? How will the grades work?	Please revise the report to adequately address the impacts associated with the post development stormwater management scheme.
			The report also references a features based water balance prepared by EMC (2103) however, this report is not included. According to the report, the proposal is to have infiltration trenches on the road ROW on the peninsula as part of a LID strategy and that access water from these will be directed to the valley lands to the south. This is concerning. The information contained within this report suggests that infiltration techniques will not work on the peninsula due to the tight soils. So it is unclear whether infiltration LIDs are appropriate or feasible. What are the impacts of directing the access flows into the valley in terms of features based water balances (for forests, wetlands and HDFs) and in terms of potential erosion and slope impacts. All of this needs to be evaluated and discussed in this report.	Please provide documentation that any grading will be able to be contained within the development envelopes and will not require grading within the buffers or retaining walls.
35.	4.3	all	The report contains a number of blanket statements about there being no negative impacts that are not substantiated	All statements need to be supported and substantiated, and where impacts are acknowledged, potential mitigation measures should be considered.
36.	4.3	37	As noted elsewhere, the HDF evaluation done does not appear to be correct.	Please revise the report based on the correct analysis.
37.	4.3	38	As noted above the information on the stormwater, LID and features based water balance have not been provided to substantiate the claim that there will be no impacts.	Please provide the substantiating information and analysis.
38.	4.3	39	The assessment of impacts should also include uncontrolled access, and encroachments that could negatively impact on habitats or directly on the species. The statement that there will be no direct or indirect impacts on snapping turtles is not substantiated. What about turtles trying to use the gravel trail substrates for their nests and the impacts on their eggs?	Please revise the report to provide a more comprehensive assessment of direct and indirect impacts to substantiate the conclusions presented.

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39.	4.3.1	40	The broad statement about there being no cumulative impacts is unclear as to whether this is in general or on snapping turtles? The report indicates that the permit application to MNR will specify the mitigation and compensation required for impacts of the crossing of Trib 5. It should be noted that this watercourse is also regulated by TRCA and this information will also need to be provided to TRCA for review and to ensure that it meets the regulatory requirements. Without this information it cannot be confirmed that there will be no negative impacts on the aquatic system and fish habitat. As noted earlier the HDF evaluation appears to have not been conducted correctly. The report indicates the requirements to apply the general mitigation recommendations from the HDF guideline, but does not provide any information what exactly will be implemented and if it is feasible.	Please provide the information and analysis to substantiate the claims of no impacts.
40.	4.3.1	41	The report states "it is clear that there will be no direct, indirect or cumulative impacts to the PSWs". Again this claim is not substantiated. The features based water balance has not been provided. There is no discussion of surface contributions. The report suggests that excess stormwater from the LIDs will be directed through an HDF to one of the wetlands.	Please revise the report to contain the required information and analyses to support the conclusions being provided.
41.	4.3.1	41	The report states that there will be no impacts on the valley landform with the new proposed road. The development plan shows the new crossing to be wider than the existing farm crossing and to be offset to the west. In addition the new road appears to be encroaching on the Top of bank of the valley as it turns west onto the peninsula lands.	Please revise the report with the appropriate information and analyses to support the claims of no impacts to the valley.

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			No information is provided on how the storm water from the road and snow removal will be handled so as to prevent any erosion of the valleylands (as well as impacts on the watercourse and water quantity and quality.) What other servicing (Sewers, water etc) will be required to cross the valley? Where will it be located? How will it be constructed? The report states that the loss of tree cover will be more than made up for through the proposed edge management and restoration proposed for the Block. No details are provided on this so again the claim cannot be substantiated.	
42.	4.3.1	43	The report indicates that the forested valleylands represent Significant Wildlife Habitat (SWH). We concur with this assessment as it is supported by the TRCA data and the information collected by the consultant. In terms of potential impacts, the report does not speak to the impacts that would occur to the SWH should a trail be located within the valley lands. It is anticipated that such a trail would have impacts and this needs to be addressed.	Please confirm with the City that they will be not be seeking trail access through the valley south of the peninsula.
43.	4.3.1	44	As it relates to the impacts on SWH TRCA does not agree with the conclusions of the report that there will not be any direct or indirect impacts from the proposed development on the peninsula nor the conclusion that there is no need for a vegetated buffer. Our experience in Vaughan and elsewhere in our jurisdiction is that development has a number of negative impacts both direct and indirect. There will be ongoing direct impacts associated with dumping and encroachments that can damage the forest edge and result	

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			in the loss of vegetation, which in turn makes the slopes vulnerable to erosion and further loss of habitat. This dumping of garden waste not only damages the forest but can also introduce invasive species into the natural habitats. Access by domestic pets poses a significant risk to sensitive species (especially ground nesting birds). By-laws have not been shown to be effective in preventing this. There is not enough enforcement and by the time an infraction comes to the attention of by-law enforcement, the damage is done. Urban development can be more hospitable to urban tolerant wildlife (including nest parasites such as brown headed cow bird and predators such as blue jays) thus affecting vulnerable species. Indirect impacts from light, noise and on-going human presence can extend many metres into the habitats thus affecting area sensitive, forest dependent species. These are just a few of the impacts that will be associated with the new proposed development and thus the conclusions in the report are incomplete and incorrect. The argument that the development of the peninsula will not contribute to the cumulative impacts on the SWH because of the urban uses already present within the landscape is incorrect. The additional impacts of development on the peninsula (and block 40/47 generally) will indeed contribute to the cumulative impacts. Proposals need to be cognizant of these existing stressors and strive to mitigate or offset them.	

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44.	4.3.1	45	Wild turkey are year round residents. They use both the forested areas for roosting and cover and the open fields for foraging. The conversion to urban uses will affect the habitat for wild turkey. Therefore, again the conclusion of no impacts is incorrect.	
45.	4.3.1	46	The report states that "no aspects of the development will directly impact the riparian zone". TRCA agree that no roads or crossings are proposed, however, it has yet to be confirmed that there will not be a trail. Also the development could have a number of indirect impacts including changes in hydro period (water balance), potential damage or changes in the forest cover and slopes that would influence the habitat setting of the wetlands and thus the species using them.	
46.	4.3.1	47	Again the conclusion is not substantiated. The report does not recognize that currently the peninsula and landscape in Block 40/47 is relatively permeable for animal movement. This will change with urban uses. The impact needs to be properly addressed.	
47.	4.3.2	48	The peninsula is included in the "target" terrestrial system identified in the TNHSS and the Humber watershed plan. The restoration of the peninsula will positively influence the size and shape of the habitats in this part of the system. The improvement is not only in the amount of habitat at the site, but it also has a positive influence on the other habitats associated within this part of the watershed. This can be seen on the maps of the evaluated system included in the TNHSS and Humber Watershed Plan. The loss of this opportunity for improvement should be considered in the impact assessment.	
48.	4.3.2	49 -50	The report indicates that there will be impacts to the integrity and long term health of the system with or without	

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			development on the peninsula, yet does not offer anything in terms of what can be done through this development to reverse this trend. This statement suggests that the earlier conclusions provided in the report that there will be no impacts from this development are, in fact, incorrect. The statement that restoration of the peninsula will not have a positive influence on the natural heritage system is erroneous. The modeling and analysis done for the TNHSS and the Humber Watershed Plan do show a positive influence as noted above.	
49.	4.4	50	One of the recommendations is to restore buffers. However the report is not recommending buffers. There is a recommendation that signage be installed along the fences where the development is adjacent to the valley indicating that the area is environmentally sensitive. Is this just for the construction phase. Would it be associated with the sediment fencing? There is a recommendation that the outlet to the valley for the LID measures be monitored for erosion. No information is provided on this outlet. Erosion and water balance are both areas that could be impacted. The report should provide the information related to this. There is a recommendation that the encroachment by-law be enforced. It is difficult to enforce a by-law when there is no access to determine if encroachments are occurring (no buffers are being recommended). Also enforcement of the by-law is reactive after the damage has been done. It is difficult to police pool water being drained to the valley. Are there alternatives? Home owner brochures can be informative and educational	Please clarify

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			but their utility is limited since they usually are only provided to the initial owner and are not extended when homes change hands.	
50.	4.4.3	53	Please note that the crossing of the tributary for the road and any bank restoration works will also require approval from TRCA as well as MNR	
51.	4.5.1	53	The report indicates that the diversity of natural features and the natural connection will be improved through restoration. This appears to be in contradiction to statements earlier in the report that said that even the restoration of the peninsula lands would not result in an improvement to the natural system.	Please clarify
52.	4.5.2	54	The report suggests that the proposed storm water management scheme will not cause any erosion or impacts on aquatic systems. No details are included in the report to support this contention. Monitoring for erosion associated with the LID outlets is not a mitigating measure and seems contradictory.	Please clarify and provide the information
53.	4.5.3	55	The report claims crossing will not result in any negative impacts. As noted earlier the information to support this conclusion has not been provided.	Please provide the information to substantiate this claim
54.	5.1	57	States that the peninsula is not part of the NHS identified by TRCA. The peninsula is identified in both the TNHSS and in the refined system identified in the Humber Watershed Plan	Please make the correction.
55.	Appendix 4		The report contains the maps of the existing conditions evaluated, but does not contain the mapping of the evaluated target system. It is these analyses that show the improvements that would result if the target system were protected and restored	Please include the additional information.
56.	Appendix 5	2 of 7	The report from soil engineers notes that there is toe erosion on tributary 5.	The allowance provided ranges from 0 metres to 8 metres. Please provide a rationale for the variation based on each location.
57.	2.2	1	Note that 2012 was an unusual year due to the warm winter and no snowfall or spring freshet for evaluating the	

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58.	3.1.1	3	functions of HDFs. The evaluation should describe the slope and soils of the HDFs.	
59.	3.2.1	4	The report indicates that the seeps appear to be the function of shallow groundwater rather than being supplied from groundwater at depth. This appears to be in contradiction to the assessments in the main report that say the groundwater contributions are the result of the ORAC which has its recharge outside the study area. What is the source of the shallow groundwater? Will the sources be impacted by the proposed development? How will the seeps be protected in the long term?	Clarification is required.
60.	5.0	5	Why are reaches 5B and 7A not mentioned for mitigation? Note that 5B and 5A are not HDFs, but watercourses within a very well defined valley. It is the inclusion of reaches that are not HDFs that implies that the guideline has not been properly applied	Clarification is required
61.	Table 1	7	What aspects of the OSAP protocol were used? It should be noted that the updated HDF guideline is now a module under OSAP	Please clarify
62.	Table 7	14	As noted above it is unclear why reaches that are well defined watercourses in large valleys are being considered as HDFs. Even so the assessment that these well defined and forested valleys are not considered part of a terrestrial linkage does not make sense. They are well connected to the main Purpleville Creek and to the Humber. 5B is also part of the forested valley so why is this not documented in the table.	Please correct
63.	Table 8	15	Why is 5B not considered contributing habitat? Why is 5C not included in the table?	Please clarify
64.	Appendix 8		The plan does not clearly identify the constraint areas (including natural hazards). The features line staked by TRCA is not shown on the plans, is it the same as the line labeled as being staked by Schaeffers? It appears that at the eastern end of the peninsula that the proposed buffer is	A proper reference plan showing all the constraint lines and a development design that protects the features (This includes the long term stable top of bank) and their associated buffers needs to be prepared.

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			actually below the top of bank. Where is this line in relation to the dripline of the forest? It also appears that the road access is on the valley slope below the top of bank. There are a number of areas where there are no buffers against the features. One of these, on the southern side of the Peninsula, appears to be against a very steep part of the valley slope. As noted earlier, the limit of the features is not the development limit, although that is how it is labeled on the plan.	The plan should also show all the other servicing such as the sewers and the outfall for the LID that is mentioned in the report.
65.	Water Resources SWM report	34	It has been stated that the Peninsula Parcel has been graded to route the stormwater both major and minor to SWM Pond No 3, which has been designed to accept drainage from the Peninsula Parcel. However we note in Figure 3 the drainage from Area 5 is directed to the valley on the western side and the drainage to the east conveys to a low point on the road on the Peninsula Parcel. Thus it is not clear how the drainage will be directed to Pond 3. For the Peninsula, assuming the 20 m Low Impact Development (LID) right of way with swale boulevards and an infiltration gallery will provide quality control, it is not clear how major flow will be routed and dispersed on the valley wall and if any erosion control will be provided through the proposed LID on the right of way.	Further discussion and clarification is required regarding this issue.
66.				
67.	Geotechnical		The proposed development pattern on the Peninsula does not respect the required 10 metre setback from the long term stable top of slope.	Please revise accordingly.
68.			The location of the proposed road providing access to the Peninsula is located on the side of the slope within the valley.	
69.	Hydro-geological		The consultant suggests that the testing used to characterize conditions in other locales of Block 40 /47 area would be applicable to the Peninsula. TRCA hydrogeology staff expect site-specific field investigations be undertaken to characterize groundwater discharge conditions as they relate to seepages noted on the south slope of the	

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			Peninsula. TRCA hydrogeology staff appreciates the reference to the recent Humber River Watershed Report in their literature search on groundwater contribution to Purpleville Creek, however, the report represents regional conditions and may not be reflective of the local site-specific conditions. The consultant suggests that due to the number of test boreholes done on other parts of the property, similar conditions exist locally on the Peninsula. TRCA staff does not concur that just because certain hydrogeologic conditions exist within the study area, that such conditions also characterize the Peninsula lands. Site-specific investigations are required to characterize the peninsula hydrogeologic conditions. The rationale of such site-specific investigations is to ensure an understanding of the functioning and source of the seepage zones on the south slope of the peninsula, especially if the seepage originates from sections of weathered till.	
70.			Based on the content provided in the revised EIS report by Azimuth Environmental, the consultant apparently has not included a copy of the Soil-Engineer Borehole log BH1 referenced back to their slope stability letter of August 16, 2011. This item remains to be addressed.	
71.			Groundwater level data used was last measured in December 2007 and were used to generate the interpreted groundwater contour map and flow direction. The report does not appear to contain any table or hydrograph of the mini-piezometers installed around the peninsula, especially related to the identified seepage zones. From existing data or if not available, undertake an appropriate monitoring program, the consultant should evaluate groundwater level fluctuations in deep monitoring well(s) completed into the Oak Ridges Moraine Aquifer and shallow piezometers adjacent to south seepage zones to determine possible hydraulic interconnection.	
72.			The EIS does not address the potential impacts related to	

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73.	Planning		servicing through the valley. The Peninsula EIS has not been included as part of the MESP.	
74.			The EIS does not assess the development potential as was directed within the Council resolution in accordance with City and TRCA criteria provided by the City in July 2012.	
75.			The EIS report does not satisfy the policy tests in that potential solutions to address any impacts are limited and by-law based.	
76.			Impacts associated with wetlands are not based on the limits of the wetlands as staked by MNR.	
77.			There are unevaluated wetlands that require evaluation to determine their status.	