

March 6, 2020

CFN 62272, 50712

SENT BY E-MAIL (minister.mah@ontario.ca)

Hon. Steve Clark
Minister
Ministry of Municipal Affairs and Housing
17th Floor, 777 Bay St.
Toronto, Ontario M7A 2J3

Dear Minister Clark:

Re: Confirmation of TRCA Position and Letter of Support for Minister's Zoning Order subject to application of mitigation and ecosystem compensation conditions being adhered to Block 34E – Phase 1 lands Part of Lots 26, 27 and 28, Concession 5 City of Vaughan, Regional Municipality of York

The purpose of this letter is to provide the Ministry of Municipal Affairs and Housing (MMAH) an overview of Toronto and Region Conservation Authority (TRCA)'s position regarding the proposed relocation of Provincially Significant Wetlands (PSWs) located on the subject lands and to outline our support for the application of a Minister's Zoning Order subject to appropriate mitigation and compensation conditions being adhered to as part of any Order being considered and in any subsequent municipal and provincial approvals.

Background

The subject lands contain two valley corridors that form part of the East Purpleville Creek subwatershed, which is a subcatchment of the East Humber River system. These valley corridors converge west of Highway 400.

The northern valley corridor at 11110 Jane Street contains a small tributary in the South-West corner of those lands that flows West under Highway 400. In addition, those lands contain a Headwater Drainage Feature (HDF) in the central portion of the site and Provincially Significant Wetlands (East Humber River Wetland Complex) in the North-West.

The southern valley corridor on the Block 34E Landowners' Group lands contain a larger tributary of the East Purpleville Creek valley system. The East Purpleville Creek valley system flows from the North-East to the South-West before flowing West under Highway 400. In addition, a Top of Slope, Regulatory Floodplain, HDF, and PSWs are present on the site.

TRCA has been advised by the collective landowners of the desire to relocate the isolated PSWs located in the North-West corner of northern property and the PSWs located in the South-East corner of the southern property (See Appendix 'A' for figure reference). The PSWs are proposed to be relocated immediately adjacent to the larger central Purpleville Creek Natural Heritage System (NHS). It is TRCA's understanding that the Block 34E Landowners' Group is amenable to this proposal.

Comments

TRCA staff have reviewed the *Environmental Impact Study for the Azuria Condor Lands, Vaughan, ON., prepared by Savanta, dated October 2019*, and greater information provided in the *Master Environmental Servicing Plan Addendums: Block 34 East – Phase 1, prepared by Schaeffers Consulting Engineers, dated October 2019*, and finds the recommendations of relocating the PSWs to the larger NHS located centrally on the southern block would result in a more robust system and net ecological gain. Protection of the individual PSWs in situ would ultimately result in their degradation due to their isolated nature and reduced quality contribution to the greater East Purpleville Creek valley system located West of Highway 400. If MNRFP provides direction and support for the relocation of the PSWs, the actual wetland relocations would be addressed through the conditions in the planning process and via TRCA's permitting process administered under Section 28 of the *Conservation Authorities Act*. Development and interference with wetlands require permit approval from TRCA and is reviewed in accordance with the Act, Ontario Regulation 166/06 and the policies of TRCA. Notwithstanding TRCA's policies, which do not support interference with PSWs or wetlands greater 0.5ha, TRCA staff would follow MNRFP's direction as it relates to the relocation concept once received for our review and confirmation. In principle, TRCA staff are supportive of the application subject to the relocation occurring given the overall benefit to the NHS. However, it should be noted TRCA's Executive Committee would make the final decision on the permit application for the wetland relocations. The Executive Committee may approve or refuse the application or approve it subject to conditions.

It is TRCA's understanding that the Block 34E Landowners' Group has provided additional analysis of the PSWs proposed to be relocated to the MNRFP and that MNRFP will be providing a review and assessment of this information to all parties involved. TRCA staff asks to be copied on this assessment so that we can evaluate the implications under the *Conservation Authorities Act*, Ontario Regulation 166/06 and our policies.

Recommendations

Based on our review of the subject lands and the supporting materials, TRCA staff is supportive in principle to the relocation of the PSWs to the central Block 34E NHS as it would result in a more robust system, ecological functionality and net ecological gain. We understand from City of Vaughan staff and discussions with provincial officials that a Minister's Zoning Order is being considered as part of an overall implementation strategy for this property. TRCA is supportive of the use of this instrument and other Planning Act approvals including zoning and site plan approvals provided that the conditions related to mitigation and ecosystem compensation are included and implemented as part of these approvals and in subsequent permitting processes under other legislation. TRCA's final position will be subject to staff review of MNRFP's assessment and the final decision of TRCA's Executive Committee on the permit application that will be needed to facilitate the wetland relocations under the *Conservation Authorities Act*.

We trust this letter is of assistance. We look forward to our continued meetings on this and other projects within this area.

Should you have any questions, please contact the undersigned at extension 5350 or email Sameer.Dhalla.@trca.ca

With Regards,

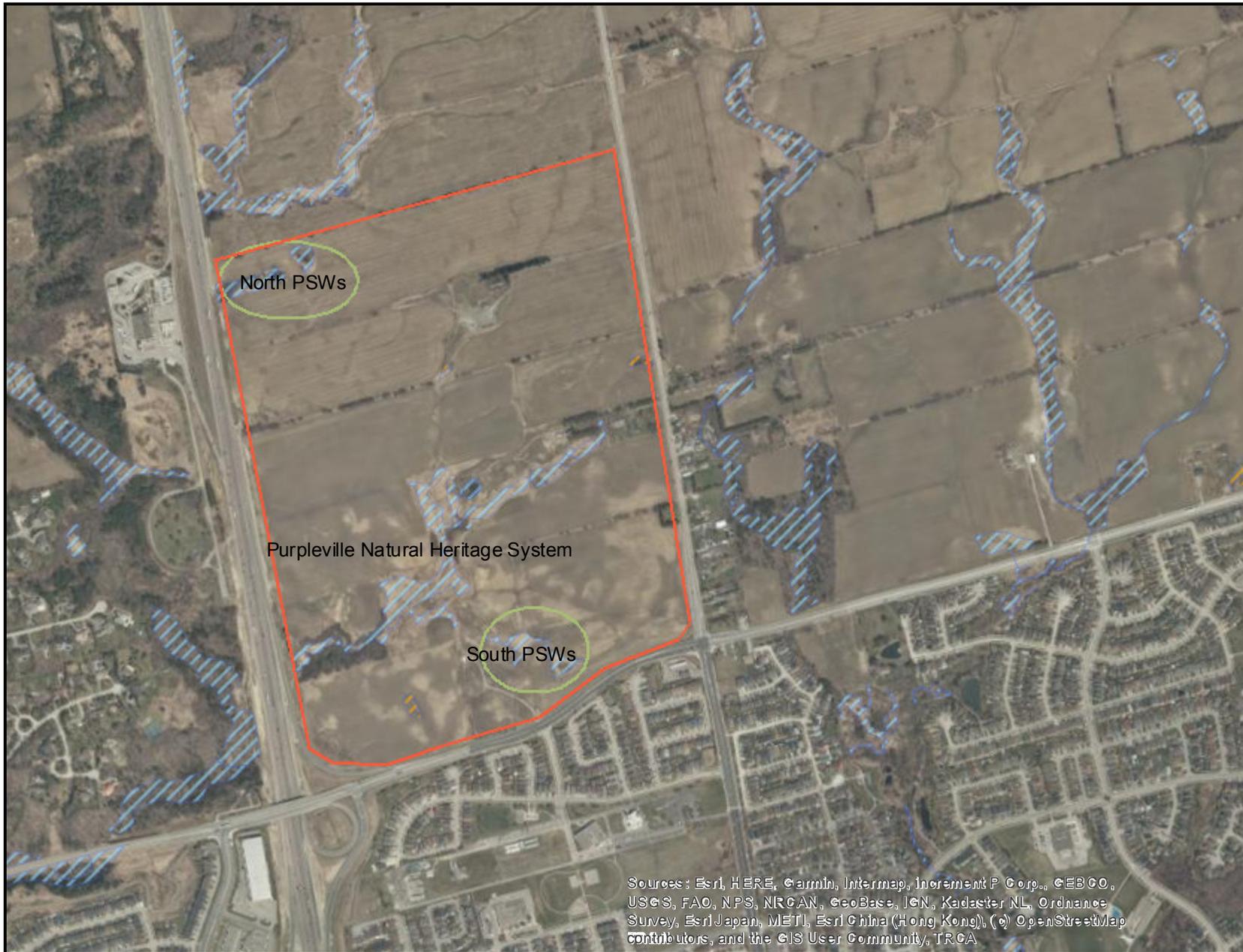


Sameer Dhalla, P.Eng.
Director, Development and Engineering Services

cc: John MacKenzie, Michelle Sirizzotti, Quentin Hanchard, Laurie Nelson, Coreena Smith and Colleen Bonner - TRCA
Carol Birch, Christina Bruce and Bill Kiru – City of Vaughan
John Livey – JWLIVEY Inc.
Mark Yarranton - KLM Planning Partners Inc.
Sam Morra - Condor

Appendix 'A' – Block 34E – Phase 1 Natural Heritage System

Block 34E - Phase 1



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, TRCA

Legend

Wetland

-  Provincially Significant
-  Locally Significant
-  Not Evaluated

Imagery_2018

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Author: Web AppBuilder for ArcGIS

