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November 30, 2023

Our File No. 310110

VIA EMAIL: greenbeltconsultation@ontario.ca

The Honourable Paul Calandra Minister of Municipal Affairs and Housing Ministry of Municipal Affairs and Housing 777 Bay Street, 13th Floor Toronto, Ontario M5G 2E5

Dear Minister Calandra:

Re: ERO No. 019-7739 – Proposal to Return Lands to the Greenbelt 11065 Pine Valley Drive, City of Vaughan

i. Introduction

Please be advised that Aird & Berlis LLP are counsel to Vito & Maria Burdi (the "**Owners**"), the owners of the lands municipally known as 11065 Pine Valley Drive in the City of Vaughan (the "**Lands**"). The Lands are approximately 4.14 hectares (10.23 acres) in size and are located on the east side of Pine Valley Drive, north of Teston Road.

In December 2022, the Provincial government removed or redesignated fifteen areas of land in the Province from the edge of the Greenbelt Area via amendments to the Greenbelt Plan, the Greenbelt Area boundary regulation (*O. Reg. 59/05*), and the Oak Ridges Moraine Conservation Plan (*O. Reg. 140/02*). As part of the amendments, portions of the Lands were removed from the Greenbelt Area boundary (the "**Removed Lands**") as part of the removal of land located in the City of Vaughan north and east of Teston Road and Pine Valley Drive.

On October 16, 2023, the Minister of Municipal Affairs and Housing (the "**Minister**") released Bill 136, the *Greenbelt Statute Law Amendment Act, 2023* ("**Bill 136**"), which proposes to amend various sections of the *Duffins Rouge Agricultural Preserve Act, 2023,* the *Greenbelt Act, 2005,* the *Ministry of Municipal Affairs and Housing Act,* and the *Oak Ridges Moraine Conservation Act, 2001.* On November 2, 2023, Bill 136 received its Second Reading and was ordered referred to Standing Committee.

Amongst the changes proposed in Bill 136 is the return of the Removed Lands to the Greenbelt Area pursuant to the *Greenbelt Act, 2005*. The Minister is now seeking comments from the public on Bill 136 through the Environmental Registry of Ontario (the "**ERO**"). This consultation process for Bill 136 is known as ERO No. 019-7739.

The purpose of this submission is to provide the Minister with our comments regarding Bill 136. The Owners have reviewed the changes proposed by Bill 136, along with their ecologist, in the context of the planning framework. On the basis of that review, the Owners submit that the

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Removed Lands should not be placed in the Greenbelt Area. In fact, the review has identified additional portions of the Lands that should be removed from the Greenbelt Area (the "Additional Lands") without impacting the integrity of, and rationale underlying the Greenbelt Plan.

We respectfully recommend that the Minister make changes to Bill 136 to remove the Removed Lands and the Additional Lands from the Greenbelt Area.

ii. Description of Lands

The Owners' family are longtime holders of the Lands. The Lands include a residence, several small buildings as well as a maintenance yard used for storing equipment and materials for a concrete contracting business, and two independent landscape and lawn maintenance operations. The upper reaches of the East Purpleville Creek cross the southeastern limit of the Lands, and two small constructed agricultural ponds are located on the Lands. Finally, several vegetation communities and a part of the broader natural corridor currently associated with the East Humber River Wetland Complex are located on the Lands. Mapped Provincially Significant Wetlands and woodland features are located along the eastern and northern boundaries of the Lands, respectively.

Prior to the changes made to the Greenbelt Plan in December 2022, the Lands were wholly designated as "Protected Countryside" with a "Natural Heritage System" overlay and considered to be located within a "Prime Agricultural Area." Bill 136 would reinstate the designation of the Removed Lands as "Protected Countryside."

Importantly, the Lands are located within the Block 41 Secondary Plan area ("**Block 41**"), which is designed to create a complete community and to guide development, including residential development. This intention is reflected in the area's gradual transition from a rural and agricultural area to a mixed-use and low-density residential area.

Furthermore, the recently-approved Comprehensive Zoning By-law 001-2021 zones the Lands as Future Development (FD) zone.

Our clients have previously participated extensively in the Greenbelt Plan review process, including through detailed submissions from their planning consultants, Weston Consulting, to the Provincial Co-ordinated Land Use Plan Review on October 31, 2016, and to the Greenbelt Site Specific Review on February 27, 2017. Copies of these submissions are attached to this letter as Attachments 1 and 2 respectively.

iii. Submissions

The within request represents a technical refinement of the boundaries of certain natural heritage features on the Lands. Our clients are a family of long-time holders of these lands who would like to see them develop for appropriate urban uses. This request conforms to the intention of the Greenbelt Plan, while also acknowledging the existing uses on the Lands as well as the existing and planned uses in the surrounding area.



a. The exclusion of the Removed Lands continues to conform to the Greenbelt Plan

The removal of the Removed Lands from the Greenbelt Area reflected the Provincial and municipal direction to support population growth and the need for more homes throughout Ontario. This refinement to the Greenbelt Area was consistent with the objectives of the Greenbelt Plan as outlined in Section 5 of the *Greenbelt Act*, allowing the current uses on the Lands to continue while protecting the natural heritage features. The enclosed Greenbelt Site Specific Review, dated February 27, 2017, by Weston Consulting contains additional analysis and rationale in support of our clients' request.

b. Removal of the Additional Lands is appropriate due to a review of the northern woodland boundary and the revised status of a wetland

On October 20, 2023, the Owners' ecologist, SLR Consulting (Canada) Ltd. ("**SLR**") conducted a scoped confirmatory site visit of the Lands to assess the environmental features on the Lands and as a result, has proposed further refinements to the Greenbelt Area boundary on the Lands in addition to the Removed Lands. These finding are enclosed as Attachment 3. These Additional Lands are approximately 0.81 hectares in total.

SLR determined that the FOD5-2 woodland boundary mapped in the York Region Official Plan (Map 5) should be adjusted to occur on the lands north of the Lands as the mapped woodland edge was formed by a single row of trees (hedgerow) separate from the woodland positioned on the property to the north, with a driveway in between.

SLR also determined that a small wetland unit on the Lands should not be included in the Provincially Significant Wetland complex after performing a re-evaluation of this feature in accordance with recently revised OWES methods. The small wetland unit did not achieve the required evaluation points on its own and would therefore be appropriate to remove from the Greenbelt Area.

Please refer to the enclosed Technical Memorandum dated November 17, 2023, prepared by SLR, for a more detailed description of the site visit and review, as well as a Figure 1 delineating the Removed Lands and the Additional Lands.

iv. Conclusion

We thank you for the opportunity to provide comments on Bill 136.

The Owners and their consultant team, including our office, would be pleased to provide any additional information or materials, or take part in any discussions which may assist the Minister in the consultation process regarding Bill 136.

AIRD BERLIS

November 30, 2023 Page 4

Yours truly,

AIRD & BERLIS LLP

Tom Halinski TH/NM/ly

Encls.

Attachment 1 – October 31, 2016 Submissions Attachment 2 – February 27, 2017 Submissions Attachment 3 – SLR Memorandum dated November 17, 2023

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AIRD BERLIS



WESTON CONSULTING

planning + urban design

Land Use Planning Review Ministry of Municipal Affairs Ontario Growth Secretariat 777 Bay Street, Suite 425 (4th Floor) Toronto, ON M5G 2E5 October 31, 2016 File 7232

Attn: Cindy Tan, Manager

Dear Madame,

RE: Provincial Co-ordinated Land Use Plan Review (EBR # 012-7195) 11065 Pine Valley Drive City of Vaughan

Weston Consulting is the planning consultant for Vito and Maria Burdi, the legally registered owners of the property municipally known as 11065 Pine Valley Drive, in the City of Vaughan, within the Region of York (herein referred to as the "subject property"). The purpose of this correspondence is to provide our comments on the Provincial Co-ordinated Land Use Plan Review and to have our comments included in the Ministry of Municipal Affairs review of the Greenbelt Plan.

We had previously submitted correspondence to the Ministry of Municipal Affairs and Housing on May 27, 2015, regarding our comments on the Provincial Co-ordinated Land Use Plan Review. We received acknowledgement of our submission in a letter from the Ministry dated May 29, 2015 (see Attachment 6).

We recognize that the Province has initiated a coordinated review of the Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan, and the Niagara Escarpment Plan for the purposes of ensuring a consistent, balanced and inclusive review process that captures the input and experience of community members who are affected by these plans. We have reviewed the recommendations of the Advisory Panel and the draft amendments to the plans and we support the theme of improving the plans to build complete communities and protect the cultural and natural heritage landscape of the Greater Golden Horseshoe.

Description of Property:

The subject property is located on the east side of Pine Valley Drive, north of Teston Road and has a total lot area of approximately 4.14 hectares (10.23 acres). The subject property is currently occupied by a single family residential dwelling, several accessory buildings and a maintenance yard used for storing equipment and materials for a concrete contracting business

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and two independent landscape and lawn maintenance operations. Manicured grass occupies most of the subject property with woodlands and cultural meadows occurring at the rear of the property and adjacent lands. Two small constructed ponds (now naturalized) are located on the subject property. The pond located at the rear of the property is identified as part of the Provincially Significant East Humber Wetland Complex (PSW), the other pond that fronts Pine Valley Drive has not been identified as being located within the PSW. Additionally, the East Purpleville Creek extends through the south-east limits of the property. The location of the subject property is identified on the attached aerial photograph for your reference (see Attachment 1).

The subject property is surrounded by agriculture uses and rural residential uses. A rural estate subdivision is located to the north of the subject property. Further to the west of the subdivision is the Settlement Area of Nashville-Kleinberg.

Policy Context:

The subject property is designated as "Protected Countryside" with a "Natural Heritage System" overlay under the Greenbelt Plan and is considered to be located within a "Prime Agricultural Area". The "Protected Countryside" designation is intended to protect and enhance agricultural and environmental lands while at the same time improve linkages between surrounding major lake systems and watersheds. An overly of the Greenbelt Plan designation applicable to the subject property has been attached to this letter for your reference (see Attachment 2).

The York Region Official Plan identifies the subject property as being located within the "Greenbelt Protected Countryside" and designates the property as being part of the "Regional Greenlands System". The primary function and vision of the Regional Greenland System is the protection of natural heritage features in a system of cores connected by corridors and linkages.

Per the City of Vaughan Official Plan, the subject property is located within the "Urban Boundary". The Official Plan further designates a significant portion of the subject property as "Agriculture" per Schedule 13 – Land Uses. Additionally, a small portion of the eastern boundary of the subject property is further identified as a "Core Feature" in the City of Vaughan Natural Heritage System, as illustrated in Schedule 2 – Natural Heritage Network. The purpose of the "Agriculture" designation is to protect countryside lands for agricultural uses, food production, rural uses, and to provide open space connections between "Natural Areas". In addition, to the above, the "Core Feature" designation represents key natural heritage features in the "Protected Countryside" and the "Natural Heritage System" of the Greenbelt Plan.

Further to the above, the subject property is located within the ongoing City initiated, New Community Area – Block 41 Study Area. Block 41 is one of the City's few remaining Greenfield development areas. The New Community Area is being planned as a complete community with a mix of residential housing, commercial uses and community facilities such as schools, parks and recreational facilities. It is our understanding that a draft of the Secondary Plan has not been released to the public at the time of writing this letter. However, through public consultations sessions a draft concept plan has been released to the public.

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The concept plans for Block 41 contemplate a collector road on the property immediately south of the subject lands, reflecting the potential to cross the Purpleville Creek in an area where the Key Natural Heritage Features narrow and the impact will be minimized. The anticipated collector road would likely affect farming operations negatively. The negative impact on the road would not be consistent with the objectives of the protected countryside, which is to protect agricultural operations. Based on the reasons noted above, it is our opinion that it would be reasonable to refine the Greenbelt Plan to remove the portions of the subject property that do not contain natural heritage features from the Greenbelt Plan. An overlay of the subject lands in relation to a conceptual land use plan for the Block 41 Secondary Plan Area has been attached to this letter for your reference (see Attachment 3).

Response to Provincial Co-ordinated Land Use Plan Review:

It is our understanding that the Ministry of Municipal Affairs is seeking feedback on the proposed changes to the plan including obtaining technical information form municipalities, conservation authorities and landowners in the Greater Toronto and Hamilton Area to determine if further refinements to the Greenbelt Plan area are required. The purpose of this letter is to provide our response to the Provincial Co-ordinated Land Use Plan Review and to formally request that the "Protected Countryside" and "Natural Heritage System" overlay on the subject property be refined based on the principles of good planning.

It is our opinion that the subject property would be better suited for urban uses (e.g. residential and/or employment uses) as it is located within the existing "Urban Boundary" of the City of Vaughan and is located within the Block 41 Secondary Plan Area, which is being planned as a complete community with residential uses.

The Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement recognize the role that corridors play in economic development. The subject property is well serviced by the City of Vaughan's existing transportation network as it has direct frontage on Pine Valley Drive, which is designated in the City of Vaughan Official Plan as a minor arterial road. Minor arterial roads provide important linkages with the City of Vaughan's street network and can support local transit and pedestrian, bicycle and transit use. Further to the above, the subject property is located within close proximity to the proposed GTA West Corridor (Highway 413). The Environmental Assessment for the GTA West Corridor identifies a potential future interchange at Pine Valley Drive, north of Kirby Road, south of King Vaughan Road. Due to the subject property's proximity to a future interchange at Pine Valley Drive, the development of the subject lands would be consistent with the Provincial Policy Statement and meet the objectives of the Growth Plan for the Greater Golden Horseshoe to maximize and make efficient use of existing and planning infrastructure. The subject property's location relative to the proposed interchanges for the GTA West Corridor has been attached to this letter for your reference (see Attachment 4).

It is our understanding that the Regional Municipality of York is undertaking a Municipal Comprehensive Review of its ability to accommodate future growth in response to Amendment

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#2 of the Growth Plan for the Greater Golden Horseshoe, which extends the population and jobs forecast to 2041. These new forecasts predict an additional 290,000 persons and 120,000 jobs beyond the current forecasts contained in the Region Official Plan.

Further to the above, a preliminary report presented to the York Region Committee of the Whole on November 5, 2015, it is anticipated that the current supply of land to accommodate residential growth in the Region is insufficient. The Region has identified on a preliminary basis the need for an additional 1,618 hectares of land to be included in its settlement area including 679 developable hectares of land to be added to settlement areas in the City of Vaughan. Although we recognize that the majority of this additional land will be taken from the whitebelt; the subject property could be included in the consideration and analysis of future urban land uses as we expect that some growth will be need to be accommodated beyond 2041. The development of the subject property for future urban uses would maximize provincial and municipal investment in existing and planned infrastructure (i.e. municipal water and municipal wastewater and infrastructure).

Further to the above, for the purpose of this submission, SLR Consulting was retained to complete a preliminary environmental analysis for the subject property. The report prepared by SLR Consulting has been attached to this letter for your reference (See Attachment 6). SLR has found that the existing Greenbelt Plan limits on the subject property do not accurately reflect the existing Key Natural Heritage Features. Recognizing that it is the intent of the Greenbelt Plan to protect environmental sensitive features and areas including productive farmland the limits of the Greenbelt Plan designations on the subject property should be refined to reflect this. It would be appropriate to realign the Greenbelt Plan boundary to accurately reflect the existing Key Natural Heritage features on the subject property. The limit of the Plan was drawn to the south of the neighbouring residence adjacent to Pine Valley Drive through the middle of an agricultural field; it does not protect the existing agricultural feature. The ongoing Block 41 planning process anticipates a collector road to be generally located on the 11031 Pine Valley Road lands, reflecting the potential to cross Purpleville Creek in an area where the Key Natural Heritage Features narrows and the impact created will be minimized. This anticipated collector road would likely affect farming operations negatively, removing the intent of the original designation within the Greenbelt. Furthermore, SLR's analysis suggests, the proposed west-east municipal road would like affect farming operations negatively, thus limiting or prohibiting the subject property potential to be considered for any agricultural purposes. Based on the findings of SLR's analysis, a proposed refined Greenbelt Plan overlay has been attached to this letter for your reference (see Attachment 5). The proposed realignment reflects an emphasis on existing natural features and those associated with the Purpleville Creek. A 30 metre minimum vegetation protection zone has been applied to the wetlands and woodlands.

Summary:

In summary, we are in support of the overall theme of the draft amendments to the Growth Plan for the Greater Golden Horseshoe and Greenbelt Plan to build complete communities, support agriculture, and protect natural and cultural heritage features. It is our opinion that the refinement

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of the Greenbelt "Protected Countryside" designation and "Natural Heritage System" overlay on the subject property would build upon these themes of creating complete communities.

Further to the above, we respectfully request that the Province consider refining the Greenbelt Plan designations on the property to accurately reflect the Key Natural Heritages Features and their respective Minimum Vegetative Protection Zones (VPZ) as depicted on the attached map prepared by SLR Consulting (see Attachment 5).

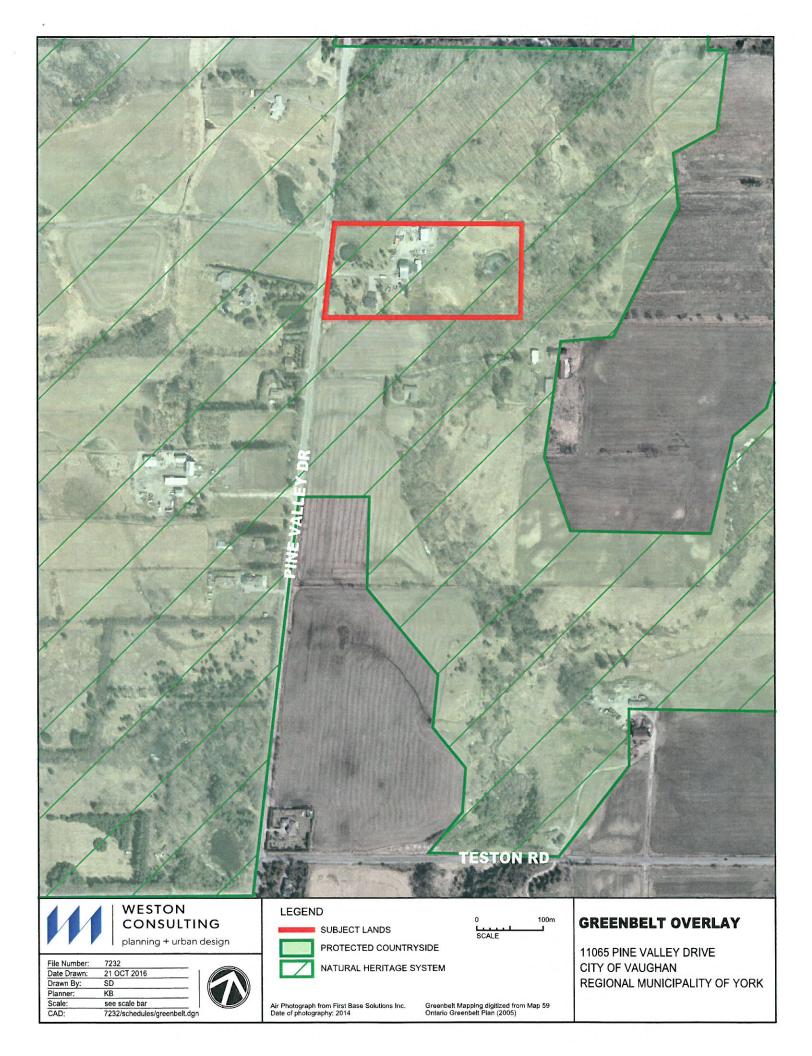
We intend to monitor the Provincial Co-ordinated Land Use Plan Review, and we reserve the right to make further submissions once any reports and/or draft amendments have been issued for public comment. Furthermore, we respectfully request that technical mapping corrections and amendments including those related to site specific requests be made prior to finalizing the plan amendments and schedules.

Thank you for the opportunity to provide these comments and please do not hesitate to contact Matt Alexander (ext. 267) or Josh Berry (ext. 310) if you have any questions regarding this submission.

Yours truly, Weston Consulting Per: Matt Alexander, BURP, MCIP, RPP Mark N. Enery, BES, MCIP, RPP President Senior Planner Chient c. M. Christie, Municipal Affairs and Housing B. Konyi, Greater Golden Horseshoe Greenbelt, Municipal Affairs and Housing V. Shuttleworth, Region of York J. Mackenzie, City of Vaughan J. Abrams, City of Vaughan Attachment 1 - Aerial Photograph of Subject Property Attachment 2 - Greenbelt Plan Designation of Subject Property Attachment 3 - Subject Property location on conceptual Block 41 Secondary Plan. Attachment 4 - Subject Property's location in relation to proposed GTA West Corridor Attachment 5 - Proposed Greenbelt Plan Mapping Refinements, SLC Consulting Attachment 6 - Ministry of Municipal Affairs Acknowledgement Letter dated May 29, 2015 Vaughan Office 201 Millway Avenue, Suite 19, Vaughan, Ontario L4K 5K8 T. 905.738.8080 Oakville Office 1660 North Service Road E., Suite 114, Oakville, Ontario L6H 7G3 T. 905.844.8749 Toronto Office 127 Berkeley Street, Toronto, Ontario M5A 2X1 T. 416.640.9917

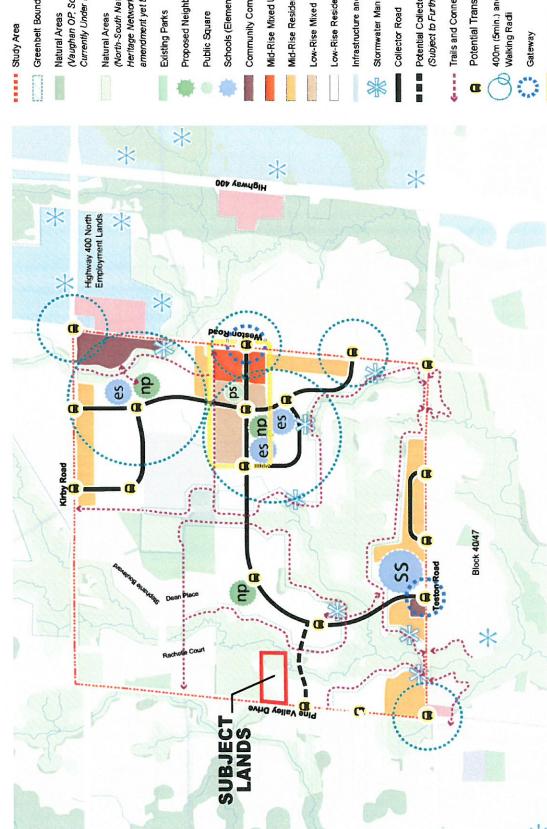
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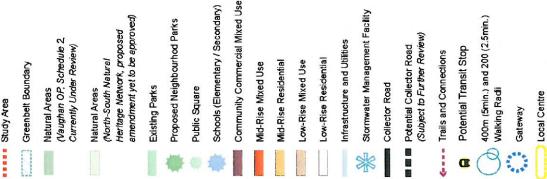


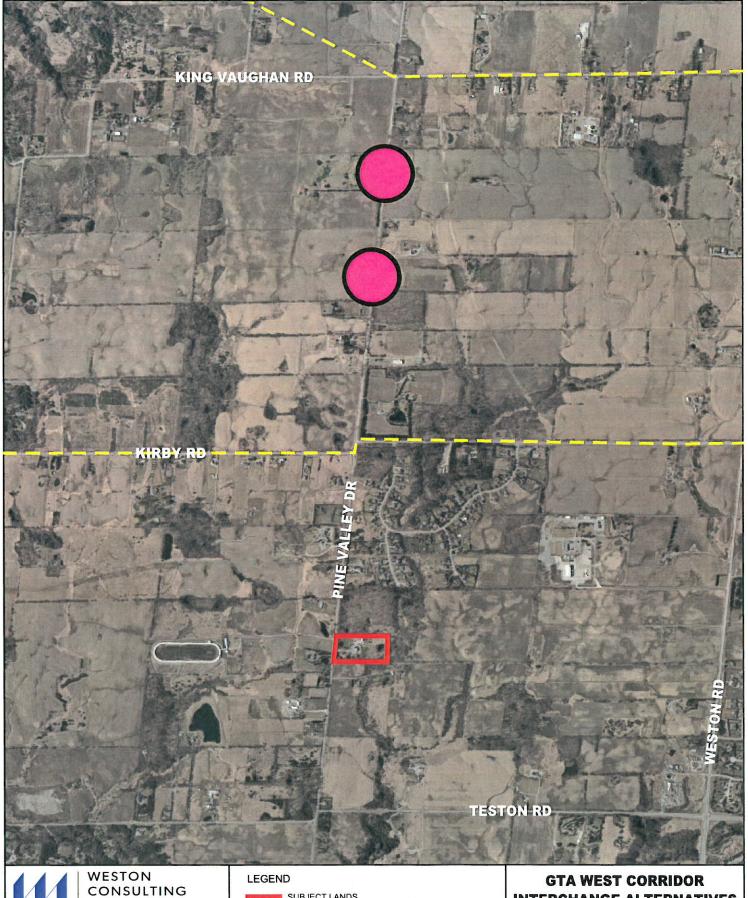


EMERGING LAND USE CONCEPT

4-1







SUBJECT LANDS

400m

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SCALE

GTA WEST CORRIDOR STUDY AREA

POTENTIAL INTERCHANGE LOCATION

Planni - Air P

planning + urban design

7232

KB

26 OCT 2016 SD

see scale bar 7232/schedules/gta w.dgn

File Number:

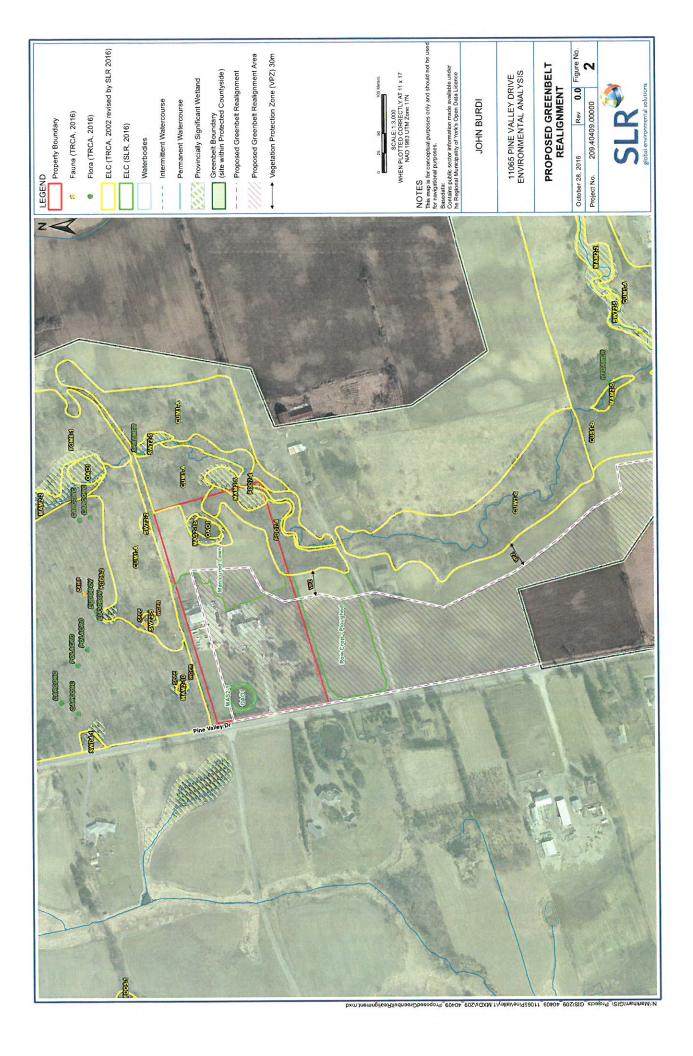
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INTERCHANGE ALTERNATIVES

11065 PINE VALLEY DRIVE **CITY OF VAUGHAN** REGIONAL MUNICIPALITY OF YORK



RECEIVED

Ministry of Municipal Affairs and Housing

Ontario Growth Secretariat

4th Floor, Suite 425 777 Bay Street Toronto ON M5G 2E5 Tel: 416 325-1210 Fax: 416 325-7403 www.placestogrow.ca

Ministère des Affaires municipales et du Logement

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May 29, 2015

Jeff Greene Associate Weston Consulting 201 Millway Avenue Suite 19 Vaughan, ON L4K 5K8

RE: Submission Files 7201, 7232, 7258

Dear Mr. Greene,

Thank you for your recent comments on the co-ordinated review of the Growth Plan for Greater Golden Horseshoe, the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan and the Niagara Escarpment Plan.

You have, on behalf of your clients, submitted material pertaining to a specific matter.

While the Government of Ontario has committed to growing the Greenbelt, the information you submitted will be considered. We recommend that you also make your municipalities aware of this matter.

For more information on the co-ordinated review, please visit www.ontario.ca/landuseplanningreview

Best regards,

Richard Stromberg Director, Partnerships and Consultation (A)

28 October 2016



Mr. John Burdi 11065 Pine Valley Drive Vaughan, ON L4L 1A6

Project No.: 209.40409.00000

Dear Mr. Burdi,

RE: 11065 PINE VALLEY DRIVE, CITY OF VAUGHAN – ENVIRONMENTAL REVIEW

Thank you for the opportunity to provide a preliminary environmental analysis of the lands at the above address for submission to the Ministry of Municipal Affairs and Housing with respect to their review of the Greenbelt Plan area.

To complete this review the following background sources were used:

- 2015 Aerial Photography (Regional Municipality of York) of the participating landowner parcels;
- The Greenbelt Plan area (http://www.mah.gov.on.ca) as it relates to Block 41;
- York Region Official Plan 2010 (2016 Office Consolidation)
- Vaugh Official Plan 2010 (2015 Office Consolidation);
- The City of Vaughan Community Area Block 41 Secondary Planning Process (City of Vaughn and Planning Partnership, 2016);
- Humber River Watershed Plan (TRCA, 2008);
- Land Information Ontario, Natural Resources and Values Information System mapping (NRVIS, 2016) and
- Ministry of Natural Resources and Forestry On-line (2016) Natural Heritage Mapping and Natural Heritage Information Centre (NHIC) Data.

A request to the Aurora District Office of the Ministry of Natural Resources and Forestry (MNRF) was made on September 28, 2016. The request included species of conservation concern and the Provincially Significant Wetland (PSW) Evaluation of the East Humber River Wetland Complex. This information has not been received at the time of preparation of this report.

1.0 LANDSCAPE CONTEXT

The surrounding landscape of the Block 41 area is predominately rural residential and farmland. A small community hub and restricted industrial lands (TransCanada Pipe Facility) occur at the corner of Pine Valley Drive and Kirby Road with residential development to the south of Teston Road near Weston Road and the 400 Highway. The remaining areas are natural woodland, wetland and natural corridors which are generally associated with watercourse and valley features.

2.0 EXISTING CONDITIONS

The property at 11065 Pine Valley Road includes a residence, several small buildings and a maintenance yard used for storing equipment and materials for a concrete contracting business and two independent landscape and lawn maintenance operations. Manicured grass occupies most the subject lands with woodlands and cultural meadow occurring at the rear of the property and on adjacent lands. Two small constructed ponds (now naturalised) occur within the property. The pond located at the rear of the property is a part of the Provincially Significant East Humber Wetland Complex (PSW). The other fronts Pine Valley Drive and has not been included in the PSW. The upper reaches of the East Purpleville Creek crosses the southeast limits of the site. Data received from the TRCA (which includes portions of the property) as part of their 2002 Ecological Classification (Lee et al 1998) work for the broader area identified the following vegetation communities:

- Deciduous Fresh to Moist Lowland Black Walnut Forest Type [FOD7-4]
- Cultural Meadow [CUM1]
- Open Aquatic [OA1]
- Cattail Mineral Shallow Marsh [MAS2-1]
- Narrow Leaved Sedge Meadow Marsh [MAM2-5]

The vegetation communities immediately adjacent to the site and further off property include:

- Deciduous Dry to Fresh Sugar Maple and Beech Forest Type [FOD5-2];
- Swamp Thicket [SWT2] and
- Forb Mineral Meadow Marsh [MAM2-10]

SLR's completed a scoped confirmatory level review of the property on October 21 2016. The vegetation features represented on site are consistent with those Identified by TRCA. This review also identified additional cultural meadow communities (CUM1) and shallow marsh (MAS2-1) associated with second pond feature on the subject lands. Overall the woodlands occur throughout most of the adjacent lands with only a small portion of successional cultural meadow (CUM1) and woodland (FOD7-4) occurring in the east limits. This is part of the broader natural corridor associated with Purpleville Creek. Wetlands on site are limited. The wetland communities were re assessed by MNRF on Sep 20, 2016 with the original wetland assessment (wetland straddling the property [MAM2-5]) completed in 2012. The cultural meadows are representative of the historical and present land uses of the site which are evident by remnant old buildings, dug ponds and laneways. For example back in the 1970's the residence and property was agricultural cropland (York, 2016). Appendix A provides representative views of the vegetation composition on site, with features mapped on Figure 1.

3.0 POLICY CONTEXT

Development within the property is subject to a number of provincial, regional and local environmental policies. These planning requirements provide direction and guidance regarding land use changes and development opportunities. The following sections provide a summary of these policies.

3.1 **Provincial Policy Statement 2014**

Policy 2.3 of the Provincial Policy Statement (PPS) (MMAH 2014) issued under Section 3 of the Planning Act provides direction to regional and local municipalities regarding planning policies for the protection and management of natural heritage features and resources. Section 3 of the Planning Act requires that decisions affecting planning matters "shall be consistent with" policy statements under the Act. The policies of the PPS apply in those areas that are not within the Greenbelt Plan or ORM Conservation Plan areas. The PPS requires that natural features and areas shall be protected for the long term, including ecological function and biodiversity, where these should be maintained, restored or, where possible, improved.

Generally, no development shall occur in:

- a) significant wetlands in Ecoregions 5E, 6E and 7E1;
- b) significant coastal wetlands.

If it can be demonstrated through an EIS that there will be no negative impacts on the natural features or their ecological functions, development may be permitted in the following features:

- a) significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E1;
- b) significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)
- c) significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);
- d) significant wildlife habitat; and
- e) coastal wetlands in Ecoregions 5E, 6E and 7E1 that are not subject to policy 2.1.4(b)).

Additional constraints to development include:

- Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.
- Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.
- Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas (refer to above) unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

3.2 Greenbelt Plan, 2005

The Greenbelt Act (2005) was established to create the Greenbelt Plan that protects environmentally sensitive features and areas including productive farmlands. The goal is to "to protect the feature and its functions from the impacts of the proposed change and associated activities that will occur before, during, and after, construction, and where possible, restore or enhance the feature and/or its function". The subject lands are entirely within the Greenbelt

Planning boundary where the designation is Protected Countryside. This includes both natural and agricultural land use designations. The property is also within the designated Greenbelt Natural Heritage System (MMAH, 2005, Map 59). These designations and policies are reflected both the City of Vaughan and York Region Official Plans.

The Greenbelt Plan identifies Key Natural Heritage Features (KNHF), which includes Key Hydrologic Features. The Plan requires a minimum 30m Vegetation Protection Zone (VPZ) be applied to the boundaries of these features when land use changes are anticipated.

3.3 York Region Official Plan, 2010

Under the regional policies of the York Region OP (Office Consolidation April 2016) the subject property is within lands of regional Greenbelt and Natural Heritage System (York, 2010 - Map 2 and 3). Policies 2.1 – Regional Greenlands System provide direction for the protection and enhancement of existing features and outlines directives for maintaining linkage corridors. Of relevance to this review is Section 2.1.9 which states that *"development and site alteration be prohibited within the Regional Greenlands System and that development and site alteration applications within 120 metres of the Regional Greenlands System shall be accompanied by an environmental impact study."* However, legally existing land uses (conform in-force local official plans, zoning by-laws and Ministerial Zoning Orders), existing agricultural uses and new infrastructure may be permitted if requirements under Policies 2.1.10 are met.

Key Natural Heritage and Hydrologic features on site include the forest communities, the PSW unit (the rear pond) and watercourse features. These features compose the Greenlands System within the property and are subject to the policies of Section 2.1 and 2.2. Key features outside of the System must also be protected and are subject to the policies as defined in Section 2.2 of the OP.

There no Areas of Natural and Scientific Interest (ANSI) within or 120 m adjacent to the property. There are also no Environmentally Significant Areas or enhancement areas identified for the subject lands (Schedule 3, Schedule 2). The woodlands on site (and their associated VPZ) are likely to meet the criteria to be designated as "significant" under Section 2.2.44 of the Official Plan. Significance is determined on a site-by-site basis using criteria outlined in Section 2.2.45.

3.4 City of Vaughan Official Plan, 2010

The property is within the urban boundary area (Schedule 1 A) with the natural features of the property (meadow, [CUM], associated woodlands [FOD] and rear pond [OA1/MAS]) identified as Core Features with inclusion in the Vaughan Natural Heritage Network (Schedule 2). These features, including the disturbed cultural areas on the property (residence and works yard) are collectively part of the Greenbelt Natural Heritage System (Schedule 4 – Vaughan OP). The New Communities Area (Schedule 13) is located immediately to the south of the property and associated with the existing residential development at Kirby Road.

Polices 3.5 of the Vaughan Official Plan restrict development in the Green Belt Natural Heritage System and in Protected Countryside. For example Policies 3.5.3 specify the percentage of land use that must be retained in a natural state or be returned to natural self-sustaining vegetation. It also outlines that connections must be maintained between natural hydrological features as well as percentages of disturbances. Excerpts of Section 3.5 are provided in Appendix B.

3.4.1 Community Plan Block 41

The boundaries of Community Block 41 include: Teston Road to the south, Kirby Road to the north, Pine Valley Drive to the west and Weston Road to the east encompassing a total area of approximately 441 ha. The community was designated as a place to grow as part of the Places to Grow Act, 2005 (Planning Partnership, 2016) and a new Community under the York Regional Official Plan. The Block 41 Plan identifies where secondary Plans are required and to minimum density of residences and jobs per hectare. The status is now at Phase 5 of the planning stage (Draft Secondary Plan) with many components of the plan being prepared (i.e., infrastructure, land use concepts, proposed natural heritage system).

The subject property is within the area of the Greenbelt boundary / Greenbelt Natural Heritage System. There is no proposed residential, commercial or industrial development within these areas except for a potential collector road and trails connections. The proposed areas of development are focused to the south (at Teston Road) expanding existing residential areas and lands at the corners of Kirby and Weston Road. In addition to the existing Natural Areas (woodland, PSW, watercourse corridor) associated with the Core Features (Vaugh OP Schedule 2) the Block Community Plan proposes that the meadow features of the property and second pond near Pine Valley Drive to be included in the North-South Linkage Natural Heritage Network. Relevant presentation slides from the Public Open house for Block 41 are provided in Appendix C.

3.5 East Purpleville Creek Watershed Study

The south east portion of the property includes a watercourse corridor of the East Purpleville Creek which is part of the Humber River Watershed. The Subwatershed Plan is currently in preparation as part of the Block 41 Planning Area. Field inventories were completed for natural heritage features (breeding birds, vegetation, botanical surveys, amphibians, Species at Risk and wetland/ woodland description), fluvial geomorphology, surface water and groundwater in 2014-2015. The Existing Conditions and Characterization Report has yet to be completed. The purpose of the Subwatershed study is to establish the development and ecological objectives within the Purpleville Creek Subwatershed context and may include restrictions on adjacent land uses, corridor widths, linkages and other recommendations to protect and enhance Purpleville Creek. The preliminary recommendations have been incorporated into the Open House presentations by the project team and reflect excerpts as presented in Appendix B.

3.6 Toronto and Region Conservation Authority, Ontario Regulation 166/06

The Toronto and Region Conservation Authority Ontario Regulation 166/06 establishes Regulated Areas where development could be subject to flooding, erosion, or where interference with wetlands and alterations to shorelines and watercourse might have an adverse effect on those environmental features. Under the regulation, any proposed development, interference or alteration within a Regulated Area requires a permit from TRCA.

The Regulated Area is typically an area adjacent to the features but does not define the features. Within the property it appropriately regulates the Purpleville Creek corridor. While the

mapping does not include the Provincially Significant outlier pond at the rear of the property, the TRCA has the authority to change and update regulation mapping when new information becomes available. Given that these wetland complexes were evaluated after the initial regulation mapping was established, TRCA may choose to regulate these features in the future (TRCA 2016). Regulation requires consultation with TRCA: it is not a prohibition to development.

3.7 Endangered Species Act, 2007

The Endangered Species Act, 2007, (ESA) protects species designated by the Committee on the Status of Species at Risk in Ontario (COSSARO) listed on Schedules 2 (Endangered) and Schedules 3 (Threatened) of Ontario Regulation 230/08. Species and their habitats are protected and activities which may harm, harass or kill a species or destroy / remove habitats of species regulated under the act (e.g. the development of a property) must adhere to the policies and regulations under the Act, as failure to do so can result in fines.

The reconnaisance level field confirmation completed on October 21, 2016 by SLR identified pond, wetland, forest features and anthropogenic structures which may provide habitat for species designated and Endangered or Threatened and regulated under the ESA. A review of MNRF Natural Heritage Data for species regulated under the ESA identified the potential for Barn Swallow (Hirundo rustica) Threatened; Butternut (Juglans cinerea) Endangered; and four species of bats also listed as Endangered (Eastern Small-footed (Myotis leibii), Little brown (Myotis lucifugus) Northern Long-eared (Myotis septentrionalis) and Tri-coloured Bat (Perimyotis Redside Dace (Clinostomus elongatus) Endangered may occur in the broader subflavus). area. The watercourses associated with the property are identified as providing occupied or recovery reaches for Redside Dace¹ (DFO, 2016). It should be noted that the cultural meadow features reviewed by SLR On October 21, 2016 are small and in an advanced successional stage where trees and shrubs are frequent. It is unlikely that these communities on site provide habitat for grassland birds (e.g. Bobolink and Meadowlark) Detailed evaluation of these features at this stage is not required. As due diligence property owners need to be aware of the regulation and potential for regulated species to occur within and adjacent to the subject property.

4.0 SENSITIVITY

The review of the relevant background and applicable regional and local polices identified the following site sensitivities:

- The East Humber Provincially Significant Wetland Complex;
- Non-designated wetlands associated with the cultural ponds;
- Tributary of the East Humber River (Purpleville Creek Subwatershed);
- Deciduous woodland which is likely to meet York Regions criteria for Significant Woodland;

¹Only those areas that meet the functional habitat requirements of one or more life stages of the species are considered Critical Habitat. Consult with MNRF to determine the full extent of re regulated habitat.

- Watercourse, cultural meadows woodland and anthropogenic features (buildings) that could support habitat of Endangered and Threatened Species (e.g. Redside Dace, Barn swallow).
- A provincially designated (Special Concern) species may occur in both of the ponds which are suitable for Snapping Turtles (*Chelydra serpentine*) Special Concern and Eastern Wood Pewee (*Contopus virens*) Special Concern is likely to occur in the forest. If so, significant wildlife habitat in the context of the Provincial Policy Statement would occur, however the PPS permits development in SWH if the functions are not affected by the change in land use.
- Locally rare flora and fauna have been recorded outside of the property, but within the adjacent vegetation community polygons which extend on the subject lands. For example: TRCA "L" ranked² flora and fauna (Running Strawberry Bush (*Euonymus obovata*), Christmas Fern (*Polystichum acrostichoidea*), Beautiful Sedge (*Carex concinna*) and Greenfruit Bur-reed (*Sparganium emersum*), Wood Frog (*Lithobates sylvaticus*) and Spring Peeper (*Pseudacris crucifer*).

These features which are associated with and include the existing natural corridors and watercourse features are the primary drivers for the Core Area designation (York OP), Natural Heritage System Designation (York OP, Vaughn OP, Greenbelt Plan) and inclusion within Vaughn Natural Heritage Network, and proposed Block 41 North-South Linkage. The Protected Countryside designation (Greenbelt Plan) includes the footprint of KNHFs and their minimum vegetation protection zones (e.g., 30m) on the subject lands. Setbacks required to meet other Provincial Policies, Official Plan Polices, and TRCA permitting under Ontario Regulation 166/06: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses and Ontario would also be included. The Greenbelt regulated boundary includes agricultural land, which does occur south of the subject lands. The property immediately to the south is accessed by a private laneway that crosses Purpleville Creek. The cultural manipulation (that includes the residence and work yard) along the existing Pine Valley Drive are not intended to be protected by the Greenbelt Plan, and are only included by association with natural features.

The Natural Heritage System proposed by the Block 41 Community Plan excludes the agricultural lands, and highlights a difference of opinion with respect to the inclusion of the western dug pond within natural heritage mapping. The proposed community structure (Appendix C) appears to recommend a collector road in approximately the location of the laneway that crosses Purpleville Creek to the south at 11031 Pine Valley Road.

5.0 SUMMARY

The KNHF include the PSW units and forest both on and off of the property. These features require application of a 30m VPZ even if the feature itself is not on the property (e.g., Figure 1, MAM2-10, a small wetland to the north whose VPZ would extend south on to the property). The forest to the north ends at the northern property line near Pine Valley Drive, but then curves northward around an old field. The mapping of the Natural Heritage Network shows an

^{2 &}quot;L" ranks may indicate that a species is of concern within TRCA's jurisdiction but no specific protection is defined.

extension onto the property outside the forest to include the dug pond. The line at this point could be realigned since most of the western part of the property does not provide KHNF.

The balance of the subject property outside of the features plus VPZ provides a minimal eastwest corridor function. It is a poor corridor south of the forest block located to the north as Pine Valley Road creates a significant barrier to wildlife movement, and there is no natural feature west of Pine Valley to which it connects at the subject property. The Block 41 Concept Plan shows a Low-rise Residential designation on the property on the west of Pine Valley Road opposite the subject lands, suggesting that exempting at least a portion of the subject property may be feasible through this planning process.

The Greenbelt Plan limit on these lands does not accurately reflect the existing KNHF. It is the intent of the Plan to protect environmentally sensitive features and areas including productive farmlands. There is no farmland on the subject property. The limit of the Plan was drawn to the south of the neighbouring residence adjacent to Pine Valley Drive (see Appendix C1) through the middle of an agricultural field; it does not protect the existing agricultural feature (Figure 1). The Block 41 planning process anticipates a collector road to be generally located on the 11031 Pine Valley Road lands, reflecting the potential to cross Purpleville Creek in an area where the KNHF narrows and the impact created will be minimized. This anticipated collector road would likely affect farming operations negatively, removing the intent of the original designation within the Greenbelt. If agriculture ceases, then the subject lands have been included in a designation whose justification has been terminated by the collector road.

In light of this discussion, it would be reasonable to realign the Greenbelt boundary to accurately reflect the KNHF and their respective VPZ to permit additional uses on the western portion of the subject property. An alternative realignment of the Greenbelt boundary on these lands that recognizes the future planning context should be based on the protection of important natural heritage features and functions and protection of viable agricultural practice. Figure 2 provides such an interpretation. The realignment reflects an emphasis on those features of provincial importance, and those associated with the valley of Purpleville Creek. A 30 m minimum vegetation protection zone (VPZ) is applied to the wetlands and woodlands. The proposed realignment of the Greenbelt Boundary reflects a respect for the features and their associated VPZ.

6.0 BLOCK 41 PLANNING PROCESS

The City of Vaughan has initiated this process that includes the subject property. The presentation to the Committee of the Whole Working Session in January of 2016 indicates that the city is committed to "*Work with stakeholders to confirm the natural heritage network boundaries in Block 41…*" We understand that it is your intent to participate in the consultation.

As of January, it was anticipated that the Existing Conditions Characterization Report and evaluation of the Block 41 Emerging Land Use Concept; the Natural Heritage Network, ... and other implementation strategy recommendations would be available. The aggressive schedule anticipated a presentation to the Committee of the Whole in the fall of 2016. Ms. Amine Hassakourians, Senior Planner, Policy Planning and Environmental Sustainability was

contacted for further information but as of the writing of this report no discussion has occurred. It appears that the opportunity to participate remains.

Many thanks for the opportunity to assist you with this analysis. I look forward to further discussion.

Yours sincerely,

SLR Consulting (Canada) Ltd.

Jah Lendbeit

Dale Leadbeater, B.Sc., B.Ed., R.P.Bio., P.Biol.

Senior Ecologist

cc Josh Berry, Weston Consulting

Attach:Figure 1: Existing ConditionsAppendix A: PhotologAppendix B: Excerpts from the Vaughan Official PlanAppendix C: Excerpts from the Block 41 Presentation

7.0 REFERENCES

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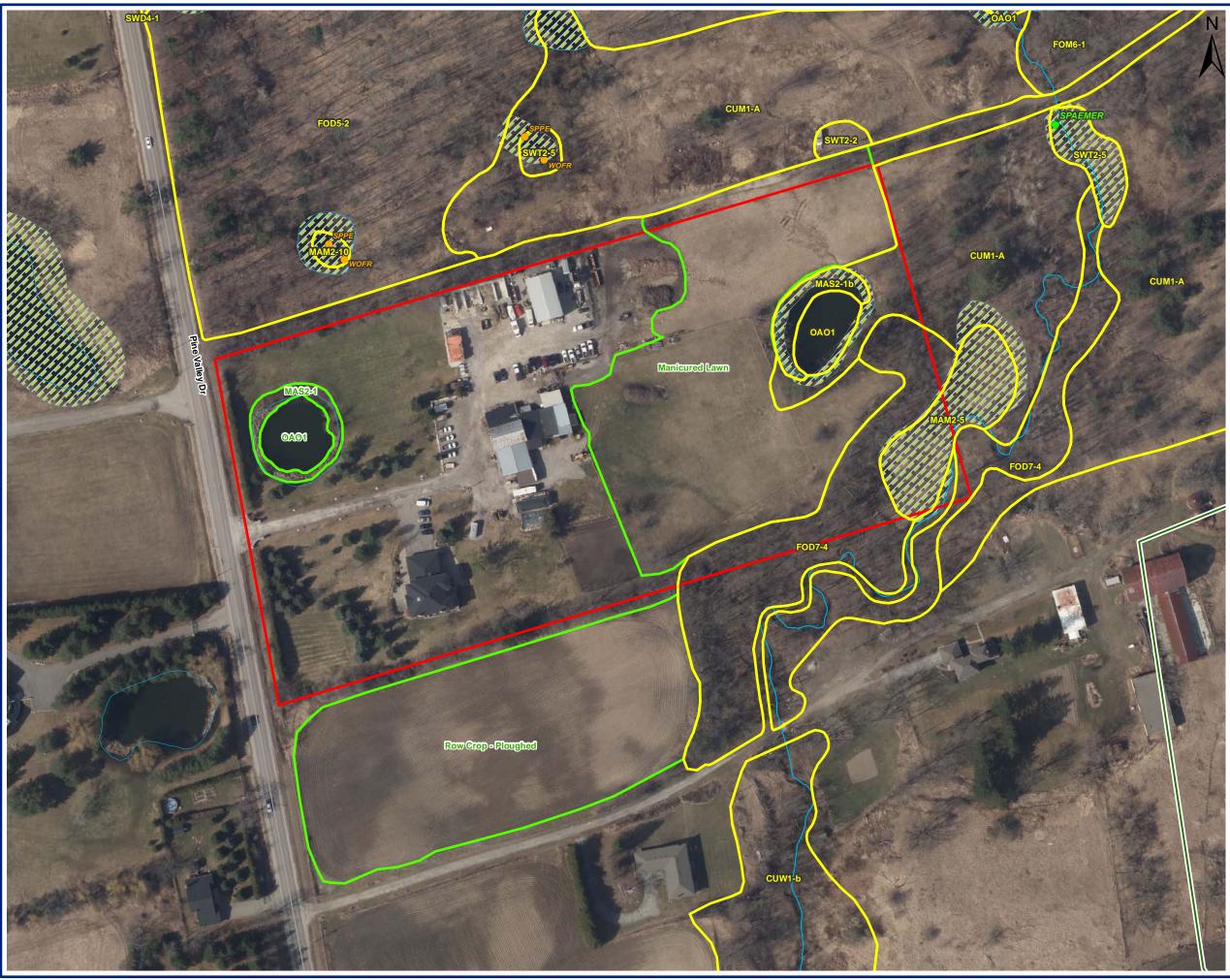
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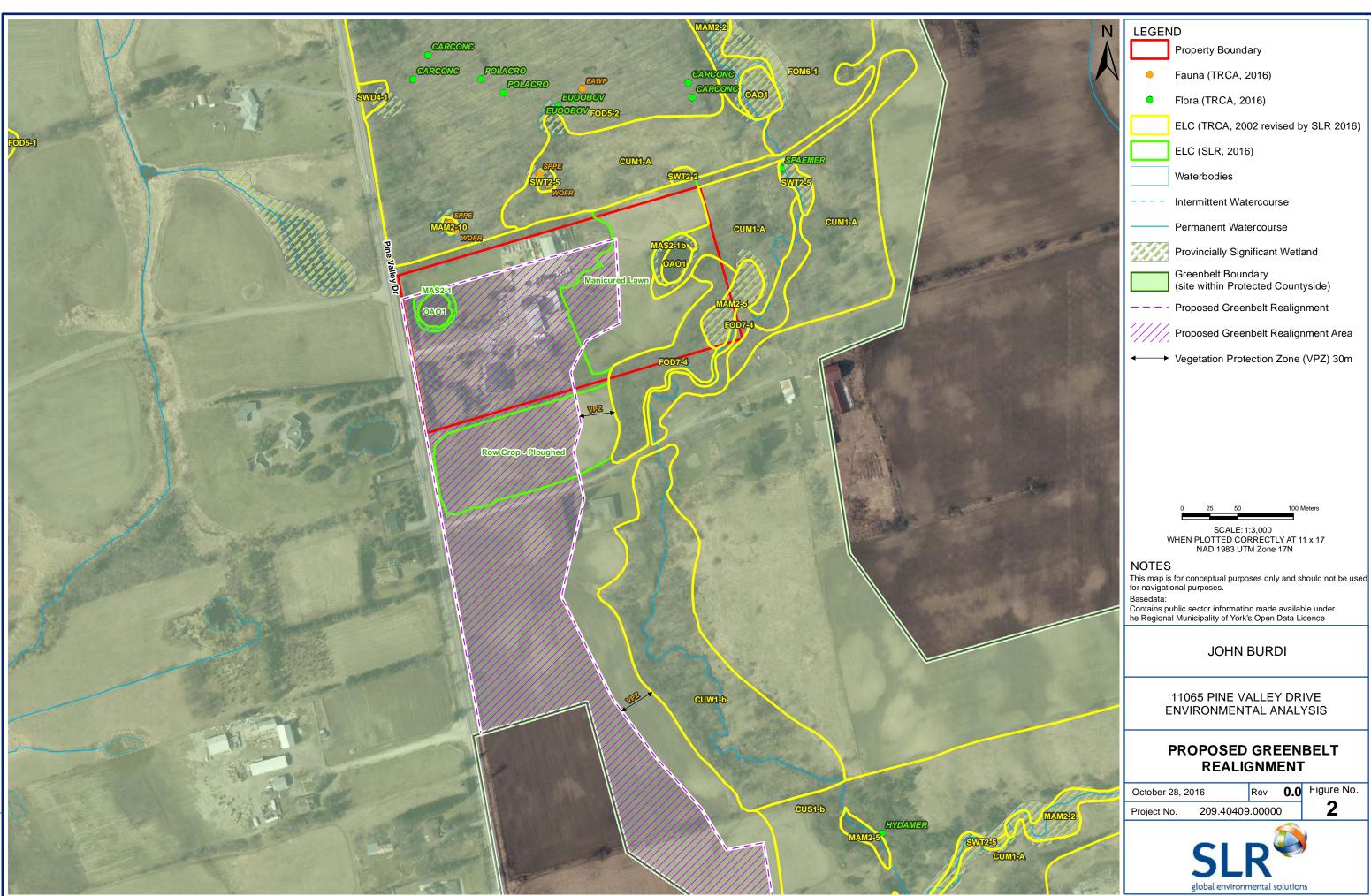
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LEGEND Property Boundary Fauna (TRCA, 2016) • Flora (TRCA, 2016) ELC (TRCA, 2002 revised by SLR 2016) ELC (SLR, 2016) Waterbodies - Intermittent Watercourse Permanent Watercourse Provincially Significant Wetland Green Belt Boundary (site within Protected Countyside) SCALE: 1:1,500 WHEN PLOTTED CORRECTLY AT 11 x 17 NAD 1983 UTM Zone 17N NOTES This map is for conceptual purposes only and should not be used for navigational purposes. Basedata: Contains public sector information made available under he Regional Municipality of York's Open Data Licence JOHN BURDI 11065 PINE VALLEY DRIVE ENVIRONMENTAL ANALYSIS **EXISTING CONDITIONS** Rev **0.0** Figure No. October 28, 2016 1 209.40409.00000 Project No. global environmental solutions





View West. Works yard and Sugar Maple Beech Woodland (FOD5-2) (October 21. 2016).

Works Yard at rear of property. View north (October 21. 2016).

Another view (southeast) of the extent of the manicured amenity area (October 21. 2016).

Provincially Significant Wetland / Pond at rear of property. View east (October 21. 2016).

2016).









Manicured residence / amenity area. View south (October 21. 2016).

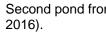
Cultural meadow identified by SLR in 2016. Area between PSW wetland / Pond and adjacent forested habitats / cultural meadow. View northeast (October 21.

Representative view of the manicured landscape area adjacent to the FOD7-4 woodlands. View west along property line (October 21. 2016).



Representative view of the manicured landscape adjacent to the FOD5-2. woodland View north along property line (October 21. 2016).







Adjacent woodland (FOD5-2). View east along existing laneway (October 21. 2016). .



From Pine Valley Drive, view of adjacent farm land (row crop) plowed. View east (October 21. 2016).



Second pond fronting Pine Valley Drive. View northwest (October 21.

11065 Pine Valley Drive, City of Vaughn 2 of 2

Job No: 209.40409.00000

City of Vaughan Official Plan 2010 - Volume 1 – July 2015 Office Consolidation As Partially Approved by the Ontario Municipal Board on 23.07.2013, 02.12.2013, 03.02.2014, 30.09.2014, 24.02.2015 & 15.06.2015. NOTE: Highlighted text indicates policies that have not been approved on a City-wide basis.

3.5.2.9. That notwithstanding the **Core Features** policies of subsection 3.2.3 of this Plan, new buildings and structures for *agricultural uses* will be required to provide a 30 metre vegetation protection zone from a key natural heritage feature or key hydrologic feature, but may be exempted from the requirement of establishing a condition of *natural self-sustaining vegetation* if the land is, and will continue to be, used for **agricultural** purposes. Despite this exemption, *agricultural uses* should pursue best management practices to protect and/or restore key hydrologic features and functions.

3.5.3 The Greenbelt Natural Heritage System

It is the policy of Council:

- 3.5.3.1. That within the Greenbelt Natural Heritage System identified on Schedule 4, in addition to Natural Areas, Agricultural and Rural uses are permitted as identified on Schedule 13 and subject to the applicable policies of this subsection, and subsection 9.2.2.
- 3.5.3.2. That where non-*agricultural uses* are contemplated on lands identified as **Greenbelt Natural Heritage System**, applicants shall demonstrate that:
 - a. at least 30 percent of the total *developable area* of the site will remain or be returned to *natural self-sustaining vegetation*, recognizing that the policies of subsection 3.5.10 establish specific standards for the non-renewable resource uses;
 - b. connectivity along the system and between key natural heritage features or key hydrologic features located within 240 metres of each other is maintained or enhanced; and
 - c. buildings or structures do not occupy more than 25 percent of the total *developable area* and are planned to optimize the compatibility of the project with the natural surroundings.
- 3.5.3.3. That new buildings or structures for agriculture, agricultural-related and secondary uses within lands identified as **Greenbelt Natural Heritage System** on Schedule 4 are not subject to policy 3.5.3.4 below, but are subject to the policies on key natural heritage features and key hydrologic features.
- 3.5.3.4. That new *development* or *site alteration* on lands identified as Greenbelt Natural Heritage System on Schedule 4 (as permitted by the policies of this Plan) shall demonstrate that:
 - a. there will be no negative effects on key natural heritage features or key hydrologic features or their functions;

- b. connectivity between key natural heritage features and key hydrologic features is maintained, or where possible, enhanced for the movement of native plants and animals across the landscape;
- c. the removal of other natural features not identified as key natural heritage features and key hydrologic features shall be avoided. Such features shall be incorporated into the planning and design of the proposed use wherever possible; and
- d. the disturbed area of any site does not exceed 25 percent, and the impervious surface does not exceed 10 percent, of the total *developable area*, except for *major recreational uses* described in subsection 3.5.5 or non-renewable resources described in subsection 3.5.10. With respect to golf courses, the disturbed area shall not exceed 40 percent of the site.

3.5.4 Greenbelt Protected Countryside

It is the policy of Council:

3.5.4.1. That, within the Protected *Countryside* of the Greenbelt, as identified on Schedule 4,
 Agricultural and Rural uses are permitted as identified on Schedule 13 and subject to the applicable policies of subsection 9.2.2 of this Plan.

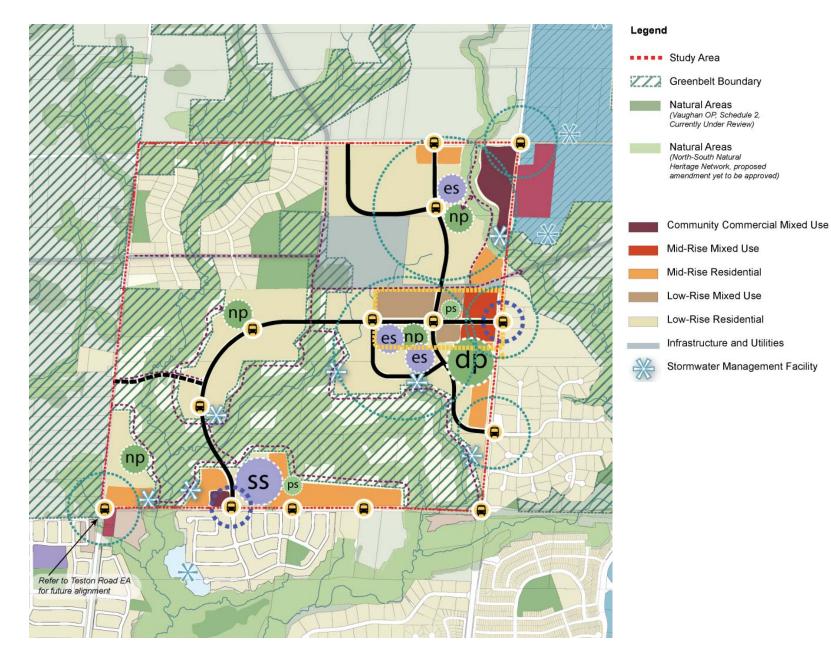
3.5.5 Recreational Uses in the Greenbelt

It is the policy of Council:

- 3.5.5.1. That residential dwelling units, other than for an employee, shall not be permitted in association with recreational uses.
- 3.5.5.2. That *major recreational uses* are defined in Chapter 10.
- 3.5.5.3. That an application to establish or expand a *major recreational use* in the Greenbelt
 Natural Heritage System will be accompanied by a vegetation enhancement plan that incorporates planning, design, landscaping, and construction measures that:
 - maintain or, where possible, enhance the amount of natural self -sustaining vegetation on the site and the connectivity between *adjacent* key natural heritage features or key hydrologic features;
 - b. wherever possible, keep intermittent stream channels and drainage swales in a freeto-grow, low-maintenance condition;
 - c. minimize the application and use of pesticides and fertilizers; and

CONCEPT PLAN

4-

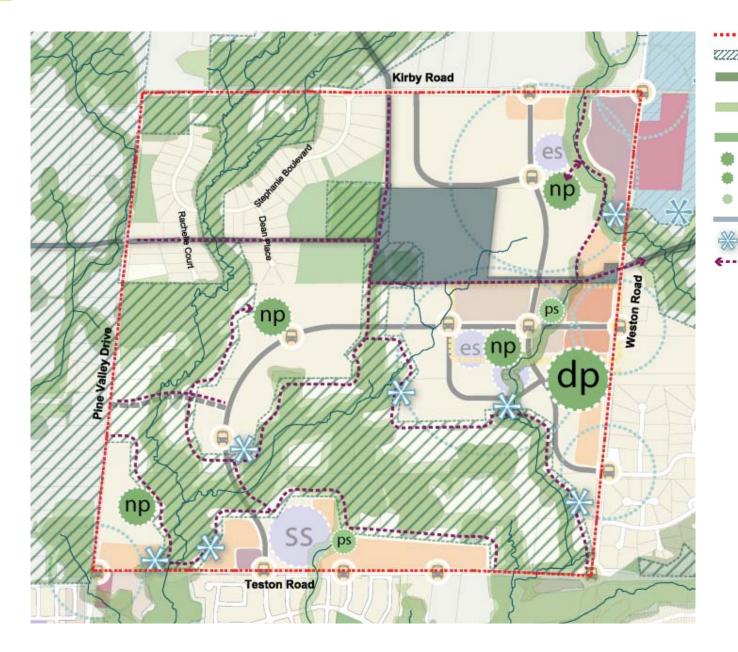


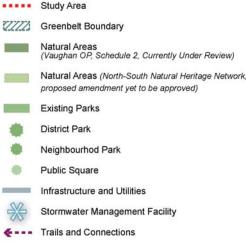


COMMUNITY STRUCTURE

41

Parks, Trails, Natural Areas + Infrastructure







WESTON CONSULTING

planning + urban design

Greenbelt Site Specific Review Ministry of Municipal Affairs Central Municipal Services Office 777 Bay Street, 13th Floor Toronto, ON M5G 2E5 February 27 , 2017 File 7232

Attn: Erik Boyd, Team Lead Site Specific Review and Policy Implementation

Dear Sir,

RE: Greenbelt Site Specific Review (EBR #012-9247) 11065 Pine Valley Drive City of Vaughan

Weston Consulting is the planning consultant for Vito and Maria Burdi, the legally registered owners of the property municipally known as 11065 Pine Valley Drive, in the City of Vaughan, within the Region of York (herein referred to as the "subject property"). We had previously submitted correspondence to the Ministry of Municipal Affairs (herein referred to as the "Ministry") in response to the Provincial Co-ordinated Land Use Plan Review on May 27, 2015 and October 31, 2016 (see Attachment 1). The Ministry has confirmed receipt of these submissions but has not provided specific comments on the requests.

The purpose of this correspondence is to request the Ministry to consider a technical refinement to the "Natural Heritage System" and "Protected Countryside" designations applicable to the subject property based on the technical information prepared by SLR Consulting (see Attachment 2). This request is being made as the lands are located within the existing Urban Boundary of the City of Vaughan and are located within Block 41, which is currently being planned as a complete community with a mix of residential housing, commercial uses and community facilities such as schools, parks and recreational facilities. The proposed refinements to the Natural Heritage System are shown in Figure 1.



Figure 1: Proposed Refinement to the Greenbelt Natural Heritage System

The proposed refinement to the Greenbelt Plan designations applicable to the subject property is based on a scientific methodology utilized by SLR Consulting subject to review by the City of Vaughan. Our client is also interested in exploring the possibility of conveying portions of the refined Natural Heritage System to the Toronto and Region Conservation Authority (TRCA). This would present an opportunity to transfer approximately 2 hectares (4.94 acres) of Natural Heritage land directly into public ownership.

The request to refine the Greenbelt Plan boundaries is being made for the following reasons:

The Provincial Co-ordinated Land Use Plan Review provides the only statutory opportunity for the Ministry to consider refinements to the Greenbelt Plan; and,

 To provide greater consistency in the designation of Natural Heritage System lands at both the Provincial and Municipal level. The refinements to the Natural Heritage System proposed by SLR Consulting are generally consistent with the findings of the City of Vaughan Natural Heritage Network.

This submission provides the following information:

1. A description of the subject lands;

- 2. An overview of the Provincial, Regional and Municipal policies applicable to the subject lands;
- 3. An analysis of how the request to refine the Greenbelt Plan designations applicable to the subject property is consistent with the objectives and goals of the *Greenbelt Act* and Greenbelt Plan; and,
- 4. An analysis of how the request to refine the Greenbelt Plan designations applicable to the subject property is consistent with the criteria that the Ministry had utilized in undertaking their review of the Greenbelt Plan boundaries.

1.0 Description of Subject Property:

The subject property is located on the east side of Pine Valley Drive, north of Teston Road and has a total lot area of approximately 4.14 hectares (10.23 acres). The property is located within the existing Urban Boundary of the City of Vaughan and within the ongoing City initiated, New Community- Block 41 Study Area. Block 41 is one of the City's few remaining greenfield development areas and is being planned as a complete community with a mix of residential housing, commercial uses and community facilities such as schools, parks and recreational facilities.

The subject property is currently occupied by a single family residential dwelling, several accessory buildings and a maintenance yard used for storing equipment and materials for a concrete contracting business and two independent landscape and lawn maintenance operations. Manicured grass occupies most of the subject property with woodlands and cultural meadows occurring at the rear of the property and adjacent lands. Two small constructed ponds (now naturalized) are located on the subject property. The pond located at the rear of the property is identified as part of the Provincially Significant East Humber Wetland Complex (PSW), the other pond that fronts Pine Valley Drive has not been identified as being located within the PSW. Additionally, the East Purpleville Creek extends through the south-east limits of the property.



The location of the subject property is identified on Figure 2 for reference.

Figure 2: Aerial Photograph of Subject Property

2.0 Policy Context:

The subject property is designated as "Protected Countryside" with a "Natural Heritage System" overlay under the Greenbelt Plan and is considered to be located within a "Prime Agricultural Area". The "Protected Countryside" designation is intended to protect and enhance agricultural and environmental lands, while at the same time, improve linkages between surrounding major lake systems and watersheds. An overlay of the Greenbelt Plan designations applicable to the subject property is included on Figure 3 for reference:

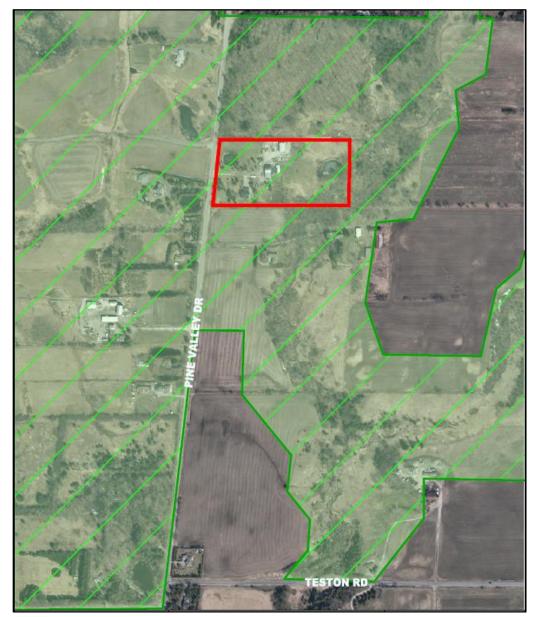


Figure 3: Greenbelt Plan Designations Applicable to Subject Property

The York Region Official Plan identifies the subject property as being located within the "Greenbelt Protected Countryside" and designates the property as being part of the "Regional Greenlands System". The primary function and vision of the Regional Greenland System is the protection of natural heritage features in a system of cores connected by corridors and linkages.

The subject property is located within the existing "Urban Boundary" of the City of Vaughan as shown in Figure 4 for reference.

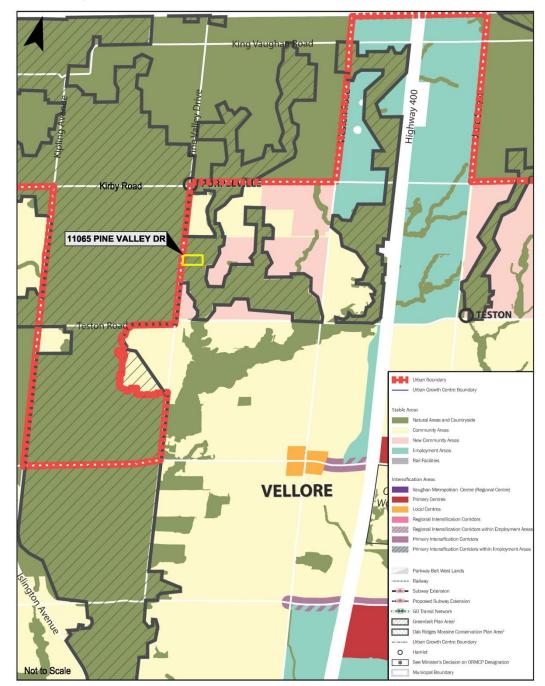


Figure 4: Subject Lands Location Relative to City of Vaughan Urban Area Boundary

The City of Vaughan Official Plan (2010) further designates a significant portion of the subject property as "Agriculture." The purpose of the "Agriculture" designation is to protect countryside lands for agricultural uses, food production, rural uses, and to provide open space connections between "Natural Areas". Additionally, a small portion of the eastern boundary of the subject property is further identified as a "Core Feature" in the City of Vaughan Natural Heritage System, as illustrated in Schedule 2 – Natural Heritage Network. In addition, to the above, the "Core Feature" designation identifies Key Natural Heritage Features in the "Protected Countryside" and the "Natural Heritage System" of the Greenbelt Plan. The refinements to the Greenbelt "Natural Heritage System" designation proposed by SLR Consulting are consistent with the City of Vaughan Natural Heritage Network mapping and will protect the "Core Features" of the Natural Heritage System.

The subject property is located within the ongoing City initiated, New Community Area – Block 41 Study Area. Block 41 is one of the City's few remaining Greenfield development areas. The New Community Area is being planned as a complete community with a mix of residential housing, commercial uses and community facilities such as schools, parks and recreational facilities. A draft concept plan has been released for review through public consultation sessions. The location of the subject property relative to the draft concept plan for the Block 41 Study Area is shown on Figure 4 for reference.

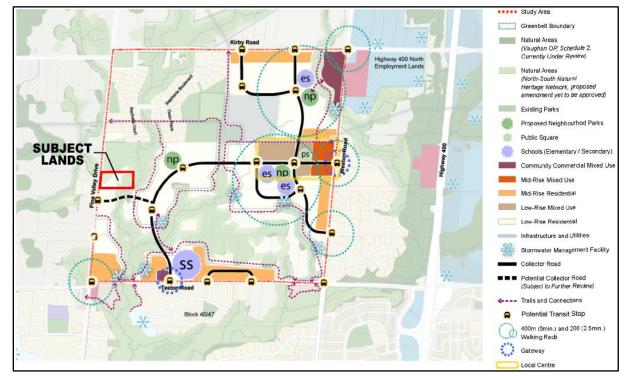


Figure 5: Block 41 Emerging Land Use Concept Plan

As illustrated in Figure 4, the concept plan for Block 41 contemplates a collector road on the property immediately south of the subject lands, reflecting the potential to cross the Purpleville Creek in an area where the Key Natural Heritage Features narrow and the impact will be minimized.

In summary, the subject property is located within the existing Urban Boundary of the City of Vaughan and is located within Block 41, which has been identified as a future residential area in the City of Vaughan.

3.0 Greenbelt Plan Conformity

3.1 Greenbelt Plan Objectives:

This section provides a detailed analysis of how the request to refine the boundaries of the Greenbelt Plan designations applicable to the subject property meets the objectives of the Greenbelt Plan and is technical in nature as the lands are located within the existing Urban Boundary of the City of Vaughan.

Section 5 of the *Greenbelt Act* states the objectives of the Greenbelt Plan. The following is an analysis of how the request for a technical refinement to the Natural Heritage System designation applicable to the subject property is consistent with the objectives of the Greenbelt Plan:

a. To establish a network of countryside and open space areas which supports the Oak Ridges Moraine and the Niagara Escarpment:

The subject property is not located within the Oak Ridges Moraine Conservation Plan area or the Niagara Escarpment Plan area.

b. To sustain the countryside, rural and small towns and contribute to the economic viability of farming communities;

The subject property is currently occupied by a single family residential dwelling, several accessory buildings and a maintenance yard used for storing equipment and materials for a concrete contracting business and two independent landscape and lawn maintenance operations. These uses will continue to operate on the property until the lands are developed for urban uses through the Block 41 Secondary Plan process.

c. To preserve agricultural land as a continuing commercial source of food and employment.

The subject property has not been used for agricultural uses since prior to the introduction of the *Greenbelt Act*.

d. To recognize the critical importance of the agriculture sector to the regional economy;

The subject property has not been used for agricultural uses since prior to the introduction of the *Greenbelt Act*.

e. To provide protection to the land base needed to maintain, restore and improve the ecological and hydrogeological functions of the Greenbelt Area;

The technical refinement of the Natural Heritage System designation proposed by SLR Consulting will ensure that the land base needed to restore and improve the ecological and hydrogeological functions of the Greenbelt Plan area remains protected from urban development. The refinements proposed to the Natural Heritage System designation include a 30 metre Vegetation Protection Zone (VPZ) around the natural heritage features present on the property.

f. To promote connections between lakes and the Oak Ridges Moraine and Niagara Escarpment;

The subject property is not located within the Oak Ridges Moraine Plan area or the Niagara Escarpment Plan area.

g. To provide open space and recreational, tourism and cultural heritage opportunities to support the social needs of a rapidly expanding and increasingly urbanized population;

The proposed technical refinement to the Natural Heritage System will provide open space opportunities to support the needs of a rapidly expanding and increasingly urbanized population as the natural heritage features on the subject property will continue to be protected from urban development.

Our client has also expressed an interest in possibly conveying the portions of the lands identified as being part of the refined Natural Heritage System by SLR Consulting to the Toronto and Region Conservation Authority (TRCA).

h. To promote linkages between ecosystems and provincial parks or public lands;

The proposed technical refinement to the Natural Heritage System designation is consistent with the Greenbelt Plan objective to promote linkages between ecosystems and provincial parks or public lands as the natural heritage features on the property will continue to be protected. The proposed modifications to the Natural Heritage System will ensure that a natural corridor remains to be protected from future development.

i. To control urbanization of the lands to which the Greenbelt Plan applies;

The subject property is located within the Urban Area of the City of Vaughan and are located within Block 41, which is being planned for residential uses. The future development of the

subject property would prevent leapfrog development as the lands are located within an existing Urban Area.

j. To ensure that the development of transportation and infrastructure proceeds in an environmentally sensitive manner;

The proposed technical refinement to the Natural Heritage System designation will not impact the provision of the development of transportation and infrastructure services in the area as future infrastructure will be planned through the Block 41 Secondary Plan process.

k. To promote sustainable resource use;

The proposed technical refinement to the "Natural Heritage System" and "Protected Countryside" designation applicable to the subject property is consistent with the objectives of the Greenbelt Plan to promote sustainable resource uses as the natural features on the property will continue to be protected from urban development through the Natural Heritage System policies of the Greenbelt Plan and through the provision of a Vegetation Protection Zone (VPZ).

I. Any other prescribed objectives.

The proposed technical refinement to the Natural Heritage System on the subject property will meet the prescribed objectives of the Greenbelt Plan and will be consistent with the vision of the Greenbelt Plan to protect against the loss and fragmentation of the agricultural land and to provide for the permanent protection of the natural heritage system of the Greenbelt.

3.2 Summary:

In summary, the proposed technical refinements to the "Natural Heritage System" and "Protected Countryside" designations applicable to the subject property are consistent with the objectives of the Greenbelt Plan to provide a continuous and permanent land base necessary to support human and ecological health in the Greenbelt Plan and beyond. The proposed technical refinements to the Greenbelt Plan designations applicable to the subject property are consistent with Section 12 (2) of the *Greenbelt Act*. Furthermore, the subject property is located within the existing Urban Boundary of the City of Vaughan and is located within Block 41, which is being planned as a mixed community.

As an additional consideration our client is interested in exploring the possibility of conveying portions of the refined Natural Heritage System to the Toronto and Region Conservation Authority (TRCA). This would present an opportunity to transfer approximately 1.996 hectares (4.85 acres) of land into to public ownership.

Table 1 provides a summary of how the request to refine the boundaries of the "Natural Heritage System" and "Protected Countryside" designation meets the objectives of the Greenbelt Plan.

Table 1: Greenbelt Plan Conformity

Objective:	Meets Objective:
To establish a network of countryside and open space	N/A
areas which supports the Oak Ridges Moraine and the	
Niagara Escarpment.	
To sustain the countryside and rural and small towns	Yes
and to contribute the economic viability of farming	
communities.	
To preserve agricultural land as a continuing commercial	N/A
source of food and employment.	
To recognize the critical importance of the agricultural	N/A
sector to the regional economy.	
To provide protection to the land based needed to	Yes
maintain, restore and improve the ecological and	
hydrogeological functions of the Greenbelt Plan area.	
To promote connections between lakes and the Oak	N/A
Ridges Moraine and Niagara Escarpment Plan.	
To provide open space and recreational, tourism and	Yes
cultural heritage opportunities to support the social	
needs of a rapidly expanding and increasingly urbanized	
population.	
To promote linkages between ecosystems and	Yes
Provincial parks or public lands.	
To control urbanization of the lands to which the	Yes
Greenbelt Plan applies.	
To ensure development of transportation and	Yes
infrastructure proceed in an environmentally sensitive	
manner.	
To promote sustainable resource use.	Yes
Any other prescribed objective.	Yes

4.0 Ministry Considerations in Review of the Greenbelt Plan Boundaries

The Ministry of Municipal Affairs released the proposed minor boundary changes to the Greenbelt Plan on January 11, 2017. The Regulation Proposal Notice posted on the Environmental Registry (EBR Registry Number 012-9247) stated that the Ministry of Municipal Affairs considered a number of overarching considerations in their evaluation of the requests to refine the boundaries of the Greenbelt Plan.

Table 2 provides a list of the considerations that guided the Ministry in their review of the Greenbelt Plan modifications and our response to those considerations:

Table 2: Response to Ministry Considerations

Consideration:	Response:	
Avoiding boundary changes that would fragment farmland, including prime agricultural lands.	The subject property is not actively farmed.	
Maintaining a robust Natural Heritage System that can be supported despite urbanization occurring in proximity and downstream to the Greenbelt.	The natural heritage features on site will be maintained and protected from future development.	
Respecting the functional connections in the Natural Heritage System;	The proposed modifications to the Natural Heritage System will ensure that a corridor remains to be protected from future development.	
Valuing the overall objectives of the Greenbelt Plan as a landscape and avoiding a minimalist approach to defining the Natural Heritage System	The refinements proposed to the Natural Heritage System designation on the subject lands include a 30 metre Vegetation Protection Zone (VPZ) around Key Natural Heritage Features.	
Being responsive to landowner requests to evaluate the site specific situations.	We have not received any specific comments on any of our submissions to date from the Ministry. The proposed modifications to the "Natural Heritage System" and "Protected Countryside" designation are consistent with the objectives of the Greenbelt Plan.	

5.0 Summary:

We respectfully request that the Ministry of Municipal Affairs consider our client's request to refine the "Natural Heritage System" and "Protected Countryside" designations applicable to the subject property based on the technical information prepared by SLR Consulting. Furthermore, we request that a meeting be scheduled with Ministry Staff to discuss the proposed refinements further.

It is our opinion that the request to refine the boundaries of the Greenbelt Plan designations applicable to the subject property is consistent with the objectives of the Greenbelt Plan to protect against the loss and fragmentation of the agricultural land base and to protect the Natural Heritage System of the Greenbelt.

We intend to monitor the Provincial Co-ordinated Land Use Plan Review, and we reserve the right to make further submissions once any reports and/or draft amendments have been issued for public comment.

Thank you for the opportunity to provide these comments and please do not hesitate to contact the undersigned at ext. 236 or Josh Berry at ext. 310 if you have any questions or require any further information.

Yours truly, Weston Consulting Per:



Kevin Bechard, BES, M.Sc., RPP Senior Associate

c. Hon. Bill Mauro, Minister of Municipal Affairs
M. Christie, Ministry of Municipal Affairs
C. Tan, Ministry of Municipal Affairs
V. Shuttleworth, Region of York
Councilor Marilyn Iafrate, City of Vaughan
J. Mackenzie, City of Vaughan
R. McQuillin, City of Vaughan
S. Ferreira, City of Vaughan
M. Rossi, City of Vaughan,
R. Rendon, City of Vaughan
M. Emery, Weston Consulting
John Burdi, Client

Attachment 1- Previous Landowner Submissions Attachment 2- Natural Heritage Evaluation, prepared by SLR



WESTON CONSULTING

planning + urban design

Land Use Planning Review Ministry of Municipal Affairs Ontario Growth Secretariat 777 Bay Street, Suite 425 (4th Floor) Toronto, ON M5G 2E5

October 31, 2016 File 7232

Attn: Cindy Tan, Manager

Dear Madame,

RE: Provincial Co-ordinated Land Use Plan Review (EBR # 012-7195) 11065 Pine Valley Drive City of Vaughan

Weston Consulting is the planning consultant for Vito and Maria Burdi, the legally registered owners of the property municipally known as 11065 Pine Valley Drive, in the City of Vaughan, within the Region of York (herein referred to as the "subject property"). The purpose of this correspondence is to provide our comments on the Provincial Co-ordinated Land Use Plan Review and to have our comments included in the Ministry of Municipal Affairs review of the Greenbelt Plan.

We had previously submitted correspondence to the Ministry of Municipal Affairs and Housing on May 27, 2015, regarding our comments on the Provincial Co-ordinated Land Use Plan Review. We received acknowledgement of our submission in a letter from the Ministry dated May 29, 2015 (see Attachment 6).

We recognize that the Province has initiated a coordinated review of the Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan, and the Niagara Escarpment Plan for the purposes of ensuring a consistent, balanced and inclusive review process that captures the input and experience of community members who are affected by these plans. We have reviewed the recommendations of the Advisory Panel and the draft amendments to the plans and we support the theme of improving the plans to build complete communities and protect the cultural and natural heritage landscape of the Greater Golden Horseshoe.

Description of Property:

The subject property is located on the east side of Pine Valley Drive, north of Teston Road and has a total lot area of approximately 4.14 hectares (10.23 acres). The subject property is currently occupied by a single family residential dwelling, several accessory buildings and a maintenance yard used for storing equipment and materials for a concrete contracting business

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 127 Berkeley Street, Toronto, Ontario M5A 2X1
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and two independent landscape and lawn maintenance operations. Manicured grass occupies most of the subject property with woodlands and cultural meadows occurring at the rear of the property and adjacent lands. Two small constructed ponds (now naturalized) are located on the subject property. The pond located at the rear of the property is identified as part of the Provincially Significant East Humber Wetland Complex (PSW), the other pond that fronts Pine Valley Drive has not been identified as being located within the PSW. Additionally, the East Purpleville Creek extends through the south-east limits of the property. The location of the subject property is identified on the attached aerial photograph for your reference (see Attachment 1).

The subject property is surrounded by agriculture uses and rural residential uses. A rural estate subdivision is located to the north of the subject property. Further to the west of the subdivision is the Settlement Area of Nashville-Kleinberg.

Policy Context:

The subject property is designated as "Protected Countryside" with a "Natural Heritage System" overlay under the Greenbelt Plan and is considered to be located within a "Prime Agricultural Area". The "Protected Countryside" designation is intended to protect and enhance agricultural and environmental lands while at the same time improve linkages between surrounding major lake systems and watersheds. An overly of the Greenbelt Plan designation applicable to the subject property has been attached to this letter for your reference (see Attachment 2).

The York Region Official Plan identifies the subject property as being located within the "Greenbelt Protected Countryside" and designates the property as being part of the "Regional Greenlands System". The primary function and vision of the Regional Greenland System is the protection of natural heritage features in a system of cores connected by corridors and linkages.

Per the City of Vaughan Official Plan, the subject property is located within the "Urban Boundary". The Official Plan further designates a significant portion of the subject property as "Agriculture" per Schedule 13 – Land Uses. Additionally, a small portion of the eastern boundary of the subject property is further identified as a "Core Feature" in the City of Vaughan Natural Heritage System, as illustrated in Schedule 2 – Natural Heritage Network. The purpose of the "Agriculture" designation is to protect countryside lands for agricultural uses, food production, rural uses, and to provide open space connections between "Natural Areas". In addition, to the above, the "Core Feature" designation represents key natural heritage features in the "Protected Countryside" and the "Natural Heritage System" of the Greenbelt Plan.

Further to the above, the subject property is located within the ongoing City initiated, New Community Area – Block 41 Study Area. Block 41 is one of the City's few remaining Greenfield development areas. The New Community Area is being planned as a complete community with a mix of residential housing, commercial uses and community facilities such as schools, parks and recreational facilities. It is our understanding that a draft of the Secondary Plan has not been released to the public at the time of writing this letter. However, through public consultations sessions a draft concept plan has been released to the public.

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The concept plans for Block 41 contemplate a collector road on the property immediately south of the subject lands, reflecting the potential to cross the Purpleville Creek in an area where the Key Natural Heritage Features narrow and the impact will be minimized. The anticipated collector road would likely affect farming operations negatively. The negative impact on the road would not be consistent with the objectives of the protected countryside, which is to protect agricultural operations. Based on the reasons noted above, it is our opinion that it would be reasonable to refine the Greenbelt Plan to remove the portions of the subject property that do not contain natural heritage features from the Greenbelt Plan. An overlay of the subject lands in relation to a conceptual land use plan for the Block 41 Secondary Plan Area has been attached to this letter for your reference (see Attachment 3).

Response to Provincial Co-ordinated Land Use Plan Review:

It is our understanding that the Ministry of Municipal Affairs is seeking feedback on the proposed changes to the plan including obtaining technical information form municipalities, conservation authorities and landowners in the Greater Toronto and Hamilton Area to determine if further refinements to the Greenbelt Plan area are required. The purpose of this letter is to provide our response to the Provincial Co-ordinated Land Use Plan Review and to formally request that the "Protected Countryside" and "Natural Heritage System" overlay on the subject property be refined based on the principles of good planning.

It is our opinion that the subject property would be better suited for urban uses (e.g. residential and/or employment uses) as it is located within the existing "Urban Boundary" of the City of Vaughan and is located within the Block 41 Secondary Plan Area, which is being planned as a complete community with residential uses.

The Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement recognize the role that corridors play in economic development. The subject property is well serviced by the City of Vaughan's existing transportation network as it has direct frontage on Pine Valley Drive, which is designated in the City of Vaughan Official Plan as a minor arterial road. Minor arterial roads provide important linkages with the City of Vaughan's street network and can support local transit and pedestrian, bicycle and transit use. Further to the above, the subject property is located within close proximity to the proposed GTA West Corridor (Highway 413). The Environmental Assessment for the GTA West Corridor identifies a potential future interchange at Pine Valley Drive, north of Kirby Road, south of King Vaughan Road. Due to the subject property's proximity to a future interchange at Pine Valley Drive, the development of the subject lands would be consistent with the Provincial Policy Statement and meet the objectives of the Growth Plan for the Greater Golden Horseshoe to maximize and make efficient use of existing and planning infrastructure. The subject property's location relative to the proposed interchanges for the GTA West Corridor has been attached to this letter for your reference (see Attachment 4).

It is our understanding that the Regional Municipality of York is undertaking a Municipal Comprehensive Review of its ability to accommodate future growth in response to Amendment

#2 of the Growth Plan for the Greater Golden Horseshoe, which extends the population and jobs forecast to 2041. These new forecasts predict an additional 290,000 persons and 120,000 jobs beyond the current forecasts contained in the Region Official Plan.

Further to the above, a preliminary report presented to the York Region Committee of the Whole on November 5, 2015, it is anticipated that the current supply of land to accommodate residential growth in the Region is insufficient. The Region has identified on a preliminary basis the need for an additional 1,618 hectares of land to be included in its settlement area including 679 developable hectares of land to be added to settlement areas in the City of Vaughan. Although we recognize that the majority of this additional land will be taken from the whitebelt; the subject property could be included in the consideration and analysis of future urban land uses as we expect that some growth will be need to be accommodated beyond 2041. The development of the subject property for future urban uses would maximize provincial and municipal investment in existing and planned infrastructure (i.e. municipal water and municipal wastewater and infrastructure).

Further to the above, for the purpose of this submission, SLR Consulting was retained to complete a preliminary environmental analysis for the subject property. The report prepared by SLR Consulting has been attached to this letter for your reference (See Attachment 6). SLR has found that the existing Greenbelt Plan limits on the subject property do not accurately reflect the existing Key Natural Heritage Features. Recognizing that it is the intent of the Greenbelt Plan to protect environmental sensitive features and areas including productive farmland the limits of the Greenbelt Plan designations on the subject property should be refined to reflect this. It would be appropriate to realign the Greenbelt Plan boundary to accurately reflect the existing Key Natural Heritage features on the subject property. The limit of the Plan was drawn to the south of the neighbouring residence adjacent to Pine Valley Drive through the middle of an agricultural field; it does not protect the existing agricultural feature. The ongoing Block 41 planning process anticipates a collector road to be generally located on the 11031 Pine Valley Road lands, reflecting the potential to cross Purpleville Creek in an area where the Key Natural Heritage Features narrows and the impact created will be minimized. This anticipated collector road would likely affect farming operations negatively, removing the intent of the original designation within the Greenbelt. Furthermore, SLR's analysis suggests, the proposed west-east municipal road would like affect farming operations negatively, thus limiting or prohibiting the subject property potential to be considered for any agricultural purposes. Based on the findings of SLR's analysis, a proposed refined Greenbelt Plan overlay has been attached to this letter for your reference (see Attachment 5). The proposed realignment reflects an emphasis on existing natural features and those associated with the Purpleville Creek. A 30 metre minimum vegetation protection zone has been applied to the wetlands and woodlands.

Summary:

In summary, we are in support of the overall theme of the draft amendments to the Growth Plan for the Greater Golden Horseshoe and Greenbelt Plan to build complete communities, support agriculture, and protect natural and cultural heritage features. It is our opinion that the refinement

of the Greenbelt "Protected Countryside" designation and "Natural Heritage System" overlay on the subject property would build upon these themes of creating complete communities.

Further to the above, we respectfully request that the Province consider refining the Greenbelt Plan designations on the property to accurately reflect the Key Natural Heritages Features and their respective Minimum Vegetative Protection Zones (VPZ) as depicted on the attached map prepared by SLR Consulting (see Attachment 5).

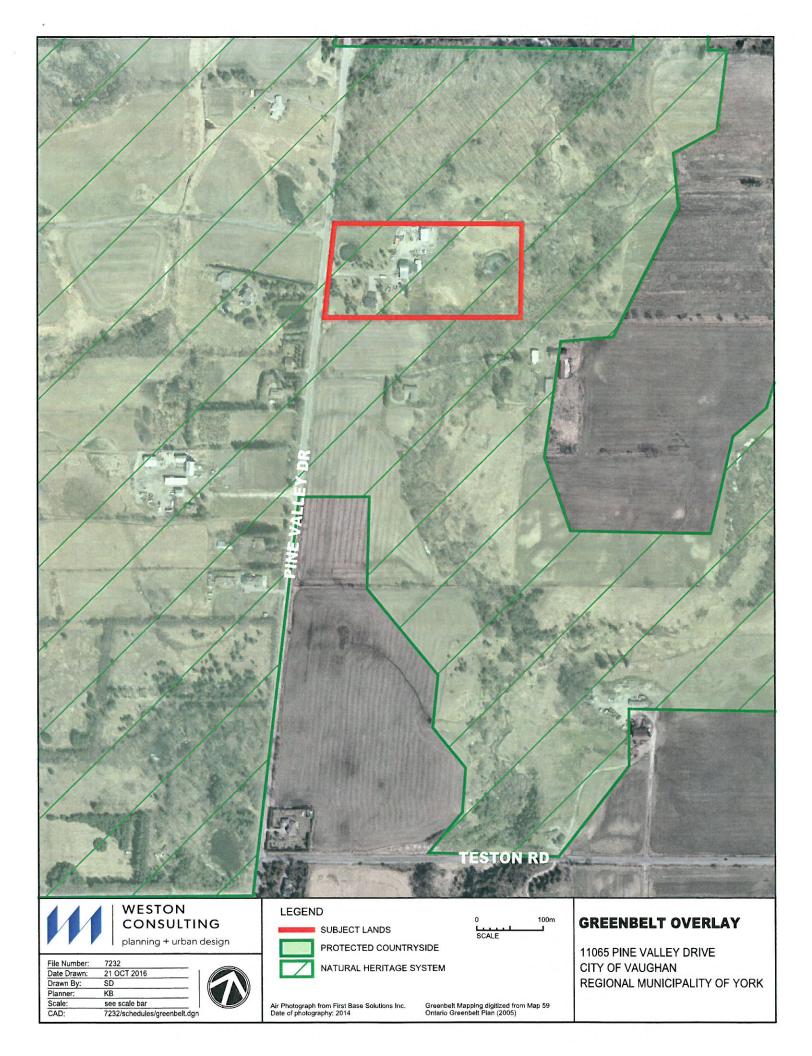
We intend to monitor the Provincial Co-ordinated Land Use Plan Review, and we reserve the right to make further submissions once any reports and/or draft amendments have been issued for public comment. Furthermore, we respectfully request that technical mapping corrections and amendments including those related to site specific requests be made prior to finalizing the plan amendments and schedules.

Thank you for the opportunity to provide these comments and please do not hesitate to contact Matt Alexander (ext. 267) or Josh Berry (ext. 310) if you have any questions regarding this submission.

Yours truly, Weston Consulting Per: Matt Alexander, BURP, MCIP, RPP Mark N. Enery, BES, MCIP, RPP President Senior Planner Chient c. M. Christie, Municipal Affairs and Housing B. Konyi, Greater Golden Horseshoe Greenbelt, Municipal Affairs and Housing V. Shuttleworth, Region of York J. Mackenzie, City of Vaughan J. Abrams, City of Vaughan Attachment 1 - Aerial Photograph of Subject Property Attachment 2 - Greenbelt Plan Designation of Subject Property Attachment 3 - Subject Property location on conceptual Block 41 Secondary Plan. Attachment 4 - Subject Property's location in relation to proposed GTA West Corridor Attachment 5 - Proposed Greenbelt Plan Mapping Refinements, SLC Consulting Attachment 6 - Ministry of Municipal Affairs Acknowledgement Letter dated May 29, 2015 Vaughan Office 201 Millway Avenue, Suite 19, Vaughan, Ontario L4K 5K8 T. 905.738.8080 Oakville Office 1660 North Service Road E., Suite 114, Oakville, Ontario L6H 7G3 T. 905.844.8749 Toronto Office 127 Berkeley Street, Toronto, Ontario M5A 2X1 T. 416.640.9917

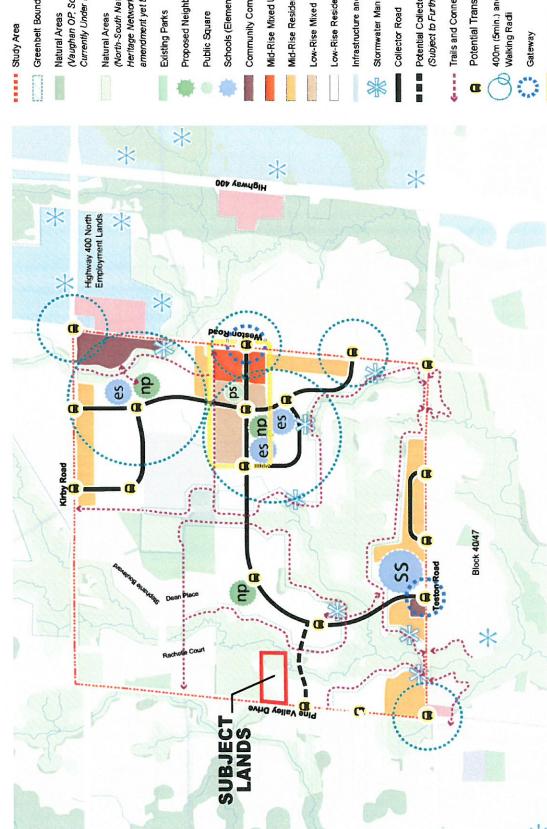
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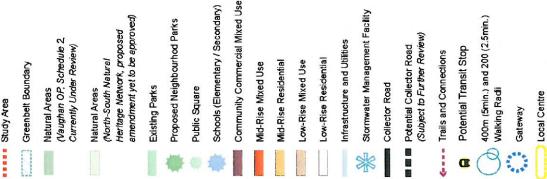


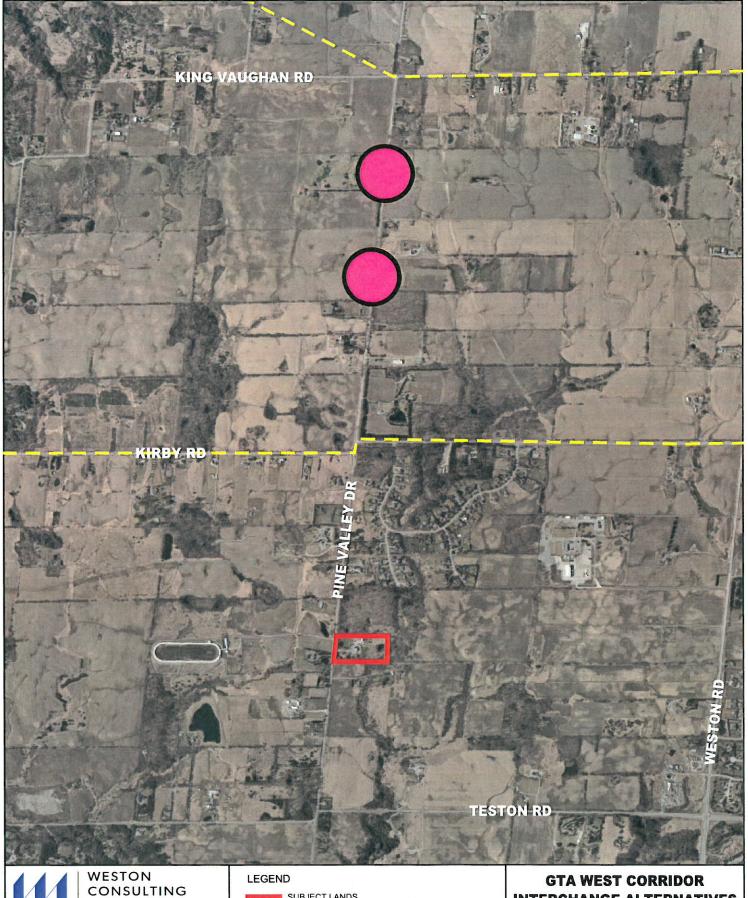


EMERGING LAND USE CONCEPT

4-1







SUBJECT LANDS

400m

0

SCALE

GTA WEST CORRIDOR STUDY AREA

POTENTIAL INTERCHANGE LOCATION

Planni - Air P

planning + urban design

7232

KB

26 OCT 2016 SD

see scale bar 7232/schedules/gta w.dgn

File Number:

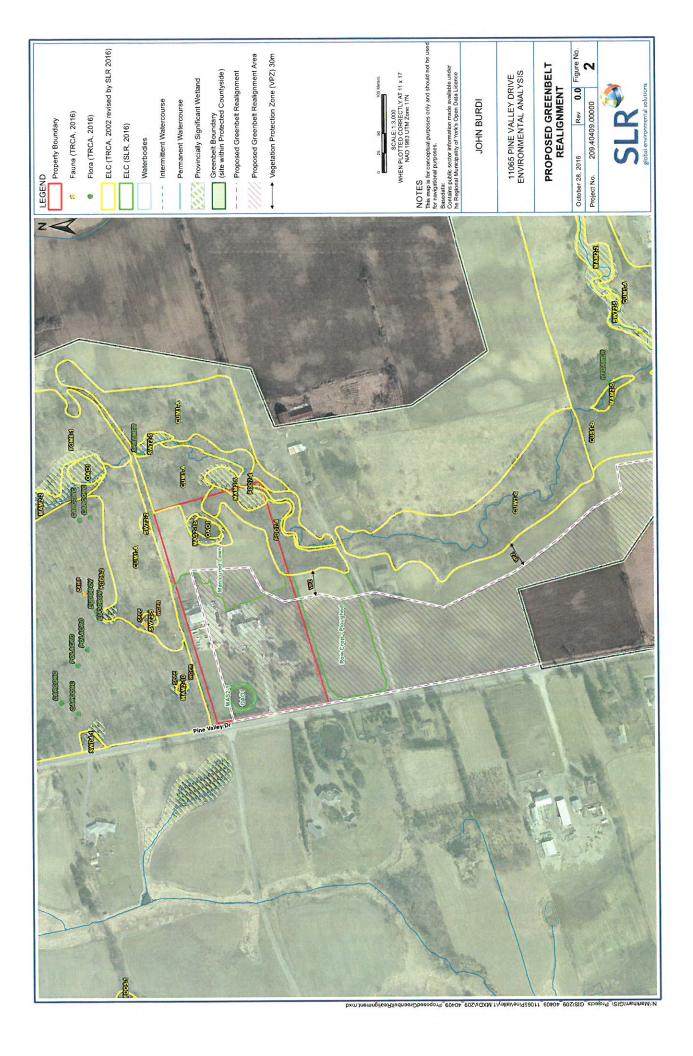
Date Drawn:

Drawn By: Planner:

Scale: CAD:

INTERCHANGE ALTERNATIVES

11065 PINE VALLEY DRIVE **CITY OF VAUGHAN** REGIONAL MUNICIPALITY OF YORK



RECEIVED

Ministry of Municipal Affairs and Housing

Ontario Growth Secretariat

4th Floor, Suite 425 777 Bay Street Toronto ON M5G 2E5 Tel: 416 325-1210 Fax: 416 325-7403 www.placestogrow.ca

Ministère des Affaires municipales et du Logement

Secrétariat des initiatives de croissance de l'Ontario

4^e étage, Bureau 425, 777, rue Bay Toronto (Ontario) M5G 2E5 Tél.: 416 325-1210 Téléc: 416 325-7403 www.placealacroissance.ca



May 29, 2015

Jeff Greene Associate Weston Consulting 201 Millway Avenue Suite 19 Vaughan, ON L4K 5K8

RE: Submission Files 7201, 7232, 7258

Dear Mr. Greene,

Thank you for your recent comments on the co-ordinated review of the Growth Plan for Greater Golden Horseshoe, the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan and the Niagara Escarpment Plan.

You have, on behalf of your clients, submitted material pertaining to a specific matter.

While the Government of Ontario has committed to growing the Greenbelt, the information you submitted will be considered. We recommend that you also make your municipalities aware of this matter.

For more information on the co-ordinated review, please visit www.ontario.ca/landuseplanningreview

Best regards,

Richard Stromberg Director, Partnerships and Consultation (A)

28 October 2016



Mr. John Burdi 11065 Pine Valley Drive Vaughan, ON L4L 1A6

Project No.: 209.40409.00000

Dear Mr. Burdi,

RE: 11065 PINE VALLEY DRIVE, CITY OF VAUGHAN – ENVIRONMENTAL REVIEW

Thank you for the opportunity to provide a preliminary environmental analysis of the lands at the above address for submission to the Ministry of Municipal Affairs and Housing with respect to their review of the Greenbelt Plan area.

To complete this review the following background sources were used:

- 2015 Aerial Photography (Regional Municipality of York) of the participating landowner parcels;
- The Greenbelt Plan area (http://www.mah.gov.on.ca) as it relates to Block 41;
- York Region Official Plan 2010 (2016 Office Consolidation)
- Vaugh Official Plan 2010 (2015 Office Consolidation);
- The City of Vaughan Community Area Block 41 Secondary Planning Process (City of Vaughn and Planning Partnership, 2016);
- Humber River Watershed Plan (TRCA, 2008);
- Land Information Ontario, Natural Resources and Values Information System mapping (NRVIS, 2016) and
- Ministry of Natural Resources and Forestry On-line (2016) Natural Heritage Mapping and Natural Heritage Information Centre (NHIC) Data.

A request to the Aurora District Office of the Ministry of Natural Resources and Forestry (MNRF) was made on September 28, 2016. The request included species of conservation concern and the Provincially Significant Wetland (PSW) Evaluation of the East Humber River Wetland Complex. This information has not been received at the time of preparation of this report.

1.0 LANDSCAPE CONTEXT

The surrounding landscape of the Block 41 area is predominately rural residential and farmland. A small community hub and restricted industrial lands (TransCanada Pipe Facility) occur at the corner of Pine Valley Drive and Kirby Road with residential development to the south of Teston Road near Weston Road and the 400 Highway. The remaining areas are natural woodland, wetland and natural corridors which are generally associated with watercourse and valley features.

2.0 EXISTING CONDITIONS

The property at 11065 Pine Valley Road includes a residence, several small buildings and a maintenance yard used for storing equipment and materials for a concrete contracting business and two independent landscape and lawn maintenance operations. Manicured grass occupies most the subject lands with woodlands and cultural meadow occurring at the rear of the property and on adjacent lands. Two small constructed ponds (now naturalised) occur within the property. The pond located at the rear of the property is a part of the Provincially Significant East Humber Wetland Complex (PSW). The other fronts Pine Valley Drive and has not been included in the PSW. The upper reaches of the East Purpleville Creek crosses the southeast limits of the site. Data received from the TRCA (which includes portions of the property) as part of their 2002 Ecological Classification (Lee et al 1998) work for the broader area identified the following vegetation communities:

- Deciduous Fresh to Moist Lowland Black Walnut Forest Type [FOD7-4]
- Cultural Meadow [CUM1]
- Open Aquatic [OA1]
- Cattail Mineral Shallow Marsh [MAS2-1]
- Narrow Leaved Sedge Meadow Marsh [MAM2-5]

The vegetation communities immediately adjacent to the site and further off property include:

- Deciduous Dry to Fresh Sugar Maple and Beech Forest Type [FOD5-2];
- Swamp Thicket [SWT2] and
- Forb Mineral Meadow Marsh [MAM2-10]

SLR's completed a scoped confirmatory level review of the property on October 21 2016. The vegetation features represented on site are consistent with those Identified by TRCA. This review also identified additional cultural meadow communities (CUM1) and shallow marsh (MAS2-1) associated with second pond feature on the subject lands. Overall the woodlands occur throughout most of the adjacent lands with only a small portion of successional cultural meadow (CUM1) and woodland (FOD7-4) occurring in the east limits. This is part of the broader natural corridor associated with Purpleville Creek. Wetlands on site are limited. The wetland communities were re assessed by MNRF on Sep 20, 2016 with the original wetland assessment (wetland straddling the property [MAM2-5]) completed in 2012. The cultural meadows are representative of the historical and present land uses of the site which are evident by remnant old buildings, dug ponds and laneways. For example back in the 1970's the residence and property was agricultural cropland (York, 2016). Appendix A provides representative views of the vegetation composition on site, with features mapped on Figure 1.

3.0 POLICY CONTEXT

Development within the property is subject to a number of provincial, regional and local environmental policies. These planning requirements provide direction and guidance regarding land use changes and development opportunities. The following sections provide a summary of these policies.

3.1 **Provincial Policy Statement 2014**

Policy 2.3 of the Provincial Policy Statement (PPS) (MMAH 2014) issued under Section 3 of the Planning Act provides direction to regional and local municipalities regarding planning policies for the protection and management of natural heritage features and resources. Section 3 of the Planning Act requires that decisions affecting planning matters "shall be consistent with" policy statements under the Act. The policies of the PPS apply in those areas that are not within the Greenbelt Plan or ORM Conservation Plan areas. The PPS requires that natural features and areas shall be protected for the long term, including ecological function and biodiversity, where these should be maintained, restored or, where possible, improved.

Generally, no development shall occur in:

- a) significant wetlands in Ecoregions 5E, 6E and 7E1;
- b) significant coastal wetlands.

If it can be demonstrated through an EIS that there will be no negative impacts on the natural features or their ecological functions, development may be permitted in the following features:

- a) significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E1;
- b) significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)
- c) significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);
- d) significant wildlife habitat; and
- e) coastal wetlands in Ecoregions 5E, 6E and 7E1 that are not subject to policy 2.1.4(b)).

Additional constraints to development include:

- Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.
- Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.
- Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas (refer to above) unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

3.2 Greenbelt Plan, 2005

The Greenbelt Act (2005) was established to create the Greenbelt Plan that protects environmentally sensitive features and areas including productive farmlands. The goal is to "to protect the feature and its functions from the impacts of the proposed change and associated activities that will occur before, during, and after, construction, and where possible, restore or enhance the feature and/or its function". The subject lands are entirely within the Greenbelt

Planning boundary where the designation is Protected Countryside. This includes both natural and agricultural land use designations. The property is also within the designated Greenbelt Natural Heritage System (MMAH, 2005, Map 59). These designations and policies are reflected both the City of Vaughan and York Region Official Plans.

The Greenbelt Plan identifies Key Natural Heritage Features (KNHF), which includes Key Hydrologic Features. The Plan requires a minimum 30m Vegetation Protection Zone (VPZ) be applied to the boundaries of these features when land use changes are anticipated.

3.3 York Region Official Plan, 2010

Under the regional policies of the York Region OP (Office Consolidation April 2016) the subject property is within lands of regional Greenbelt and Natural Heritage System (York, 2010 - Map 2 and 3). Policies 2.1 – Regional Greenlands System provide direction for the protection and enhancement of existing features and outlines directives for maintaining linkage corridors. Of relevance to this review is Section 2.1.9 which states that *"development and site alteration be prohibited within the Regional Greenlands System and that development and site alteration applications within 120 metres of the Regional Greenlands System shall be accompanied by an environmental impact study."* However, legally existing land uses (conform in-force local official plans, zoning by-laws and Ministerial Zoning Orders), existing agricultural uses and new infrastructure may be permitted if requirements under Policies 2.1.10 are met.

Key Natural Heritage and Hydrologic features on site include the forest communities, the PSW unit (the rear pond) and watercourse features. These features compose the Greenlands System within the property and are subject to the policies of Section 2.1 and 2.2. Key features outside of the System must also be protected and are subject to the policies as defined in Section 2.2 of the OP.

There no Areas of Natural and Scientific Interest (ANSI) within or 120 m adjacent to the property. There are also no Environmentally Significant Areas or enhancement areas identified for the subject lands (Schedule 3, Schedule 2). The woodlands on site (and their associated VPZ) are likely to meet the criteria to be designated as "significant" under Section 2.2.44 of the Official Plan. Significance is determined on a site-by-site basis using criteria outlined in Section 2.2.45.

3.4 City of Vaughan Official Plan, 2010

The property is within the urban boundary area (Schedule 1 A) with the natural features of the property (meadow, [CUM], associated woodlands [FOD] and rear pond [OA1/MAS]) identified as Core Features with inclusion in the Vaughan Natural Heritage Network (Schedule 2). These features, including the disturbed cultural areas on the property (residence and works yard) are collectively part of the Greenbelt Natural Heritage System (Schedule 4 – Vaughan OP). The New Communities Area (Schedule 13) is located immediately to the south of the property and associated with the existing residential development at Kirby Road.

Polices 3.5 of the Vaughan Official Plan restrict development in the Green Belt Natural Heritage System and in Protected Countryside. For example Policies 3.5.3 specify the percentage of land use that must be retained in a natural state or be returned to natural self-sustaining vegetation. It also outlines that connections must be maintained between natural hydrological features as well as percentages of disturbances. Excerpts of Section 3.5 are provided in Appendix B.

3.4.1 Community Plan Block 41

The boundaries of Community Block 41 include: Teston Road to the south, Kirby Road to the north, Pine Valley Drive to the west and Weston Road to the east encompassing a total area of approximately 441 ha. The community was designated as a place to grow as part of the Places to Grow Act, 2005 (Planning Partnership, 2016) and a new Community under the York Regional Official Plan. The Block 41 Plan identifies where secondary Plans are required and to minimum density of residences and jobs per hectare. The status is now at Phase 5 of the planning stage (Draft Secondary Plan) with many components of the plan being prepared (i.e., infrastructure, land use concepts, proposed natural heritage system).

The subject property is within the area of the Greenbelt boundary / Greenbelt Natural Heritage System. There is no proposed residential, commercial or industrial development within these areas except for a potential collector road and trails connections. The proposed areas of development are focused to the south (at Teston Road) expanding existing residential areas and lands at the corners of Kirby and Weston Road. In addition to the existing Natural Areas (woodland, PSW, watercourse corridor) associated with the Core Features (Vaugh OP Schedule 2) the Block Community Plan proposes that the meadow features of the property and second pond near Pine Valley Drive to be included in the North-South Linkage Natural Heritage Network. Relevant presentation slides from the Public Open house for Block 41 are provided in Appendix C.

3.5 East Purpleville Creek Watershed Study

The south east portion of the property includes a watercourse corridor of the East Purpleville Creek which is part of the Humber River Watershed. The Subwatershed Plan is currently in preparation as part of the Block 41 Planning Area. Field inventories were completed for natural heritage features (breeding birds, vegetation, botanical surveys, amphibians, Species at Risk and wetland/ woodland description), fluvial geomorphology, surface water and groundwater in 2014-2015. The Existing Conditions and Characterization Report has yet to be completed. The purpose of the Subwatershed study is to establish the development and ecological objectives within the Purpleville Creek Subwatershed context and may include restrictions on adjacent land uses, corridor widths, linkages and other recommendations to protect and enhance Purpleville Creek. The preliminary recommendations have been incorporated into the Open House presentations by the project team and reflect excerpts as presented in Appendix B.

3.6 Toronto and Region Conservation Authority, Ontario Regulation 166/06

The Toronto and Region Conservation Authority Ontario Regulation 166/06 establishes Regulated Areas where development could be subject to flooding, erosion, or where interference with wetlands and alterations to shorelines and watercourse might have an adverse effect on those environmental features. Under the regulation, any proposed development, interference or alteration within a Regulated Area requires a permit from TRCA.

The Regulated Area is typically an area adjacent to the features but does not define the features. Within the property it appropriately regulates the Purpleville Creek corridor. While the

mapping does not include the Provincially Significant outlier pond at the rear of the property, the TRCA has the authority to change and update regulation mapping when new information becomes available. Given that these wetland complexes were evaluated after the initial regulation mapping was established, TRCA may choose to regulate these features in the future (TRCA 2016). Regulation requires consultation with TRCA: it is not a prohibition to development.

3.7 Endangered Species Act, 2007

The Endangered Species Act, 2007, (ESA) protects species designated by the Committee on the Status of Species at Risk in Ontario (COSSARO) listed on Schedules 2 (Endangered) and Schedules 3 (Threatened) of Ontario Regulation 230/08. Species and their habitats are protected and activities which may harm, harass or kill a species or destroy / remove habitats of species regulated under the act (e.g. the development of a property) must adhere to the policies and regulations under the Act, as failure to do so can result in fines.

The reconnaisance level field confirmation completed on October 21, 2016 by SLR identified pond, wetland, forest features and anthropogenic structures which may provide habitat for species designated and Endangered or Threatened and regulated under the ESA. A review of MNRF Natural Heritage Data for species regulated under the ESA identified the potential for Barn Swallow (Hirundo rustica) Threatened; Butternut (Juglans cinerea) Endangered; and four species of bats also listed as Endangered (Eastern Small-footed (Myotis leibii), Little brown (Myotis lucifugus) Northern Long-eared (Myotis septentrionalis) and Tri-coloured Bat (Perimyotis Redside Dace (Clinostomus elongatus) Endangered may occur in the broader subflavus). area. The watercourses associated with the property are identified as providing occupied or recovery reaches for Redside Dace¹ (DFO, 2016). It should be noted that the cultural meadow features reviewed by SLR On October 21, 2016 are small and in an advanced successional stage where trees and shrubs are frequent. It is unlikely that these communities on site provide habitat for grassland birds (e.g. Bobolink and Meadowlark) Detailed evaluation of these features at this stage is not required. As due diligence property owners need to be aware of the regulation and potential for regulated species to occur within and adjacent to the subject property.

4.0 SENSITIVITY

The review of the relevant background and applicable regional and local polices identified the following site sensitivities:

- The East Humber Provincially Significant Wetland Complex;
- Non-designated wetlands associated with the cultural ponds;
- Tributary of the East Humber River (Purpleville Creek Subwatershed);
- Deciduous woodland which is likely to meet York Regions criteria for Significant Woodland;

¹Only those areas that meet the functional habitat requirements of one or more life stages of the species are considered Critical Habitat. Consult with MNRF to determine the full extent of re regulated habitat.

- Watercourse, cultural meadows woodland and anthropogenic features (buildings) that could support habitat of Endangered and Threatened Species (e.g. Redside Dace, Barn swallow).
- A provincially designated (Special Concern) species may occur in both of the ponds which are suitable for Snapping Turtles (*Chelydra serpentine*) Special Concern and Eastern Wood Pewee (*Contopus virens*) Special Concern is likely to occur in the forest. If so, significant wildlife habitat in the context of the Provincial Policy Statement would occur, however the PPS permits development in SWH if the functions are not affected by the change in land use.
- Locally rare flora and fauna have been recorded outside of the property, but within the adjacent vegetation community polygons which extend on the subject lands. For example: TRCA "L" ranked² flora and fauna (Running Strawberry Bush (*Euonymus obovata*), Christmas Fern (*Polystichum acrostichoidea*), Beautiful Sedge (*Carex concinna*) and Greenfruit Bur-reed (*Sparganium emersum*), Wood Frog (*Lithobates sylvaticus*) and Spring Peeper (*Pseudacris crucifer*).

These features which are associated with and include the existing natural corridors and watercourse features are the primary drivers for the Core Area designation (York OP), Natural Heritage System Designation (York OP, Vaughn OP, Greenbelt Plan) and inclusion within Vaughn Natural Heritage Network, and proposed Block 41 North-South Linkage. The Protected Countryside designation (Greenbelt Plan) includes the footprint of KNHFs and their minimum vegetation protection zones (e.g., 30m) on the subject lands. Setbacks required to meet other Provincial Policies, Official Plan Polices, and TRCA permitting under Ontario Regulation 166/06: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses and Ontario would also be included. The Greenbelt regulated boundary includes agricultural land, which does occur south of the subject lands. The property immediately to the south is accessed by a private laneway that crosses Purpleville Creek. The cultural manipulation (that includes the residence and work yard) along the existing Pine Valley Drive are not intended to be protected by the Greenbelt Plan, and are only included by association with natural features.

The Natural Heritage System proposed by the Block 41 Community Plan excludes the agricultural lands, and highlights a difference of opinion with respect to the inclusion of the western dug pond within natural heritage mapping. The proposed community structure (Appendix C) appears to recommend a collector road in approximately the location of the laneway that crosses Purpleville Creek to the south at 11031 Pine Valley Road.

5.0 SUMMARY

The KNHF include the PSW units and forest both on and off of the property. These features require application of a 30m VPZ even if the feature itself is not on the property (e.g., Figure 1, MAM2-10, a small wetland to the north whose VPZ would extend south on to the property). The forest to the north ends at the northern property line near Pine Valley Drive, but then curves northward around an old field. The mapping of the Natural Heritage Network shows an

^{2 &}quot;L" ranks may indicate that a species is of concern within TRCA's jurisdiction but no specific protection is defined.

extension onto the property outside the forest to include the dug pond. The line at this point could be realigned since most of the western part of the property does not provide KHNF.

The balance of the subject property outside of the features plus VPZ provides a minimal eastwest corridor function. It is a poor corridor south of the forest block located to the north as Pine Valley Road creates a significant barrier to wildlife movement, and there is no natural feature west of Pine Valley to which it connects at the subject property. The Block 41 Concept Plan shows a Low-rise Residential designation on the property on the west of Pine Valley Road opposite the subject lands, suggesting that exempting at least a portion of the subject property may be feasible through this planning process.

The Greenbelt Plan limit on these lands does not accurately reflect the existing KNHF. It is the intent of the Plan to protect environmentally sensitive features and areas including productive farmlands. There is no farmland on the subject property. The limit of the Plan was drawn to the south of the neighbouring residence adjacent to Pine Valley Drive (see Appendix C1) through the middle of an agricultural field; it does not protect the existing agricultural feature (Figure 1). The Block 41 planning process anticipates a collector road to be generally located on the 11031 Pine Valley Road lands, reflecting the potential to cross Purpleville Creek in an area where the KNHF narrows and the impact created will be minimized. This anticipated collector road would likely affect farming operations negatively, removing the intent of the original designation within the Greenbelt. If agriculture ceases, then the subject lands have been included in a designation whose justification has been terminated by the collector road.

In light of this discussion, it would be reasonable to realign the Greenbelt boundary to accurately reflect the KNHF and their respective VPZ to permit additional uses on the western portion of the subject property. An alternative realignment of the Greenbelt boundary on these lands that recognizes the future planning context should be based on the protection of important natural heritage features and functions and protection of viable agricultural practice. Figure 2 provides such an interpretation. The realignment reflects an emphasis on those features of provincial importance, and those associated with the valley of Purpleville Creek. A 30 m minimum vegetation protection zone (VPZ) is applied to the wetlands and woodlands. The proposed realignment of the Greenbelt Boundary reflects a respect for the features and their associated VPZ.

6.0 BLOCK 41 PLANNING PROCESS

The City of Vaughan has initiated this process that includes the subject property. The presentation to the Committee of the Whole Working Session in January of 2016 indicates that the city is committed to "*Work with stakeholders to confirm the natural heritage network boundaries in Block 41…*" We understand that it is your intent to participate in the consultation.

As of January, it was anticipated that the Existing Conditions Characterization Report and evaluation of the Block 41 Emerging Land Use Concept; the Natural Heritage Network, ... and other implementation strategy recommendations would be available. The aggressive schedule anticipated a presentation to the Committee of the Whole in the fall of 2016. Ms. Amine Hassakourians, Senior Planner, Policy Planning and Environmental Sustainability was

contacted for further information but as of the writing of this report no discussion has occurred. It appears that the opportunity to participate remains.

Many thanks for the opportunity to assist you with this analysis. I look forward to further discussion.

Yours sincerely,

SLR Consulting (Canada) Ltd.

Jah Lendbeit

Dale Leadbeater, B.Sc., B.Ed., R.P.Bio., P.Biol.

Senior Ecologist

cc Josh Berry, Weston Consulting

Attach:Figure 1: Existing ConditionsAppendix A: PhotologAppendix B: Excerpts from the Vaughan Official PlanAppendix C: Excerpts from the Block 41 Presentation

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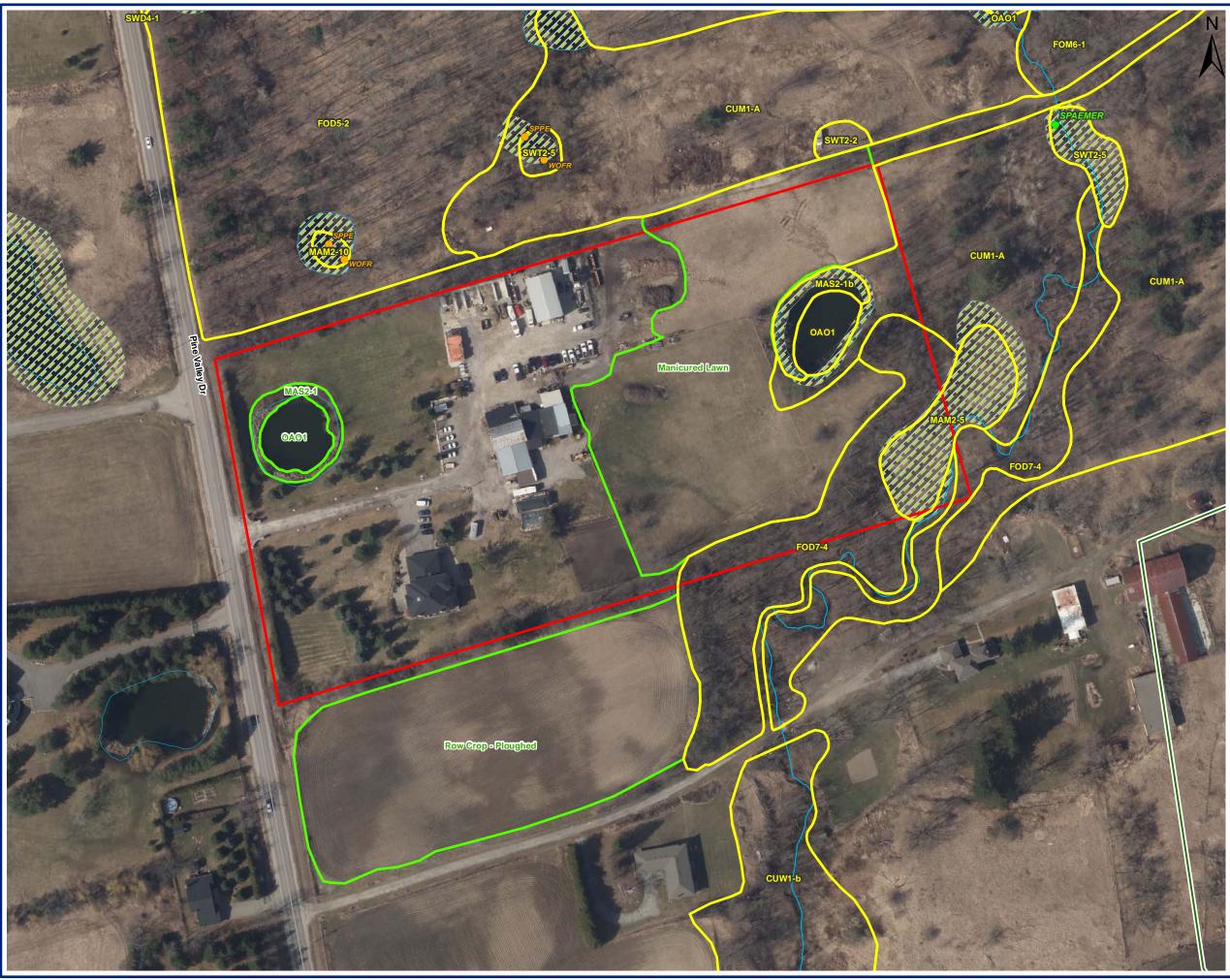
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LEGEND Property Boundary Fauna (TRCA, 2016) • Flora (TRCA, 2016) ELC (TRCA, 2002 revised by SLR 2016) ELC (SLR, 2016) Waterbodies - Intermittent Watercourse Permanent Watercourse Provincially Significant Wetland Green Belt Boundary (site within Protected Countyside) SCALE: 1:1,500 WHEN PLOTTED CORRECTLY AT 11 x 17 NAD 1983 UTM Zone 17N NOTES This map is for conceptual purposes only and should not be used for navigational purposes. Basedata: Contains public sector information made available under he Regional Municipality of York's Open Data Licence JOHN BURDI 11065 PINE VALLEY DRIVE ENVIRONMENTAL ANALYSIS **EXISTING CONDITIONS** Rev **0.0** Figure No. October 28, 2016 1 209.40409.00000 Project No. global environmental solutions





View West. Works yard and Sugar Maple Beech Woodland (FOD5-2) (October 21. 2016).

Works Yard at rear of property. View north (October 21. 2016).

Another view (southeast) of the extent of the manicured amenity area (October 21. 2016).

Provincially Significant Wetland / Pond at rear of property. View east (October 21. 2016).

2016).









Manicured residence / amenity area. View south (October 21. 2016).

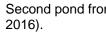
Cultural meadow identified by SLR in 2016. Area between PSW wetland / Pond and adjacent forested habitats / cultural meadow. View northeast (October 21.

Representative view of the manicured landscape area adjacent to the FOD7-4 woodlands. View west along property line (October 21. 2016).



Representative view of the manicured landscape adjacent to the FOD5-2. woodland View north along property line (October 21. 2016).







Adjacent woodland (FOD5-2). View east along existing laneway (October 21. 2016). .



From Pine Valley Drive, view of adjacent farm land (row crop) plowed. View east (October 21. 2016).



Second pond fronting Pine Valley Drive. View northwest (October 21.

11065 Pine Valley Drive, City of Vaughn 2 of 2

Job No: 209.40409.00000

City of Vaughan Official Plan 2010 - Volume 1 – July 2015 Office Consolidation As Partially Approved by the Ontario Municipal Board on 23.07.2013, 02.12.2013, 03.02.2014, 30.09.2014, 24.02.2015 & 15.06.2015. NOTE: Highlighted text indicates policies that have not been approved on a City-wide basis.

3.5.2.9. That notwithstanding the **Core Features** policies of subsection 3.2.3 of this Plan, new buildings and structures for *agricultural uses* will be required to provide a 30 metre vegetation protection zone from a key natural heritage feature or key hydrologic feature, but may be exempted from the requirement of establishing a condition of *natural self-sustaining vegetation* if the land is, and will continue to be, used for **agricultural** purposes. Despite this exemption, *agricultural uses* should pursue best management practices to protect and/or restore key hydrologic features and functions.

3.5.3 The Greenbelt Natural Heritage System

It is the policy of Council:

- 3.5.3.1. That within the Greenbelt Natural Heritage System identified on Schedule 4, in addition to Natural Areas, Agricultural and Rural uses are permitted as identified on Schedule 13 and subject to the applicable policies of this subsection, and subsection 9.2.2.
- 3.5.3.2. That where non-*agricultural uses* are contemplated on lands identified as **Greenbelt Natural Heritage System**, applicants shall demonstrate that:
 - a. at least 30 percent of the total *developable area* of the site will remain or be returned to *natural self-sustaining vegetation*, recognizing that the policies of subsection 3.5.10 establish specific standards for the non-renewable resource uses;
 - b. connectivity along the system and between key natural heritage features or key hydrologic features located within 240 metres of each other is maintained or enhanced; and
 - c. buildings or structures do not occupy more than 25 percent of the total *developable area* and are planned to optimize the compatibility of the project with the natural surroundings.
- 3.5.3.3. That new buildings or structures for agriculture, agricultural-related and secondary uses within lands identified as **Greenbelt Natural Heritage System** on Schedule 4 are not subject to policy 3.5.3.4 below, but are subject to the policies on key natural heritage features and key hydrologic features.
- 3.5.3.4. That new *development* or *site alteration* on lands identified as Greenbelt Natural Heritage System on Schedule 4 (as permitted by the policies of this Plan) shall demonstrate that:
 - a. there will be no negative effects on key natural heritage features or key hydrologic features or their functions;

- b. connectivity between key natural heritage features and key hydrologic features is maintained, or where possible, enhanced for the movement of native plants and animals across the landscape;
- c. the removal of other natural features not identified as key natural heritage features and key hydrologic features shall be avoided. Such features shall be incorporated into the planning and design of the proposed use wherever possible; and
- d. the disturbed area of any site does not exceed 25 percent, and the impervious surface does not exceed 10 percent, of the total *developable area*, except for *major recreational uses* described in subsection 3.5.5 or non-renewable resources described in subsection 3.5.10. With respect to golf courses, the disturbed area shall not exceed 40 percent of the site.

3.5.4 Greenbelt Protected Countryside

It is the policy of Council:

3.5.4.1. That, within the Protected *Countryside* of the Greenbelt, as identified on Schedule 4,
 Agricultural and Rural uses are permitted as identified on Schedule 13 and subject to the applicable policies of subsection 9.2.2 of this Plan.

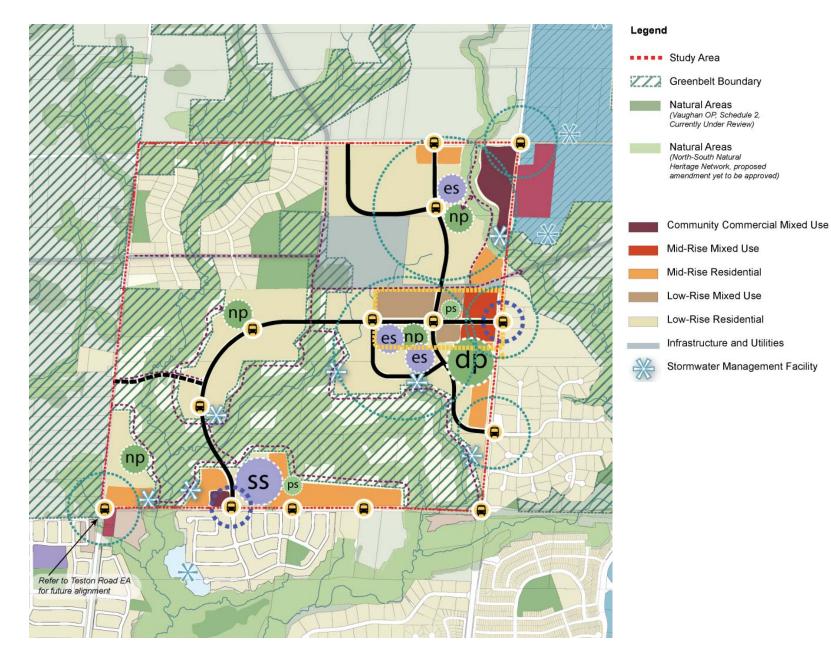
3.5.5 Recreational Uses in the Greenbelt

It is the policy of Council:

- 3.5.5.1. That residential dwelling units, other than for an employee, shall not be permitted in association with recreational uses.
- 3.5.5.2. That *major recreational uses* are defined in Chapter 10.
- 3.5.5.3. That an application to establish or expand a *major recreational use* in the Greenbelt
 Natural Heritage System will be accompanied by a vegetation enhancement plan that incorporates planning, design, landscaping, and construction measures that:
 - maintain or, where possible, enhance the amount of natural self -sustaining vegetation on the site and the connectivity between *adjacent* key natural heritage features or key hydrologic features;
 - b. wherever possible, keep intermittent stream channels and drainage swales in a freeto-grow, low-maintenance condition;
 - c. minimize the application and use of pesticides and fertilizers; and

CONCEPT PLAN

4-



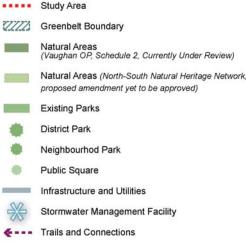


COMMUNITY STRUCTURE

41

Parks, Trails, Natural Areas + Infrastructure





Technical Memorandum

То:	Vito and Maria Burdi	From:	Joell	e Pecora and Michael Roy		
Company:		SLR Consulting (Canada) Ltd.				
cc:	John Burdi	Date:		November 17, 2023		
	Tom Halinski, Aird & Berlis LLP	Project	No.	209.064864.00001		
RE: 11065 Pine Valley Drive, Vaughan, ON Environmental Feature Review - 2023						

1.0 Introduction

Vito & Maria Burdi (the landowners) own the property located at 11065 Pine Valley Drive in City of Vaughan, ON (Site). The Site is located on the east side of Pine Valley, north of Teston Road within an area that was formerly mostly rural and agricultural land use that is in transition toward a mixed use and a low-density residential area.

There are mapped Provincial Significant Wetlands (PSW) and woodland features located along the east and north boundaries of the Site, respectively. Prior to December 2022, the Site was wholly contained within the Greenbelt Area boundary. The Provincial government's revisions to the Greenbelt Area boundary in December 2022 resulted in portions of the Site being removed from the Greenbelt Area. Following this decision, the landowners were interested in whether the scale at which the refinements to the Greenbelt Area boundary were made, resulted in portions of relatively unconstrained areas of their property remaining in the Greenbelt Area boundary. To assist in this analysis, the landowners retained SLR Consulting (Canada) Ltd. (SLR) to undertake a review of environmental features on their property to evaluate their significance and boundaries.

An SLR ecologist and qualified Ontario wetland evaluator (OWES) completed a scoped confirmatory site visit of the property on October 20, 2023 to characterize and inventory a mapped PSW unit associated with a formerly dug agricultural pond and to confirm the boundary of a Significant Woodland mapped along a portion of the Site's northern boundary.

2.0 Existing Conditions

The Site includes a residence, several small buildings and a maintenance yard used for storing equipment and materials for a concrete contracting business and two independent landscape and lawn maintenance operations. Manicured grass occupies most the subject lands with woodlands and cultural meadow occurring at the rear (eastern portion) of the property and on adjacent lands. Two small constructed agricultural ponds occur within the property. The pond located at the rear of the property is evaluated and mapped as part of the Provincially Significant East Humber Wetland Complex (PSW) (Figure 1). This pond / PSW unit lies within the revised Greenbelt Area boundary. The second pond positioned near Pine Valley Drive is not included in the PSW complex and lies within the portion of the Site recently removed from the Greenbelt Area.

The upper reaches of the East Purpleville Creek crosses the southeast limits of the Site. Data obtained from the Toronto Region Conservation Authority (TRCA) developed as part of their 2002 Ecological Classification (ELC) (Lee et al., 1998) exercise for the broader area identified the following vegetation communities on the Site:

- Deciduous Fresh to Moist Lowland Black Walnut Forest Type (FOD7-4);
- Cultural Meadow (CUM1);
- Open Aquatic (OA1);
- Cattail Mineral Shallow Marsh (MAS2-1);
- Narrow Leaved Sedge Meadow Marsh (MAM2-5).

These vegetation communities are identified on Figure 1. A previous review of the property undertaken by SLR in 2016 confirmed that the vegetation features represented on Site were consistent with those identified by TRCA. Overall, the woodlands occur throughout most of the adjacent lands while only a relatively small portion of successional cultural meadow (CUM1-A) and woodland (FOD7-4) occur within in the eastern Site boundary.

A portion of a second PSW unit occurs in the southeast corner of the Site and is mapped interior to the woodland. This is part of the broader natural corridor associated with the East Humber River Wetland Complex.

The wetland communities were reassessed by MNRF on September 20, 2016 with the original wetland assessment (wetland straddling the property [MAM2-5]) completed in 2012. The cultural meadows are representative of the historical and present land uses of the Site which are evident by remanent old buildings, dug agricultural ponds and laneways.

3.0 Brief Policy Context

From a land use perspective, the property is subject to a number of environmental policies at the provincial, regional and City jurisdictional levels. Since there are features on and adjacent to the Site which are in the Greenbelt Area, the Greenbelt Area policies take precedence on those lands. The Regional and Municipal Official Plan (OP) policies reflect and uphold the policy recommendations of the Greenbelt Plan regarding Key Natural Heritage Features (KNHF) and Key Hydrologic Features (KHF) for land within and bordering the Greenbelt Area.

KNHFs and KHFs within the Greenbelt require a 30 m Vegetation Protection Zone (VPZ) which is applied from the edge of the KNHF/KHF. This includes features such as woodlands, wetlands, valleylands, and watercourses of provincial significance.

3.1 Ontario Wetland Evaluation System

The Ontario Wetland Evaluation System (OWES) is the provincially recognized method of evaluating wetlands for significance across the province. The evaluator determines the value of numerous wetland components, attributes and functions and points are awarded and tallied across four primary evaluation categories including biological, social, hydrological, and special features. Depending on the number of points tallied in these categories, the wetland is provincially designated as Significant or not.

Changes to the OWES methods came into effect on January 1, 2023 that change the way wetlands are evaluated and provide guidance on the re-evaluation of previously evaluated wetlands. Evaluations which took place prior to the 2023 changes used to include a method of 'complexing' which meant that small wetland units could be included into a PSW complex if they met certain criteria. The ability to complex wetlands was removed in the 2023 updates.

The updated OWES protocol states that all PSW complexes are to remain under their current status (i.e., significant or not) until a re-evaluation occurs. A re-evaluation may occur for single wetland units that are a part of a previously evaluated wetland complex without requiring a



complete re-evaluation of all units in the existing complex. If the wetland unit that is being reevaluated meets the criteria for significance on its own merit, then it must remain as a PSW.

According to the OWES, the minimum size of a wetland type for mapping purposes is typically 0.5 hectares. This minimum mapping size can be smaller when highlighting a specialized community, however no such communities exist on the Site.

4.0 **Results of the Confirmatory Site Visit**

4.1 Northern Woodland Boundary

A review of the FOD5-2 woodland boundary mapped in the York Region OP (Map 5) as occurring along a portion of the Site boundary was undertaken. Based on the site visit performed by SLR, the mapped woodland edge is formed by a single row of trees (hedgerow) that is separate from the woodland positioned on the property to the north. A driveway on the adjacent property lies between the hedgerow and the woodland edge (Figure 1). Based on this evidence, the boundary of the significant woodland should be adjusted to occur on the lands north of the Site as indicated on Figure 1. Such an adjustment would reduce the extent of land within the Site that would be contained within the 30 m vegetation protection zone to the significant woodland.

4.2 Provincially Significant Wetlands

There are two wetland units on the Site that form part of the East Humber River Wetland Complex. The smaller wetland unit to the north (approximately 0.20 ha) was characterised by a thin mantle of emergent marsh vegetation and mostly open water. This unit, although designated as a PSW, is a man-made agricultural pond that was dug between 1955-1970 that has undergone natural succession due to lack of maintenance and use. It is positioned upslope from Purpleville Creek and the larger wetland unit and there were no other apparent inflows or outlets from this pond observed.

This pond was likely included in the PSW complex due to the presence of wetland vegetation around its perimeter and its proximity to the larger wetland occurring interior to the woodland in the southeast corner of the property. At the time of the SLR site visit, a surface water connection was observed between these two wetland units. This was evidenced by wet soil occurring along a diffuse but preferential path from the agricultural pond toward the larger wetland unit to the south. Any surface water connection between the wetland units is likely small as this diffuse flow path was observed to pass along the edge of the larger wetland unit and connect to Purpleville Creek. There is the potential for groundwater seepage being present as evidenced by the presence of Watercress (*Nasturtium officinale*) throughout the flow path and bordering the larger wetland community.

Targeted surveys within appropriate timing windows would be needed to confirm the presence/absence of breeding amphibians and/or amphibian movement corridors between the two wetland units and the woodland. However, the pond is likely too small to provide a stopover location for migrating birds and there was not enough woody vegetation surrounding the pond to provide cover for larger animals.

4.2.1 Wetland Re-evaluation

While arguably the smaller wetland is a remnant agricultural pond with wetland characteristics, SLR performed a re-evaluation of this feature in accordance with the recently revised OWES methods (January 2023). It is worth noting that this feature is approximately 0.2 ha in size, which is well below the 0.5 ha minimum size of a wetland type usually mapped as outlined in the OWES manual. Nevertheless, results of the re-evaluation indicate that this feature does not, on its own, achieve the evaluation points required to be a provincially significant wetland. This means that should this wetland be removed from the East Humber River Wetland Complex as is permitted under the revised OWES, it would no longer be afforded the protection of a PSW that is provided though provincial, regional and City land use planning policies. Other policies addressing the protection of wetlands in general, and the protection afforded to wetlands in TRCA's Regulation 166/06 would still apply.

The results of the SLR re-evaluation indicate that the wetland would not be considered provincially significant, and therefore it would be appropriate to remove this feature from the Greenbelt Area. The effect of the removal of this feature from the Greenbelt Area is illustrated on Figure 1.

5.0 Conclusion

Based on the recommended revision to the boundary of the significant woodland positioned on the lands north of the Site and the proposed redesignation of the small wetland associated with the dug agricultural pond from its current status of provincially significant, the Greenbelt Area boundary could be adjusted to exclude approximately 0.81 ha of land within the Site.

6.0 Statement of Limitations

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7.0 Closure

We trust this review of environmental features and the re-evaluation of the small wetland / agricultural pond situated on your property will meet your current requirements. Please do not hesitate to contact the undersigned should you have any questions or require additional information.

Regards,

SLR Consulting (Canada) Ltd.

J. Peure

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Attachments Figure 1

