



August 9, 2023

*Comments sent via email*

Mike Keene and Miles Weekes  
Fotenn Planning + Design  
180 John St, Suite 709  
Toronto, ON M5T 1X5

Dear Mike Keene and Miles Weekes,

**Re: Draft Plan of Subdivision and Zoning By-law Amendment Applications  
Fotenn Planning + Design on behalf of 336 Kings Ridge Inc.  
336 King Street East  
Part of East Lot 8, Concession 7 (ALB)  
File No.: 21T-18003C and RZ 18-08**

**CONFIDENTIAL AND WITHOUT PREJUDICE**

Further to your submission received May 31, 2023 and June 1, 2023, the following comments have been received and are outlined below for your review.

**Proposal**

The applicant is proposing to re-develop a 0.63-hectare site occupied by a single-detached residential dwelling, as well as vacant land occupied by natural features, including the Humber River. The single-detached dwelling would be demolished to facilitate the proposed development of six single detached dwellings. In order to facilitate the proposed development, the proposed applications seek to amend the Town of Caledon Zoning By-law, and to receive Draft Plan of Subdivision approval.

The subject lands are located in a Rural Service Centre on Schedule 'A1' Town Structure, and are designated Low Density Residential and Environmental Policy Area on Schedule 'C' Bolton Land Use Plan in the Town of Caledon Official Plan. The lands are currently zoned Rural Residential (RR) and Environmental Policy Area 1 (EPA1) by the Town of Caledon Zoning By-law 2006-50, as amended.

The Draft Plan of Subdivision Application proposes to establish one residential block, a natural feature block, a road widening block, and two 0.3m reserve blocks.

The Zoning By-law Amendment proposes to rezone the lands from Rural Residential (RR) to Residential One Exception XX (R1-XX), to permit site specific uses and standards, and Environmental Policy Area 1 Zone (EPA1) to implement the proposed residential development.

### **Executive Summary of Comments**

At this time staff support the proposed Draft Plan of Subdivision and Zoning By-law Amendment applications, subject to minor revisions to the Zoning By-law Text. A Key plan should also be added to the Draft Plan of Subdivision.

- Minor revisions to the Draft Zoning By-law are requested to address comments from Zoning staff and Development Planning. A meeting between the applicant and the Town can be arranged if the applicant has questions about the requested amendments. Otherwise, a revised by-law should be submitted to staff as soon as possible for final review.
- Minor revisions to the Draft Plan of Subdivision are required to address comments contained in this letter. The Draft Plan of Subdivision should be resubmitted to staff as soon as possible for final review.
- All outstanding comments contained in this letter and previous summary of comments letters will be resolved through conditions of draft plan approval, and the draft plan of condominium and site plan applications.

This comment letter has been formatted to identify those comments to be addressed in each milestone as follows:

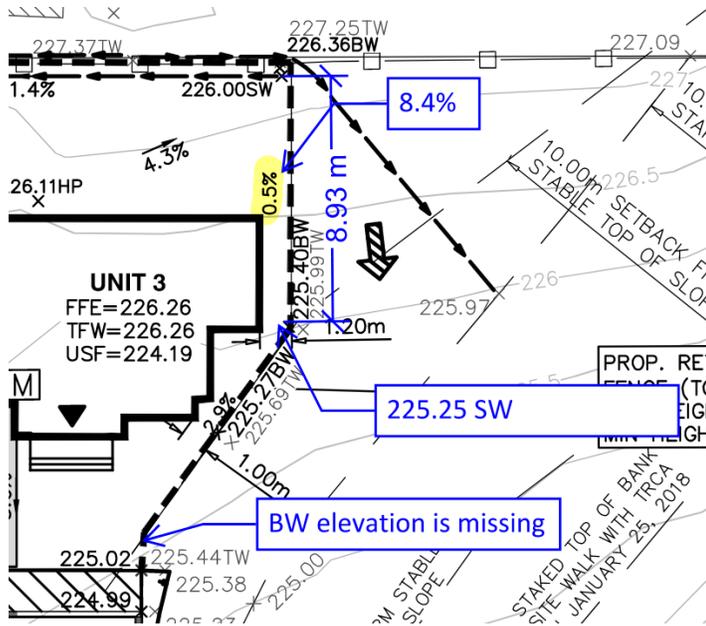
- Advisory Comments
- Comments to be Addressed Prior to Draft Plan Approval
- Comments to be Addressed Prior to the Zoning By-law Amendment
- Comments to be Addressed as Conditions of Draft Plan Approval

### **Advisory Comments**

The following comments are advisory in nature and do not preclude the approval of the Draft Plan of Subdivision or Zoning By-law Amendment.

1. Department and Agency comments included in this letter only relate to the proposed Zoning By-law Amendment and Draft Plan of Subdivision applications. Previous comments related to the Site Plan Application and Draft Plan of Condominium application continue to apply.
2. The following agencies have not provided new comments. Comments included in and as attachments to the March 25, 2022 and March 9, 2023 Summary of Comments Letters continue to apply. These comments provide draft plan conditions and site plan comments.
  - a. Bell Canada
  - b. Canada Post
  - c. Township of King, Growth Management Services
  - d. Enbridge Gas
  - e. Ontario Provincial Police

- f. Dufferin-Peel Catholic District School Board
  - g. Peel District School Board
  - h. Town of Caledon, Finance Department, Finance
  - i. Town of Caledon, Planning Department, Heritage
  - j. Town of Caledon, Planning Department, Municipal Numbers and Street Naming
  - k. Town of Caledon, Corporate Services Department, Accessibility
  - l. Town of Caledon, Community Services, Parks
3. The following departments have no concerns with the subdivision or zoning by-law amendment applications:
- a. Town of Caledon, Fire and Emergency Services
  - b. York Region, Corporate Services
  - c. Town of Caledon, Engineering Services Department, Transportation Engineering
  - d. MHBC Planning, Urban Design & Landscape Architecture, Urban Design
4. Development Engineering provides the following comments which must be addressed prior to Draft Plan of Condominium approval:
- a. Additional hydrogeological investigation shall be completed at the SPA stage to demonstrate that the proposed underground infiltration system can be designed to meet the MECP and TRCA design guidelines.
  - b. The applicant should submit a detailed Engineering Cost Estimate.
  - c. All fencing details including wood privacy fences and chain link fences should be included in the engineering drawing set.
  - d. A detailed design and drawings of the retaining wall should be provided in the engineering drawing set.
  - e. Additional cross sectional drawings along the rear of the proposed units should be provided at the SPA stage how the proposed retaining walls will be used to match the existing elevations at the property limits.
  - f. On Lot 4, BW elevation (224.70 m) must be raised to drain toward the rear yard swale.
  - g. More information is required for the swale along the retaining walls on Lot 3.



h. The Erosion and Sediment Control Plan (Drawing No. C05) still does not demonstrate how the NE corner of the development will drain towards the sediment trap. The swale elevations and sediment trap inverts for inlet and outlet are also not shown. The ESC plan should be revised prior to commencing any earthworks.

*(Town of Caledon, Engineering Services Department, Development Engineering)*

5. The revised submission is satisfactory to the Region of Peel and the Region has offered clearance of Draft Plan Approval. The following comments have been provided to assist with the detailed design stage and ongoing application for Site Plan Approval. *(Region of Peel)*
6. The Region of Peel has provided the following comments related to the Waste Management:
  - a. All the waste collection requirements have been satisfied in accordance with the Waste Collection Design Standards Manual. Therefore, the Region of Peel will provide curbside collection of garbage, recyclable materials, household organics and yard waste off of King St.
  - b. The developer will be responsible for the collection and disposal of waste until 90 percent occupancy of the development has been reached. Once 90 percent occupancy of the development has been reached, the developer will be required to contact the Region of Peel Waste Management Division at 905-791-9499 to initiate Region waste collection. At this time, Region staff will visit the site to confirm the vehicle access route and that 90 percent occupancy has been reached. Upon confirmation, staff will confirm when curbside collection carts will be delivered and when waste collection service can begin.

- c. For more information, please consult the Waste Collection Design Standards Manual available at: <https://www.peelregion.ca/public-works/design-standards/pdf/waste-collection-design-standards-manual.pdf>
- d. The following statement will need to be added to the Agreement of Purchase and Sale noting that:
- i. The residents are responsible to set out carts (Garbage and Organics or Recycling and Organics) on the designated collection point on King Street which is located within ~100m of the farthest unit.
  - ii. The residents are responsible for placing two carts every week for collection (Garbage and Organics or Recycling and Organics). When applicable, residents will also be responsible for placing any bulky waste items at the identified collection point.
  - iii. The residents are responsible for returning carts from the designated set out area to their storage.
  - iv. All carts and bulky waste items should be properly positioned in the designated collection point on the day of collection before 7 am.
  - v. The waste collection vehicle driver is not required to exit the collection vehicle to facilitate collection.
  - vi. The Region will not be responsible for emptying carts that are inaccessible to the waste collection vehicle.
- e. The Developer, Property Manager, Owner or agent thereof, must disclose in writing to a prospective buyer of a Dwelling Unit within the Development, the location of the Collection Point and the requirements of the prospective buyer regarding Waste storage and Set-out. The wording of the notice shall be as follows:
- i. **“Region of Peel Waste Collection for all Dwelling Units within this Development:** Purchasers are advised that a common collection point for waste, recycling, organics, and bulk waste is located along curb on King Street and is intended to accommodate all the residential waste, recycling, organics, and bulk waste from townhouse units 1 to 6, inclusive only. Purchaser’s units within the development described above are advised that transporting waste, recycling, organics, and bulk waste to and from their waste storage area to the common collection point identified on King Street before 7:00 am on the designated collection day is the sole responsibility of the occupants residing in the subject townhouse units. Purchasers and subsequent occupants within this development will be required to follow the same requirements stated above for Region of Peel waste, recycling, organics, and bulk waste collection.”
- f. The Developer must submit to the Region, with a request to commence Waste Collection Services, written confirmation that all Owners had received written notification prior to purchase of the location of Collection Point; Refer to WCDSM Section 1.3, Request to

Commence Waste Collection Service for clarification of the requirements to register for the Region's Waste Collection services.

- g. The following must be added to the Condo Declaration identifying each unit's designated set-out area and the responsibility of property management to clear snow and ice from the set-out areas, roadway and sidewalk to facilitate waste set-out and collection.
  - i. Property management is responsible for maintaining the common collection point, ensuring common collection point/set out areas including the roadway, and sidewalk/pathway is cleared of any debris and snow and ice.
  - ii. Property management is responsible for ensuring that Carts do not get permanently left at the common collection point. Property Management is responsible for ensuring that the carts are placed on the collection point and removed from the collection point after collection.
  - iii. The Region will only allow this exception to permit common collection point for the proposed detached dwellings for this development application only.

*(Region of Peel)*

7. The Region of Peel has provided the following comments related to the Development Engineering:

- a. The revised FSR and SWMR have been received and we offer the following:
  - i. Please submit inspection and maintenance plan and signed letter from property owner committing to inspection and maintenance.
  - ii. Must demonstrate thermal mitigation or cooling of stormwater runoff prior to release into Region's storm sewer, due to red side dace habitat downstream.
  - iii. CB Shield and OGS both target coarse particle removal:
    - Applicant to demonstrate rationale for assigning 50% removal efficiency to the OGS that is second in the treatment train. Show evidence the OGS unit can remove 50% TSS left over (finer particle distribution) after CB Shield treatment.
  - iv. To satisfy Region's water quality and erosion control criteria, please provide rationale/ site constraints for why 90th percentile storm (28mm) retention is not achievable on this site.
  - v. Size of lateral connection to Region's sewer needs to be restricted to 250mm.
  - vi. Please confirm if the chambers can be raised to connect outlet to Region's 300mm storm system on the S side instead of the 450mm system on the N side?
- b. Sanitary Sewer Facilities:
  - i. Municipal sanitary sewer facilities consist of a 250mm sewer on King Street East.
  - ii. A Functional Servicing Report (FSR) showing proposed sanitary sewer servicing plans for the development is required for review and approval by the Region prior to the engineering submission.

- iii. External construction will be required.
- c. Water Facilities:
- i. The lands are located in Water Pressure Zone 5 Bolton.
  - ii. Existing infrastructure consist of a 150mm watermain on King Street East.
  - iii. A Functional Servicing Report (FSR) showing proposed water servicing plans for the development is required for review and approval by the Region prior to the engineering submission.
  - iv. External construction will be required.
  - v. The Region requires a Condominium Water Servicing Agreement and a draft Declaration and Description with completed Schedule A for the future Common Elements Condominium Block.
  - vi. The Owner is advised that prior to the issuance of building permits for all lots and blocks, satisfactory arrangements must be made with the Region with regard to water service applications and payments of the required connection charges.
  - vii. The Owner is advised that existing site services which were installed to service any lot or block within the development lands that will not be utilized shall require to be removed at the Owner's expense in accordance with the current Region's Standards.
- d. Regional Roads:
- i. The proposed development abuts King Street East, Regional Road #9.
  - ii. Region of Peel will not permit any changes to grading within King Street East ROW along the frontage of proposed development.
  - iii. No lots or blocks shall have direct access to King Street East. Any future access shall be in accordance with The Region Access Control By-law.
  - iv. Storm water flow shall be looked at in a holistic manner for all developments along Regional roadways. The flow of storm water shall not be diverted along the Regional right of way without the prior written consent of the Region.

*(Region of Peel)*

8. The Region of Peel has provided the following Financial Impact Comments:

- a. Development Charges:
  - i. The Owner acknowledges that the lands are subject to the current Region's Development Charges By-law. The applicable development charges shall be paid in the manner and at the times provided by this Bylaw.

*(Region of Peel)*

9. Please refer to the comment letter from the Region of Peel, Dated June 12, 2023 for detailed comments. *(Region of Peel)*

10. Please note that matters pertaining to the conveyance of the EPA lands to TRCA, identified in the March 14, 2022 and January 6, 2023 correspondence remain outstanding. (*Toronto and Region Conservation Authority*)
11. The following Erosion and Sediment Control related comments must be addressed at detailed design:
  - a. Please revise the sediment control fence typical detail to only include non-woven geotextile.
  - b. The proposed sediment traps should be stabilized with erosion controls to minimize slumping of the side slopes.
  - c. The rock check dam detail refers to a 'flocculant sock.' Please provide a typical detail for this Best Management Practice and how it is to be installed with check dams. (*Toronto and Region Conservation Authority*)
12. Landscape comments related to detailed design are contained in the attached mark-up Landscape comments letter from MHBC Planning, Urban Design & landscape Architecture, Revised June 2023. All outstanding Landscape comments will be addressed as conditions of subdivision approval. (*MHBC Planning, Urban Design & Landscape Architecture, Landscape*).

### **Comments to be Addressed Prior to Draft Plan Approval**

The following comments need to be addressed prior to draft plan approval.

13. Draft Plan of Subdivision Comments:
  - a. The draft plan was revised to meet the requirements of section 51(17) of the Planning Act, specifically items a, b and d-l. The following items appear to still be missing from the Draft Plan:
    - i. Key Plan identifying adjacent lands which the applicant has an interest in and every subdivision adjacent to the proposed subdivision. (*Town of Caledon, Planning Department, Development*)
14. Drainage from the proposed development is to be directed to the King Street East ROW which is under the jurisdiction of the Region of Peel. The Region to approve all controlled and uncontrolled flows proposed to be directed to the King Street East ROW. (*Town of Caledon, Engineering Services Department, Development Engineering*)
15. The Region of Peel has provided the following comments related to the Site Plan/ Draft Plan:
  - a. Prior to Draft Plan Approval, a revised Draft Plan and Site plan must be submitted for review. The revised plans must show the following:
    - i. Centreline of roadway

- ii. Dimensions from the centreline to the current property line;
  - iii. Dimensions from the centreline to the limit of the widening.
- b. The Region is not in support of open cut trench work across King Street, the Region's preference is use of a trenchless method/technology for connections/services. The applicant should consult the Region's servicing team in regard to trench method etc.  
(*Region of Peel*)

### **Comments to be Addressed Prior to Zoning By-law Amendment**

The following comments need to be addressed prior to the approval of the Zoning By-law Amendment:

#### 16. Zoning By-law Amendment ("ZBA") Comments:

- a. Minor revisions to the zoning by-law are required as noted on the attached Zoning By-law track-changes document. Should the proposed updates be acceptable to the applicant, development planning can support the proposed zoning by-law amendment. (*Town of Caledon, Planning Department, Development*)
17. Zoning Staff have provided comments on the draft zoning by-law on the attached track-changes document. Should the proposed updates be acceptable to the applicant, zoning staff can support the proposed zoning by-law amendment.
- a. Please see the comments contained within the draft by-law. Any future copies of the draft by-law must be prepared with the template provided (no PDF to word conversions) and subsequent submissions be prepared in Word format only (with the exception of the schedule).  
(*Town of Caledon, Planning Department, Zoning*)
18. The digital drawings must be georeferenced to UTM Zone 17. Please refer to appendix 2 and 3 of the Town's electronic submission requirements for more information. The Town's Electronic submission requirements are found here: <https://spatialreference.org/ref/epsg/nad83-utm-zone-17n/> (*Town of Caledon, Planning Department, Development*)

### **Comments to be Addressed as Conditions of Draft Plan Approval**

19. Please refer to the comment letter from Bell Canada. (*Bell Canada*)
20. Please refer to the comment letter from the Dufferin-Peel Catholic District School Board. (*Dufferin Peel Catholic District School Board*)
21. Please refer to the comment letter from the Peel District School Board. (*Peel District School Board*)

22. Please refer to the comment letter from the Town of Caledon Heritage Department for detailed comments. *(Town of Caledon, Planning Department, Heritage)*
23. There has been a notice of application for absolute title registered on title, however the qualifier hasn't been updated. The land qualifier must be converted to LT Absolute Plus in order to register a plan of subdivision. *(Town of Caledon, Planning Department, Development Planning)*
24. The following conditions for draft approval of the subdivision requested by Zoning staff:
- a. Prior to registration, the Owner shall provide a Certificate of Lot Area and Lot Frontage prepared and signed by an Ontario Land Surveyor, to the satisfaction of the Town of Caledon.
  - b. Prior to registration, a Zoning By-law for the development of these lands is to be passed under Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended, and be in full force and effect.  
*(Town of Caledon, Planning Department, Zoning)*
25. The following standard draft plan conditions are required:
- a. Prior to registration, the Owner shall provide a Certificate of Lot Area and Lot Frontage signed by an Ontario Land Surveyor, to the satisfaction of the Town.
  - b. Prior to servicing and prior to registration, the Owner shall obtain municipal address numbers from the Town.
    - i. A clause shall be included in the Subdivision Agreement requiring that these numbers be permanently embedded in or attached to the exterior of each dwelling once the dwelling is built and a permanent municipal address number sign be installed immediately upon receipt of a Building Permit as per the Town's Municipal Numbering By-law and Guidelines.
    - ii. A clause shall be included in the Subdivision Agreement requiring that both the lot or block/unit number and corresponding municipal address be displayed on all lots and blocks in a prominent location, until such time that the lot/block is transferred.  
*(Town of Caledon, Planning Department, Municipal Numbers)*
26. The following conditions are to be added as part of the draft approved conditions.
- a. The Owner shall enter into a Town of Caledon Subdivision Agreement or any other necessary agreements executed by the Owner, the Town and the Region or any other appropriate authority prior to any development within the plan to satisfy all financial, legal and engineering matters including land dedications, grading, easements, fencing, landscaping, provision of roads, stormwater management facilities, installation of municipal services, securities, parkland and cash contributions, and other matters of the Town and the Region respecting the development of these lands in accordance with the latest

standards, including the payment of Town and Regional development charges in accordance with their applicable Development Charges By-laws.

- b. Prior to the preparation of any agreement, the Owner shall pay to the Town all fees and costs set out in the Fees By-law for the preparation and registration of the agreement and all documents necessary to give effect to the approval of the Plan of Subdivision.
- c. The Owner shall convey/dedicate, gratuitously and free and clear of all encumbrances, any required parks, open space, trails, road or highway widenings, 0.3m (1 ft.) reserves, walkways, daylight triangles, buffer blocks, stormwater management facilities, maintenance blocks and utility or drainage easements or any other easements as required to the satisfaction of the Town, the Region or other authority.
- d. The Owner shall provide the Town with postponements for any and all encumbrances of the subject lands postponing such encumbrance(s) and subordinating it in all respects, to any and all agreements entered into between the Owner and the Town, or, the Owner, the Town and the Region, as required by the Town.

*(Town of Caledon, Planning Department, Development Planning)*

27. Parks staff provide the following comments related to parkland conveyance:

- a. Payment of money in lieu of conveyance of parkland will be required for approval of the proposed draft plan of subdivision according to the Town of Caledon's Official Plan Policy 6.2.12 Parkland Dedication and Cash-in-lieu prior to registration of the subdivision.
- b. The amount to be paid in lieu of conveyance of parkland will be calculated at equivalent land value of 5% of the lands included in the draft plan.
- c. For the purpose of determining the amount of payment the value of the land shall be determined as of the day a day before draft plan is approved.
- d. Prior to registration, the landowner will provide a narrative appraisal report prepared for The Corporation of the Town of Caledon for the purposes of calculating the amount of payment in lieu of conveyance of parkland. The narrative appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada, and shall be subject to the review and approval of the Director of Community Services or their designate.

*(Town of Caledon, Community Services, Parks)*

28. Based on the information available, Parks recommend the following conditions for the development approval:

- a. The Owner shall be responsible for a payment in lieu of conveyance of parkland to the Town to the satisfaction of the Director of Community Services or their designate, pursuant

to s. 51.1 of the Planning Act, according to the Town's Official Plan Policy 6.2.12 Parkland Dedication and Cash-in-lieu, prior to registration of the plan of subdivision.

- b. Prior to the registration of the plan of subdivision, the Owner shall provide to the Director of Community Services or their designate, a satisfactory narrative appraisal report prepared for The Corporation of the Town of Caledon for the purposes of calculating the amount for payment in lieu of conveyance of parkland pursuant to s.51.1 of the Planning Act. The narrative appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada, and shall be subject to the review and approval of the Director of Community Services or their designate, Notwithstanding the foregoing, if the narrative appraisal provided by the applicant is not satisfactory to the Director of Community Services or their designate, acting reasonably, the Town reserves the right to obtain an independent narrative appraisal for the purposes of calculating the amount for payment in lieu of conveyance of parkland.

*(Town of Caledon, Community Services, Parks)*

29. The Region of Peel has requested the following conditions of Draft Approval:

- a. Prior to registration of the subdivision, the Owner shall execute a Subdivision Agreement with the local municipality and Region for the construction of Regional roads associated with the lands. The Owner shall construct and design these services in accordance with the latest Region standards and requirements.
- b. Land/Easement Dedications: As a condition of registration of this Plan or any phase thereof, the Owner shall gratuitously dedicate, free and clear of all encumbrances and to the satisfaction of the Region:
  - i. A road widening pursuant to the Region's Official Plan along King Street (Regional Road 9). The Region's Official Plan road widening requirement for this section of King Street is 35.5 metre right-of-way (17.75 metres from the centreline);
  - ii. A 0.3 metre reserve along the frontage of King Street East except at the approved access location.
  - iii. All necessary easements for proposed and existing Regional infrastructures as required by the Region to service the proposed plan and external lands;

Clauses shall be included in the Subdivision Agreement in respect of same.

- c. Access: Clauses shall be included in the Subdivision Agreement:
  - i. The Region shall permit one (1) right-in/right-out access to the Lands on the south side of King Street, located centrally along the subject lands, to the satisfaction of the Region ("Approved Access"). To that end, the Owner shall waive and release the Region from any claims for compensation, injurious

affection or other damages which may hereafter arise as a result of the right-in/right-out access restriction to the Lands.

- ii. The Owner shall include warning clauses reflecting the aforementioned access restriction in all Purchase and Sale and Lease Agreements.
- iii. The Region shall permit in principle the interim use of the restricted right-in/right-out access on King Street as a full moves access for the purposes of ingress and egress to the Lands ("Interim Access"). To this end;
  - The Region shall monitor the interim full moves access by conducting such traffic studies as the Region determines necessary, in its sole discretion acting reasonably. The Region shall provide copied of such traffic studies to the Owner. If during the monitoring of the interim full moves access the Region determines that the safety or capacity of King Street is compromised as a result of left out and /or left in turns, the Region reserves the right to restrict the access to right-in/right out only by means of a centre median.
  - The Owner acknowledges and agrees that at such time the centre median is constructed to restrict the access, the Region, its officers, employees, servants, agents, contractors, or by any other person or entity for whom the Region is by law responsible, shall not be responsible for any claim including but not limited to compensation, damages, for bodily injury or death, injurious affection or any other damages, claims, demands, losses, costs, suits or other proceedings by anyone, arising or which may arise as a result of the interim use of the restricted right in / right out accesses for left-in turns to the lands or left-out turns from the lands.
- iv. The Owner shall remove any existing driveway/access along the frontage of King Street that do not conform to the approved plans at its sole cost.
- v. No residential lots or blocks shall have direct access to King Street.
- vi. Interim geometrics for the access shall be determined after the Traffic Impact Study has been completed and filed, to the satisfaction of the Region.
- vii. A detailed engineering submission designed, stamped, and dated by a Professional Licensed Ontario Engineer shall be submitted to the Region for review and approval prior to construction. The engineering submission shall include removals, new construction and grading, typical sections, and pavement and signage drawings, and shall include plan and profile drawings.
- viii. The Owner shall be responsible for 100% of the cost of the interim full moves access and approved access works. Prior to the commencement of such works within the Region's right-of-way, the Owner shall submit the following:

- A Letter of Credit in the amount of 100% of the estimated cost to construct the required road and access works within the Region's right-of-way;
- A Letter of Credit in the amount of 100% of the estimated cost to construct the centre median required to restrict the access in the future if so determined.
- Engineering and inspection fees in accordance with the Region's Fees By-law as amended from time to time

d. Traffic Impact Study:

- i. As a condition of registration of this Plan or any phase thereof, the Owner shall provide:
  - A Traffic Impact Study, acceptable to the Region, detailing the impact on the Regional road network and identifying any mitigation measures.
  - Geometrics for the access shall be determined after the Traffic Impact Study has been completed and filed, to the satisfaction of the Region
- ii. The location, design and implementation of the construction access for the subdivision work must be acceptable to the Region and interim road works may be required to that effect. All costs associated with the construction access works to facilitate the development shall be 100% borne by the Owner. A Letter of Credit for 100% of the estimated cost of construction access works shall be required by the Region prior to any approvals.
- iii. Prior to any grading, servicing and construction, the Owner shall obtain from the Region's Public Works Department a road occupancy/construction access permit for all works within the Region's road right-of-way and obtains such permit at least 48 hours prior to the commencement of work. Additional documentation, fees and securities shall be required with respect to the works for which the permit was obtained. All costs associated with the road works within the Region's right-of-way shall be borne entirely by the Owner.

A clause shall be included in the Subdivision Agreement in respect of same.

- iv. The Owner shall acknowledge and agree that:
  - Landscaping, signs, fences, gateway features, and any other encroachments will not be permitted within the Region's easements and right-of-way;
  - The Region will not permit any alteration to grading within King Street East right-of-way along the frontage of the Lands
  - Noise walls adjacent to Regional roads shall be installed at the property line and be to the Town of Caledon's Noise Wall specifications with steel posts. Region's requirements to be referenced in the noise abatement report and on all applicable drawings;

Clauses shall be included in the Subdivision Agreement in respect of same.

- v. Prior to a satisfactory engineering submission, the Owner shall submit to the Region for review and approval:
  - Functional Servicing Report showing the proposed sanitary sewer, storm sewer and water servicing plans for the development;
  - Storm Drainage Study Report to determine and demonstrate, to the satisfaction of the Region, that there is no adverse effect of the proposal on the existing structures and drainage along King Street East; and
  - A noise abatement report for lots/blocks adjacent to King Street East.
- vi. The Owner shall indemnify and hold the Region harmless from and against any and all actions, suites, claims, demands, and damages which may arise either directly or indirectly by reason of the development of the subject lands and/or construction of works, save and except for any actions, causes of action, claims, demands and damages arising out of the negligence of the Region or those for whom it is in law responsible. A clause shall be included in the Subdivision Agreement in respect of same.
- vii. Prior to registration of the plan of subdivision, the Owner shall submit draft reference plan(s) for the Region's review and approval prior to such plans being deposited. All costs associated with preparation and depositing of the plans and transfer of lands shall be at the sole expense of the Owner
- viii. The Owner agrees that prior to the Region granting clearance of the draft plan conditions of subdivision approval, the following shall require to be forwarded to the Region's Legal Services Division:
  - A copy of the final signed M-Plan
  - A copy of the final draft R-Plan(s); and
  - The documents required pursuant to Schedule of the Subdivision Agreement and all associated documents.

A clause shall be included in the Subdivision Agreement in respect of same.

*(Region of Peel)*

30. Please refer to the comment letter from the Region of Peel, Dated June 12, 2023 for detailed comments. *(Region of Peel)*
31. Toronto and Region Conservation Authority require the following conditions of Draft Approval for Draft Plan of Subdivision 21T-18003C
  - a. Red-line Revisions
    - i. The final Plan shall be in general conformity with the Draft Plan of Subdivision, prepared by Fotenn Planning and Design, revision no. 11, dated October 3, 2022, prior to a request for clearance for registration of any phase of this plan, to:

- Include appropriate blocks that are to be gratuitously conveyed into public ownership as appropriate to the satisfaction of the Town of Caledon and TRCA.
  - Meet the requirements of TRCA's conditions, including the adjustment of block lot lines to the satisfaction of the Town of Caledon and TRCA as a result of the completion of the required studies.
  - Should the above not be adequately addressed in the Plan, red-line revisions will be required to the satisfaction of the TRCA, to address TRCA's requirements with respect to these conditions.
- ii. Prior to registration of the Plan of Subdivision, provide an M-Plan showing any adjusted lot/block lines, additional lots/blocks or other required revisions to the satisfaction of the Town and TRCA.
- b. Prior to Works Commencing
- i. That prior to any development, pre-servicing or site alteration, or registration of this plan or any phase thereof, the applicant shall submit and receive the approval of the TRCA for:
- A detailed engineering implementation report (i.e., Stormwater Management Report) that describes in detail the applicable stormwater management criteria (i.e., quantity, quality, erosion control, and site water balance), how the proposed storm drainage system will be designed to meet the TRCA's stormwater management criteria, and how it complies the following reports:
    - a Functional Servicing & Stormwater Management Report, prepared by Alpin Martin Consultants Ltd., dated October 11, 2022.  
This report shall include:
      - i Plans illustrating how this drainage system will tie into surrounding drainage systems and storm water management techniques which may be required to control minor or major flows. Confirmation must be provided with respect to how target flows, in accordance with TRCA requirements, will be achieved during and post-development;
      - ii Provide provisions for appropriately sized Stormwater Management Practices (SWMPs) to be used to treat stormwater, to mitigate the impacts of development on the quality, quantity, and volume of ground and surface water resources, including how they relate to terrestrial and aquatic species and their habitat, in addition to natural features and systems, in accordance with TRCA's current Stormwater Management Guidelines. The existing drainage patterns should be maintained, to the greatest extent possible, and the existing ecological function of all

- features is to be maintained, consistent with TRCA's guidelines.
- iii Detailed plans and mapping indicating location, orientation, size and description of all stormwater management features, including outlet structures, and all other proposed servicing facilities, grading, site alterations, development, and infrastructure, which are required to service or facilitate the development of the subject lands, which may require a permit pursuant to Ontario Regulation 166/06.
  - iv The integration of Low Impact Development (LID) measures and the employment of source and conveyance controls to mimic to the extent possible, pre-development hydrology to the satisfaction of the TRCA;
  - v Proposed methods for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction, in accordance with the TRCA's Erosion and Sediment Control (ESC) guidelines (2019) utilized by the TRCA. Erosion and sediment control plans and a report addressing phasing and staging, consistent with TRCA's guidelines must be included. Monitoring of ESCs by a CISEC qualified professional during construction must also be included.
  - vi Measures for minimizing and mitigating erosion related impacts on downstream areas (during and post construction), which are to be integrated into the stormwater management plan to the satisfaction of the TRCA.
  - vii Design of flow dispersal measures associated with proposed swales to reduce potential erosion, impacts to the natural system, and maximization of potential infiltration, to the satisfaction of the TRCA.
- An overall site-level water balance that will identify measures that will be implemented during pre and post development that:
    - a Mimic the pre-development surface and groundwater water balance for the overall site to the greatest extent achievable;
    - b Demonstrate how post-development conditions will retain a minimum of the first 5mm of rainfall over the entire site to the satisfaction of the TRCA;
    - c Mitigate against any potential on-site or downstream erosion associated with the stormwater management system;
    - d Maintain baseflow contributions at pre-development hydrology, including water levels, duration and frequency, in all areas of affected wetlands and watercourses to the satisfaction of TRCA staff.

- e That the size and location of all LID measures associated with this development be confirmed to the satisfaction of the TRCA at detailed design. And, if required to meet TRCA requirements, red-line revisions be made to the plan to provide for necessary blocks within the Plan or modify their size or configuration into surrounding lands within this subdivision which are currently proposed for development.
- An overall monitoring plan for the LIDs and adaptive stormwater management plan, to the satisfaction of the TRCA.
- A groundwater constraint (hydrogeology) assessment that will examine existing and proposed groundwater levels in related to the proposed development, underground construction and servicing and stormwater management infrastructure. Interactions between untreated (or insufficiently treated) surface and groundwater, shallow groundwater, and dewatering requirements should not be permitted. If identified, refinements and/or revisions to the stormwater management system will be required to mitigate against any potential impacts, to the satisfaction of the TRCA. No permanent dewatering of groundwater or interflow associated with any component of this development shall be permitted. All underground construction and infrastructure must be designed to not require permanent dewatering, and any potential impacts to the groundwater system that may result from the development must be assessed and mitigated.
- Information detailing all anticipated temporary dewatering that may be required during the construction phases, including dewatering necessary for the sanitary sewer connection, including anticipated volumes, duration, discharge locations, potential impacts to wetlands, and filtration media – as required, to the satisfaction of the TRCA, for the purposes of determining whether a TRCA permit is required.
- Development constraint mapping for areas adjacent to natural features, showing all of the following that are applicable to the site: Regional Storm Floodline, the staked top of slope, the Long-Term Stable Top of Slope (LTSTOS), setbacks and required buffers to the satisfaction of the TRCA.
- Plans illustrating that all works, including grading, temporary/permanent fill placement, site alterations, construction staging, or materials associated with these activities, will not encroach, or be placed within the natural heritage system or associated buffers beyond the limits accepted prior to draft approval (except as approved by TRCA). Further that grading plans indicate how grade differentials will be accommodated minimizing the use of retaining walls within or adjacent to natural feature blocks or associated buffers.
- Grading plans, plans, cross-sections and details regarding areas where grading, filling and/or retaining walls are proposed adjacent to the Block 3. The applicant must first explore solutions to any anticipated grading

issues within their development site before approaching the municipality and TRCA for encroachments into the buffers or environmental lands or retaining walls adjacent to those areas. In certain circumstances and subject to a detailed assessment of the potential impacts and mitigation measures, TRCA will consider the request for retaining walls adjacent to or grading and within the buffers. The request must be accompanied by plans and details to the satisfaction of TRCA, including but not limited to justification as to the need for the encroachment; description of the options explored to eliminate or reduce the need for the grading, filling and/or retaining walls; existing and proposed grades; limits of the natural features, hazards and buffers; transition to the adjacent tableland areas; interim and permanent stabilization of the slopes/disturbed areas; mitigation; tree protection; sediment and erosion controls; supporting geotechnical/soils analyses; and, compensation.

- Overall grading plans for the subject lands. These plans must indicate how grade differentials will be accommodated while minimizing the use of retaining walls within or adjacent to natural feature blocks or associated environmental buffers.
- A natural heritage implementation brief to the satisfaction of the TRCA. The report will: summarize the impact analysis and recommended mitigation measures from the approved Environmental Impact Study (EIS); incorporate and summarize any proposed monitoring programs; and finally, to summarize the mitigation measures now proposed at detailed design and how these designs are in keeping with the approved EIS.
- An environmental management, monitoring and restoration plan be provided to the satisfaction of the TRCA for all environmental blocks (Block 3).
- A geotechnical/slope stability implementation brief to the satisfaction of the TRCA. The report will: summarize the impact analysis and recommended mitigation measures from the approved Slope Stability Study; confirm that appropriate setbacks have been applied from the LTSTOS and assess the potential impacts of any required fill placement within applicable setbacks.
- Incorporate and summarize any proposed monitoring programs; and finally, to summarize the mitigation measures now proposed at detailed design and how these designs are in keeping with the approved EIS.
- That the applicant obtains all Ontario Regulation 166/06 permits from the TRCA for all works proposed on the property for which permits would be required.

c. Subdivision Agreement:

- i. That the owner agrees in the Subdivision Agreement, in wording acceptable to the TRCA:

- To carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the technical reports and plans referenced in TRCA's conditions.
- To implement the requirements of the TRCA's conditions in wording acceptable to the TRCA.
- To design and implement on-site erosion and sediment controls in accordance with current TRCA standards.
- To maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period, in a manner satisfactory to the TRCA.
- To undertake regular inspections of the erosion and sedimentation controls in accordance with the 2019 Erosion and Sediment Control Guide for Urban Construction.
- To obtain all necessary permits pursuant to Ontario Regulation 166/06 from the TRCA.
- To erect a permanent fence, without gates, to the satisfaction of the TRCA and Town at the side of lots adjacent to Block 3 prior to occupancy of each property.
- To implement all water balance/infiltration measures identified in the water balance study completed for the subject property.
- To provide for planting, and enhancement of environmental blocks (Block 3), in accordance with drawings approved by the TRCA. And, that monitoring and replanting of these areas, be completed for a minimum 3-year period – to a maximum of 5 years, to the satisfaction of the TRCA and Town, backed with securities.
- To provide for the warning clauses and information identified in TRCA's conditions.
- To consult with the TRCA with respect to whether the technical studies submitted in support of this development remain to meet current day requirements, and that the owner update any studies and plans, as required, to reflect current day requirements.
- To carry out, or cause to be carried out the cleaning-out and maintenance of all stormwater management and LID infrastructure, as may be required.
- To prepare and implement community information maps and promotional sales materials for lots or blocks adjacent to Block 3 clearly identify the presence of these features, identify limitations to permitted uses within these areas, and restrictions to access.
- To gratuitously dedicate Block 3 to a public agency, in a condition that is satisfactory to that agency. And, that the applicant completes regular inspections, any required maintenance, and the removal of encroachments and historical, man-made intrusions from these blocks prior to conveyance, which must include but is not limited to the removal

of paths, culverts, dams, weirs, structures, fences, debris, etc. and restore these areas to a natural state, to the satisfaction of the TRCA.

- To register all easements as may be required by the TRCA and/or Town, for the purposes of access and maintenance of the EPA lands (Block 3), prior to or concurrent with the dedication of lands to the receiving public agency.
- To bind the condominium corporation to carry out, or cause to be carried out the cleaning-out and maintenance of all stormwater management infrastructure (including best management practice measures) and including any areas impacted by stormwater management flows or infrastructure, in perpetuity.

d. Purchase and Sale Agreements

- i. That a warning clause be included in all agreements of purchase and sale, and information be provided on all community information maps and promotional sales materials for lots adjacent to Block 3 (EPA), which identifies the following:
  - That a natural environmental protection block or open space block is being provided adjacent to the subject property. These blocks are part of the publicly owned environmental protection area and will remain in a naturalized state. Private uses are not permitted on these lands. Uses such as private picnics, barbeque or garden areas; storage of materials and/or the dumping of refuse, lawn clippings or ploughed snow are not permitted on these lands. In addition, access to the environmental protection lands such as private rear yard gates is prohibited.

e. Implementing Zoning By-law

- i. That the implementing zoning by-law be prepared to the satisfaction of TRCA and recognize the Environmental Protection Areas (Block 3) in an open space, or other suitable environmental zoning category, which has the effect of prohibiting development and structural encroachment and ensuring the long-term preservation of the lands in perpetuity, to the satisfaction of TRCA.

*(Toronto and Region Conservation Authority)*

32. Prior to assumption, the Owner shall provide:

- a. a chart outlining all the terms and conditions of the Subdivision Agreement that must be fulfilled prior to assumption; and
- b. Evidence of compliance with all terms and conditions of the subdivision agreement and any other applicable agreement, at its sole cost and expense.

*(Town of Caledon, Planning Department, Development Planning)*

Comments from the following agencies and departments are attached for your review:

- Region of Peel – June 12, 2023

- MHBC Planning, Urban Design & Landscape Architecture - Landscape Peer Review. – January 5, 2023, revised June 2023 with Mark-ups
- Town of Caledon, Engineering Services, Development Engineering – June 12, 2023

Comments from the following agencies and departments were provided with the March 9, 2023 Summary of Comments Letter. These comments continue to apply. Please advise staff if you require another copy of any of the below comments:

- Bell Canada – January 28, 2022
- Dufferin Peel Catholic District School Board – January 26, 2022
- Enbridge Gas Inc. – February 24, 2022
- Town of Caledon, Finance Department, Finance – December 7, 2022
- Town of Caledon, Planning Department, Heritage – February 11, 2022
- Peel District School Board – January 24, 2022
- Town of Caledon, Planning Department, Municipal Numbers and Street Naming – February 3, 2022
- TRCA – January 6, 2023
- MHBC Planning, Urban Design & Landscape Architecture - Urban Design Peer Review. – January 14, 2023
- Township of King, Growth Management Services – February 17, 2022
- Town of Caledon, Corporate Services Department, Accessibility – January 27, 2022

## **Conclusion**

Partial resubmissions, which do not address all deficiencies listed in the letter, will not be accepted for processing. In preparing your resubmission, please provide the following with your next submission meeting the [Electronic Submission Standards](#):

1. Revised Draft Zoning By-law Amendment (PDF and Microsoft Word) and Schedule (PDF and CAD)
2. Revised Track-Changes Zoning By-law Amendment (Microsoft Word)
3. Revised Draft Plan of Subdivision

Note: An Appraisal for Cash in Lieu of Parkland is required. However, this is only valid for 6 months, please submit the appraisal at an appropriate time in the process.

The Town is only accepting electronic submissions. To assist, the Town has created a document which identifies how material is to be submitted. Please click [here](#) to access the Town's website for details and ensure that any submission material you are preparing will meet the attached requirements.

To submit a revised submission, please visit the Town's website and complete the additional information form online at [www.caledon.ca/development](http://www.caledon.ca/development), under the heading "For Existing Applications" and click on either Zoning By-law Amendments or Draft Plan of Subdivisions. Both

of these links will bring you to the same form to complete. As the resubmission will be of a substantial file size, all supporting documents will be required to be uploaded to a secure Planning FTP site. Should you not have access to the folder, please let me know. Once a submission has been made as per above, please advise me for efficient processing.

**Please note:**

1. The latest Town of Caledon's Development Standard Policies and Guidelines (Version 5) have been released. An electronic copy is available on the Town of Caledon website for viewing as per the following link: <https://www.caledon.ca/en/townhall/development-standards-policies-guidelines.asp>. Please ensure all future engineering drawings are designed in accordance with the latest Town's engineering standard.
2. The Town's Fees By-law requires recirculation fees for Zoning By-law Amendment (fees subject to change) for any resubmission after the 3<sup>rd</sup> submission. **You are encouraged to address all comments in the next submission.**

I trust this information is of assistance to you. Please do not hesitate to contact me at [aclarke@mhbcplan.com](mailto:aclarke@mhbcplan.com) should you have any questions.



Aleah Clarke, MHBC  
On Behalf Of  
Development, Planning Department  
Town of Caledon

**Attachments:**

1. Draft Zoning By-law Amendment Track Changes Document (Zoning)
2. Draft Zoning By-law Amendment Track Changes Document (Development)