



C 29  
COMMUNICATION  
CW - June 4/2019  
ITEM - 2 & 4

Don Given  
905 513 0170 x109  
DGiven@mgp.ca

June 4, 2019

MGPFile: 13-2206

Mayor and Members of Council  
Vaughan City Hall  
Mayor and Council Offices  
2141 Major Mackenzie Dr.  
Vaughan, ON L6A 1T1

Via email: [todd.coles@vaughan.ca](mailto:todd.coles@vaughan.ca)

**Attention: Mr. Todd Coles**  
City Clerk

*for Distribution to Council Members*

**RE: Response to comments since the February 5, 2019 City of Vaughan Public Hearing  
11363, 11063 & 11191 Highway 27, City Vaughan  
Kirby 27 Developments Limited & East Kleinburg Developments Inc. / 1045501  
Ontario Limited  
City of Vaughan File Nos.: OP.17.007 & OP.17.008  
Items 2 and 4, Committee of the Whole Agenda for June 4, 2019**

Malone Given Parsons Ltd. ("MGP") is the planning consultant for Kirby 27 Developments Limited ("Kirby") & East Kleinburg Developments Inc. / 1045501 Ontario Limited ("East Kleinburg"), owner of lands south of Kirby Road, east of Highway 27, municipally known as 11363, 11063 & 11191 Highway 27, City Vaughan.

On behalf of Kirby and East Kleinburg, MGP is pleased to provide this letter to address comments received regarding the applications noted above since the February 5, 2019 City of Vaughan Public Hearing and to support staff recommendations.

Kirby and East Kleinburg would like to thank Members of Council, specifically Councillor Iafate and members of the public, for taking the time to meet and provide comments on the proposed amendments as well as City of Vaughan staff and other agencies for their thorough review of the applications. We look forward to working with staff through the subsequent development approval process required for these proposals.

#### **Purpose of the Official Plan Amendments**

The purpose of the Official Plan Amendments is to amend the City of Vaughan Official Plan (2010) ("VOP 2010") to re-designate portions of the Kirby 27 lands from "Agricultural" and "Natural Areas" to "Low-Rise Residential" and to re-designate portions of the East Kleinburg lands from "Private Open Space", "Agriculture" and "Natural Areas" to "Low-Rise Residential" and "Low-Rise Mixed-Use". The City of Vaughan Committee of the Whole Staff Reports, dated June 4, 2019 recommend approval of both applications, subject to recommendations found in those Reports.

The Toronto and Region Conservation Authority ("TRCA") has no objection to the Official Plan Amendments. The Region of York has no objection to the Official Plan Amendments and has exempted them from York Region approval. Copies of the letters from the TRCA (May 3, 2019) and the Region (May 3, 2019) are attached to this letter.

### **Proposal**

The applications propose to redevelop vacant land (approximately 17 ha) and 9-holes of the Copper Creek Golf Course on tableland (approximately 38 ha) for a residential neighbourhood including Low-Rise Residential uses, parks and a school, and a Low-Rise Mixed-Use Block with a maximum height of 3 storeys and an FSI of 1.5. Access to the neighbourhood is proposed from Kirby Road and Highway 27, incorporating the existing entrance of the Copper Creek Golf Course leading to the clubhouse. Natural features have been staked, studies completed and appropriate limits of development established to protect the existing landscape within the valley, all to the satisfaction of the TRCA and City staff.

### **Comments Received Since the February 5, 2019 City of Vaughan Public Hearing**

Comments received include comments from the public at the February 5, 2019 City of Vaughan Statutory Public Hearing, the March 20, 2019 Non-Statutory Community Meeting and additional comments to date, which are part of the public record. Comments received from agencies include the Region of York, the Toronto and Region Conservation Authority, the City of Vaughan Parks Department and Development Engineering Department.

### **Response to Public Comments**

Comments received have been grouped under issues expressed and addressed accordingly.

### **Transition under the Greenbelt Plan, 2017**

Transition under the Greenbelt Plan applies to approximately 5.30 ha of the land adjacent to the limit of development along the valley, of which approximately 2.8 ha will be developed for residential uses and 2.5 ha will remain as golf course. The lands are transitioned under application of Greenbelt Plan policy 5.2.1, which allows relevant policies from Official Plan Amendment 601 ("OPA 601"), as amended, to be implemented through this Official Plan Amendment and subsequent development applications. OPA 601 was in force prior to the Greenbelt Plan coming into force. Schedule 2 "Natural Heritage Network" of VOP 2010 is not approved and pending same, the policies of OPA 601 continue to apply to those lands. The development limits have been established by the TRCA through site visits and staking of the valley limits or calculation of the Long-Term Stable Top of Slope as per OPA 601.

City of Vaughan Planning staff in their Staff Report to the June 4, 2019 Committee of the Whole Meeting agree that the lands have transitional status. York Region Community Planning staff also agree that the lands are transitioned in their comment letter dated May 3, 2019.

### **Transportation**

As per the Transportation Assessment prepared by Poulos and Chung Ltd., little, if any planned growth in population and employment by 2031 is forecast to occur in the immediate surrounding area. The City of Vaughan Transportation Master Plan 2016 and Poulos' study concludes that the existing one lane of traffic in each direction on Highway 27 and Kirby Road is sufficient to accommodate the total 2027 traffic demands of existing traffic, growth in background traffic and the proposed Kirby and East Kleinburg traffic.

The traffic flows generated from this proposal can be accommodated at the boundary road intersections by the introduction of exclusive left / right turn lanes with appropriate traffic control devices. Poulos' assessment also states that although signal warrants are not met at the intersection of Street 'B' and 'C' and Highway 27, the Assessment concludes that traffic signals should be installed at these locations. The placement of these traffic signals will provide gaps in traffic, improving the intersection of Vivot Blvd to the west and Highway 27. Other improvements to proposed intersections may be required, such as driver sight line improvements at the intersection of Street 'A' and Kirby Road by lowering the profile of Kirby Road.

The transportation demand generated by the Kirby and East Kleinberg proposal can be served by the existing infrastructure with minor improvements. Further refined studies will take place through the subsequent development approval process, which include a scoped Block Plan process and Draft Plan of Subdivision/ Zoning By-law Amendment applications.

The proposed internal road network within the Kirby Plan has been updated to accommodate a mix of unit types including single detached homes with rear lane access. Laneway access product limits driveways onto minor collector roads and limits conflicts with multi-use paths. Additional trail connections will be reviewed during the development approval process. Proposed Street "I" is now shown providing access to 5841 Kirby Road if the owner chooses to file development applications. Further study of these internal roads will take place during the future development approval process and the applicant will continue to work with the City's Development Engineering Department.

Highway 27 is planned, as per the Region of York Transportation Master Plan, 2016, to be widened to 4 lanes from Major Mackenzie Drive to Nobleton in the 2022-2026 time period and is expected to result in improved capacity concurrent with the occupancy of housing in the Kirby and East Kleinburg lands. The Applicant will meet with the Region to review their plans and incorporate their direction with respect to lane configuration and other transportation related matters through the subsequent approval process.

#### Environmental

Environmental Impact Studies, Hydrogeological and Water Balance Studies, Preliminary Geotechnical Investigations and Slope Stability Analyses, Phase One and Two Environmental Site Assessments, and a Functional Servicing Report (FSR) have been completed. As per the FSR, the proposed development and stormwater management pond is not within the Regional Floodplain. The stormwater outlet pipes are within the Regional Floodplain, which is common practice. The Water Balance for the development will be further detailed through the future development approval process with the objective of maintaining a pre-development water balance. Well water supply to adjacent properties will be maintained and will be studied further through future planning applications. An Environmental Noise Study will be completed and submitted for review through subsequent applications.

A Long-Term Stable Top of Slope along the edge of the valley was determined subsequent to the February 5, 2019 Public Hearing with negligible change to the East Kleinberg Plan. The valley lands in the eastern portion of the site are proposed to be maintained in private ownership as to permit the continued operation of a 9-hole golf course in the valley, as it is now.

Beacon Environmental, the Environmental Consultant to the Applicant, has provided a letter responding to the letter from David Donnelly (on behalf of Humberplex Developments). A copy of the letter from Beacon Environmental (June 3, 2019) is attached to this letter. This Beacon letter



provides a complete and comprehensive response to the Donnelly Law letter and explains why the concerns raised in the Donnelly letter are without merit. It is obvious from the contents of that letter that there is a fundamental misunderstanding of the land use planning process in the City of Vaughan and the matters to be addressed at this Official Plan stage versus subsequent development approvals. It is noteworthy that the TRCA have no objection to the proposed Official Plan Amendments, as per their letter dated May 3, 2019 (attached). The TRCA, together with the City, guard the public interest; not Humberplex Developments.

#### Engineering

The Stormwater Management Pond is proposed to be a retrofit of an existing Copper Creek Golf Course irrigation pond within the valley. The TRCA and the City of Vaughan Development Engineering Department have no objection to the use of the pond subject to further study through future development applications.

The proposed sanitary pumping station originally proposed within the Kirby 27 site is now proposed on the 5841 Kirby Road property. The pumping station will be in proximity to the existing entrance to the 5841 Kirby Road property near Kirby Road within the Greenbelt Area boundary. This general location is the ultimate site for a sanitary pumping station as determined by the Applicant's engineering consultant, SCS Consulting Group Ltd. and the City's Kleinburg-Nashville Servicing Strategy Class Environmental Assessment Study. The City Development Engineering Department have no objection to the proposed servicing solutions subject to further review through the development approval process. This infrastructure is permitted within the Greenbelt.

#### Compatibility

The majority of the proposed development is for ground related residential uses similar in form to the existing community of Kleinburg. The former "Mid-Rise Mixed-Use" designation had a maximum height of 12 storeys whereas the current "Low-Rise Mixed-Use" is proposed to have a maximum height of 3 storeys and an FSI of 1.5.

Along the southern property line of the existing golf course, the applicant is proposing a tree preservation area within the rear of the proposed lots to maintain community character and provide transition from the proposal to the Mansions on the Boulevard subdivision to the south (i.e. the Humberplex development). The tree preservation area will be implemented through exceptions to the City of Vaughan Zoning By-law and/or Restrictive Covenants over the future residential lots in favour of the City of Vaughan. The proposed lots along this shared property line are larger than the lots to the south and provide ample privacy and compatibility.

As per City of Vaughan Parks Department comments dated March 22, 2019, park locations were adjusted within the proposed development to provide more usable and functional park space.

**Closing**

We would like to thank Council for their time in reviewing this letter. We look forward to your decision on the Official Plan Amendment applications for Kirby 27 Developments Limited & East Kleinburg Developments Inc. / 1045501 Ontario Limited (OP.17.007 & OP.17.008) and working with staff through the subsequent development approval process required for this development.

Should you wish to discuss this letter further please do not hesitate to contact the undersigned at 905-513-0170x.109.

Yours very truly,

**Malone Given Parsons Ltd.**

A handwritten signature in blue ink, appearing to read 'Don Given', is positioned above the printed name.

**Don Given, MCIP, RPP**

cc: Jason Schmidt-Shoukri, City of Vaughan  
Mauro Peverini, City of Vaughan  
Mark Antoine, City of Vaughan  
Silvio De Gasperis, TACC Developments  
Aaron Hershoff, TACC Developments  
Jack Eisenberger, Fieldgate Developments  
Carlo Stefanutti, Fieldgate Developments  
Ira T. Kagan, Kagan Shastri LLP  
Jo-Anne Lane, Beacon Environmental  
Nick Poulos, Poulos & Chung Limited  
Lindsay Moore, SCS Consulting Group Ltd.  
Thomas Kilpatrick, Malone Given Parsons Ltd.

Att/4

May 3, 2019

Mr. Mauro Peverini  
Director of Development Planning  
The City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario, L6A 1T1

Attention: Mark Antoine, Senior Planner

**Re: Kirby 27 Developments Limited  
City of Vaughan  
Your File No.: OP.17.007  
York Region File No.: LOPA.17.V.0036**

This is in response to your request for comments for the above-captioned Official Plan Amendment ("OPA") application. The subject site is approximately 23.55 hectares (58.19 acres) in size, and is located on lands municipally known as 11363 Highway 27, which is at the southeast corner of Highway 27 and Kirby Road. Highway 27 is a Regional road and Kirby Road is under the City of Vaughan's jurisdiction.

The proposed development consists of a residential neighbourhood with approximately 200 low-rise residential units and a public park, on the tableland portion of the subject lands.

**Purpose and Effect of the Proposed Official Plan Amendment**

The new Vaughan Official Plan 2010 ("VOP 2010") is the in-force Plan applicable to the subject site. Schedule 1 – Urban Structure, of the VOP 2010, identifies the site within the Community Area and Greenbelt Plan Area. Schedule 13 – Land Use designates the subject site "Agriculture", and "Natural Area" within the Greenbelt Plan Area.

The purpose of the proposed OPA is to amend the VOP 2010, specifically, Volume 1, Schedules 9 and 13, and Volume 2, Schedule 14-C and Chapter 13 Site Specific Policies to bring the subject property into conformity with the Vaughan Official Plan, the York Region Official Plan (2010) and Provincial Policy pertaining to the site by re-designating the current land use from "Agricultural" and "Natural Areas" to "Low-Rise Residential" and "Natural Areas".

According to the applicant's addendum planning justification report, prepared by Malone Given Parsons Ltd., dated December 5, 2018, the subject lands are transitioned



from the Greenbelt Plan through application of Greenbelt Plan policy 5.2.1. This is made possible by bringing forward relevant policies from OPA 601, as amended, which was in force on the subject lands prior to the Greenbelt Plan, into the VOP 2010. York Region Community Planning staff agrees with this approach, as the natural heritage features are appropriately protected from development. The limits of development are determined through detailed environmental assessments completed to the satisfaction of the Toronto and Region Conservation Authority.

#### **Conformity with the York Region 2010 Official Plan**

The subject site is designated "Towns and Villages" and "Greenbelt Protected Countryside" by Map 1 – Regional Structure of the York Region 2010 Official Plan ("ROP 2010"). Map 2 – Greenlands shows the natural heritage features as "Regional Greenland System". Map 3 – Environmental Significant Areas and Areas of Natural and Scientific Interest shows that there are "Environmental Significant Areas" within the Regional Greenland System. Map 5 – Woodlands shows that there are also "Woodlands" within the Regional Greenlands system. Map 8 – Agricultural and Rural Area shows that the lands within the Greenbelt Plan are "Agricultural Area". Map 14- Highly Vulnerable Aquifers shows that there are areas of "Highly Vulnerable Aquifers" generally within the Regional Greenland System.

Regional Official Plan policies found in Section 2.1 – Regional Greenlands System, states that Regional Greenlands are to be protected and enhanced, and new development and site alteration in the vicinity of the System is to be controlled (Policy 2.1.1). The Regional Official Plan also directs local Official Plans to establish and protect greenlands systems from development and site alteration (Policy 2.1.4) and to more specifically identify and integrate the System into community design (Policy 2.1.5). The boundaries and the extent of the Regional Greenland System, as shown on Map 2 of the Regional Official Plan, are approximate. Refinements to the boundaries may occur through approved planning applications supported by appropriate technical studies (Policy 2.1.7).

The proposed Official Plan Amendment generally conforms to the York Region Official Plan. The natural heritage features are being protected from development and the tableland portions of the subject site are proposed to be designated to accommodate development of a new community.

#### **Exemption from York Region Approval**

Based on our review and assessment, this proposed OPA appears to be a routine matter of local significance. Furthermore, in accordance with Regional Official Plan policy 8.3.8, the proposed Amendment does not adversely affect Regional planning policies or interests.

Pursuant to Council authorization specified in By-law A-0265-1999-017, this application is hereby exempted from approval by Regional Council. However, this exemption from Regional approval is granted on the basis of TRCA's approval of the limits of development. This allows the Amendment to come into effect following its adoption by the City of Vaughan and the expiration of the required appeal period.

#### **Technical Comments from Regional Circulation**

The following summarizes technical comments received from the various commenting Regional Branches and Departments.

#### **Environmental Services**

Regional staff from Water Resources do not have comments on the OPA application, but provide comments for subsequent development applications. The applicant is advised that the property is located within a Significant Groundwater Recharge Area and WHPA-Q. As such the CTC Source Protection Plan water quantity recharge maintenance policy will apply. The proponent will be required to maintain recharge as demonstrated through a hydrogeological study that shows the existing (i.e. pre proposed development) water balance can be maintained in the future (i.e. post proposed development). Water Resources acknowledges that the proponent has prepared a Pre and Post Development Site Specific Water Balance Assessment (prepared by WSP Canada Inc., dated February 28, 2017) to address the CTC Source Protection Plan Water Balance Requirements. The contact person for the scoping and review of the water balance for Source Protection Plan conformity is Don Ford at TRCA.

The applicant is advised that Low Impact Development (LID) measures are encouraged to be applied to the site. As per York Region Official Plan policy 2.3.37, developments should maximize infiltration through integrated treatment approach techniques to minimize stormwater volume and contaminant loads. This should include, but not be limited to, techniques such as rainwater harvesting, phosphorus reduction, constructed wetlands, bioretention swales, green roofs, permeable surfaces, clean water collection systems, and the preservation and enhancement of native vegetation cover. The use of the following resource is encouraged: Low Impact Development Stormwater Management Planning and Design Guide and is available using the following link: <http://www.creditvalleyca.ca/low-impact-development/low-impact-development-support/stormwater-management-lid-guidance-documents/low-impact-development-stormwater-management-planning-and-design-guide/>

Regional staff from Infrastructure Asset Management (water and wastewater) advises that the residential development proposed within the application will require water and wastewater servicing allocation from the City of Vaughan. If the City of Vaughan does not grant this development the required allocation from the Region's existing capacity



assignments to date, then the development may require additional infrastructure based on conditions of future capacity assignment, which may include:

- West Vaughan Sewage Servicing – 2028 expected completion
- Other projects as may be identified in future studies.

The timing of the above infrastructure is the current estimate and may change as each infrastructure project progresses and is provided for information purposes only.

Based on the FSR provided, the wastewater and water servicing are summarized below.

#### Wastewater

The wastewater servicing for the proposed development relies on a new City of Vaughan wastewater pump station that discharges to the existing City of Vaughan sanitary sewer on Highway 27.

#### Water

The WSP's water analysis report needs to be revised. It should reflect the existing and planned water system conditions in that area. Their system understanding, as demonstrated in the report and used in their design and analysis, is not correct. As such, we advise WSP to use correct system boundary information in the analysis. Typically they should get the system information from the City of Vaughan. However, we are amenable to meet with the consultant if needed. The applicant is advised to contact Jhapendra Pokhrel, Water and Wastewater Modelling Engineer, at 1-877-464-9675 ext. 75512, for further assistance.

#### **Transportation Services**

Transportation staff have no objections to the proposed OPA application with regards to the land use.

The following Regional comments shall be addressed to the satisfaction of the Region prior to the subsequent development applications for the proposed development.

#### Technical Comments on the TIS

1. A review of the supporting Traffic Impact Study dated March 2017 indicates that the report used the old Guidelines (August 2007) for preparing Transportation Impact Study. It should be noted that effective January 1, 2017, all transportation impact study report must be consistent the Region's Transportation Mobility Plan Guidelines for Development Application (November 2016). As such, the Transportation Study shall be revised and submitted for further review.

2. The traffic count data shall be updated with the latest traffic counts. The traffic volume data was collected in May 2015. The Region does not accept traffic volume data more than three years old.
3. The Study shall analyse peak hours including weekend peak hours as Highway 27 is a preferred route of cottage-traffic to and from the north.
4. The Study shows peak direction future traffic volumes of +1600 during peak hours on Highway 27. This section of Highway 27 between Major Mackenzie Drive and Kirby Road is predominantly a two lane section. Implementation of signalized intersection to provide access to the proposed development will further decrease the capacity on Highway 27. Improvements such as widening of Highway 27 to four lanes between Major Mackenzie Drive and Kirby Road may be required to accommodate traffic generated by the proposed development. The revised study shall address this concern. The revised Study shall assess and identify the required improvements of Highway 27 between Major Mackenzie Drive and Kirby Road.
5. The Study area shall also include the intersection of Nashville Road and Highway 27 in the intersection operation capacity analysis.
6. The Study shall also recommend the pedestrian and cyclists facilities required on Highway 27 to accommodate and encourage alternative modes of transportation from the proposed development.
7. The revised report format shall be consistent with the Region's Transportation Mobility Plan Guidelines for Development Applications (November 2016), which includes the table of content, figures and list of table. Table 10 of the Guidelines should be filled out and attached to the final report.
8. The Study shall include existing and future level of service analysis for automobile, walking, cycling and transit modes of transportation, as outlined in the Region's Transportation Mobility Plan Guidelines.
9. A TDM checklist which is similar to Table 13 of the Transportation Mobility Plan Guidelines shall be provided that summarizes the programs and measures, responsibility of the Owner, and the estimated costs for these recommendations.
10. The TDM Plan shall provide at later stages of the development a communication strategy to communicate and notify the Region and the City of Vaughan to effectively deliver the Information Packages and pre-loaded PRESTO Cards to

residents. This strategy shall also include a physical location for distribution of the Information Packages and pre-loaded PRESTO Cards, if applicable.

The Region will provide additional comments on the revised Traffic Impact Study when it is submitted for review.

Preliminary Comments for Subsequent Development Application for this site

The following preliminary consolidated comments are provided for subsequent development applications. These comments are not an approval and are subject to modification. It is intended to provide information to the applicant regarding the Regional requirements that have been identified to date. More detailed comments will be provided through the Draft Plan of Subdivision application and/or at the subsequent Site Plan application.

**Transportation Planning**

1. Provide a basic 36 metre right-of-way for this section of Highway 27. As such, all municipal setbacks shall be referenced from a point 18.0 metre from the centerline of construction of Highway 27 and any lands required for additional turn lanes at the intersections will also be conveyed to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of the York Region Solicitor.
2. Agree in the Subdivision Agreement to provide interconnections with adjacent developments or existing communities in order to consolidate and reduce the number of accesses onto Regional roads (as per the Regional Official Plan Policy 7.2.53), where appropriate.
3. Agree in the Subdivision Agreement that the proposed development access be provided via local streets, shared driveways and interconnected properties to maximize the efficiency of the Regional street system (as per the Regional Official Plan Policy 7.2.53), where appropriate.
4. Provide direct pedestrian and cycling connections to the boundary roadways and adjacent developments to facilitate active transportation. A drawing shall be provided to illustrate the pedestrian and cycling connections and facilities, to the satisfaction of the Region.
5. Address all Regional comments provided in regards to the supporting Transportation Study dated March, 2017 prepared by Poulos and Chung, to the satisfaction of York Region.



### Development Engineering

1. Street A connects to Hwy 27 such that adequate daylight triangles cannot be provided until the adjacent property to the south developments. Currently there is no timing to this south development. The applicant will need to adjust the draft plan of subdivision or make arrangements with the adjacent property owner to the south to convey 15m x 15m daylight triangles for Street A.
2. Signals will not be permitted unless the signals warrants are met.
3. The traffic report needs to be revised to recommend geometry for the proposed intersections.
4. We have no comments regarding the servicing for the subject property.

### YRT/Viva

Detailed comments will be provided as part of the Draft Plan of Subdivision and/or subsequent Site Plan application.

For inquiries pertaining to comments provided by Transportation Planning, YRT/Viva, and Capital Planning and Delivery, please contact Shahid Matloob at 1-877-464-9675 ext. 75080.

For inquiries pertaining to comments provided by Development Engineering, please contact Trevor Catherwood at 1-877-464-9675 extension 75753.

For inquiries pertaining to Regional planning please contact Augustine Ko at 1-877-464-9675 ext. 71524.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Karen Whitney'.

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

AK



May 3, 2019

Mr. Mauro Peverini  
Director of Development Planning  
The City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario, L6A 1T1

Attention: Mark Antoine, Senior Planner

**Re: East Kleinburg Developments Inc.  
City of Vaughan  
Your File No.: OP.17.008  
York Region File No.: LOPA.17.V.0037**

This is in response to your request for comments for the above-captioned Official Plan Amendment ("OPA") application. The subject site is approximately 71.41 hectares (175.8 acres) in size, and is located on lands municipally known as 11063 and 11191 Highway 27.

The proposed development consists of a residential neighbourhood with approximately 430 residential units, one mixed use block (with a maximum height of 12 storeys and maximum FSI of 3.5), one school block and three park blocks.

**Purpose and Effect of the Proposed Official Plan Amendment**

The new Vaughan Official Plan 2010 ("VOP 2010") is the in-force Plan applicable to the subject site. Schedule 1 – Urban Structure, of the VOP 2010, identifies the site within the Community Area and Greenbelt Plan Area. Schedule 13 – Land Use designates the subject site "Private Open Space", "Agriculture", and "Natural Area" within the Greenbelt Plan Area.

The purpose of the proposed OPA is to amend the VOP 2010, specifically, Volume 1, Schedules 9 and 13, and Volume 2, Schedule 14-C and Chapter 13 Site Specific Policies, to bring the subject property into conformity with the Vaughan Official Plan, the York Region Official Plan (2010) and Provincial Policy pertaining to the site by re-designating the current land use from "Private Open Space", "Agricultural" and "Natural Areas" to "Low-Rise Residential" and "Natural Areas".

According to the applicant's addendum planning justification report, prepared by Malone Given Parsons Ltd., dated December 5, 2018, the subject lands are transitioned

from the Greenbelt Plan through application of Greenbelt Plan policy 5.2.1. This is made possible by bringing forward relevant policies from OPA 601, as amended, which was in force on the subject lands prior to the Greenbelt Plan, into the VOP 2010. York Region Community Planning staff agrees with this approach, as the natural heritage features are appropriately protected from development. The limits of development are determined through detailed environmental assessments completed to the satisfaction of the Toronto and Region Conservation Authority.

The "Agricultural" designated narrow sliver of lands is located within the Greenbelt Plan, between the Greenbelt Boundary and the "Natural Areas". Regional staff supports the redesignation from "Agricultural" to an urban designation, in this specific instance, because the subject lands are exempt from the Greenbelt Plan. This approach allows the limits of development to be appropriately determined through detailed environmental assessments completed to the satisfaction of the Toronto and Region Conservation Authority.

#### **Conformity with the York Region 2010 Official Plan**

The subject site is designated "Towns and Villages" and "Greenbelt Protected Countryside" by Map 1 – Regional Structure of the York Region 2010 Official Plan ("ROP 2010"). Map 2 – Greenlands shows the natural heritage features as "Regional Greenland System". Map 3 – Environmental Significant Areas and Areas of Natural and Scientific Interest shows that there are "Environmental Significant Areas" within the Regional Greenland System. Map 5 – Woodlands shows that there are also "Woodlands" within the Regional Greenlands system. Map 8 – Agricultural and Rural Area shows that the lands within the Greenbelt Plan are "Agricultural Area". Map 14 – Highly Vulnerable Aquifers shows that there are areas of "Highly Vulnerable Aquifers" generally within the Regional Greenland System.

Regional Official Plan policies found in Section 2.1 – Regional Greenlands System, states that Regional Greenlands are to be protected and enhanced, and new development and site alteration in the vicinity of the System is to be controlled (Policy 2.1.1). The Regional Official Plan also directs local Official Plans to establish and protect greenlands systems from development and site alteration (Policy 2.1.4) and to more specifically identify and integrate the System into community design (Policy 2.1.5). The boundaries and the extent of the Regional Greenland System, as shown on Map 2 of the Regional Official Plan, are approximate. Refinements to the boundaries may occur through approved planning applications supported by appropriate technical studies (Policy 2.1.7).

The proposed Official Plan Amendment generally conforms to the York Region Official Plan. The natural heritage features are being protected from development and the



tableland portions of the subject site are proposed to be designated to accommodate development of a new community.

**Exemption from York Region Approval**

Based on our review and assessment, this proposed OPA appears to be a routine matter of local significance. Furthermore, in accordance with Regional Official Plan policy 8.3.8, the proposed Amendment does not adversely affect Regional planning policies or interests.

Pursuant to Council authorization specified in By-law A-0265-1999-017, this application is hereby exempted from approval by Regional Council. This allows the Amendment to come into effect following its adoption by the City of Vaughan and the expiration of the required appeal period.

**Technical Comments from Regional Circulation**

The following summarizes technical comments received from the various commenting Regional Branches and Departments.

**Environmental Services**

Regional staff from Water Resources do not have comments on the OPA application, but provide comments for subsequent development applications. The applicant is advised that the site is within the boundaries for Wellhead Protection Area D (WHPA-D) with a Vulnerability Score of 2, Significant Recharge Area (SGRA), Wellhead Protection Area Q (WHPA-Q) and partially within the boundaries of a Highly Vulnerable Aquifer (HVA) under the Clean Water Act, 2006.

Development proposed on the subject property within the Wellhead Protection Area must adhere to the Wellhead Protection Policies outlined in the York Region Official Plan (ROP, 2010) and Regional Official Plan Amendment 5 (ROPA 5, 2013).

1. Prior to Draft Plan of Subdivision approval, the Owner shall conduct and submit a Source Water Impact and Assessment Mitigation Plan (SWIAMP), to the satisfaction of the Region, to identify and address any potential water quality and water quantity threats to the municipal groundwater supplies. The SWIAMP shall be prepared by a qualified professional, to the satisfaction of Regional Environmental Services staff in the Water Resources group. The SWIAMP must follow the York Region document Guidance for Proposed Developments in Wellhead Protection Areas in York Region (October 2014). A SWIAMP is required for any of the activities listed below if they will occur on the site for the storage or manufacture of:
  - a) petroleum-based fuels and or solvents;
  - b) pesticides, herbicides, fungicides or fertilizers;

- c) construction equipment;
- d) inorganic chemicals;
- e) road salt and contaminants as identified by the Province;
- f) the generation and storage of hazardous waste or liquid industrial waste, and a waste disposal sites and facilities;
- g) organic soil conditioning sites and the storage and application of agricultural and non-agricultural source organic materials; and,
- h) snow storage and disposal facilities.

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

Summary of comments for future Draft Plan of Subdivision application:

1. Should the proposed development include bulk fuel or bulk chemicals within the HVA, a Contaminant Management Plan (CMP) will be required prior to future Draft Plan of Subdivision approval, for Water Resources review and approval.
2. Please note the property is located within a Significant Groundwater Recharge Area and WHPA-Q. As such the CTC Source Protection Plan water quantity recharge maintenance policy will apply. The proponent will be required to maintain recharge as demonstrated through a hydrogeological study that shows the existing (i.e. pre proposed development) water balance can be maintained in the future (i.e. post proposed development). Water Resources acknowledges that the proponent has prepared a Pre and Post Development Site Specific Water Balance Assessment (prepared by WSP Canada Inc., dated February 24, 2017) to address the CTC Source Protection Plan Water Balance Requirements. The contact person for the scoping and review of the water balance for Source Protection Plan conformity is Don Ford at TRCA.
3. The owner is to be advised that Low Impact Development (LID) measures are encouraged to be applied to the site. As per York Region Official Plan policy 2.3.37, developments should maximize infiltration through integrated treatment approach techniques to minimize stormwater volume and contaminant loads. This should include, but not be limited to, techniques such as rainwater harvesting, phosphorus reduction, constructed wetlands, bioretention swales, green roofs, permeable surfaces, clean water collection systems, and the preservation and enhancement of native vegetation cover. The use of the following resource is encouraged: Low Impact Development Stormwater Management Planning and Design Guide and is available using the following link: <http://www.creditvalleyca.ca/low-impact-development/low-impact-development-support/stormwater-management-lid-guidance-documents/low-impact-development-stormwater-management-planning-and-design-guide/>
4. Should significant dewatering be required, a dewatering plan shall be prepared by a qualified person and submitted by the proponent to the Region for approval

prior to excavation. If there will be water discharging to the Regional storm or sanitary sewer, it is recommended that the proponent consult with Regional Sewer use by-law group and obtain a dewatering discharge permit as necessary. Please contact the Sewer Use By-law group at [SewerUsebylaw@york.ca](mailto:SewerUsebylaw@york.ca) or 1-877-464-9675.

5. As the site is within a wellhead protection area, Water Resources does encourage the use of best management practices during construction and post construction with respect to the handling and storage of chemicals (such as used oil, degreasers and salt) on site. It is strongly recommended that Risk Management Measures are put in place with respect to chemical use and storage including spill kits, secondary containment, a spill response plan and training.
6. With respect to the use of salt on the property, Water Resources recommends the use of a contractor who is certified by Smart About Salt, and use of best management practices identified in the TAC Synthesis of Best Management Practices for Salt and Snow are followed: <http://tac-atc.ca/en/bookstore-and-resources/free-resources-and-tools/syntheses-practice>

Regional staff from Infrastructure Asset Management (water and wastewater) advises that the residential development proposed within the application will require water and wastewater servicing allocation from the City of Vaughan. If the City of Vaughan does not grant this development the required allocation from the Region's existing capacity assignments to date, then the development may require additional infrastructure based on conditions of future capacity assignment, which may include:

- West Vaughan Sewage Servicing – 2028 expected completion
- Other projects as may be identified in future studies.

The timing of the above infrastructure is the current estimate and may change as each infrastructure project progresses and is provided for information purposes only.

Based on the FSR provided, the wastewater and water servicing are summarized below.

#### Wastewater

The wastewater servicing for the proposed development relies on a new City of Vaughan wastewater pump station that discharges to the existing City of Vaughan sanitary sewer on Highway 27.

#### Water

The WSP's water analysis report needs to be revised. It should reflect the existing and planned water system conditions in that area. Their system understanding, as demonstrated in the report and used in their design and analysis, is not correct. As such,



we advise WSP to use correct system boundary information in the analysis. Typically they should get the system information from the City of Vaughan. However, we are amenable to meet with the consultant if needed. The applicant is advised to contact Jhapendra Pokhrel, Water and Wastewater Modelling Engineer, at 1-877-464-9675 ext. 75512, for further assistance.

#### **Transportation Services**

Transportation staff have no objections to the proposed OPA application with regards to the land use.

The following Regional comments shall be addressed to the satisfaction of the Region prior to the subsequent development applications for the proposed development.

#### **Technical Comments on the TIS**

1. A review of the supporting Traffic Impact Study dated March 2017 indicates that the report used the old Guidelines (August 2007) for preparing Transportation Impact Study. It should be noted that effective January 1, 2017, all transportation impact study report must be consistent the Region's Transportation Mobility Plan Guidelines for Development Application (November 2016). As such, the Transportation Study shall be revised and submitted for further review.
2. The traffic count data shall be updated with the latest traffic counts. The traffic volume data was collected in May 2015. The Region does not accept traffic volume data more than three years old.
3. The Study shall analyse peak hours including weekend peak hours as Highway 27 is a preferred route of cottage-traffic to and from the north.
4. The Study shows peak direction future traffic volumes of +1600 during peak hours on Highway 27. This section of Highway 27 between Major Mackenzie Drive and Kirby Road is predominantly a two lane section. Implementation of signalized intersection to provide access to the proposed development will further decrease the capacity on Highway 27. Improvements such as widening of Highway 27 to four lanes between Major Mackenzie Drive and Kirby Road may be required to accommodate traffic generated by the proposed development. The revised study shall address this concern. The revised Study shall assess and identify the required improvements of Highway 27 between Major Mackenzie Drive and Kirby Road.
5. The Study area shall also include the intersection of Nashville Road and Highway 27 in the intersection operation capacity analysis.

6. The Study shall also recommend the pedestrian and cyclists facilities required on Highway 27 to accommodate and encourage alternative modes of transportation from the proposed development.
7. The revised report format shall be consistent with the Region's Transportation Mobility Plan Guidelines for Development Applications (November 2016), which includes the table of content, figures and list of table. Table 10 of the Guidelines should be filled out and attached to the final report.
8. The Study shall include existing and future level of service analysis for automobile, walking, cycling and transit modes of transportation, as outlined in the Region's Transportation Mobility Plan Guidelines.
9. A TDM checklist which is similar to Table 13 of the Transportation Mobility Plan Guidelines shall be provided that summarizes the programs and measures, responsibility of the Owner, and the estimated costs for these recommendations.
10. The TDM Plan shall provide at later stages of the development a communication strategy to communicate and notify the Region and the City of Vaughan to effectively deliver the Information Packages and pre-loaded PRESTO Cards to residents. This strategy shall also include a physical location for distribution of the Information Packages and pre-loaded PRESTO Cards, if applicable.

The Region will provide additional comments on the revised Traffic Impact Study when it is submitted for review.

Preliminary Comments for Subsequent Development Application for this site

The following preliminary consolidated comments are provided for subsequent development applications. These comments are not an approval and are subject to modification. It is intended to provide information to the applicant regarding the Regional requirements that have been identified to date. More detailed comments will be provided through the Draft Plan of Subdivision application and/or at the subsequent Site Plan application.

**Transportation Planning**

1. Provide a basic 36 metre right-of-way for this section of Highway 27. As such, all municipal setbacks shall be referenced from a point 18.0 metre from the centerline of construction of Highway 27 and any lands required for additional turn lanes at the intersections will also be conveyed to York Region for public

highway purposes, free of all costs and encumbrances, to the satisfaction of the York Region Solicitor.

2. Agree in the Subdivision Agreement to provide interconnections with adjacent developments or existing communities in order to consolidate and reduce the number of accesses onto Regional roads (as per the Regional Official Plan Policy 7.2.53), where appropriate.
3. Agree in the Subdivision Agreement that the proposed development access be provided via local streets, shared driveways and interconnected properties to maximize the efficiency of the Regional street system (as per the Regional Official Plan Policy 7.2.53), where appropriate.
4. Provide direct pedestrian and cycling connections to the boundary roadways and adjacent developments to facilitate active transportation. A drawing shall be provided to illustrate the pedestrian and cycling connections and facilities, to the satisfaction of the Region.
5. Address all Regional comments provided in regards to the supporting Transportation Study dated March, 2017 prepared by Poulos and Chung, to the satisfaction of York Region.

#### **Development Engineering**

1. Signals will not be permitted unless the signals warrants are met.
2. The traffic report needs to be revised to recommend geometry for the proposed intersections.
3. We have no comments regarding the servicing for the subject property.

#### **YRT/Viva**

Detailed comments will be provided as part of the Draft Plan of Subdivision and/or subsequent Site Plan application.

For inquiries pertaining to comments provided by Transportation Planning, YRT/Viva, and Capital Planning and Delivery, please contact Shahid Matloob at 1-877-464-9675 ext. 75080.

For inquiries pertaining to comments provided by Development Engineering, please contact Trevor Catherwood at 1-877-464-9675 extension 75753.



For inquiries pertaining to Regional planning please contact Augustine Ko at 1-877-464-9675 ext. 71524.

Sincerely,

A handwritten signature in blue ink, reading "Karen Whitney". The signature is fluid and cursive, with the first name "Karen" and last name "Whitney" clearly distinguishable.

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

AK

YORK-#9347240-v1-OP\_17\_008\_-\_York\_Region\_Comments

May 3, 2019

**By Email Only**

Mr. Mark Antoine  
Development Planning Department  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

Dear Mr. Antoine:

**Re: 2<sup>nd</sup> Submission  
Official Plan Amendment Applications OP.17.007 and OP.17.008  
11363 and 11063 / 11191 Highway 27  
Part of Lots 28, 29 and 30, Concession 8  
City of Vaughan, Regional Municipality of York  
(Kirby 27 Developments Limited and  
East Kleinburg Developments Inc. / 1045501 Ontario Limited)**

Further to our previous letter dated July 16, 2018, this letter will acknowledge receipt of a second submission of materials associated with Official Plan Amendment Applications OP.17.007 and OP.17.008. Toronto and Region Conservation Authority (TRCA) staff has reviewed the applications and the supporting materials listed in Appendix 'A' and offers the following comments.

**Background**

TRCA staff attended meetings at the City of Vaughan on October 31, 2018 and November 9, 2018 to discuss comments provided on the first submission of the above noted applications. At the meetings, it was decided that certain comments would be addressed as a part of the current Official Plan Amendment Application (OPA) process while others would be deferred to the future scoped Block Plan and Draft Plan of Subdivision processes.

It was agreed that the majority of TRCA's comments, as provided in our July 16, 2018 letter, could be addressed through the future applications. Comments 5 through 9 were to be addressed as a part of the current applications.

**Application-Specific Comments**

TRCA staff has no concerns with the responses provided to our previous Comments 5 through 9. We note the draft OPAs have been amended from the first submission. In general, staff has no concerns with the drafts, but would ask that minor revisions be made to the text to reflect previous comments provided by our office and to align with the language in Volume 1 of the Vaughan Official Plan 2010 (VOP 2010). Those edits can be found in Appendices 'B' and 'C' of this letter. We are happy to discuss the edits further.

TRCA's remaining comments on the two project sites from our July 16, 2018 letter remain applicable and will need to be addressed through the future scoped Block Plan and Draft Plan of Subdivision processes.

**Recommendation**

In light of the above, TRCA staff has **no objections** to Official Plan Amendment Applications OP.17.007 and OP.17.008, subject to the applicant making minor amendments to the text of the draft OPAs as outlined in Appendices 'B' and 'C' of this letter to the satisfaction of the City of Vaughan and TRCA.

Should any revisions to the official plan amendment applications be proposed now or in the future, TRCA asks to be given the opportunity to review the proposals and amend our comments accordingly.

Please note that this letter is based on TRCA's current policies and regulation, which may change from time to time. Any future development proposal would be subject to the policies and regulation in effect at the time of application.

Please provide TRCA the Notice of Decision for the official plan amendment applications when available.

We trust these comments are of assistance. Should you have any questions, please do not hesitate to contact the undersigned at 416-661-6600 ext. 5269, or [csmith@trca.on.ca](mailto:csmith@trca.on.ca).

Yours truly,



Coreena Smith, EP, MCIP, RPP  
Acting Senior Manager, Development Planning and Permits  
/cs

Enclosure

cc: By Email

Don Given, Malone Given Parsons Ltd.  
Thomas Kilpatrick, Malone Given Parsons Ltd.  
Augustine Ko, Region Municipality of York  
Ruth Rendon, City of Vaughan  
Carmela Marrelli, City of Vaughan  
Stephen Bohan, TRCA

**Appendix 'A' – Materials Received by TRCA***Kirby 27 Developments*

- Concept Plan – Kirby 27 Developments Limited – 11363 Highway 27, Vaughan, Ontario, prepared by Malone Given Parsons Ltd., dated December 5, 2018.
- Response to Circulation Comments, prepared by Malone Given Parsons Ltd., dated December 2018.
- Addendum to Malone Given Parsons Ltd. Official Plan Amendment Planning Opinion Report, prepared by Malone Given Parsons Ltd., dated December 5, 2018.
- Draft Official Plan Amendment, prepared by Malone Given Parsons Ltd.
- Transportation Comments Response Memo, prepared by Poulos and Chung Ltd., dated May 30, 2018.
- Environmental Engineering Comments Response Letter, prepared by WSP Canada Inc., dated May 29, 2018.
- Response to Water Distribution and Sanitary Servicing Comments, prepared by SCS Consulting Group Ltd., dated June 12, 2018.
- Response to Stormwater Management Comments, prepared by SCS Consulting Group Inc., dated June 12, 2018.
- Natural Heritage Response Letter, prepared by Beacon Environmental, dated June 14, 2018.
- Urban Design & Planning Comments Response Letter, prepared by MBTW Group, dated May 30, 2018.
- Additional Engineering Response Letter, prepared by SCS Consulting Group Inc., dated December 5, 2018.

*East Kleinburg Developments*

- Response to Circulation Comments Matrix, prepared by Malone Given Parsons Ltd., dated December, 2018.
- OPA Comments Received to date consolidated by Malone Given Parsons Ltd.
- Addendum to Malone Given Parsons Ltd. Official Plan Amendment Planning Opinion Report, prepared by Malone Given Parsons Ltd., dated December 5, 2018.
- Concept Plan, prepared by Malone Given Parsons Ltd., dated December 4, 2018.
- Draft Official Plan Amendment, prepared by Malone Given Parsons Ltd.
- Transportation Comments Response Memo, prepared by Poulos and Chung Ltd., dated May 30, 2018.
- Environmental Engineering Comments Response Letter, prepared by WSP Canada Inc., dated May 30, 2018.
- Response to Water Distribution and Sanitary Servicing Comments prepared by SCS Consulting Group Ltd., dated June 12, 2018.
- Response to Stormwater Management Comments, prepared by SCS Consulting Group Inc., dated June 12, 2018.
- Natural Heritage Response Letter, prepared by Beacon Environmental, dated June 14, 2018.
- Urban Design & Planning Comments Response Letter, prepared by MBTW Group, dated May 30, 2018.
- Additional Engineering Response Letter, prepared by SCS Consulting Group Inc., dated December 5, 2018.



## **Appendix 'B' – OPA Text Revisions for Kirby 27 Developments Limited**

The following are TRCA's requested amendments to the draft OPA for Kirby 27 Developments Limited:

1. The reference to the limits of development being established by TRCA should be removed from Section III. As noted in our previous correspondence, TRCA is only one agency that provides input into the determination of development limits through the planning process. The amended text should read as follows:

### **III BASIS**

3. ...OPA 601 contemplated residential uses through future site-specific amendment on the subject property. OPA 601 also allowed for the limits of development to be established through detailed technical study and that developable lands could be developed in accordance with the adjacent urban land use designation. ~~The Limit of Development on site was staked and established August 9, 2016 and December 1, 2016 by the Toronto and Region Conservation Authority.~~ The Limit of Development will be further reviewed **and refined** through the scoped Block Plan and Draft Plan process. Through this Amendment, the relevant policies of OPA 601 has been brought forward into the VOP 2010.

2. The language used for the delineation of valley and stream corridors and woodlands in Section IV should be amended to better align with the language in Volume 1 of the VOP 2010, specifically Policies 3.3.1 relating to Valley and Stream Corridors and 3.3.3 relating to Woodlands. The amended text should read as follows:

### **IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO**

5. ...13.YY.1.7 For the Area identified on Map 13.XX.A, the precise limits of the Valley and Stream Corridor and its associated vegetation protection zone shall be established to the satisfaction of the City, ~~in consultation with and~~ the Toronto Region and Conservation Authority (TRCA) ~~as may be required,~~ based on the following:

- i. ~~If the valley slope is stable, a minimum vegetation protection zone of at least 10 metres shall be established from the top of valley bank where development will not be permitted. If the valley slope is not stable a minimum vegetation protection zone shall be established at a point at least 10 metres inland from the predicted long term stable slope projected from the existing stable/stabilized base of the slope, or from the predicted location of the base of slope shifted as a result of stream erosion over a 100-year period. The Valley and Stream Corridor shall have a minimum 10 metre vegetation protection zone.~~ A minimum vegetation protection zone greater than 10 metres may be required based on the results of detailed studies. Detailed technical studies (i.e. geotechnical) shall be prepared by the proponent to the satisfaction of the City, ~~in consultation with and~~ the TRCA.
- i. The Valley and Stream Corridor shall be ~~legally defined at the zoning and/or subdivision stage~~ precisely defined per the **policies in section 3.3.1 and definitions in section 10.2.2 of VOP 2010 Volume 1.**

...13.YY.1.9 For the Area identified on Map 13.XX.A, the precise limit of woodlands and a vegetation protection zone shall be established to the satisfaction of the City, in consultation with the TRCA as may be required, based on the following:

- i. Woodlands shall have a **minimum** 10 metre vegetation protection zone. A minimum vegetation protection zone greater than 10 metres may be required based on the results of detailed studies. Detailed technical studies (i.e. Environmental Impact Study) shall be prepared by the proponent to the satisfaction of the City, in consultation with the TRCA.
- ii. Woodlands ~~are subject to policy 3.3.3.2 and 3.3.3.3~~ **shall be precisely defined per the policies in section 3.3.3 and definitions in section 10.2.2 of VOP 2010 Volume 1.**

**Appendix 'C' – OPA Text Revisions for East Kleinburg Developments Inc. / 1045501 Ontario Limited**

The following are TRCA's requested amendments to the draft OPA for East Kleinburg Developments Inc. / 1045501 Ontario Limited:

1. The reference to the limits of development (or features limits) being established by TRCA should be removed from Section III. As noted in our previous correspondence, TRCA is only one agency that provides input into the determination of development limits through the planning process. The amended text should read as follows:

**III BASIS**

3. ...OPA 601 contemplated residential development by future site-specific amendment on the subject property. OPA 601 also allowed for the limits of development to be established through detailed technical study and land determined to be developable, could be developed in accordance with the adjacent urban land use designation. ~~The feature limits on site were staked and established on June 29, 2015 and August 9, 2016 by the Toronto and Region Conservation Authority.~~ The feature development limits will be further reviewed and refined through the scoped Block Plan and Draft Plan process. Through this Amendment, the relevant policies of OPA 601 has been brought forward into the VOP 2010.

2. The language used for the delineation of valley and stream corridors and woodlands in Section IV should be amended to better align with the language in Volume 1 of the VOP 2010, specifically Policies 3.3.1 relating to Valley and Stream Corridors and 3.3.3 relating to Woodlands. The amended text should read as follows:

**IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO**

5. ...13.YY.1.12 For the Area identified on Map 13.XX.A, the precise limits of the Valley and Stream Corridor and a vegetation protection zone shall be established to the satisfaction of the City, ~~in consultation with and~~ the Toronto Region and Conservation Authority (TRCA) ~~as may be required~~, based on the following:

- ii. ~~If the valley slope is stable, a minimum vegetation protection zone of at least 10 metres shall be established from the top of valley bank where development will not be permitted. If the valley slope is not stable a minimum vegetation protection zone shall be established at a point at least 10 metres inland from the predicted long term stable slope projected from the existing stable/stabilized base of the slope, or from the predicted location of the base of slope shifted as a result of stream erosion over a 100-year period. The Valley and Stream Corridor shall have a minimum 10 metre vegetation protection zone.~~ A minimum vegetation protection zone greater than 10 metres may be required based on the results of detailed studies. Detailed technical studies (i.e. geotechnical) shall be prepared by the proponent to the satisfaction of the City, ~~in consultation with and~~ the TRCA.
- iii. The Valley and Stream Corridor shall be ~~legally defined at the zoning and/or subdivision stage~~ precisely defined per the policies in section 3.3.1 and definitions in section 10.2.2 of VOP 2010 Volume 1.

...13.YY.1.14 For the Area identified on Map 13.XX.A, the precise limit of woodlands and a vegetation protection zone shall be established to the satisfaction of the City, in consultation with the TRCA as may be required, based on the following:

- i. Woodlands shall have a minimum 10 metre vegetation protection zone. A minimum vegetation protection zone greater than 10 metres may be required based on the results of detailed studies. Detailed technical studies (i.e. Environmental Impact Study) shall be prepared by the proponent to the satisfaction of the City, in consultation with the TRCA.
- ii. Woodlands ~~are subject to policy 3.3.3.2 and 3.3.3.3~~ shall be precisely defined per the policies in section 3.3.3 and definitions in section 10.2.2 of VOP 2010 Volume 1.

June 3, 2019

BEL 215064

Mr. Mauro Peverini  
Director of Development Planning  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan ON L6A 1T1

**Re: 11363 & 11063/11191 Highway 27, File No. OP.17007 and OP.17.008, City of Vaughan**

---

Dear Mr. Peverini:

We have received a copy of correspondence addressed to you, from Donnelly Law dated May 24, 2019. This correspondence includes a peer review of an Environmental Impact Study (EIS) completed by Beacon Environmental Limited (Beacon) dated April 2017. The peer review was conducted by Natural Resource Solutions Inc. We offer the following letter in response to this document.

By way of background, Beacon Environmental is a full service environmental consulting firm with an excellent reputation in southern Ontario. We have been involved in numerous land development projects within and beyond the Greater Toronto Area. We have solid and cooperative working relationships with the regulatory agencies including Toronto and Region Conservation Authority (TRCA), Ministry of Natural Resources and Forestry (MNRF) and the Ministry of Environment, Conservation and Parks (MECP) staff. In this regard, we are familiar with current survey protocols, level of assessments and permitting procedures that have been put in place by these agencies to facilitate the development process. As part of the process, we are familiar with developments such as the subject property that are subject to the policies of the Greenbelt Plan, provincial *Endangered Species Act*, TRCA Regulation and Living City Policies and other applicable legislation.

We have been involved with the re-development of the subject property since 2015. As part of this process, we have completed seasonally appropriate field investigations at a level of detail suitable for a site under anthropogenic use. We have been on site with TRCA staff to complete a staking exercise that determined appropriate development limits supported by the City of Vaughan and TRCA. As part of that site visit, the full extent of the property was explored, and stormwater management options were discussed in order to obtain input from the staff. TRCA is the primary permitting agency for stormwater management and other servicing; therefore, this discussion was extremely valuable in guiding the options for what is permissible.

The peer review provided by Natural Resource Solutions Inc. (NRSI) indicates that information is not provided in sufficient detail and that discussions regarding Species at Risk, have not advanced to a level where approvals under the ESA should have been provided. The peer review also indicates that impacts have not been addressed and that compensation plans have not been developed.



The Environmental Impact Study (EIS) that we prepared (April 2017) was in support of an Official Plan Amendment (OPA) to re-designate a portion of the subject property from Private Open Space and Agriculture to Low Rise Residential and Low Rise Mixed Use. The work we completed was a preliminary EIS prepared to support an Official Plan Amendment. The scope of work and level of detail provided was entirely appropriate for the Official Plan Amendment and consistent with TRCA and City practice. Additional work has since been done for input into the Master Environmental Servicing Plan (MESP), which is also consistent with the City's development process.

In my opinion, the peer review reflects a lack of understanding of the City of Vaughan's development planning process and instead focuses on minutiae that are irrelevant to the characterization of the property, such as weather conditions and three season inventories on an anthropogenic site. Also, the peer review questions the absence of compensation plans for proposed vegetation removal. However, at this stage in the planning process, a compensation plan is premature and would have to be revised repeatedly to reflect changes in the development plan.

In several sections, the peer reviewer reflects a basic lack of understanding regarding other planning and natural environment processes. These include:

- Discussions regarding the Greenbelt Plan that misquote our report and fail to recognize the transition provisions of the Plan;
- Lack of knowledge regarding MNR's protocol on vegetation communities requiring snag surveys to identify potential maternal bat roosting trees;
- Questions regarding contacting MNR on the removal of wetlands, when TRCA is the agency responsible for regulating wetlands; and
- Questions on whether approvals under the *Endangered Species Act* (ESA) have been obtained, when this discussion is undertaken during detailed design.

Further to this last bullet point, I would note that the peer review is emphatic that insufficient detail is available related to Species at Risk (SAR) in general and Redside Dace in particular. In response to these concerns, we emphasize that in our experience, discussions regarding Species at Risk and the development of compensation plans are undertaken in later stages of the development process. Our success as a firm, has been to engage in ongoing discussion with agencies and to work together at appropriate points in the process to develop a plan that represents good environmental planning. This discussion includes all SAR that may be present on the property. We have found the most effective approach is to conduct surveys at a reasonable level of detail followed by discussions with the agency to determine next steps rather than undertake surveys that are unnecessary, costly and time consuming.

Since completion of the EIS in 2017, the additional studies that have been completed include monitoring for SAR bats, more detailed Headwater Drainage Feature Assessments and additional work on the Butternuts that were identified on the property. As just stated, discussions regarding SAR and the development of compensation plans are necessarily undertaken in later stages of the development process as these plans take shape.

Although all properties are unique in some degree, the subject site raises no issues or concerns that we have not previously addressed numerous times. Both Beacon ecologists and the engineers with



whom we collaborate are extremely knowledgeable in the development of stormwater management systems that meet MNR criteria for discharge into Redside Dace habitat. Butternut Health assessments have become common and Beacon has several staff members certified in this procedure. Headwater Drainage Feature Assessments and determining contributions to fish habitat are undertaken by qualified aquatic ecologists in our firm. Furthermore, our ecologists and landscape architects have developed numerous compensation plans in consultation with proponents and agencies. In this regard, we are confident that the work we are currently completing will meet all of the legislative and policy requirements to allow this development to proceed in an environmentally responsible manner.

Last, I emphasize that this planning process has been and continues to be carried out with the full involvement of the City of Vaughan, the TRCA and other relevant agencies mentioned earlier including the MECP who now oversees the ESA. Staff from these agencies have been on site several times. Staking exercises have been completed in their presence and discussions regarding stormwater management approaches, feature removals and other permitting items have been discussed in a co-operative and respectful manner. It is these agencies from whom we will ultimately obtain permits and at present, they are all satisfied that this development is proceeding in compliance with relevant policies. With respect, the mis-informed opinion of another consultant retained on behalf of an environmental advocate is not productive and does not further inform this process.

I am available to discuss this further and to answer any questions you have.

Prepared by:  
Beacon Environmental



Jo-Anne Lane, M.Sc  
Principal