

# ATTACHMENT 1C

August 6, 2019

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**BY E-MAIL ONLY** ([Eugene.Fera@vaughan.ca](mailto:Eugene.Fera@vaughan.ca))

Eugene Fera  
Development Planning Department  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

Dear Mr. Fera:

**Re: Draft Plan of Subdivision Application 19T-16V007  
Zoning By-law Amendment Application Z.16.032  
5445 Kirby Road  
Within Block 55 East  
Part of Lot 30, Concession 9  
City of Vaughan, Regional Municipality of York  
(Kirby Road Developments Inc.)**

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The purpose of this letter is to acknowledge receipt of and to provide comments on the following:

- Draft Plan of Subdivision 19T-16V007, Part of Lot 30, Concession 9, City of Vaughan, Regional Municipality of York, prepared by Malone Given Parsons, dated June 7, 2019, received by TRCA on June 13, 2019.

This revised draft plan of subdivision was submitted in support of Draft Plan of Subdivision Application 19T-16V007 and Zoning By-law Amendment Application Z.16.032 in Block 55 East, in the City of Vaughan. A list of supporting materials reviewed can be found in Appendix 'A' of this letter. Toronto and Region Conservation Authority (TRCA)'s detailed-design comments can be found in Appendix 'B' and draft plan conditions can be found in Appendix 'C'.

## **Background**

The intent of the subject applications is to facilitate a residential plan of subdivision comprised of 9 lots, 2 future residential blocks, open space blocks, open space buffers and vistas, a portion of a stormwater management (SWM) pond, and a residential street. The subject submission now recognizes the addition of an Open Space block, noted as 'Block 13', to the Draft Plan of Subdivision lands. Block 13 is located within the Greenbelt Plan area and encompasses lands that contain a Provincially Significant Wetland (PSW) feature as well as a portion of a contiguous woodland feature and their associated buffers. The proponent has agreed to convey Block 13 into public ownership for its long-term protection, along with Blocks 10 through 12 which also contain natural features (including an additional PSW) and hazards.

The zoning by-law amendment application proposes to re-zone the lands from A Agricultural to RD1 Residential Detached Zone One, RD2 Residential Detached Zone Two, OS1 Open Space Conservation

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Zone (Blocks 10-12) and OS2 Open Space Park Zone (Block 14), with a H Holding Symbol and site-specific exceptions applying to select areas throughout the draft plan of subdivision. Block 13, which contains the PSW, will remain zoned A Agricultural.

## **Application-Specific Comments**

Based on our review of the original Block Plan and addendum documents provided to our office, TRCA notes that previous comments pertaining to water resources engineering (indicating the Regulatory flood plain on the plans, erosion and quantity control) and amending the stormwater management block (Block 15) to respect the 30 m PSW buffer have been satisfactorily addressed. The remaining comments (Appendix 'B') can be addressed at the detailed design stage.

## **Recommendations**

Based on the above, TRCA recommends approval of Draft Plan of Subdivision 19T-16V007, subject to the conditions listed in Appendix 'C'.

TRCA's comments on Zoning By-law Amendment Application Z.16.032 can be found within the conditions of draft plan approval.

We would be happy to meet with the City and Owner to discuss TRCA's comments and conditions further.

Should any revisions to Draft Plan of Subdivision Application 19T-16V007 or Zoning By-law Amendment Application Z.16.032 be proposed now or in the future, TRCA staff asks to be given the opportunity to amend our conditions and comments accordingly.

Please provide the Notice of Decision for both the draft plan of subdivision and zoning by-law amendment once they are approved.

We trust these comments are of assistance. We look forward to our continued meetings on this and other projects within the Block 55 East area.

Should you have any questions, please contact me at extension 5936, or at [mark.andrews@trca.ca](mailto:mark.andrews@trca.ca).

Yours truly,



Mark Andrews, B.A. (Hons.), M.Pl., RPP  
Planner  
Development Planning and Permits

/MA

Copy: Joan McIntyre, Malone Given Parsons ([jmacintyre@mgp.ca](mailto:jmacintyre@mgp.ca))  
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Ruth Rendon, City of Vaughan ([ruth.rendon@vaughan.ca](mailto:ruth.rendon@vaughan.ca))

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## **Appendix 'A' – List of Materials Reviewed**

- Draft Plan of Subdivision, prepared by Malone Given Parson, dated June 7, 2019, received by TRCA on June 13, 2019.
- Stormwater Management Compliance and Servicing Analysis – 3<sup>rd</sup> Submission, prepared by SCS Consulting Group Ltd., dated April 30, 2019, received by TRCA on June 13, 2019.
- Addendum – Stormwater Management Compliance and Servicing Analysis – 3<sup>rd</sup> Submission, prepared by SCS Consulting Group Ltd., dated June 13, 2019, received by TRCA on June 21, 2019.
- Figure No. 1.2, Post-Development Drainage Plan, prepared by SCS Consulting Group Ltd., dated July 2018, received by TRCA on June 13, 2019.
- Figure No. 1.4, Preliminary Servicing Plan, prepared by SCS Consulting Group Ltd., dated April 2019, received by TRCA on June 13, 2019.
- Figure No. 1.5, Preliminary Grading Plan, prepared by SCS Consulting Group Ltd., dated April 2019, received by TRCA on June 13, 2019.
- Draft Zoning By-law and Schedule, received by TRCA on June 13, 2019.
- Response letter, prepared by SCS Consulting Group Ltd., dated May 2, 2019, received by TRCA on June 13, 2019.

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## **Appendix 'B' – Detailed-Design Comments**

The following comments are carried over from our correspondence of January 31, 2019, however, can be deferred to the detailed-design (site plan) stage. These comments follow the same numbering scheme from the aforementioned correspondence.

### **Water Resources Engineering**

#### ***Water Balance***

5. At the detailed design stage please provide detailed supporting information that will confirm that the design of the infiltration trenches will provide the necessary water balance and erosion controls; including:
  - a. Post- to pre- infiltration, runoff, and evapotranspiration calculations based on existing soil conditions;
  - b. Design cross-sections of the trench, including sizing, details on the infiltration medium, and overflow drain (if necessary); and
  - c. Calculated drawdown time of the infiltration facilities.

#### ***Erosion and Sediment Control***

6. It is recommended that an Erosion and Sediment Control (ESC) drawing be submitted to demonstrate the erosion protection for the subject site and the staging plan for the proposed works. Please ensure that the erosion and sediment control plan follow the Erosion and Sediment Control Guideline for Urban Construction, December 2006. The most up to date guideline can be found on the Sustainable Technologies Evaluation Program (STEP) website at [www.sustainabletechnologies.ca](http://www.sustainabletechnologies.ca). An erosion and sediment control report and phased drawings are to be submitted along with the future detailed design submission.
7. To preserve the infiltration capability of the areas in which the low impact development (LID) measure(s) are proposed to be installed, and to avoid unnecessary compaction, the areas specified for LID measures must be protected. TRCA staff recommend that these areas are isolated with the necessary ESCs. This will prevent the entrance of construction equipment as well as sediment transfer into the area, therefore ensuring the sediment generated during construction will not clog the native soil. This should be addressed at the detailed design stage.

### **Planning Ecology**

8. The Stormwater Management Compliance and Servicing Analysis dated April 30, 2019 (Figure No. 1.5 – Preliminary Grading Plan) indicates fill placement and grading within the 30 m buffer from the south PSW. At the detailed-design stage, every effort should be made to minimize the proposed grading within the 30 m PSW buffer. This may be achieved by steepening slopes from 3:1 to 2.5:1, etc. All buffers will require planting of native trees and shrubs, which may be impeded by the fill and grading. The flow spreader should also be redesigned to minimize encroachment into the buffer.

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## **Appendix 'C' – TRCA's Conditions of Draft Plan Approval and Comments on the Zoning By-law Amendment Application**

### **TRCA's Conditions of Draft Plan Approval**

TRCA staff recommends approval of Draft Plan of Subdivision 19T-16V007, Part of Lot 30, Concession 9, City of Vaughan, Regional Municipality of York, prepared by Malone Given Parsons, dated June 7, 2019, subject to the following conditions:

1. That prior to topsoil stripping and prior to the registration of this plan or any phase thereof, the Owner shall submit a detailed engineering report and plans to the satisfaction of TRCA for any proposed topsoil stripping in the plan area. This submission shall include:
  - a. Detailed plans illustrating the topsoil stripping proposal, including but not limited to the locations, staging and methodology; and
  - b. An erosion and sediment control report and plans for the subject lands that includes proposed measures for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after topsoil stripping.
2. That prior to site alteration (with the exception of topsoil stripping) and prior to the registration of this plan or any phase thereof, the Owner shall submit a detailed engineering report (or reports) and plans to the satisfaction of TRCA in accordance with the Block Plan Resubmission - Revised, Block 55 East, Kleinburg Summit Community, Volumes 1 and 2, prepared by Malone Given Parsons Ltd. et al., dated June 2014, as amended by Stormwater Management Compliance and Servicing Analysis, prepared by SCS Consulting Group Ltd., dated April 30, 2019, as may be further amended to the satisfaction of TRCA and the City of Vaughan. This submission shall include:
  - a. A description of the storm drainage system (quantity and quality) for the proposed development;
  - b. Plans illustrating how this drainage system will tie into surrounding drainage systems, i.e., identifying if it is part of an overall drainage scheme, how external flows will be accommodated, the design capacity of the receiving system;
  - c. Appropriate stormwater management techniques which may be required to control minor and major flows;
  - d. Appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to the natural system, both aquatic and terrestrial;
  - e. Detailed plans and calculations for the proposed lot-level, conveyance, and end-of-pipe controls to be implemented on the site;
  - f. Proposed measures to mitigate the potential erosive impacts of development on the natural system, both on and off-site;
  - g. Proposed measures to promote infiltration and maintain water balance for the plan area;

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- h. Proposed measures to maintain feature-based water balance and to mitigate impacts to those natural features that have been assessed to be potentially impacted by the development;
  - i. A subsurface investigation (including assessment of groundwater levels) at the location of the stormwater management pond and for the final design of site grading and house basement elevations. The recommendations of the subsurface assessment will be used to inform the final design and construction plans;
  - j. An evaluation that addresses the need for groundwater dewatering during construction, including but not limited to details for its disposal, potential impacts to natural features due to groundwater withdrawal, mitigation and any permitting requirements;
  - k. Grading plans for the subject lands;
  - l. Cross-sections and details where grading is proposed in or adjacent to the Open Space and Buffers (Blocks 10 – 13 inclusive), including but not limited to existing and proposed grades, limits of the natural features and hazards, buffers, transition to the development lands, interim stabilization of the slopes/disturbed areas, mitigation, and supporting geotechnical/soils analyses;
  - m. An erosion and sediment control report and plans for the subject lands that includes proposed measures for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction; and
  - n. The location and description of all outlets and other facilities or works which may require permits from TRCA pursuant to the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 166/06), as may be amended.
3. That prior to topsoil stripping and prior to the registration of this plan or any phase thereof, the Owner prepare a tree protection and preservation plan for the site to the satisfaction of TRCA. The Vegetation Community Preservation Report, Block 55 East – Kleinburg Summit, prepared by Aboud & Associates Inc., dated January 15, 2014, can be used as a basis for the detailed tree protection and preservation plan, but would need to be updated to reflect the most up-to-date development limits and proposed areas of disturbance. The recommendations of the tree protection and preservation plan shall be implemented by the Owner to the satisfaction of TRCA prior to topsoil stripping.
4. That prior to topsoil stripping, the Owner initiate and continue to undertake the monitoring programs outlined in the Master Environmental Servicing Plan, prepared by SCS Consulting Group Ltd., dated June 2014, as may be amended to the satisfaction of TRCA and the City of Vaughan, which includes but is not limited to the submission of monitoring reports and mitigation and adaptive management plans where negative impacts are anticipated or have occurred as a result of development in the plan area, to the satisfaction of TRCA and the City of Vaughan.
5. That prior to the registration of this plan or any phase thereof, the Owner prepare comprehensive edge management plans/restoration planting plans to the satisfaction of TRCA for the Open Space and Buffers (Blocks 10 – 13 inclusive).

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6. That prior to the registration of this plan or any phase thereof, the Owner prepare planting plans for the Stormwater Management Block (Block 15) to the satisfaction of TRCA.
7. That prior to the registration of this plan or any phase thereof, the Owner prepare a plan that addresses the removal and restoration of historical, man-made intrusions in the Open Space and Buffers (Blocks 10 – 13 inclusive) to the satisfaction of TRCA, which must include but is not limited to the removal of paths, culverts, structures, fences, debris, etc. and the restoration of these areas to a natural state.
8. That prior to the registration of this plan or any phase thereof, the Owner obtain all necessary permits from TRCA pursuant to the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 166/06), as may be amended, to the satisfaction of TRCA.
9. That the Open Space and Buffer (Blocks 10-13 inclusive) be dedicated to TRCA or the City of Vaughan, free of all charges and encumbrances, to the satisfaction of TRCA.
10. That the implementing zoning by-law recognize the Open Space and Buffers (Blocks 10-12 inclusive) in an open space, or other suitable environmental zoning category, which has the effect of prohibiting development, to the satisfaction of TRCA. TRCA recognizes that the Open Space Block 13 will remain zoned A Agricultural.
11. That the Owner provide a copy of the approved implementing zoning by-law to TRCA, when available, to facilitate the clearance of conditions of draft plan approval.
12. That the Owner agrees in the subdivision agreement, in wording acceptable to TRCA:
  - a. To carry out, or cause to be carried out, to the satisfaction of TRCA, the recommendations of the reports/strategies and details of the plans referenced in TRCA's conditions of draft plan approval;
  - b. To carry out, or cause to be carried out, to the satisfaction of TRCA, the monitoring programs outlined in the Master Environmental Servicing Plan, prepared by SCS Consulting Group Ltd., dated June 2014, as may be amended to the satisfaction of TRCA and the City of Vaughan, which includes but is not limited to the submission of monitoring reports and mitigation and adaptive management plans where negative impacts are anticipated or have occurred as a result of development in the plan area, to the satisfaction of TRCA and the City of Vaughan. The Owner agrees to carry out, or cause to be carried out, the mitigation and adaptive management plans to the satisfaction of TRCA and the City of Vaughan;
  - c. To install and maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period, in a manner satisfactory to TRCA;
  - d. To obtain all necessary permits from TRCA pursuant to the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 166/06), as may be amended, to the satisfaction of TRCA;

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- e. To comply with the permits approved under Ontario Regulation 166/06, as may be amended, including the approved plans, reports and conditions to the satisfaction of TRCA;
  - f. To erect a permanent fence along all residential lots and blocks that abut the Open Space and Buffers (Blocks 10 – 13 inclusive) and in other areas as may be required to the satisfaction of TRCA to protect existing and future open space lands from unauthorized/non-programmed entry. It was previously agreed that Eastern Red Cedar trees would be planted along the southerly and easterly limits of the 'Other Lands Owned by Applicant', to provide a landscaped transition between the private lands and the subdivision lands specifically Open Space Block 13;
  - g. To prohibit grading works within the Open Space and Buffers (Blocks 10 – 13 inclusive) unless approved by TRCA;
  - h. To prohibit retaining walls in or adjacent to the Open Space and Buffers (Blocks 10 – 13 inclusive) unless approved by TRCA.
13. That this draft plan of subdivision be subject to red-line revision(s) in order to meet the requirements of TRCA's conditions of draft plan approval, if necessary, to the satisfaction of TRCA.
14. That the Owner provide a copy of the fully executed subdivision agreement to TRCA, when available, in order to expedite the clearance of conditions of draft plan approval.

### **TRCA's Comments on the Zoning By-law Amendment Application**

TRCA's comments on Zoning By-law Amendment Application Z.16.032 can be found above within the conditions of draft plan approval for Draft Plan of Subdivision Application 19T-16V007. Further comments may be provided on the zoning by-law amendment once a final draft has been received by TRCA for review.

Should any revisions to Draft Plan of Subdivision Application 19T-16V007 or Zoning By-law Amendment Application Z.16.032 be proposed now or in the future, TRCA staff asks to be given the opportunity to amend our conditions and comments.