

August 15, 2018

Ms. Nancy Mott, MCIP, RPP
Senior Strategic Advisor, Niagara Escarpment Commission
232 Guelph Street,
Georgetown, Ontario, L7G 4B1

Via Email: Nancy.Mott@ontario.ca

Dear Ms. Mott:

**RE: Resubmission of Rural Estate Residential Plan of Subdivision
and Niagara Escarpment Development Permit Application
Glen Schnarr & Associates on behalf of The Manors of Belfountain Corp.
Part of Lot 9, Concession 5, WHS (CAL)
Hamlet of Belfountain
Files: 21T-91015C & NEC 2017/2018-450**

In regards to the above lands, the Town is in receipt of the resubmission of a Draft Plan of Subdivision application, as filed by the applicant, along with a corresponding NEC Development Permit application. Please note that this letter replaces in its entirety the document dated August 8, 2015, to include Heritage comments and some other minor modifications.

Introductory Background Information

The subject lands are approximately 70.28 hectares (173.67) acres) in area and are located on the east side of Shaws Creek Road, south and east of Mississauga Road in the Hamlet of Belfountain. The subject lands have an extensive history with respect to residential development proposals. A previous Plan of Subdivision application (File No. 21T-88024C) was initially submitted in 1988 by previous owners, and generally referred to as "Enterac". This plan of subdivision initially proposed to create 73 estate residential lots within the subject lands. Related Development Permit applications were concurrently filed with the Niagara Escarpment Commission (NEC) to facilitate the proposed dwelling and infrastructure construction within the plan of subdivision. This subdivision application was ultimately referred to the Ontario Municipal Board (OMB) by the Town, applicant and a local ratepayers association under the *Planning Act*. The related NEC Development Permit applications were refused by the NEC and subsequently appealed to the Board by the applicant under the *Niagara Escarpment Planning and Development Act*. The collective referral/appeal of these applications to the Board resulted in a Joint Board Decision dated August 28, 1990 which refused the draft plan of subdivision application and confirmed the NEC decision to refuse the corresponding Development Permit application. The contents of this decision, however, acknowledged the potential for residential development on the subject lands outlined principles for any future residential development, to be considered as part of any future proposal submission.

Subsequent to the 1990 Joint Board Decision, the current draft Plan of Subdivision application (File: 21T-91015C) was submitted by Enterac on July 5, 1991 for the subject lands. The initial subdivision submission proposed to create 48 estate residential lots as well as a 17.37 hectare open space block. Based on review comments

received from Town departments and external public agencies, various technical reports were submitted in support of the proposed plan following the initial application submission. This review dialogue continued for several years and involved revised draft plan submissions in August 1997 and February 1998. Following this, the applicant attended Pre-Submission Consultation (DART) Meetings on July 26, 2012, June 12, 2014 and September 21, 2017, all in support of proposed revised submissions for this application. The latest DART Meeting of September 21, 2017 was followed by subsequent consultation between the applicant and pertinent Town, Region, CVC and NEC staff with respect to access, servicing, firefighting requirements, protection of natural features, visual impact and urban design submission requirements. On March 7, 2018, the current updated application submission package was received from Glen Schnarr & Associates Inc., on behalf of The Manors of Belfountain Corp, being the new owners of the subject lands. A related Development Permit application was submitted concurrently to the NEC and circulated to the Town (File 2017/2018-450) with respect to the proposed revised subdivision submission. The Draft Plan of Subdivision was appealed to the OMB/LPAT by the applicant dated March 27, 2018, on the basis of non-decision by the Town. Relevant documentation in this regard has been forwarded down to the Tribunal.

The current draft plan of subdivision proposes to create 67 estate residential lots, as well as a 2.6 hectare (6.42 acre) park block and an 18.92 hectare (46.75 acre) open space area associated with the northwest portion of the site. The residential lots are proposed to be serviced by individual private wells and wastewater (septic) systems. Belfountain is identified as a Minor Urban Centre in the Niagara Escarpment Plan and the area is subject to Niagara Escarpment Commission Development Control. Belfountain is designated as a Settlement Area Hamlet, and Environmental Policy Area (EPA) in the Town of Caledon Official Plan.

The following are preliminary comments as received through the circulation of the subject revised draft plan of subdivision application from internal Town departments. It is the Town's understanding that external agencies will file comments directly with the NEC, the status of which is summarized below. Please note that the following comments are preliminary at this time and may be amended and supplemented subject to further staff review. Detailed Planning & Development comments have yet to be finalized and will follow pending a full review of the filed Planning Justification study, and further review of applicable Caledon Official Plan policies and provisions.

The following is a brief summary of the major Town concerns that were identified through the circulation of the material, as identified in Town comments:

- Conformity with applicable Town of Caledon Official Plan policies and provisions, as it relates to proposed development, settlement, servicing and environmental policies of the Plan, remain under review. Further comment in this regard will follow. Matters of interest and concern from a Town perspective in this regard include housing density and compatibility, overall site servicing including impacts on water, and environmental and natural feature implications.
- Coordination of peer reviews of certain filed study documents will be required, at the expense of the applicant (noise and hydrogeological reports). Reviews will be coordinated with other commenting agencies, and will occur if and when its determined if any major changes are required to study documents as filed;
- The proposal for how the subject lands are to be serviced from a stormwater perspective remains unsatisfactory from a Town perspective. It is understood that additional documentation may be filed with the Town to support the proposal;

- There is concern from a Town perspective regarding the development of lands in the north central portion of the plan, and the impact on this area from a grading perspective;
- There is concern regarding the impact of development on the existing hedgerow fabric of the property. The applicant is encouraged to protect and enhance those portions of the hedgerow where feasible, as per Landscape, Heritage and Urban Design comments;
- Certain additions and changes are recommended for the Urban Design and Architectural Design Guideline document, as outlined in the control architect comments;
- Changes are requested regarding the location and programming of the proposed park features, as outlined in the comments;
- Demonstration of adequate water supply for firefighting purposes needs to be provided, to the satisfaction of Fire & Emergency Services staff.

Internal Town comments received are as follows:

**A. Town of Caledon - Corporate Services, Legal Services
May 28, 2018**

The Legal description is identified as follows: PIN: 14267-0114 (LT) being Part Lot 9, Concession 5 WHS (CAL) being Parts 2 & 4 on 43R-20408; Save and Except Parts 1 to 10 on 43R-23456; Subject To Part 4 on 43R-20408 as in VS302215; Town of Caledon; Regional Municipality of Peel.

Instrument No. VS302215 is an Easement Agreement registered on February 19, 1974 between The Caledon Mountain Estates Limited and John W. Neil on Part 4 of 43R-20408 for the purposes of a right to build, maintain and use a septic tank and tile fields for the normal purposes of a single family detached dwelling.

Part 4 on 43R-20408 appears to be situated in Block 73 of the draft plan (plot date Dec 5, 2017). This is not shown on Block 73 on the draft plan. If this Block is to be transferred to the Town, then the Town will have to determine if the Easement Agreement should be deleted.

Staff request that the following conditions be added as part of the draft approved conditions. These conditions are to be cleared by the Legal Services Office prior to final approval and registration of the M-plan.

1. 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.

2. 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.
3. 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.
4. The Owner shall provide the Town with postponements of any outstanding encumbrances in favour of the Subdivision Agreement.
5. 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.

**B. Town of Caledon - Community Services, Open Space Design
July 5, 2018**

The first submission for the Manors of Belfountain Subdivision has been reviewed for landscape and open space requirements. Comments on the material provided are detailed below. Please note that, any items below that pertain to the conditions of draft approval are in addition to our standard comments and development standards. Additional comments may apply on all future re-submissions.

Visual Impact Assessment Report, March 5, 2018 by BTI:

1. Views from Mississauga can be further mitigated through planting within the Park Block, subject to final Park Block location. The condition of the existing hedgerows along the southern boundary (particularly rear of lots 56 to 60) are to be further assessed through the Tree Inventory Report by BTI.
2. A planting buffer along the property line adjacent Shaw's Creek Road shall be considered at either the subdivision or site plan stage.

Urban Design and Architectural Guidelines, February 2018 by BTI, Architecture Unfolded and Weston Consulting:

3. See marked up document attached.

Tree Inventory Report, February 6, 2018 by BTI:

4. Add the following note to the document: 'During construction and prior to Assumption of the subdivision by the Town, the consulting Arborist along with appropriate Town staff shall inspect the entire site. Any noted hazardous trees must be identified and removed prior to assumption.'
5. Add the following note to the document: 'Any trees located on the property line or on the adjacent property that are proposed to be removed or pruned, will require written consent from the adjacent property owner. All correspondence is to be forwarded to the Town prior to final approval.'
6. Add the following note to the document: '2:1 tree compensation will be required for all tree a removals. Tree compensation planting will be in addition to the standard required planting. In the event that tree compensation cannot be accommodated for in the planting design, financial compensation shall be

collected at a rate (per tree) as determined by the Town.' The compensation ratio noted in this statement may be subject to change based on further discussions between the Town and the CVC.

7. Add the nesting note from section 7.5.2 in the SEIS by Savanta (March, 2018).
8. All trees 15cm (6") DBH and above are to be reviewed and included into the document. In addition, all trees included in the current document are to be reviewed again since many changes may have occurred since the last assessment performed in 2014.
9. The assessment of the large woodlot can be generalized, but any individual hazard trees adjacent the proposed lots are to be assessed accordingly.
10. Vine removals are to be proposed along any existing hedgerows that are to be preserved.
11. See marked up plan (TR1) attached, showing potential trees and hedgerows that should be reviewed and considered for preservation. The marked up plan is only a guideline. Please indicate if any other trees can be preserved on site.
12. Drawing ST1 from Cole shows the existing individual trees on the plan. This drawing may be a good reference for the updated TR1 drawing.

Scoped Environmental Impact Study, March 2018 by Savanta:

13. Section 4.4.2: Information to be modified once the Tree Inventory Report by BTI is updated.
14. Section 7.5.6: Confirm trail upgrades with CVC. They typically do not accept conveyance of lands with proposed infrastructure. The pathway between lots 16/17 is not encouraged. Preference is to have a sidewalk along the East side of Shaw's Creek Road to the existing school.
15. Section 8.0: Third paragraph pertaining to woodlot trail to be adjusted based on CVC comments.

Drawing ST-3 External Area Drainage Plan, January 2018 by Cole:

16. This drawing shows a rather large drainage area from the adjacent lands to the south into the proposed park block. How will this impact the potential park block location in terms of flow rates? If so, will any mitigation measures be required?

General Comments:

17. Consider relocating the park block (Block 68) to a more centralized location within the plan. This will improve access to the park and increase the probability of obtaining a minimum of 50% street access as per our standards.
18. Block 71 shall not be considered parkland. Consider merging with Open Space block 75.
19. Blocks 69 & 70 shall not be considered parkland. Consider merging with Open Space block 74.
20. The stub of Park block 68 in behind lots 54 & 55 shall not be considered parkland. Consider merging this stub with Open Space block 73.
21. The Town will not accept the conveyance of Open Space block 73.
22. Remove Walkway block 72 into the existing school block. A sidewalk connection from either Street C or A along the east side of Shaw's Creek Road to the existing school block should be considered.
23. Depending on the LID design within the internal ROW's, street trees in the boulevard may be considered along Street A & Street C (ending at Street B) off of Shaw's Creek road.
24. All chain link & paige wire fencing is to be installed entirely on private property adjacent all town, region and conservation authority owned lands.
25. The landscape construction drawings shall be completed in accordance with the Town of Caledon Official Plan, Recreation and Parks Masterplan, Site Specific Design Guidelines and the most current version of the Town of Caledon Development Standards.

26. Prior to executing the servicing agreement, the Owner shall prepare detailed landscape design, grading and construction drawings including all tender documents for park blocks for approval by the Town.
27. A clause in the subdivision agreement should indicate that the Owner shall implement the base park conditions to the satisfaction of the Town without any reimbursements by any means including development charges. The required base park condition items will be finalized at the time of final draft plan approval.
28. A clause in the subdivision agreement should indicate that the Owner will be responsible to maintain the park block including grass cutting and debris removal until park construction or assumption, whichever comes first.
29. A clause shall be included in the grading, servicing and subdivision agreements stating that the park block shall not be used for stock piling or storage of any construction materials, including topsoil.
30. The landscape consultant is to submit a park facility fit plan. The consulting landscape architect should follow up with Town staff to confirm requirements.
31. The owner shall pay cash-in-lieu of parkland dedication (CIL) to the Town for the portion of parkland that is under dedicated from the required parkland for the subdivision development. In order to determine the amount of CIL payment, the applicant shall have a market appraisal completed by an AACI certified appraiser. Prior to registration, the Owner shall reimburse the Town for the cost of any necessary peer review of the appraisal.
32. If gateways or entry ways are being proposed, they must be located on a separate block. In this instance, the Town shall secure twice the cost of the construction value to the Town for future maintenance/replacement purposes.
33. A warranty buyout option for replacement trees may be considered at time of Assumption. Wording of the clause will be finalized at time of Draft Plan Approval.

**C. Town of Caledon - Community Services, Urban Design
May 14, 2018**

1. See attached comments from John G. Williams Limited.

**D. Town of Caledon, Corporate Services - Legislative Services, Accessibility
May 3, 2018**

1. Please note that the Town will require as a condition of draft approval, that prior to offering units for sale and in a place readily available to the public, the owner will display information regarding universal design options that may be available for purchase within the development prior to offering units for sale.
2. Exterior travel routes (sidewalks) shall be a minimum of 1.5 m wide as per the Design of Public Spaces legislation of the AODA, pertaining to exterior travel routes.
3. All sidewalks shall be connected when crossing over to another street with accessible features, such as tactile surfaces and curb ramps.
4. Lighting on exterior routes of travel shall comply with the Town's lighting standard.
5. If a community mail box is installed, the area shall be well lit via a light standard and a curb depression from the sidewalk and/or roadway to the mail box landing area.

6. The park space shall have a travel route that is firm, stable and slip resistant.
7. If a play structure is incorporated into the park space area, accessibility features shall be incorporated into the design of the play structure, such as sensory and active play components for children and caregivers with various abilities.

**E. Town of Caledon, Community Services – Fire and Emergency Services
June 18, 2018**

1. Please note that any building constructed under the requirements of Part '3' of the Ontario Building Code shall be required to provide adequate water supply for firefighting (OBC 3.2.5.6.) and fire department access (OBC3.2.5.7).
2. The adequate water supply for firefighting would be on private property and would be on a lot to lot or building to building basis, as this subdivision does not require municipal water supply under the official plan.

**F. Town of Caledon, Finance and Infrastructure Services - Transportation
May 18, 2018**

1. Sight distance analysis of the TIS report indicates a sightline concern at the intersection of Street C and Shaws Creek Road. This needs to be addressed during the next submission, and mitigation measures should be provided.
2. From a transportation perspective and as directed by the Caledon Transportation Master Plan, the consultant should review and provide the recommendations on the appropriate Cycling Facilities within the subdivision according to OTM Book 18. Also, the sidewalk should be provided on the local roads based on the AODA standard. The findings should be provided in a drawing.
3. Town will require a 3 metre widening along the frontage of Shaws Creek Road. The ultimate right of way width of this road is 26 metres as per Schedule K of the Official Plan.

**G. Town of Caledon, Community Services - Policy & Sustainability, Heritage
August 14, 2018**

The following comments are in reference to the Cultural Heritage Resource Assessment: Built Heritage Resources and Cultural Heritage Landscapes, ASI file: 17CH-100, December 2017 (revised January 2018):

1. No grading, clearing or grubbing on site until the requested CHIS or BHR has been submitted to the Town and recommendations agreed upon by the Heritage Resource Officer.
2. Please check reference to dates of maps in 3.2 (1859 and 1877?)
3. Please ensure all heritage dates, references and are correct
4. Agree with recommendation points 1, 3, 4, 5, 6, 7, and 8.
5. Stronger protection of the development boundary identified in point 4 is required.

6. Amend point 7 to read “submitted to Douglas McGlynn, Heritage Resource Officer at the Town of Caledon”
7. CHL2 identifies the remnants of a farm complex with some of the remains to be substantial, including an intact silo. How will these be mitigated in the green space once the development has been completed? As noted, a CHIS or a Built Heritage Inventory report identifying all built heritage resources (including stone mounds and walls) should be conducted for the identified CHL 2.
8. Heritage Resources that have been acknowledged as tree lines, hedgerows and fence lines that identify the demarcation of fields will be maintained. However, further identification of the rubble stone mounds from the de-stoning of fields and the rubble stone walls that also demarcate field patterns specifically on the west half of the site need to be included in the Cultural Heritage Resource Assessment, ASI file: 17CH-100, December 2017 (Revised January 2018) or will require a separate CHIS recommending appropriate inclusion and retention in the development.
9. Recommendations will note that the identified heritage resources outlined in the CHRA will be avoided wherever possible and maintained/preserved throughout the development through protection strategies such as tree protection zones. These should be incorporated wherever possible in the design.
10. Once included in the CHRA the stone mounds and walls will require protection and should be mapped until appropriate recommendations for their inclusion in the project are brought forward. Where possible the stone mounds and walls will be preserved, however, should this strategy prove to be too inhibitive then mitigation of the stone mounds and stone fence lines as landscape features throughout the development such as property demarcation, stone landscape features, etc. will be designed into the development.

**H. Town of Caledon, Community Services - Planning & Development, Engineering
July 25, 2018**

1. Please see attached comments.

**I. Town of Caledon, Finance and Infrastructure Services - Engineering Services
July 30, 2018**

1. Please see attached comments.

J. External Comments

External comments received include the following, which have not been attached. Copies of any of the below material can be forwarded upon request.

- Credit Valley Conservation, dated July 26, 2018
- Region of Peel, dated July 31, 2018
- Bell Canada, dated May 28, 2018
- Canada Post, dated April 28, 2018
- Dufferin-Peel Catholic District School Board, dated April 27, 2018
- Peel District School Board, dated May 8, 2018
- Enbridge, dated May 2, 2018

K. Outstanding Comments

Comments from the following internal and external agencies/departments remain outstanding, as requested through the draft plan of subdivision circulation:

- Hydro One Networks Inc.
- Ontario Provincial Police
- Rogers Communication
- Town of Caledon, Building Services
- Town of Caledon, Planning & Development (see above for explanation)

Based on the comments provided herein, revised submission documentation is required for further review. I trust this information is of assistance to you. Please do not hesitate to contact the undersigned at extension 4246 or rob.hughes@caledon.ca should you have any questions.

Sincerely,



Rob Hughes, MCIP, RPP
Manager of Development - West
Community Services Department, Planning and Development
TOWN OF CALEDON

Enclosure

C (by email). Mark Atkinson, Senior Development Engineering Coordinator
Nick Pirzas, Senior Landscape Architect
Daniela Busca, Law Clerk
Margherita Bialy, Community Policy Planner
Paula Strachan, Senior Development Planner/Urban Designer
Arash Olia, Transportation Planning Technologist
Geoff Hebbert, Senior Project Manager
Douglas McGlynn, Heritage Coordinator
Wendy Sutherland, Legislative Specialist
Dave Pelayo, Chief Fire Prevention Officer
Joy Simms, Region of Peel
Lisa Hosale, Credit Valley Conservation