



From: Britto, John
Sent: Tuesday, October 1, 2019 2:34 PM
To: 'Barnett, Chris' <CBarnett@osler.com>; Bellisario, Adelina <Adelina.Bellisario@vaughan.ca>
Cc: Coles, Todd <Todd.Coles@vaughan.ca>; Leung, Isabel <Isabel.Leung@vaughan.ca>
Subject: RE: Committee of the Whole - September 24, 2019 meeting Item 16

Thanks Chris

Copies of this correspondence will be distributed to Mayor and Members of Council and senior staff and posted on the City's website to form a public record.

Cheers.

John Britto
Council / Committee Administrator
P: 905-832-8585 Ext. 8637 | john.britto@vaughan.ca

City of Vaughan | Office of the City Clerk
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
vaughan.ca



From: Barnett, Chris <CBarnett@osler.com>
Sent: Tuesday, October 1, 2019 2:32 PM
To: Bellisario, Adelina <Adelina.Bellisario@vaughan.ca>
Cc: Coles, Todd <Todd.Coles@vaughan.ca>; Leung, Isabel <Isabel.Leung@vaughan.ca>; Britto, John <John.Britto@vaughan.ca>
Subject: RE: Committee of the Whole - September 24, 2019 meeting Item 16

In addition to the 2 letters already submitted, please find attached TCPL's comment matrix, as well as a letter in response to the revisions proposed by Malone Given Parsons with respect to the above noted item.

OSLER

Chris Barnett
Partner
416.862.6651 | CBarnett@osler.com
Osler, Hoskin & Harcourt LLP | osler.com

September 30, 2019

Ms. Armine Hassakourians,
Senior Planner
The Corporation of the City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Via email: armine.hassakourians@vaughan.ca

Dear Ms. Hassakourians:

RE: Block 41 Draft Secondary Plan Response to LOG comments
Our file: PAR 29981

Further to our response on September 26, 2019 on the revised Secondary Plan, following are our comments in response to the Block 41 Landowners Groups (LOG) submission to the City on September 24, 2019:

Section 3.10.5 – As set out in our September 26, 2019, comments and deputation to the Committee of the Whole, this section should be deleted in its entirety as it purports to apply the policies of the Secondary Plan to Station 130.

Section 3.10.8 – The Developers suggested changes recommend combining the noise mitigation strategies with the Noise Feasibility Study. It is TransCanada PipeLines Limited's (TCPL) position that the original language remain in this section. The potential noise mitigation strategies are to be considered a separate item rather than as part of required noise feasibility studies.

Sections 3.10.12 – The Developers suggest removing the language that references low frequency noise (LFN) as well as the recommended STC rating. TCPL does not support this change. Please retain the original language in this section. It is important to reference LFN and make note of a minimum STC 54 rating as the minimum rating would have positive effects in mitigating LFN.

Section 3.10.13 – The Developers have provided suggested revisions to the Secondary Plan which would make physical noise mitigation measures optional i.e. "can be used" instead of "shall be used". TCPL does not support the Developer's approach in this regard. The Developers also propose that the noise feasibility study determine the height of the physical noise mitigation measures. TCPL's view is that the noise feasibility study would inform the height and design of the noise mitigation element, but not determine it.

Section 3.10.14 – As we noted above in 3.10.12, it is TCPL’s position that the reference to the minimum STC rating (STC 54) be retained.

Section 3.10.17 – TCPL does not support the addition of the wording “for noise sources” in this section. This changes the original intent of the section by suggesting that mitigation may be required at the TCPL facility. Mitigation of these noise sources has already occurred, and any further mitigation by TCPL is subject to the jurisdiction of the Canada Energy Regulator and is not within municipal jurisdiction. Accordingly, any such direction in the Secondary Plan should be removed. The intent of this section is to ensure the proponent of proposed developments conduct Noise Feasibility Studies that will identify and address LFN concerns in their plans, as necessary.

Section 3.10.19 - TCPL does not support the Developer’s proposed revision to this section. The 200 metre zone stipulated by the City in this section is separate from the NIA as shown in Appendix G. The 200 metre zone is associated with TCPL’s regulatory requirement to monitor and consult regarding any potential development in the vicinity of its pipelines. We note these regulatory requirements may change in accordance with updates to federal regulations or standards.

If you have any questions, please let us know.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dana Anderson', with a stylized flourish at the end.

Dana Anderson, MA, FCIP, RPP
Partner
On behalf of TransCanada PipeLines Limited



Authorized commenting Agency for



KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

September 26, 2019

Ms. Armine Hassakourians,
Senior Planner
The Corporation of the City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Via email: armine.hassakourians@vaughan.ca

Dear Ms. Hassakourians:

RE: Block 41 Draft Secondary Plan Commenting Matrix
Our file: PAR 29981

Further to the City's circulation of the revised Draft Secondary Plan issued with the Staff Report on September 20, 2019, please find enclosed additional comments on the Plan. The comments include recommended revisions for added and revised policy language in BOLD and policies to be removed with strikeouts.

We are pleased to see that the City has made a number of changes to the Plan in an effort to address the issues raised in our earlier submissions. Thank you for making adjustments to our company name in the Secondary Plan. A few areas are missing the updated references. Please adjust so that all references to TransCanada throughout the Secondary Plan reflect the legal name "TransCanada PipeLines Limited" or the abbreviation "TCPL".

We will be providing a separate submission commenting on the proposed revisions to the plan provided in the Block 41 Landowners Group's letter to you dated September 24, 2019. We look forward to continuing to work with the City to further refine and improve the Plan. We may have further submissions to make as this process continues and reserve our rights to do so.

If you have any questions, please let us know.

Sincerely,

Dana Anderson, MA, FCIP, RPP
Partner
On behalf of TransCanada PipeLines Limited

Enclosure



Commenting Table – TransCanada PipeLines Limited (TCPL) Comments – September 26, 2019

Draft Block 41 Secondary Plan (File #26.4.2)

Section # (Please reference Section and/or Policy Number from Draft Secondary Plan)	City of Vaughan Revisions to Block 41 Secondary Plan Text September 2019	TCPL comments submitted to CoV September 2019 Strikethrough – request removal Bold - new
III. Basis 1.	The decision to amend VOP 2010 is based on the following considerations: All land use decisions in Ontario "...shall be consistent with" policy statements issued under the Act." (Part II: PPS 2014). The Provincial Policy Statement 2014 ("PPS 2014") which "...provides policy direction on matters of provincial interest related to land use planning and development" (Part I: PPS 2014). The PPS 2014 recognizes that local context is important, noting that "Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld." (Part III: PPS 2014). The PPS 2014 integrates the key principles of strong communities, a clean and healthy environment, and economic growth for the long term, and states that "Land use must be carefully managed to accommodate appropriate development to meet a full range of current and future needs, while achieving efficient development patterns and avoiding significant or sensitive resources and areas which may pose risk to public health and safety" (Part IV: PPS 2014). The policies contained in the Secondary Plan include a range and mix of housing types and densities, employment opportunities, commercial uses, and institutional and public uses to support the future residential community. The Secondary Plan emphasizes active transportation and will achieve connectivity throughout the block based on the policies requiring the implementation of a multi-use recreational trail system, as well as connected pedestrian and cycling networks, in support of active transportation.	We continue to request additional language before the end of the last sentence to reflect the importance of the adjacent infrastructure and major facility and the need to protect such infrastructure for current and future needs. The added policy should read: <i>"The Secondary Plan also emphasizes the importance of proper planning for compatible land uses near major facilities and infrastructure to minimize risk to public health and safety, and to ensure the long-term viability of major facilities for current and projected needs."</i>

Section # (Please reference Section and/or Policy Number from Draft Secondary Plan)	City of Vaughan Revisions to Block 41 Secondary Plan Text September 2019	TCPL comments submitted to CoV September 2019 Strikethrough – request removal Bold - new
Basis 2.	On this basis, the Block 41 Secondary Plan is consistent with and meets the intent of the PPS 2014. A Place to Grow, the Growth Plan for the Greater Golden Horseshoe (2019) ("A Place to Grow 2019") is the Government of Ontario's initiative to plan for growth and development which supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. A Place to Grow 2019, identifies a vision which is grounded in a set of guiding principles that provide the basis for guiding decisions on how land is to be developed, resources are to be managed and protected, and public dollars are to be invested. The guiding principles of A Place to Grow 2019, support the achievement of complete communities, principles of building compact vibrant neighbourhoods, the protection and conservation of valuable natural resources, and the optimization of existing and new infrastructure to support growth in a compact efficient form. The Secondary Plan has been prepared in conformity with the directions of A Place to Grow 2019, to ensure that new development will result in the creation of a complete community which will be compact, vibrant, inclusive, healthy, sustainable and diverse.	The Growth Plan outlines the importance of compatibility between land uses as outlined in Section 2.2.5.8 and should be referenced in this section: <i>"The development of sensitive land uses within the Secondary Plan will, in accordance with provincial guidelines, avoid, or where avoidance is not possible, minimize and mitigate adverse impacts on uses that are particularly vulnerable to encroachment which includes Station 130."</i>
Part A 1.0 Context	The Block 41 Secondary Plan is designed to create a <i>complete community</i>. The new community will be compact, vibrant, inclusive, healthy, sustainable and diverse. It will include a mix of uses such as low-rise and mid-rise residential housing, mixed-use, and retail, as well as a community core. The community core will consist of a variety of community services and facilities such as a community centre with a co-located library and associated active plays areas, as well as other <i>community facilities</i>. The new community will be linked by a connected multi-modal transportation network including off-road Multi-Use Recreational Trails, sidewalks, walkways, and separated cycling facilities.	We continue to recommend the following added policy: <i>"The community will be designed to be compatible with the existing uses in the Block, and adjacent uses including the existing Estate Residential subdivision, and Station 130."</i>

Section # (Please reference Section and/or Policy Number from Draft Secondary Plan)	City of Vaughan Revisions to Block 41 Secondary Plan Text September 2019	TCPL comments submitted to CoV September 2019 Strikethrough – request removal Bold - new
1.1 Purpose	The purpose of the Secondary Plan is to establish a land use planning and urban design policy framework to guide <i>development</i> in the Block 41 Secondary Plan Area.	We understand the purpose of the Secondary Plan is to establish a land use planning and urban design policy framework to guide development with certainty in the Block 41 Secondary Plan Area. In TCPL's view, additional time should be taken to further address land use compatibility, noise impacts, road crossings and existing access points, as well as stormwater management prior to adoption of the Plan.
2.0 Secondary Plan Area	Block 41 is located north of Teston Road, east of Pine Valley Drive, south of Kirby Road, and west of Weston Road and comprises Part of Lots 26 – 30 of Concession 6, in the City of Vaughan, is approximately 435 hectares and includes existing land uses which are not subject to the policies of the Block 41 Secondary Plan. The lands subject to the Block 41 Secondary Plan are located within Block 41 and have an area of approximately 330 hectares and are largely undeveloped of which approximately 178 hectares are developable. Block 41 in its entirety is characterized by a mosaic of agricultural land, estate residential <i>development</i> located in the northwest quadrant of the Block, and remnant natural areas associated with rolling topography, as well as natural features. The TransCanada Pipelines Limited ("TCPL") pipeline crosses the northern portion of Block 41 in an east-west direction and a north-south direction from the compressor station to Kirby Road. TCPL Maple Compressor Station 130 is located centrally within the northern half of Block 41, outside of the Secondary Plan Area on approximately 40 hectares of land.	TCPL's compressor station and pipelines are industrial facilities that are outside of the Block 41 Secondary Plan area and must be recognized as such. To reflect this fact, an additional sentence must be added at the end of the paragraph for clarity as follows and the Schedules must be returned to the prior draft (all grey colouring) to reflect that the pipelines and access road are an integral part of the compressor station: "The TransCanada Pipelines Limited (TCPL) pipelines and Station 130 are outside the boundaries of the Secondary Plan."
3.0 Secondary Plan Study Process Phase 3 – Foundation Studies	The Foundational Studies further clarified the constraints to <i>development</i> , the limits of <i>development</i> , and the necessary mitigation strategies that will need to be undertaken as part of the <i>development</i> approval process. The Foundational Studies included the following: • Stage 1 Archaeological Resource Assessment of the New Community Area – "Block	We understand that the requirement for additional noise reports and the peer review of such reports is now set out in Section 3.10 of the Plan. We also understand that the peer review of the noise issues which provides for the additional policies in Section 3.10 will be provided to TCPL. To date we have not seen this report so cannot comment further on its content as one of the foundational reports.

Section # (Please reference Section and/or Policy Number from Draft Secondary Plan)	City of Vaughan Revisions to Block 41 Secondary Plan Text September 2019	TCPL comments submitted to CoV September 2019 Strikethrough – request removal Bold - new
	41", ASI, July 2015; • Cultural Heritage Resource Assessment, New Community Area – "Block 41", ASI, July 2015; and, • Environmental Report (peer review of the Landowner Group's/Savanta's Background Environmental Data, Analyses, and Proposed Natural Heritage Network Report for Block 41). PLAN B Natural Heritage, September 2015.	
Phase 4 – Emerging Land Use Concept Report	The Emerging Land Use Concept Report established a community structure and key directions for the Secondary Plan with regard to land use, urban design, sustainability, and servicing. In support of the emerging concept Technical Planning Reports were prepared and include the following: • Commercial Needs Assessment Block 41 Secondary Plan, Tate Economic Research Inc., October 2015; and, • Vaughan Block 41 Community Energy Plan, WSP Canada Inc., October 2015. The following supporting studies were included as a chapter of the Emerging Land Use Concept Report: • Land Use and Urban Design Strategy, The Planning Partnership, October 2015; • Servicing and Stormwater Strategy, Dionne & Bacchus, October 2015; and, • Transportation, Dionne & Bacchus, October 2015. The required Subwatershed Study was a major component informing the Study process: • East Purpleville Creek Subwatershed Study, Block 41 Landowners Group, March 2018.	TCPL is still expecting to review the Final East Purpleville Creek Subwatershed Study, when it is available. Proposed locations and drainage patterns associated with the stormwater management system have not been finalized in the Subwatershed Study and have not yet been agreed upon. We understand opportunity to refine and adjust will be discussed during the MESP phase.

Section # (Please reference Section and/or Policy Number from Draft Secondary Plan)	City of Vaughan Revisions to Block 41 Secondary Plan Text September 2019	TCPL comments submitted to CoV September 2019 Strikethrough – request removal Bold - new
Phase 5 – Draft Secondary Plan	A draft Secondary Plan was developed based on the foundation and comprehensive directions established through the previous phases and the East Purpleville Creek Subwatershed Study. The Secondary Plan reflects the community's vision for the New Community Area within Block 41, while also meeting all of the regulatory requirements at the local, regional and provincial level. A peer review was undertaken of the Landowner Group's/Valcoustics Stationary Source Noise Impact Study, 2018 and TCPL's/Stantec's Background Data, Modelling, and Assessment of Noise Impact in the Noise Sensitive Land Use Report, January 2018, by Jade Acoustics Inc. 2019.	A Noise Technical Data Report (TDR) (Stantec 2017b) and TDR Addendum (Stantec 2018) was prepared by TCPL's consultant (Stantec) describing the results of the noise assessment for the site. Jade peer reviewed these reports which should also be referenced in this section. Please provide the Jade Acoustics Inc. 2019 report for TCPL's review.
4.0 Consultation and Engagement	On-going consultation occurred throughout the Secondary Plan Study process. Regular meetings were held at key points of the Study process with the Block 41 Secondary Plan participating Landowners Group ("LOG") and the Block 41 Secondary Plan Technical Advisory Committee ("TAC"). In addition to the formal meetings with the TAC, meetings were held throughout the process with individual agencies including meetings with the School Boards, Ministry of Natural Resources and Forestry, Toronto and Region Conservation Authority ("TRCA"), and TCPL. Three reports were prepared for Council's consideration, including one presentation to Committee of the Whole (Working Session). The following public consultation meetings were held for the Secondary Plan Study: • April 22, 2015: Public Open House #1 Secondary Plan Visioning Summit; • September 21, 2015: Public Open House #2 Draft Emerging Land Use Concept; • January 18, 2016: Status Update Report to Committee of the Whole (Working Session) Meeting; • February 12, 2019: Public Open House #3 Draft Secondary Plan; and	TCPL has not received copies of any updated noise impact analysis or review completed by the City as set out in Section 4. We are not aware of any additional planning analysis report related to land use compatibility and noise impacts provided with the revised Secondary Plan. There appears to be no planning report to accompany the final Plan from the consultants. As commented previously, TCPL recognizes the importance of the City to provide for growth and manage growth in its future development areas. This however must ensure impacts related to sensitive land uses due to existing uses are fully assessed and properly addressed through the Secondary Plan process. While there is reference to the original technical studies (planning and transportation) to support the emerging land use concept, as the City has moved towards more detailed land use designations and policies,

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	April 2, 2019: Committee of the Whole (Statutory Public Hearing).	the issues of compatibility and noise, access, trails and stormwater management continue to require more discussion to address issues. We appreciate being engaged in this regard, and will continue to engage with the City.
Section 5.0 Policy Context	Block 41 is one of two designated “New Community Areas” in the Vaughan Official Plan 2010 (“VOP 2010”) where new residential uses and related <i>development</i> is planned to occur in Vaughan and preparation of a Secondary Plan is required prior to any <i>development</i> occurring. The Secondary Plan for the New Community Area builds on the policy framework established at the Provincial, Regional, and local level. In conformity with that policy direction, <i>development</i> in the New Community Area of Block 41 is intended to create a <i>complete community</i> that will be compact, vibrant, inclusive, healthy, sustainable, and diverse, with a mix of uses and densities that achieves the minimum Provincial and Regional requirements. The Block 41 Secondary Plan will prioritize people through all phases of life, sustainability, and livability, as well as high quality urban design. To conform to Provincial and Regional policies including the Provincial Policy Statement (2014), A Place to Grow, Growth Plan for the Greater Golden Horseshoe (2019), the Greenbelt Plan (2017) and the YROP, as well as VOP 2010, the Secondary Plan has been designed to address: - the Regional minimum density of 20 residential units per hectare and 70 residents and jobs combined per hectare, in the developable area; - a wide range and mix of housing types, sizes, and affordability; - a community core within reasonable walking distance from the majority of the population which will be the focus of local <i>retail</i> and community services and will	Addition to Paragraph 2: We recommend the words in bold be added to provide the proper legal framework, and that an additional bullet point be added to the end of the Section as requested previously: <i>“To conform to or be consistent with (as required) Provincial and Regional policies including [....] the Secondary Plan has been designed to address:</i> <i>sensitive land uses and the avoidance of adverse impacts to major facilities and infrastructure”</i>

Section # (Please reference Section and/or Policy Number from Draft Secondary Plan)	City of Vaughan Revisions to Block 41 Secondary Plan Text September 2019	TCPL comments submitted to CoV September 2019 Strikethrough – request removal Bold – new
	provide connections to transit; - opportunities for live-work; - areas that contain a high-quality public realm; - the in effect Active Together Master Plan; - the Pedestrian and Bicycle Master Plan including the creation of a comfortable, connective pedestrian and cycling environment with active transportation connections to key destination points; - development that is planned to consider human service needs for all ages and abilities including educational, social, health, arts, culture, library and recreational facilities; - Greenbelt Plan and Natural Heritage Network policies; - sustainable urban design guidelines including green building policies; - development that maximizes solar gains and facilitates future solar installations and other climate resiliency measures; - a Community Energy Plan; - a multi-modal transportation mobility plan; - a Regional Greenlands System Plan; - an integrated parks and open space network that provides facilities generally within a 5 to 10-minute walk of the majority of residents; - reduced heat island effects; and - the protection and conservation of cultural heritage resources.	
Section 6 Existing Conditions and Opportunities	The Secondary Plan responds to the existing conditions and opportunities identified through the technical background analysis with respect to the Secondary Plan Study Area including the following:	The Section should be renamed: <i>Section 6 - Existing Conditions, Constraints and Opportunities</i>

Section # (Please reference Section and/or Policy Number from Draft Secondary Plan)	City of Vaughan Revisions to Block 41 Secondary Plan Text September 2019	TCPL comments submitted to CoV September 2019 Strikethrough – request removal Bold - new
	• natural heritage protection and enhancement, in particular the City's Natural Heritage Network ("NHN") and refinements to the Network including strategies identified in consultation with external agencies designed to ensure a Net Positive Environmental Outcome; • Natural Hazards, including flooding and erosion hazards and establishing <i>development</i> limits respecting these limits; • existing land uses; • existing transportation infrastructure, noise mitigation strategies, and existing cycling infrastructure along boundary streets and within adjacent blocks; • TransCanada natural gas pipeline right-of-way; • TransCanada Maple Compressor Station, noise mitigation strategies, and setbacks; • existing cultural heritage resources and the need to evaluate their significance and the potential for integration with new <i>development</i>; • the potential for the identification of <i>archaeological resources</i> which will require investigation and potential mitigation; • the recommendations in the Active Together Master Plan (2018) for the development of a major community centre, branch library, and co-location of a District Park in Block 41; • the opportunity to achieve high quality and sustainable design; and • existing surrounding neighbourhoods Other planning considerations that were taken into account include the conclusions of the supporting studies related to: • Land Budget/Housing Mix Analysis; • Retail Commercial Needs Assessment; • Stationary Noise;	The reference to TCPL natural gas pipeline right-of-way should be revised to "<i>TCPL natural gas pipeline rights-of-way</i>"

Section # (Please reference Section and/or Policy Number from Draft Secondary Plan)	City of Vaughan Revisions to Block 41 Secondary Plan Text September 2019	TCPL comments submitted to CoV September 2019 Strikethrough – request removal Bold - new
	• Natural Environment; • East Purpleville Creek Subwatershed Study; • North Vaughan and New Communities Transportation Master Plan; • Parks, Open Space and Community Facilities; • Archaeological and Heritage Resources; • Water, Wastewater, and Stormwater Management; and • Sustainability and Community Energy Planning.	
PART B – The Secondary Plan 2.0 Block 41 Vision and Guiding Principles		
2.1.1 Vision Statement	The New Community Area of Block 41 is a sustainable new community, where residents enjoy the conveniences of urban living near the countryside. Distinct neighbourhoods are connected to each other and adjacent communities by a permeable multi-modal street network and an integrated trail system that follows the Purpleville Creek system and Pipeline corridor. The area's rich natural and cultural heritage is celebrated, protected, and leveraged to create a unique sense of place. Harmonious transitions and compatible, high quality design ensure newer homes and businesses complement those existing in the Block 41 area. The community welcomes all people and provides vibrant gathering places for neighbours to come together and thrive.	Revise the wording to read: <i>"Harmonious transitions and compatible, high quality design that also implements, where required, mitigation measures to address impacts to ensure newer homes and businesses complement those existing in the Block 41 area and are compatible."</i>
2.1.2 Guiding Principles		TCPL continues to take the position that the most appropriate and effective way to achieve compatibility is through the use of separation (buffers) between industrial and sensitive land uses, consistent with the D-6 Guidelines.

Section # (Please reference Section and/or Policy Number from Draft Secondary Plan)	City of Vaughan Revisions to Block 41 Secondary Plan Text September 2019	TCPL comments submitted to CoV September 2019 Strikethrough – request removal Bold - new
ADD 2.1.2 (11)		Add 2.1.2 11 as follows: <i>“11. Ensure sensitive land uses are compatible with existing and future uses by:</i> <i>• Ensuring sensitive land uses are planned to minimize risk to public health and safety and to ensure the long-term protection and viability of major facilities and infrastructure;</i> <i>• Providing for adequate separation distances between sensitive land uses and major facilities and infrastructure; and,</i> <i>• Ensuring that the implementation of sensitive land uses achieves mitigation to address adverse effects and adverse impacts of major facilities and infrastructure.”</i>
3.0 – Community Structure Policies		
3.5 Multi-Modal Transportation Network	A Multi-Modal Transportation Network, identified on Schedule E of this Secondary Plan, consists of Minor Collector streets that are essential to providing connectivity to the external arterial grid, as well as neighbouring areas, for all modes of transportation, including pedestrian and cycling, vehicular, transit services, and active transportation while respecting and protecting the natural environment, where possible. The Multi-Modal Transportation Network establishes a framework to guide the development of streets and blocks, and the design of complete streets for all ages,	TCPL has not provided permission for crossing of the privately-owned access road with Street 4. The City agreed at the meeting on September 11, 2019 to add policies to the Secondary Plan which restrict any local road crossings over TCPL’s existing driveway and which minimizes crossings of the rights-of-way or local roads parallel to the rights of ways. We request that the policies as noted below be added to the appropriate sections of the

Section # (Please reference Section and/or Policy Number from Draft Secondary Plan)	City of Vaughan Revisions to Block 41 Secondary Plan Text September 2019	TCPL comments submitted to CoV September 2019 Strikethrough – request removal Bold - new
	abilities, and modes of transportation for the lands subject to this Secondary Plan within Block 41. The objective is to reduce the reliance on the automobile by providing convenient and viable opportunities for active transportation and transit.	Secondary Plan. <i>"Local roads shall not be permitted to cross or run parallel to TCPL's private driveway. Local road crossings of TCPL's rights-of way shall be minimized. Local roads shall not be located parallel to TCPL's rights-of way."</i>
Section 3.8 Infrastructure and Utilities	3.8.1 Although not included within the defined Block 41 Secondary Plan area, the TCPL compressor station designated "Infrastructure and Utilities" is located adjacent to the Secondary Plan area. The TCPL compressor station and pipeline rights-of-ways define the boundaries between the neighbourhoods within the Block 41 Community. 3.8.2 The City may work with TCPL to ensure protection of key natural heritage features and key hydrologic features in accordance with the policies of the Greenbelt Plan. 3.8.3 Stormwater management sites will be multifunctional, providing not only a water catchment facility but will be designed as complimentary components of an integrated open space system. Innovative stormwater management techniques may be implemented as long as park programming opportunities and operations are not negatively impacted.	3.8.1 All of the TCPL owned lands should be designated as "Infrastructure and Utilities", not just the Compressor Station. We request this section be changed as follows: Although not included within the defined Block 41 Secondary Plan area, the TCPL compressor station TCPL owned lands and rights-of-way designated "Infrastructure and Utilities" are located adjacent to the Secondary Plan area. The TCPL compressor station and pipeline rights-of-ways owned lands and rights-of-way define the boundaries between the neighborhoods within the Block 41 Community. We still maintain that, prior to the designation of land use, compatibility must be demonstrated. However, based on the City's amended position, which is not aligned

Section # (Please reference Section and/or Policy Number from Draft Secondary Plan)	City of Vaughan Revisions to Block 41 Secondary Plan Text September 2019	TCPL comments submitted to CoV September 2019 Strikethrough – request removal Bold - new
	3.8.4 The planning, design, and implementation of stormwater management plans, strategies, and infrastructure shall, where applicable, prevent the accumulation of standing water to not be conducive to mosquito larvae breeding.	with this approach, the current Section should still be strengthened by adding the following sentence to Section 3.8.2: <i>“The City shall consult with TCPL during the Subdivision, Zoning, and Site Plan Approval process for all developments to ensure compatibility with its existing and potential future operations.”</i>
Section 3.9 – Sensitive Land Uses	Applications for residential development and other sensitive land uses shall have regard for potential impacts such as, but not limited to noise, vibration, odour, and air pollution impacts from existing uses, major streets and transportation infrastructure, and facilities. Where appropriate, applications for residential development and other sensitive land uses shall include a noise and vibration study, an air pollution study, and other studies as required to identify appropriate measures to mitigate adverse impacts from the source. Such studies shall be completed for residential development and sensitive land uses through the Block Plan and where required through the development application approval processes to the satisfaction of the City and in consultation with other agencies, as required.	We recommend further revisions to this section as follows: <i>Revise the last sentence in this section with:</i> <i>“... in consultation with other agencies and TCPL, as required”.</i>
3.10.1 Policies for TransCanada Pipelines Limited NEW	This Secondary Plan recognizes that TCPL's natural gas pipelines and Compressor Station 130 is required for the transmission of natural gas supplies throughout Ontario and eastern Canada. Future developments within the Block 41 Secondary Plan area should ensure there are no undue negative impacts on TCPL Compressor Station 130's ability to continue to facilitate the transmission of natural gas.	It should be noted that TCPL's position with respect to the policy approach to address Station 130 and the impacts on TCPL's facilities was outlined in its submission on April 2, 2019 through the addition of a new Section 3.10. The approach outlined by TCPL is the most appropriate land use planning policy approach. We recognize the approach that the City is now putting forward in

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		Section 3.10 is a different land use planning policy approach. While we do not agree it is the best approach, we are pleased to see the City has added a number of policies that define the approach and process and that several of TCPL's recommended revisions have been incorporated into this alternative approach. We are providing additional comments on the new Section 3.10 which we believe further strengthen the City's policies. These are highlighted below: <i>"This Secondary Plan recognizes that TCPL's natural gas pipelines and Compressor Station 130 is required for the transmission of natural gas supplies throughout Ontario and eastern Canada. Future developments within the Block 41 Secondary Plan area should ensure there are no undue-negative adverse impacts on TCPL's Compressor Station 130's ability to continue to facilitate the transmission of natural gas through Compressor Station 130."</i> Amend: "rights-of-ways" to "rights-of-way"
3.10.2	TCPL compressor station and pipeline rights-of-ways are not included in the defined Secondary Plan boundary but are located adjacent to, and define, the boundaries between Neighbourhoods One, Two, and Three of the Secondary Plan and the balance of the Block 41.	
3.10.3	TCPL compressor station and pipeline rights-of-way are shown on Schedule 12 of VOP 2010 and Schedule B of this Secondary Plan. Development adjacent to the TCPL's natural gas pipelines and compressor station operations (existing and approved) shall be subject to the provisions of Section 9.2 of VOP 2010, in addition to the policies of this Secondary Plan.	The policies from Section 9.2 of the VOP should be brought into the Secondary Plan and incorporated into this section. The term "existing and approved" is used throughout the section and the Secondary Plan. This wording is problematic and does not conform

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		with the Growth Plan 2019 and PPS policies which speak to current and projected needs. In our recommended policies, we used the term “existing and future operations”. The language must protect existing and future operations for Station 130 in order to ensure that TCPL can meet current and future demands for natural gas. Remove “existing and approved” or replace with “existing and future” throughout the Secondary Plan. We understand from our meeting on September 11, 2019, that the City is revising the Secondary Plan schedules to ensure conformity between the VOP and the Secondary Plan so that they both illustrate the correct TCPL station and rights-of-way. This policy should just read “the infrastructure” – remove “existing and approved” This policy should also require compatibility – not state “be made to be compatible”
3.10.4	The existing and approved infrastructure related to TCPL's natural gas pipelines and compressor station require that adjacent <i>development</i> within the Block 41 Secondary Plan Area, that is within the Noise Influence Area identified on Schedule G, be made to be compatible with the operation of that infrastructure, in that the proposed Block 41 development will implement mitigation to meet the sound level limits of NPC-300 Guideline and implement the additional mitigation as outlined in the Secondary Plan to address Low Frequency Noise.	
3.10.5	Additional <i>development</i> or enhancements to TCPL's natural gas pipelines and compressor station, beyond what is existing or approved, shall recognize existing and future land uses that are approved as part of this Secondary Plan, once the residential and sensitive land uses as defined by the NPC-300 Guideline within the Block 41 Secondary Plan area have been zoned, those operations shall be made to be compatible with the future <i>development</i> of the Block 41 Community. Prior to the zoning of the lands within the Block	Please delete this policy. Neither Station 130 nor the pipeline rights-of-way are shown to be within the Secondary Plan. Neither are subject to the jurisdiction of the Plan or to the Planning Act. Any future development on TCPL's property is subject only to federal regulatory process, which the City will receive notice of.

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	41 Secondary Plan area, an acoustical assessment incorporating any predictable modifications to the compressor station shall be required as part of the Zoning By-law Amendment application approval process.	
3.10.6 Definition of Sensitive Land Uses/Points of Reception	For the purposes of this Secondary Plan, Sensitive Land Uses and Points of Reception are defined as they are defined in the Provincial NPC-300 Guideline. Only Sensitive Land Uses and Points of Reception within the Noise Influence Area identified on Schedule G will require appropriate noise attenuation, as those impacts relate to TCPL's natural gas pipelines and compressor station (existing and approved).	Remove the term " existing and approved " or revise to " existing and future "
3.10.7	Other Sensitive Land Uses and Points of Reception may be impacted by other activities or infrastructure within the Secondary Plan Area that not related to the TCPL's operations, and located outside of the Noise Influence Area identified on Schedule G. Those other Sensitive Land Uses and Points of Reception as defined by the NPC-300 Guidelines shall be subject to the provisions of Section 9.2 of VOP 2010, in addition to the policies of this Secondary Plan.	Remove this policy as it is not clear what these sensitive land uses would be and what other infrastructure exists.
3.10.9	Where a Class 4 designation has been granted, the development shall strive to achieve the sound level limits as close to the Class 1 limits as outlined in Provincial NPC-300 Guideline as feasible for residential and/or other <i>sensitive land uses</i> . The City of Vaughan, at its sole discretion, will determine if the proposed mitigation is appropriate and feasible.	Remove " strive to " and instead state " shall achieve " Please elaborate on how appropriateness and feasibility will be determined (based on what criteria?)
3.10.11 Policies for Impacts due to Low Frequency Sound	For all developments that: 1. Incorporate a sensitive land use and/or a Point of Reception; and 2. Are within the Noise Influence Area identified on Schedule G.	Sections 3.10.11 and 3.10.12 should be combined.

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3.10.12	The City will ensure, through the Implementing Zoning By-law, Conditions of Draft Plan Approval, Site Plan Agreement, and/or any other legally binding agreement acceptable to the City, that potential adverse noise impacts due to low frequency sound shall include appropriate construction techniques and/or building materials that will mitigate potential adverse noise impacts due to low frequency sound to an interior sound level of 30 dBA, or less in habitable spaces as defined by the Provincial NPC-300 Guideline. As a minimum, the dwellings should be constructed of brick veneer or masonry exterior wall construction (minimum STC 54) and be provided with central air conditioning.	Propose combining 3.10.11 and 3.10.12 to read as follows: “3.10.11 For all developments that: 1. Incorporate a sensitive land use and/or a Point of Reception; and 2. Are within the Noise Influence Area identified on Schedule G; The City will ensure, through the Implementing Zoning By-law, Conditions of Draft Plan Approval, Site Plan Agreement, and/or any other legally binding agreement acceptable to the City, that potential adverse effects from noise impacts due to low frequency sound shall include appropriate construction techniques and/or building materials that will mitigate potential adverse effects from noise impacts due to low frequency sound to an interior sound level of 30 dBA, or less in habitable spaces as defined by the Provincial NPC-300 Guideline. As a minimum, the dwellings should be constructed of brick veneer or masonry exterior wall construction (minimum STC 54) and be provided with central air conditioning.” TCPL is pleased to see this policy, however, it cannot validate whether the reduction of interior dBA noise to 30 dBA will have any effect on LFN. Further, this will have no impact on outdoor LFN and concerns it may pose to residents.

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3.10.13	Physical noise mitigation measures (e.g. sound barriers), for residential and/or sensitive land uses adjacent to the compressor station , in addition to the requirements outlined in Section 3.10.12 shall be required, the height of which shall be to the satisfaction of the City.	Revise and confirm that adjacent means off TCPL's property and that the costs for such a mitigation element are to be borne by the development applicants. This will then be consistent with policy 2. TCPL also requests to be consulted in the height and design of the noise mitigation element adjacent to its facility. Suggested revisions to this policy: “... the height of which and design of any noise mitigation measures shall be to the satisfaction of the City and TCPL.”
3.10.14 Policies for Noise Impacts	With respect to the potential adverse noise impacts on lands within the Noise Influence Area identified on Schedule G, the following noise thresholds apply: 1. In addition to the central air conditioning and brick veneer or masonry exterior wall construction (minimum STC 54), the indoor noise threshold for all defined Sensitive Land Uses shall not exceed 30 dBA in habitable spaces as defined by the Provincial NPC-300 Guideline; and 2. For any outdoor living area defined as a Point of Reception, the outdoor noise threshold shall not exceed 55 dBA, during the day and evening hours.	This policy is not clear. Adverse noise impacts should be revised to “adverse effects”.
3.10.15	Applications for the development of Sensitive Land Uses and Points of Reception as defined by the Provincial NPC-300 Guideline within the Noise Influence Area identified on Schedule G shall include a Noise Feasibility Study that assesses the impacts of noise from TCPL's compressor station operations, existing and approved, on any Sensitive Land Uses and Points of Reception.	Revise to require the study (as noted in other sections) by revising the policy as follows: “Applications for the development of Sensitive Land Uses and Points of Reception as defined by the Provincial NPC-300 Guideline within the Noise Influence Area identified on Schedule G shall include a require a Noise Feasibility Study that assesses the impacts of effects of noise

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3.10.16 Implementation	Where required, Noise Feasibility Study are to specify how compatibility will be achieved between TCPL's compressor station (existing and approved) and the proposed development and may include measures aimed at minimizing impacts, or prohibiting certain types of development in proximity to TCPL's compressor station (existing and approved) to ensure compatibility. The maintenance of any mitigation measures to be implemented shall be secured by agreements between the City of Vaughan and developers or between the developers and TCPL if the mitigation is to be installed on or within the compressor station property.	from TCPL's compressor station operations, existing and approved, on any Sensitive Land Uses and Points of Reception." Revise as follows: "Where required, Noise Feasibility Studies are to specify how compatibility will be achieved between TCPL's compressor station (existing and approved) and the proposed development and may shall include measures aimed at minimizing impacts, or prohibiting certain types of development in proximity to TCPL's compressor station (existing and approved) to ensure compatibility. The maintenance of any mitigation measures to be implemented shall be secured by agreements between the City of Vaughan and developers or between the developers and TCPL if the mitigation is to be installed on or within the compressor station property."
3.10.17	Further, any required Noise Feasibility Study shall be prepared to the satisfaction of the City in consultation with TCPL, and shall recommend appropriate measures to mitigate to meet the Provincial NPC-300 Guideline sound level limits from noise, and implement the mitigation outlined in Section 3.10 of this Secondary Plan to address Low Frequency Noise that are identified prior to the approval of an Implementing Zoning By-law. The sound level limits are those provided in the Provincial NPC-300 Guideline document and include the mitigation described in Policies 3.10.12 to 3.10.14 above.	This section needs to be revised to reference the appropriate sections as consolidated above. The end of this section needs to be revised to add "which includes LFN".

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3.10.18	The City, at its discretion, may carry out a peer review of any Noise Feasibility Study, the cost of which shall be paid on behalf of the City by the Applicant, and shall, if required, be a necessary element of a Complete Application.	TCPL proposes language change as follows: "The City, at its discretion may shall carry out a peer review..."
3.10.19	For all <i>development</i> proposals within 200 metres of the TCPL lands, the City shall require the applicant to pre-consult with TCPL. For crossings of the TCPL right-of-way, applicants shall consult with TCPL as soon as possible through the Third-party Crossings Tool.	TCPL requires that for crossings and any ground disturbance activities within 30 m of the pipeline, the City and applicant/developer consult with and apply to TCPL for written consent (subject to conditions) prior to proceeding. Note: this applies to crossings of all TCPL owned assets (including the powerline).
3.10.20	For all proposed <i>development</i> within the Noise Influence Area identified on Schedule G, the City shall consult with TCPL during the Draft Plan of Subdivision/Condominium, Implementing Zoning, and Site Plan Approval processes, as well as the design process for public spaces, to ensure compatibility with TCPL's existing and approved operations.	Remove "existing and approved"
3.10.21	All further planning approvals within the Noise Influence Area identified on Schedule G shall be: 1. Based on an Acoustic Model, which may be provided by TCPL at the time of preparation of the noise reports, including the associated assumptions used within the model. If an acoustic model is not available through TCPL, input regarding the noise sources, sound level information regarding the equipment, mitigation measures that may have been implemented within the compressor station lands shall be provided by TCPL to be used in the development of an acoustic model to the satisfaction of the City, in consultation with TCPL; 2. Required to prepare a Noise Feasibility Study and/or Acoustic Performance	TCPL does not agree to providing a model or assumptions for acoustic assessment. TCPL may, at its option, provide output data. The onus to produce and provide this information is on the developer, not TCPL, and the developer is in a position to create its own models based on actual noise monitoring. As such, revise part (1) to read as follows: <i>"1. Based on an acoustic model produced by the Developer to the satisfaction of the City,"-Based on an Acoustic Model which may be provided by TCPL at the time of preparation of the noise reports, including the associated assumptions used within the model. If an acoustic model is not available through TCPL, input regarding the noise sources, sound level information regarding the equipment,</i>

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	Report, utilizing the accepted Acoustic Model (updated as noted above), to be carried out by a Professional Engineer, to the satisfaction of the City, in consultation with TCPL; 3. Subject to the implementation of any noise mitigation requirements or techniques, as identified in a Noise Feasibility Analysis Study that has been accepted by the City. These noise mitigation requirements or techniques shall be secured through the Implementing Zoning By-law, Conditions of Draft Plan Approval, Site Plan Agreement, and/or any other legally binding agreement acceptable to the City; and 4. In recognition of the potential for noise impacts from existing or approved TCPL operations, the City will require that there be formal warning notices included in all purchase and sale (or rental/lease) agreements and for registration on title for all properties or condominium units that are identified as a sensitive land use and Point of Reception within the Noise Influence Area identified on Schedule G.	mitigation measures that may have been implemented within the compressor station lands shall be provided by TCPL to be used in the development of an acoustic model to the satisfaction of the City, in consultation with TCPL; In part (4) revise “impacts” to “effects” as noted below. In addition, while TCPL’s position is that appropriate separation of sensitive land uses is the appropriate approach, since the City does not agree with this position we recommend that the City revise paragraph 4 to include the requirement that a noise easement also be granted in favour of TCPL: “4. In recognition of the potential for noise impacts effects from existing or approved TCPL operations, the City will require that there be formal warning notices and noise easements (in favour of TCPL) included in all purchase and sale (or rental/lease) agreements and for registration on title for all properties or condominium units that are identified as a sensitive land use and Point of Reception within the Noise Influence Area identified on Schedule G.”
4.2.3 Low-Rise Residential Designation	The Low-Rise Residential designation permits the following building types: 1. Detached House; 2. Semi-Detached House; 3. Townhouse including Stacked Townhouses (up to 3-storeys) and Back-to-back townhouses. Back-to-back townhouses are attached Low-Rise Residential forms providing a primary building frontage on two sides, with units sharing a rear wall, to avoid backlotting onto pathways, lanes and streets; and will not have an	It should be ensured that noise impact assessments for new or proposed developments within the NIA, as indicated in Section 3.10.8 of the Draft Secondary Plan, properly consider the height of multi-storey receptors in their assessments.

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	adverse impact on the context and lot configuration; and 4. Public and Private Institutional Buildings.	
4.6.1 Infrastructure and Utilities Designation	The Infrastructure and Utilities designation on Schedule B of this Secondary Plan is applicable to the TransCanada Pipeline rights-of-way extending along an north-south alignment through the northern part of the Block. (Note: This section was present in the previous version of the Plan but has been deleted in the current version)	As discussed with the City on September 11th, 2019, TCPL expects Schedule B will be amended to reflect that TCPL owned property and assets are not part of the Secondary Plan. However, for the purposes of planning, TCPL's compressor station and privately-owned access road are existing federally regulated infrastructure and utilities which the City needs to take into consideration in making land use planning decisions on adjacent lands.
4.9.1 Stormwater Management Symbol	Stormwater Management facilities, conceptually shown on Schedules B, C, and F may be located in all land use designations other than the Core Features in the Natural Areas designation, except as permitted in Policy 5.6.4. Further, Stormwater Management Facilities and Low Impact Development may be permitted in accordance with Sections 3.2 and 3.6 as it relates to infrastructure in Core Features, specifically stormwater management facilities. The stormwater management facility symbols are conceptual and may be relocated without an amendment to this Plan. The final number, configuration, and location of stormwater management facilities shall be determined through the Master Environment and Servicing Plan ("MESP") developed as part of the Block Plan approval process required in accordance with policies Section 10.1. of VOP 2010 and the development approval process.	The City agreed at a meeting on September 11, 2019 that it will fully engage with TCPL through the MESP process. Please incorporate into the Secondary Plan.



POLICY PLANNING &
ENVIRONMENTAL SUSTAINABILITY

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6.2.1 (6) Sustainable Development	Planting of tree species within the right-of-way and in parks to enhance carbon sequestration is encouraged.	Clarify that the right-of-way referred to here is the public road right of way, not TCPL's pipeline rights-of-way.
6.6.3. (2)	In addition to the provisions of Section 7.3 of VOP 2010, parkland shall be located outside of pipeline safety buffers, Core Features and their VPZs, and regulated floodplain areas.	Revise " pipeline-safety buffers " to "required setbacks to pipeline rights-of-way"
7.1.1 (2) Street Network	Street Hierarchy The street hierarchy is identified on Schedule E of this Secondary Plan, with the exception of local streets which will be established through the development of the Block Plan approval process required in accordance with Section 10.1 of VOP 2010 and the development approval process. In conformity with Section 4.2 of VOP 2010, the intent is to develop connected and continuous, grid-like multi-modal street network while recognizing constraints such as the TCPL pipeline and natural area that create barriers which limit the achievement of a completely connected street network.	The City and the Developers have not reached an agreement with TCPL to cross its privately-owned and federally regulated facilities with municipal infrastructure. TCPL looks forward to continued discussion with the City regarding TCPL's unresolved concerns in relation to the proposed crossing of its driveway.
7.1.1 (4)	The Teston Road Municipal Class Environmental Assessment ("MCEA") between Pine Valley Drive and Weston Road reviewed current and future transportation needs for Teston Road. The MCEA recommended the widening of Teston Road from two to four lanes and the elimination of a jog at the Pine Valley Drive and Teston Road intersection. For the alignment of the Pine Valley Drive and Teston Road intersection the Teston Road EA shall be referenced.	The City and the Developers have not reached an agreement with TCPL to cross its privately-owned and federally regulated facilities with municipal infrastructure. Continued discussion with the City is required to address the concerns of TCPL in relation to the proposed crossing of its private access road.

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8.2.1 Stormwater Management	Stormwater management in the Block 41 Secondary Plan area shall be in accordance with the directions in Section 3.6 of the VOP 2010; the East Purpleville Creek Subwatershed Study, and the MESP developed as part of the Block Plan approval process required in accordance with Section 10.1 of VOP 2010, and shall also meet the criteria of all approval agencies, including the TRCA and Ministry of the Environment, Conservation and Parks (MECP). In addition, the applicable policies of the Approved Source Protection Plan: CTC Source Protection Region will be applied.	Please provide the outstanding details respecting the proposed stormwater pond located directly adjacent to Station 130, including details on proposed discharge locations. TCPL does not agree to, nor grant permission for, any additional stormwater being discharged across its property nor stormwater infrastructure being installed across its privately-owned lands and federally regulated infrastructure. TCPL understands from the September 11, 2019 meeting that the City will continue to consult with TCPL through the MESP process.