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September 24, 2019

MGP File: 11-2003

Mayor and Members of Council
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

via email: clerks@vaughan.ca

Dear Mayor Bevilacqua and Members of Council:

**RE: City of Vaughan Committee of the Whole – September 24, 2019
Item 16: New Community Area – Block 41 Secondary Plan Study File 26.4.2
Comments from Block 41 Landowners Group**

Malone Given Parsons Ltd. (MGP) is the Planning Consultant for the Block 41 Landowners Group ("LOG"), who own approximately 232 gross hectares of land within the Block 41 Secondary Plan area.

On behalf of the LOG, we have reviewed the Committee of the Whole Report dated September 24, 2019 and the attached Final Draft Block 41 Secondary Plan, and are supportive of moving the Secondary Plan forward. We wish to thank Staff and Council for their efforts in bringing the Secondary Plan to fruition.

Since the Public Hearing in April 2019, the LOG has met with City staff to discuss our comments on the Draft Secondary Plan. The LOG continues to have some minor comments and policy clarifications on the draft Secondary Plan policies which are outlined in the attached table.

The LOG's comments generally relate to the noise policies (Section 3.10), the location of stormwater management ponds (Sections 5.5.4 and 8.2), and the Natural Heritage Network (Section 5.0). In addition, there are still some natural heritage mapping discrepancies which we raised with City staff at our last meeting and require confirmation. We are confident that these can be addressed prior to Council's approval of the Final Draft Secondary Plan.

Lastly, we note that the Final Draft Secondary Plan contains Appendix II- Gross Density Calculation which provides high-level expectations for the number of people, jobs, housing mix and density for the Block 41 Lands. The policies of the Final Draft Secondary Plan note that Appendix II is attached only for information purposes and is non-operative and non-binding. It should be noted that the LOG contemplates a housing mix, density and population that differs from Appendix II while still achieving the minimum density target of 20 units per hectare and 70 people and jobs per hectare. The LOG vision for the Block 41 community will be further developed as part of the upcoming Block Plan and Master Environmental Servicing Plan process.

The LOG's comments on the Final Draft Block 41 Secondary Plan are contained in the attached table. We would like to request a meeting with Staff to address our minor comments and policy clarifications to finalize the Secondary Plan for Council's approval in the coming week.

Should you have any questions or wish to discuss our comments in greater detail, please contact me at (905) 513-0170.

Yours very truly,

Malone Given Parsons Ltd.



Don Given, MCIP, RPP

President

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Att 1 Block 41 Landowners Group –Secondary Plan Comments

cc: Block 41 Landowners Group
Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management
Bill Kiru, City of Vaughan
Armine Hassakourians, City of Vaughan

Subject: Block 41 Landowners Group – Secondary Plan Comments

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Section # (Please reference Section and/or Policy Number from Draft Secondary Plan)	Comments
3.10 Policies for TransCanada Pipelines Limited 3.10.5	Additional development 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. Once the zoning of the Block 41 community is approved , those operations-additional developments or enhancements shall be made to be compatible with the future development of the Block 41 Community as allowed per the approved zoning . Prior to the zoning of the lands within the Block 41 Secondary Plan area, an acoustical assessment incorporating any planned and predictable modifications to the compressor station shall be required as part of the Zoning By-law Amendment application approval process.
Definition of Sensitive Land Uses/Points of Reception 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 are 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.
The Noise Influence Area 3.10.8	The lands within the Noise Influence Area identified on Schedule G may be designated by the City as Class 4, pursuant to the Provincial NPC-300 Guideline document. Designating the lands within the Noise Influence Area as Class 4 represents the lands that may be subject to noise levels above 45dBA Leq 1 hour at the building facades during the night and 50dBA Leq 1 hour at building facades during the daytime. The designation of the lands as Class 4 is at the sole discretion of the City of Vaughan. Sensitive Land Uses and Points of Reception within The-the Noise Influence Area shall necessitate the require Noise Feasibility Studies and-which outline potential noise mitigation strategies.
3.10.9	Where a Class 4 designation has been granted, the development shall strive to achieve the sound levels limits as close to the Class 1 limits as outlined in Provincial NPC-300 Guideline as feasible for residential and/or other sensitive land uses. The City of Vaughan, at its sole discretion, will determine if the proposed mitigation is appropriate and feasible.

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.
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 can be required used, the The height of which shall be determined by the Noise Feasibility Study to the satisfaction of the City.
3.10.14	With respect to the potential adverse noise impacts on lands within the Noise Influence Area identified on Schedule G, the following noise thresholds apply: <ol style="list-style-type: none"> 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.
Implementation 3.10.16	Where required, Noise Feasibility Study Studies 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.
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 shall include the mitigation outlined in Section 3.10.12 and 3.10.14 of this Secondary Plan to address Low Frequency Noise, for noise sources 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.
3.10.19	For all development proposals within 200 metres the Noise Influence Area shown on Schedule F 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.

3.10.21	<p>All further planning approvals within the Noise Influence Area identified on Schedule G shall be:</p> <ol style="list-style-type: none"> 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 <u>may</u> 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 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
Stormwater Management Symbol 4.9.1	<p>COMMENTS: Reference should be made to Policy 5.5.4, renumbered from Policy 5.6.4</p>
The Natural Heritage Network 5.0	<p>COMMENTS: In several areas the term "Core Features and their associated VPZ's" is used. As per Section 3.2 of the City of Vaughan Official Plan, 2010, we understand that the definition of Core Features includes the VPZ. As such the use of the term "Core Features and their associated VPZ's" is redundant.</p>
5.1.4	<p>The biodiversity, ecological function, and connectivity of the NHN shall be protected, maintained, restored or, where possible, improved for the long-term, recognizing linkages between and among Core Features and areas, surface water features, and ground water features.</p> <p>COMMENTS: It is not clear what Core Features and Areas refers to.</p>
Stormwater Management 8.2.2	<p>COMMENTS: The Landowners previously suggested modifications to Section 2.1.2, item 4 Bullet 5 related to the protection of groundwater resources. This revision was made however we note that Policy 8.2.2 also includes wording that was revised in Section 2.1.2. As such, we are suggesting that Section 8.2.2 be modified as follows for consistency with Policy 2.1.2:</p> <p>Development in the Block 41 Secondary Plan area is required to incorporate "Low Impact Development" best practices and green infrastructure, wherever feasible and practical to minimize runoff, reduce water pollution, and</p>

	protect groundwater resources quality and maintain pre-development groundwater levels as measures in addition to more traditional stormwater management systems and facilities. These measures may include but are not limited to, porous pavements, bioretention basins, enhanced swales, at-source infiltration, greywater re-use, green roofs, rain gardens, and alternative filtration systems such as treatment trains and water conservation measures, subject to the satisfaction of the City.
8.2.3	<i>COMMENTS: Policy 8.2.3 is recommended to be deleted. The language in Policy 8.2.3 conflicts with Policies 4.9.1 and 5.5.4. Further, it is redundant as Policy 4.9.1 provides general direction for stormwater management facilities and Policy 5.5.4 provides direction for those facilities within the Greenbelt Plan.</i>