

April 2, 2021

MGP File: 20-2923

Town of Newmarket,
Planning and Building Services
95 Mulock Drive P.O. Box 328 Station Main
Newmarket, Ontario
L3Y 4X7

via email: cblakely@newmarket.ca

Attention: Casey Blakely
Senior Planner - Development

Dear Ms. Blakely:

RE: Official Plan Amendment (D9-NP-11-09)
Zoning By-law Amendment (D14-NP-11-09)
Revised Development Proposal
55 Eagle Street, Millford Development Limited

Malone Given Parsons Ltd. (“MGP”) is the planning consultant for Millford Development Limited (“Millford”), the owner of the property located east of Yonge Street and north of Eagle Street municipally known as 55 Eagle Street (the “Subject Property”).

On behalf of Millford, we are pleased to provide you with this revised development proposal and updated supporting studies in regards to the above noted applications. The original applications for Official Plan Amendment (D9-NP-11-09) and Zoning By-law Amendment (D14-NP-11-09) were submitted in April 2011. On November 21, 2011, the Town of Newmarket planning department submitted a staff report to the Committee of the Whole providing preliminary comments on the applications and notice to hold a public meeting. A public meeting was held on February 27, 2012 for the development application.

The applications were made following an agreement between the Town and Millford to adjourn the hearing so that Millford could submit applications for Official Plan and Zoning Bylaw Amendments. Millford has an outstanding appeal of the new Town of Newmarket Official Plan 2006, specifically the proposed designation of a portion of the Subject Property as Natural Heritage on Schedule A – Land Use and proposed “Woodlot” on Schedule B – Natural Heritage (Case No. PL080723).

Millford’s revised development proposal eliminates the proposed twelve-storey apartment building and instead proposes to development of the Subject Property for a condominium community containing 73 townhomes and one triplex building for a total of 76 units.

As advised by the Town of Newmarket in its letter dated September 25, 2019 and subsequent email correspondence, the following materials are submitted in support of the revised development proposal:

- 1) Planning Justification Report by Malone Given Parsons Ltd. (April 1, 2021);
- 2) Revised Conceptual Site Plan (February 2, 2021);
- 3) Environmental Impact Study (+ Tree Compensation Plan) by Geoprocess (April 1, 2021);
- 4) Transportation Impact Study by Nextrans Consulting Engineers (February 2021);
- 5) Source Water Protection Risk Assessment and Risk Management Plan by Soil Engineers Limited (February 5, 2021);
- 6) Water Balance Assessment by Soil Engineers Limited (July 15, 2020);
- 7) Geotechnical Letter of Opinion by Soil Engineers Limited (September 25, 2020);
- 8) Revised Functional Servicing and Stormwater Management Report, prepared by Masongsong Associates Engineering Limited (March 2021);
- 9) Entry into the Ontario Public Register of Archaeological Reports, prepared by the Ministry of Tourism, Culture, and Sport (August 15, 2012);
- 10) Phase 1 Environmental Site Assessment by Soil Engineers Limited (September 25, 2020);
- 11) Phase 2 Environmental Site Assessment by Soil Engineers Limited (February 4, 2021);
- 12) Noise Feasibility Study by HGC Engineering (February 19, 2021);
- 13) Conceptual Landscape Plans, by JDB Associates Ltd. (April 1, 2021); and,
- 14) Photometric Plan by Datom Group Ltd. (August 5, 2020).

I have also attached to this cover letter a comment matrix indicating how the outstanding comments have been address per the request in the September 25, 2019 letter. However, because of the revised development proposal and new updated supporting studies, many of the comments are out of date or no longer applicable and the supporting studies should be reviewed in their entirety.

Copies of the revised Draft Official Plan Amendment and revised Draft Zoning Bylaw Amendment are included with this resubmission.

Per the direction of Town staff, only digital copies of the re-submission materials are being provided at this time. Hard copies can be made available upon request.

We look forward to working through the approvals process with the Town and resolving the outstanding appeals. Should you have any questions or require any additional information, please contact me at 905.513.0170 x 134.

Yours very truly,
Malone Given Parsons Ltd.



Allyssa Hrynyk, MCIP, RPP, AICP, MUDS
Senior Planner and Urban Designer

Attachment

cc. Frank Orsi, Millford Development Limited
Mark Flowers, Davies Howe LLP

Official Plan Amendment (D9-NP-11-09)
Zoning By-law Amendment (D14-NP-11-09)
55 Eagle Street, Town of Newmarket

ATTACHMENT 1
Response to Comments on 2011 Application
Revised Development Proposal April 1, 2021

#	Comment	Response
Community Services/Planning & Building Services Report – Planning 2011-46 Dated: November 21, 2011		
1.	The application will be required to address the appropriateness of the existing designation and justify the change in designation from “Natural Heritage System” to “Provincial Growth Centre” and “Emerging Residential”.	<ul style="list-style-type: none"> ○ See Planning Justification Report by Malone Given Parsons, April 2021
2.	Justification is required to demonstrate that the removal of the Natural Heritage System designation is appropriate. As addressed in the Peer Review Comments section of this report, staff and the Town’s Ecological consultant do not support the proposed compensation identified above. The proposed landscaping does not represent appropriate compensation for the loss of the Natural Heritage System. The areas identified within the valley lands are lands that are currently designated and zoned as part of the Town’s Open Space System and therefore is not accepted as compensation without enhancement of the ecological values of the Natural Heritage System.	<ul style="list-style-type: none"> ○ See Environmental Impact Statement by GeoProcess April 2021.
3.	Section 4.4 of the Official Plan establishes the following densities within the Yonge-Davis Provincial Growth Centre. However, Section 4.4.3 provides that increased densities from those identified above may be permitted through a zoning by-law amendment, provided supporting studies are submitted that demonstrate that the proposed development will not create an unacceptable level of traffic, will be compatible with the existing surrounding development and in conformity with the intent of the applicable provisions of the Official Plan.	<ul style="list-style-type: none"> ○ No longer applicable as revised development proposal does not include apartment or propose the redesignation of a portion of the Subject Lands to Urban Centre.
4.	In addition to the general policies of the Urban Centres, there are a number of other Official Plan policies that	<ul style="list-style-type: none"> ○ See Planning Justification Report by Malone Given Parsons, April 2021

#	Comment	Response
	<p>apply to the consideration for the form and function of the proposed amendment application, including:</p> <ul style="list-style-type: none"> - Section 3.10.2 – Affordable Housing; - Section 12.0 – Urban Design and Compatibility Policies (including but not limited to urban design principles, vehicular and pedestrian connectivity, common areas, safety, sustainability in design, transit amenities, and urban centre character); - Section 12.3 – Energy Efficiencies and Sustainability policies - Section 16.1.6 Recreational needs and park dedication; and - Section 10.4 – Contaminated Lands policy due to the identification of past contaminating activity on and adjacent to the site <p>The above is not meant to be an exhaustive list of the provisions of the Official Plan, but aims to illustrate the main considerations.</p>	
5.	<p>The subject property is designated “Urban Area” in the Region of York Official Plan. The determination of the extent of the “Regional Centre” designation is left to the Local Official Plans. The proposed amendment, if approved, would result in the inclusion of the subject property within the Regional Centre designation. The Regional Centre encourages higher density, compact, and transit supportive development with a FSI of 2.5. The intent of the Regional Plan would be met by the proposed application.</p>	<ul style="list-style-type: none"> o No longer applicable as revised development proposal does not include apartment or propose the redesignation of a portion of the Subject Lands to Urban Centre.
6.	<p>The subject lands are schematically within the Newmarket Urban Growth Centre as illustrated in the provincial document “Size and Location of Urban Growth Centres in the Greater Golden Horseshoe”. However, the Growth Plan requires that the extent of the Urban Growth centre is the responsibility of the local municipality to be delineated in local Official Plans. The proposed amendments would result in the inclusion of the subject property in the Newmarket Urban Growth Centre.</p> <p>The Growth Plan requires a minimum density of 200 residents and jobs per gross hectare within the Urban Growth Centre. This application proposes a density of 189 persons per hectare. The Growth Plan provision of 200 persons and jobs per hectare is intended to be calculated over the gross area of the Provincial Urban Centre and therefore when the density of the subject property is combined with other densities within the Urban Centre, it will contribute to the overall density target of the Growth Plan.</p>	<ul style="list-style-type: none"> o No longer applicable as revised development proposal does not include apartment or propose the redesignation of a portion of the Subject Lands to Urban Centre.

#	Comment	Response
7.	The proposed application is impacted by a number of provisions including Section 1.1 Management and Directing Land Use to Achieve Efficient Development and Land Use Patterns, Section 1.4 Housing, Section 2.2 Water with respect to protecting the quality and quantity of municipal drinking water, and Section 1.8 Energy and Air Quality with respect to promotion of alternative and renewable energy. Subject to the issues below, consistency with the PPS is expected to be achievable.	<ul style="list-style-type: none"> ○ See Planning Justification Report by Malone Given Parsons, April 2021
8.	The re-designation of the Natural Heritage System to permit the proposed development will be required to be justified, and any removal will require compensation for the loss to the satisfaction of the Town. The recommendations of Brent Tegler, Applied Ecologist, North South Environmental Inc. are summarized in the Peer Review comments section of this report.	<ul style="list-style-type: none"> ○ See Environmental Impact Statement by GeoProcess, March 2021.
9.	The Yonge-Davis Provincial Urban Growth Centre is intended to be a focal point for development and is planned to achieve a minimum density of 200 persons and jobs per ha by 2031 or earlier. The proposed density would contribute to the density provisions for the Urban Growth Centre of a minimum of 200 persons and jobs per ha. The Urban Centres are intended to “encourage a balance of high quality commercial, office, institutional, and residential uses” and “exhibit high standards of building design and landscaping”. Currently a mix of uses is not proposed and the by-law proposes a R1-T zone which would permit an apartment building to a maximum of 8 stories and an FSI of 1.85. A site specific zoning by-law amendment is however being requested to permit 12 stories and an FSI of 2.06.	<ul style="list-style-type: none"> ○ No longer applicable as revised development proposal does not include apartment or propose the redesignation of a portion of the Subject Lands to Urban Centre.
10.	Phase 1 and a “Limited” Phase 2 Environmental Site Assessment were prepared. Since the application is requesting a zoning to a more sensitive land use, a Record of Site Condition will be required for the proposed zoning and may be subject to the lifting of a “H” Holding Zone in accordance with the provisions of the Official Plan.	<ul style="list-style-type: none"> ○ Phase 1 and Phase 2 ESA (February 4, 2021) by Soil Engineers submitted with the revised development proposal and conclude the soil are suitable for development.
11.	The property is within 200 m of two municipal production wells and the two year time travel zone. The proposed application will need to demonstrate that the proposed use, including any necessary construction and short and long term dewatering, will not pose a risk to the quality and quantity of existing and future water supplies.	<ul style="list-style-type: none"> ○ See new Source Water Protection Risk Assessment and Risk Management Plan by Soil Engineers dated February 2021 ○ No impacts identified
12.	The Newmarket Plan, the Regional Plan, and the PPS required that affordable and or special needs housing be provided. The application will be required to address affordable housing.	<ul style="list-style-type: none"> ○ See Planning Justification Report by Malone Given Parsons, April 2021

#	Comment	Response
13.	The Planning Justification Report has not addressed the sustainability provisions of the Official Plans or the PPS. It is anticipated that these provisions will be addressed by the applicant.	<ul style="list-style-type: none"> ○ See Planning Justification Report by Malone Given Parsons, April 2021 ○ See FSR by Mansongsong, March 2021
14.	The need for a Phase 2 Archaeological Assessment has yet to be resolved.	<ul style="list-style-type: none"> ○ Ministry wrote in 2012 that no Phase 2 is required.
15.	Confirmation of top of bank and slope stability will required confirmation from the LSRCA.	<ul style="list-style-type: none"> ○ See 2012 LSRCA letter confirming the limits and slope stability.
16.	Confirmation that site access and internal turning radius can accommodate fire and other emergency services	<ul style="list-style-type: none"> ○ Confirmed by the Traffic Impact Study by NexTrans, February 2021.
○ Departmental and Regional Comments		
17.	<p><u>Engineering Services</u></p> <p>a) <u>Traffic Review</u></p> <ul style="list-style-type: none"> i. The recommended signal timing adjustment to the Eagle and Yonge intersection will require approval from the Region of York. ii. The application is required to demonstrate that there is adequate turning movements for large aerial fire trucks and the Central York Fire Services should be consulted in this regard. iii. The underground parking plan is inadequate, the parking layout must be shown with dimensions and aisles and sparking spaces/ramp and floor plate. iv. Accessibility parking must confirm to the Town's By-law v. Consideration should be given to providing pedestrian connectivity between Avenue Road and Yonge Street. vi. A number of corrections to the Traffic Impact Study were identified by staff. 	<ul style="list-style-type: none"> ○ See Traffic Impact Study by NexTrans, February 2021.
18.	<p>b) <u>Landscape Design Review</u></p> <ul style="list-style-type: none"> i. Trail connection northwest behind the townhomes should connect to the sidewalk west of the most westerly townhomes, in accordance with Town standards ii. Trail connection to Yonge Street should be provided iii. Revise the proposed trail east of the easterly Town homes to meet the Town standards iv. Additional detail is required with respect to plant lists including native plant list for plantings adjacent to trails, as well as landscape construction details, tree protection and silt fencing 	<ul style="list-style-type: none"> ○ The NHS may eventually be conveyed to the Town and at that time the Town can decide whether to locate trails within the valley land.
19.	<p>c) <u>Phase 1 and 2 Environmental Site Assessment</u></p> <ul style="list-style-type: none"> i. The Phase 1 and 2 Limited Environmental Site Assessment will be required to be updated to reflect current applicable laws 	<ul style="list-style-type: none"> ○ Phase 1 and Phase 2 ESA (February 4, 2021) by Soil Engineers submitted with the revised development proposal conclude the soil are suitable for development

#	Comment	Response
	<ul style="list-style-type: none"> ii. Additional testing is required to delineate the vertical and horizontal extent of the groundwater plume. iii. The area north of the Green and Ross property required further investigation and the environmental quality of soil and groundwater reported upon iv. A Record of Site Condition will be required. 	
20.	<p><u>Region of York</u> a) <u>Regional Official Plan</u> The proposed amendment will assist in ensuring that by 2015 and for each year thereafter, the minimum 40% intensification within the built-up area will occur</p>	<ul style="list-style-type: none"> o Agreed
21.	<p>b) <u>Water and Sanitary Sewers</u> Subject to the allocation of water supply and sanitary sewers, the following Regional infrastructure may be required to ensure adequate capacity is available:</p> <ul style="list-style-type: none"> - Yonge, Vandorf, Leslie, Bloomington, Bayview Watermains (estimated completion 2015) - Yonge to Woodspring Watermain (estimated completion 2019) - Duffin Creek Water Pollution Control Plant Outfall (estimated completion 2015) - Duffin Creek Water Pollution Control Plant Stage 1 and 2 Upgrades and Refurbishing (estimated completion 2016) - Upper York Sewage Solutions (estimated completion 2018); and - Primary Trunk Sewer (estimated completion 2021). 	<ul style="list-style-type: none"> o Noted
22.	<p>c) <u>Source Water Protection</u> The subject proposal is within the 2 year time of travel zone of two municipal wells (Newmarket Wells 1 and 2) and potential impacts on water quality and quantity due to deep excavation activities that would require dewatering and depressurization is a concern. The Region requires that:</p> <ul style="list-style-type: none"> i. A dewatering plan be prepared by a qualified person and submitted to the Region for approval; ii. Prior to adoption of the Official Plan amendment and zoning by-law application, the owner conduct a Risk Assessment and prepare a Conceptual Risk Management Plan for Regional approval, addressing any potential threats to municipal drinking water supplies; iii. The owner be aware that the requirements of the Source Water Protection Plan under the <i>Clean Water Act</i> may impose more stringent requirements once approved in 2013; 	<ul style="list-style-type: none"> o See updated report by Soil Engineers – Source Water Protection Risk Assessment and Risk Management Plan, February 2021.

#	Comment	Response
	<ul style="list-style-type: none"> iv. A Detailed Risk Management Plan and associated engineering drawings and a subsurface investigation identifying any dewatering and/or groundwater depressurization impacts and plans prior to Regional consideration of a Site Plan Application; v. Preliminary conditions for Site Plan approval may include the requirement that the Site Plan Agreement include implementation of the recommendations of the Risk Assessment and the securities equivalent to the cost of implementation of the identified recommendations; and agreement to implement the detailed dewatering/depressurization plan, as approved by the Region 	
23.	<p>d) <u>Transportation</u></p> <ul style="list-style-type: none"> i. Development will be required to meet or exceed the Region’s Transit Oriented Development Guidelines including pedestrian and cycling connections to roadways ii. The owner shall prepare a Transportation Demand Management Plan to the satisfaction of the Region and the Town iii. A concrete pedestrian access should be provide from Building Entrance “A” to the sidewalk and or bus stop location iv. The applicant shall make provision for continuous flow-through circulation for YRT’s mobility Plus specialized vehicles. <p>The Region reserves the right to comment further once the required information is provided.</p>	<ul style="list-style-type: none"> o See Traffic Impact Study by NexTrans, February 2021.
Peer Review Comments		
24.	<p><u>North South Environmental:</u></p> <ul style="list-style-type: none"> i. The existing Natural Heritage System on the property is appropriately designated in accordance with the criteria of the Newmarket Natural Heritage Pilot Project (2003) that formed the basis for the existing Natural Heritage System in Newmarket 	<ul style="list-style-type: none"> o See Environmental Impact Statement by GeoProcess, April 2021.
25.	<ul style="list-style-type: none"> ii. The compensation proposed by the proponent is not adequate compensation for the loss of the existing Natural Heritage System (tree compensation (32 trees), Landscape planting, and identification of two areas already within the Parks and Open space System in the Town’s OP) 	<ul style="list-style-type: none"> o See Environmental Impact Statement by GeoProcess, April 2021.

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26.	<p>iii. Ecological compensation for the loss of the Natural Heritage System could be achieved through the implementation of one, or a combination of the following two strategies. The intent is to restore a healthy, self-sustaining natural ecosystem that is, at a minimum, twice the size of the area proposed to be removed from the Natural Heritage System. An Ecological Restoration Plan would be required to be prepared and implemented to the satisfaction of the Town, as follows:</p> <ul style="list-style-type: none"> a. Off site Compensation – that an ecological Restoration Plan be required for an area that is a minimum of twice the area of the NHS (1 ha) and subject to the approval of the Town. The area for restoration is recommended to be selected by the Town from areas identified as “low functioning” in the Newmarket Natural Heritage Pilot Project. b. On-site Compensation – an ecological Restoration Plan would be required to be prepared for all on-site areas outside the proposed development (e.g. valley lands and buffers) and subject to the approval of the Town. The Restoration Plan, as a minimum, would be required to meet a number of criteria, including: control of invasive species, restoration of native woodlands and ecological diversity within existing plantation areas on site and detailed information on species and planting methods aimed at restoring a functioning ecosystem c. A combination of off-site and on-site compensation, subject to the approval of the Town. <p>The cost of preparation and implementation of the ecological Restoration Plan would be at the applicant’s expense and implemented by the Town.</p>	<ul style="list-style-type: none"> o See Environmental Impact Statement by GeoProcess, April 2021.
27.	<p><u>Aborvalley Urban Forest Co. Inc.</u> Arborvalley review the arborist report submitted with the application and prepared in 2007 and identified numerous deficiencies in the methodology and findings of the report including the following:</p> <ul style="list-style-type: none"> i. An updated tree inventory is required and the trees should be tagged in the field ii. Numerous existing trees were not identified iii. Undated tree sizes are required 	<ul style="list-style-type: none"> o See Environmental Impact Statement by GeoProcess, April 2021.

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	<ul style="list-style-type: none"> iv. Trees on the adjacent properties are require to be inventoried and protective measures identified v. The property should be searched for butternut trees – an endangered species (provincially and nationally) vi. Top of bank required re-staking and existing trees inventoried within the buffer vii. Tree Preservation Plan is required. 	
28.	<p><u>Aiolos Engineering Corporation</u> Aiolos Engineering Consultants reviewed the Noise Study and concluded that the nighttime noise levels exceed MOE criteria and that the proposal for ventilation to mitigate the noise is acceptable. However, the noise limits for stationary sources must be confirmed with actual data through a detailed noise study. The proposed 2m high acoustical fence to shield the noise from a single receptor on Eagle Street will require confirmation of the noise levels and the effectiveness of the proposed mitigation in a final report.</p> <p>A detailed noise assessment report is require prior to final approval.</p>	<ul style="list-style-type: none"> o See updated Noise Feasibility Study by HGC Engineering dated February 19, 2021
Lake Simcoe Region Conservation Authority		
29.	<p><u>Stormwater Management Report</u> Detailed comments were provided with respect to numerous technical deficiencies with the Stormwater Management Study and identified the additional information required to be submitted in order to address the suitability of the proposed storm water management plan and proposed site e.g.:</p> <ul style="list-style-type: none"> i. A geotechnical report is required to confirm the suitability of the proposed site for construction of the stormwater management pond; ii. A phosphorus loading study is required that demonstrated that the proposed stormwater management design conforms to the Lake Simcoe Protection Plan SWM policies. <p>Detailed comments were also provided with respect to the additional requirements to address the detailed design of the stormwater management facility in accordance with the LSRCA Technical Guidelines for Stormwater Management.</p> <p>The top of bank and slope stability have yet to be confirmed by the Conservation Authority.</p>	<ul style="list-style-type: none"> o See FSR by Mansongsong, March 2021 o See Phase 1 and Phase 2 ESA (February 4, 2021) by Soil Engineers submitted with the revised development proposal conclude the soil are suitable for development
Bell Canada		
30.	Bell has indicated that an easement may be required to service the property.	<ul style="list-style-type: none"> o Detailed design

#	Comment	Response
Canada Post		
31.	<p>Canada Post has no objection to the proposed applications and advise that the following conditions should be applied if the application is approved:</p> <ul style="list-style-type: none"> a) Delivery to the apartment shall be by means of a centralized secure mail receiving area designed in accordance with the Post Delivery Standards Manual b) That the following conditions apply to Townhomes: <ul style="list-style-type: none"> • That Canada Post be consulted with respect to a suitable location for placement of community mailboxes and that location be identified on appropriate servicing plans • The owner agrees to provide the site, and appropriate sidewalk, concrete pad and accessibility provisions in accordance with Canada Post Specifications • Appropriate notice and display maps be provided to potential purchasers regarding the location and details regarding the community mailboxes 	<ul style="list-style-type: none"> ○ Noted where applicable. ○ High Rise Apartment no longer proposed. ○ Conditions applied at site plan
<p>Town of Newmarket Engineering Services – M. O'Brien, Senior Engineering Development Coordinator Dated: June 2, 2011</p>		
Functional Servicing and Stormwater Management Report		
32.	<p>The Functional Servicing and Stormwater Management Report prepared by Masongsong Associates Engineering Limited and dated March 2011 was submitted in support of the application. Based on the review of the report, it is anticipated that the proposed sanitary and existing water services will function adequately for the proposed use. A detailed review of the servicing proposed for the property, shall be conducted at the time of the property owner submits for Site Plan Agreement.</p>	<ul style="list-style-type: none"> ○ Noted. ○ See FSR by Mansongsong, March 2021
Traffic Review		
33.	<p>With respect to the general traffic related matter, the Senior Transportation Coordinator reviewed the submitted Traffic Impact Study prepared by Genivar Consultants and dated March 2011. Comments are as follows:</p> <ul style="list-style-type: none"> • Page 9: Correction: The Eagle Street road allowance is planned to be 26 m. Also note that the posted speed on Carol, Sandford, Dixon, and Donlin is 40 km/h. 	<ul style="list-style-type: none"> ○ See Traffic Impact Study by NexTrans, February 2021.
34.	<ul style="list-style-type: none"> • Page 25: Correction: The planned widening of Yonge Street is for 4 travel lanes plus two 	<ul style="list-style-type: none"> ○ Acknowledged

#	Comment	Response
	dedicated transit lanes (busway). This correction would not impact the analysis.	
35.	<ul style="list-style-type: none"> Page 29: The recommended signal timing adjustments to the Yonge/Eagle intersection must be reviewed and approved by York Region. 	<ul style="list-style-type: none"> Acknowledged
36.	<ul style="list-style-type: none"> Page 43 and Figure 9 and 10: Given that the proposed apartment building is to be 12 storeys, the applicant should show the turning movement of the larger aerial fire truck on the plan. It is recommended that the applicant contact the CYFS to determine exact requirements. 	<ul style="list-style-type: none"> No longer proposing apartment building.
37.	<p>Further to the above, the Senior Transportation Coordinator reviewed the submitted Site Plan (SP1 – revised February 25, 2011) and Underground Plans (SP2 – revised February 25, 2011) and advises the following:</p> <ul style="list-style-type: none"> The underground plan is inadequate. The parking layout must be shown with dimensions of aisles and parking spaces, and ramp/floor plate slopes. 	<ul style="list-style-type: none"> No longer proposing underground parking
38.	<ul style="list-style-type: none"> The proposed parking space for the disabled must conform to the by-law requirements (must be 4.2 m in width) 	<ul style="list-style-type: none"> Acknowledged.
39.	<ul style="list-style-type: none"> Given the size of the property with the open space area and Avenue Road road allowance and proximity to Yonge Street, some consideration should be given to provide public pedestrian connections from Yonge Street, Eagle Street, and Avenue Road through the open space area 	<ul style="list-style-type: none"> The NHS may eventually be conveyed to the Town and at that time the Town can decide whether to locate trails within the valley land.
Landscape Design Review		
40.	<p>Our Capital Projects Parks Development Coordinator reviewed the Context Plan, Drawing No. C1, Revision No. 2, dated February 25, 2011 in consideration of the proposed landscape design. Comments are as follows:</p> <ul style="list-style-type: none"> Provide a trail connection north west behind townhomes in buffer zone and connect to sidewalk west of T5, as per Town Standard for trails Provide a trail connection to continue Northwest behind condo exiting west property line for possible future trail connection to Yonge Street Revise proposed trail east of T3 to ensure a 3m wide asphalt trail with 1m grass recovery zone on each side, in accordance with Town Standard for trails 	<ul style="list-style-type: none"> The NHS may eventually be conveyed to the Town and at that time the Town can decide whether to locate trails within the valley land.

#	Comment	Response
	<ul style="list-style-type: none"> • Native plant material required along requested trail in buffer zone <p>More information required for further review.</p> <ul style="list-style-type: none"> • Planting plans with corresponding plant list required • Landscape/construction details required • Tree protection and silt fence control required 	
Environmental Review		
41.	<p><u>Phase I Environmental Site Assessment</u> The property owner is required to submit a Phase I ESA dated within the last eighteen months. The Phase I ESA prepared by Mr. Randy Furtado and Mr. Ian Chiu of Soil Engineers Ltd and dated July 31, 2009 is not considered current. The property owner's environmental consulting engineer must provide a new report or update the existing report, in accordance with all applicable governmental laws and regulations. Once received, the report shall be reviewed and comments shall be provided.</p>	<ul style="list-style-type: none"> ○ See updated Phase 1 and Phase 2 ESA (February 4, 2021) by Soil Engineers submitted with the revised development proposal conclude the soil are suitable for development
42.	<p><u>Limited Phase II Environmental Site Assessment</u> A Limited Phase II Environmental Site Assessment (Soil Engineers Ltd, Reference No. 0907-E017, dated December 18, 2009) was prepared based on the following concerns:</p> <ul style="list-style-type: none"> - Possible fill of unknown quality in the envelope of the former building located on the subject site; - Fill materials of unknown quality previously identified in geotechnical investigation; - Gas stations located within 300 m of subject site; - Automotive repair facilities located within 500 m of subject site. <p>Based on the above, two boreholes complete with monitoring wells were advanced and two test pits were excavated on the property. With the exception of Electrical Conductivity (EC) and Sodium Adsorption Ratio (SAR) in soil, laboratory analyses for soil and groundwater determined that the site meets the Ontario Regulation 153/04 Table 1 Full Depth Background Site Condition Standards (Non-agricultural Property Use). The laboratory results for Sample No. 2 in Test Pit (TP) No. TP2 and ES and SAR were 0.665 and 4.46, respectively.</p> <p>Please note that the sediment located in the stream bed was not sampled or analyzed.</p> <p>As a result of the investigation, it appears that the property owner may need to file a Record of Site Condition, in accordance with Section 10.4</p>	<ul style="list-style-type: none"> ○ See updated Phase 1 and Phase 2 ESA (February 4, 2021) by Soil Engineers submitted with the revised development proposal conclude the soil are suitable for development

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	(Contaminated Lands) of the Town of Newmarket OP, as amended.	
Geotechnical Investigation		
43.	A geotechnical investigation was completed in consideration of the proposed development. The Geotechnical Report prepared by Soil Engineers Ltd and dated October 2004 highlighted the results of the investigation. It has been determined that conventional spread and strip footings founded on the native material or engineered fill would serve as a suitable design criteria for the soils encountered during the investigation.	<ul style="list-style-type: none"> ○ Noted.
Engineering Services (ESA Comments) - M O'Brien, Senior Engineering Development Coordinator Dated: September 21, 2011		
44.	Further to your letter dated September 14, 2011 regarding additional environmental testing, please note that we have reviewed the Limited Phase II ESA (December 18, 2009) and advise that the data provided to qualify the soil and groundwater located on the subject site is not sufficient.	<ul style="list-style-type: none"> ○ See updated Phase 1 and Phase 2 ESA (February 4, 2021) by Soil Engineers submitted with the revised development proposal conclude the soil are suitable for development
Lake Simcoe Region Conservation Authority – Beverley Booth, Manager of Planning Regulations and Enforcement Dated: March 28, 2011		
Stormwater Management Report		
1.	Supporting calculations are to included in the SWM report for all modeling parameters (i.e. impervious, CN, Time to peak, etc)	<ul style="list-style-type: none"> ○ See FSR by Mansongsong, March 2021
2.	The Authority prefers Alternate 1. We note that appropriate quality control will be required for Alternate 2 for Parcel A (the High rise condo). Please also note the following, should an oil/grit separator (OGS) be proposed for Alternate 2. <ul style="list-style-type: none"> a. An OGS must meet the sediment removal standards of the New Jersey Department of Environmental Protection (NJDEP) b. An OGS should not be considered a stand alone water quality measure, as these devices do not typically remove Phosphorus or met the Enhanced criteria for TSS removal. 	<ul style="list-style-type: none"> ○ See FSR by Mansongsong, March 2021
3.	The required LSRCA design Storms for VO2 Hydrological modeling is the 4 hour Chicago distribution and the 12 hour SCS Type II distribution. Please refer to the LSRCA Technical Guidelines for Stormwater Management Submissions November 26, 2011. The Authority will also accept the Rational and Modified Rational method for stormwater runoff calculations for small sites (<5 ha).	<ul style="list-style-type: none"> ○ See FSR by Mansongsong, March 2021
4.	Although we understand that Alternate 2 is not the preferred SWM option for the subject site, the	<ul style="list-style-type: none"> ○ See FSR by Mansongsong, March 2021

#	Comment	Response
	hydrological modeling method should be the same for both parcels with appropriate summary tables showing pre-development and post-development flows for each parcel/outlet and site totals.	
5.	<p>In order to further review the hydraulic modeling, the Authority will require the following additional items:</p> <ul style="list-style-type: none"> a) Modelling output with both the storm distributions previously noted. b) The model output and calculations should be clearly identified as a pre-development or post-development item. c) A pre-development drainage plan d) Drainage plan catchments should correspond to the hydrological model e) Modeling schematic supporting the VO2 model f) Digital copies of the hydrologic model input, output and storm files are required for review and should be included with the report 	<ul style="list-style-type: none"> o See FSR by Mansongsong, March 2021
6.	If the Rational or Rational Method is utilized, the runoff coefficients are to be increased for return periods of more than 10 years as per MTO Design Chart 1.07.	<ul style="list-style-type: none"> o See FSR by Mansongsong, March 2021
7.	The Regional and 100 year floodline are to be delineated on Drawings GRA1, STM1, & STM2	<ul style="list-style-type: none"> o See FSR by Mansongsong, March 2021
8.	Please confirm that the proposed Wet Pond is suitable for the proposed development. The MOE guidelines (Table 4.1) suggest a drainage area of greater than 5 ha for a Wet Pond.	<ul style="list-style-type: none"> o See FSR by Mansongsong, March 2021
9.	A geotechnical report regarding the suitability of the proposed site for construction of a SWM pond will be required.	<ul style="list-style-type: none"> o See FSR by Mansongsong, March 2021
10.	A scaled drawing for the SWM facility is to be included in the report to confirm the preliminary grading and provided storage.	<ul style="list-style-type: none"> o See FSR by Mansongsong, March 2021
11.	The 5 th bullet in section 3.6 (page 13) should be revised to note a 0.3, freeboard is required	<ul style="list-style-type: none"> o See FSR by Mansongsong, March 2021
12.	An evaluation of the water balance for the site is to be completed for the proposed development for review	<ul style="list-style-type: none"> o See FSR by Mansongsong, March 2021
13.	A phosphorus loading study is to be completed for the proposed development for review and included in the SWM section of the report.	<ul style="list-style-type: none"> o See FSR by Mansongsong, March 2021
14.	In addition to the above, the consultant is to demonstrate that the proposed SWM design conforms with the Lake Simcoe Protection Plan SWM Policies (4.8-DP to 4.12 SA) and how this will be achieved.	<ul style="list-style-type: none"> o See FSR by Mansongsong, March 2021
15.	We also have the following comments which can be addressed at the detailed design stage. (Note: These comments have been provided to assist future detailed	<ul style="list-style-type: none"> o See FSR by Mansongsong, March 2021

#	Comment	Response
	design submissions, however additional comments may be provided during our detailed design review. Please refer to the LSRCA Technical Guidelines for Stormwater Management Submissions):	
16.	Please note that all geotechnical/structural recommendations and details with respect to pond berm, slopes, retaining walls, clay liners, and anti-seepage collars (where applicable) should be included in the SWM report and pond design drawing notes.	<ul style="list-style-type: none"> ○ See FSR by Mansongsong, March 2021
17.	Overland flow calculations will be required to ensure the major system is safely conveyed overland to the SWM facility. Overland flow routes are to be provided and shown on the drawings as required.	<ul style="list-style-type: none"> ○ See FSR by Mansongsong, March 2021
18.	The emergency spillway will need to convey the 100 year uncontrolled flow from the pond.	<ul style="list-style-type: none"> ○ See FSR by Mansongsong, March 2021
19.	A SWM facility operations and maintenance manual should be provided for review.	<ul style="list-style-type: none"> ○ See FSR by Mansongsong, March 2021
20.	A landscape plan with planting strategy for the SWM facility should be provided for review	<ul style="list-style-type: none"> ○ See FSR by Mansongsong, March 2021
21.	A permit will be required under Ontario Regulation 179/06 from the LSRCA for any works within the regulated area	<ul style="list-style-type: none"> ○ See FSR by Mansongsong, March 2021
22.	Please ask the consultant to provide a cover letter with the next submission to summarize how each of the above comments will be addressed. They should also refer to the IMS number in any future correspondence. All drawings are to be folded, and both reports and drawings are signed by a professional engineer.	<ul style="list-style-type: none"> ○ N/A
23.	Comments on the Tree Plan which was included within the FSR will follow under a separate letter.	<ul style="list-style-type: none"> ○ Noted
North South Environmental Inc Peer Review – Brent Tegler, Applied Ecologist Dated: October 27, 2011		
24.	Prior to the final consideration of the application, the Environmental Impact Study (EIS) prepared by Azimuth (February 2008) should be refined to address a number of deficiencies, in particular: <ul style="list-style-type: none"> - the EIS does not provide a substantive analysis of the environment or the potential impacts that may result from the proposed development; - the EIS has technical errors and is incomplete in its assessment of development impacts; the EIS does not adequately address the justification for the proposed amendment and proposed restoration plan provisions as outlined below. 	<ul style="list-style-type: none"> ○ See new Environmental Impact Statement by GeoProcess, April 2021.
25.	It is our understanding that some studies may have been completed subsequent to the completion of the EIS. As	<ul style="list-style-type: none"> ○ See new Environmental Impact Statement by GeoProcess, April 2021.

#	Comment	Response
	<p>the EIS is the guiding document to characterize the environment, to assess impacts associated with the proposed development and to recommend appropriate mitigation strategies the EIS must incorporate and report on the most up-to-date and relevant information . As such the final EIS should incorporate the findings of any additional studies that may have been completed, including studies related to storm water management, geotechnical investigations regarding soil characterization and slope stability, grading plans showing proposed cut and fill requirements, groundwater protection strategies and any additional field studies and including field visits undertaken with the Lake Simcoe Region Conservation Authority.</p>	
26.	<p>The existing designation of Natural Heritage System (NHS) for a portion of the subject property is appropriate based on the available information as demonstrated by the following:</p> <ul style="list-style-type: none"> - the area meets the criteria to be included as part of the Town's NHS as demonstrated by the classification of the area as CUW1 (Cultural Woodlands) as shown on Figure 2 of the EIS; - the area was defined as part of a NHS through the Town of Newmarket Natural Heritage Pilot Project (February 2003); and - the area is identified as woodlot and is part of the Town's NHS, as shown on Schedule B of the Town's Official Plan. 	<ul style="list-style-type: none"> o See new Environmental Impact Statement by GeoProcess, April 2021
27.	<p>The EIS has not provided sufficient analysis and justification to support removal of the NHS designation to permit development. We note the following:</p> <ul style="list-style-type: none"> - The general intent of the Official Plan is the protection and enhancement of the "Natural Heritage System. It is the objective of the NHS policies to: <ul style="list-style-type: none"> a) preserve the Town's woodlots as they are part of the Town's cultural heritage and a valuable resource, providing wildlife habitat and recreational opportunities; b) use the valleylands and Floodplain areas of the East Holland River and its tributaries to provide a linked natural open space system for residents and wildlife connecting many parts of the Town; c) preserve and enhance all elements of the Natural Heritage System, including those on the south and west boundaries of the Town that are intended to serve as natural separators 	<ul style="list-style-type: none"> o See new Environmental Impact Statement by GeoProcess, April 2021

#	Comment	Response
	<p>between the Town and neighbouring communities</p> <ul style="list-style-type: none"> d) maintain and enhance the ecological functions of the Natural Heritage System, and encourage the restoration and enhancement of its functions where possible e) preserve the cultural heritage aspects of the Natural Heritage System in addition to the ecological functions; and f) protect the Natural Heritage System from the negative effects of development through the use of appropriate management and mitigative techniques. <ul style="list-style-type: none"> - The applicant has proposed a change in designation to remove NHS to permit residential development through an Official Plan Amendment (OPA). An OPA may be considered by the Town provided they are supported by appropriate justification and demonstrate that the objectives of the Official Plan can be met e.g., that the proposed development will protect the NHS from negative effects and mitigation or enhancement of the NHS is addressed. - The EIS concludes development of the 0.7 ha area designated NHS on Schedule A and "Woodlot" on Schedule B in the Town of Newmarket's Official Plan is appropriate for the following reasons: <ul style="list-style-type: none"> a) the area consists of marginal habitat for urban wildlife species and no longer supports natural vegetation communities; b) the proposed development would not affect Provincially Significant Wetlands, Areas of Natural and Scientific Interest, Significant Woodlands, Valley Lands, Wildlife Habitat or Fish Habitat on or adjacent of the property as defined by the Provincial Policy statement. c) The habitat of federally or provincially threatened or endangered species is not affected by the proposed development plan; d) Designation of the NHS is not appropriate from a natural heritage perspective because: 	

#	Comment	Response
	<ul style="list-style-type: none"> i. of the existing intensity of development of the surrounding lands; and ii. level of disturbance of the natural environment of the developable lands; and iii. the structure and composition of the vegetation designated as part of the Natural Heritage System. <p>- The EIS concludes that "The potential environmental impacts of development will be negligible, providing all aspects of the proposed development occur outside the designated valley corridor and tree replacement as outlined by in [sic] the mitigation measures is completed post-construction".</p>	
28.	<p>The Tree Plan prepared by the proponent's arborist, Cathy Bentley, is intended to meet Town of Newmarket Tree Preservation, Protection, Replacement and Enhancement policies and does not address the loss to the NHS, nor should it be considered to mitigate the replacement of the NHS. [A Peer review of The Tree Plan prepared by Cathy Bentley is being conducted by Ruurd van de Ven (Arborvalley Urban Forestry Co. Inc.)].</p>	<ul style="list-style-type: none"> o See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, March 2021
29.	<p>The impact of development on the NHS, if permitted, will result in environmental impacts that can not be compensated for by the Tree Plan. A total of 76 plant species, including 14 native tree species, (it is recognized some of the native tree species present have likely been planted and may be naturally regenerating such as honey locust, black walnut and white spruce) were recorded in the Cultural Woodland; these plants include a variety of plant forms and include a tree canopy, regenerating trees, tall and low shrubs, herbs, and climbing plants. These plants function as an ecological system, creating an ameliorated micro-climate, woodland soils, and include a variety of niche for fauna that live within the plant community.</p>	<ul style="list-style-type: none"> o See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, March 2021
30.	<p>The Landscape Masterplan (Figures L1a and L1b) identifies two polygons on the subject property as "Natural Heritage Compensation Area" and "Additional Natural Heritage Compensation Area". Both areas are located below the top of slope within a portion of the subject property that can not be developed. As such, the identification of these areas does not constitute compensation for the removal of NHS.</p>	<ul style="list-style-type: none"> o See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021

#	Comment	Response
31.	<p>Subject to addressing the deficiencies in the EIS and providing more substantive justification For "the removal of areas designated NHS in the Official Plan, it is recommended that, subject to the Town's approval, NHS removal require compensation that provides reasonable ecological compensation. In our opinion reasonable ecological compensation may be demonstrated by implementing one, or a combination of the two strategies outlined below, such that, the ultimate enhancement of the NHS is at a minimum, twice the size of the area proposed to be removed from the NHS and the location and size of the area selected is to the satisfaction of the Town.</p>	<ul style="list-style-type: none"> ○ See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021
32.	<p>A. Off-site compensation - identify and secure for protection an area offsite that meets the following conditions:</p> <ul style="list-style-type: none"> i. the area is, at a minimum, twice the size of the area of NHS proposed for development; ii. in selecting an area for off-site compensation it is recommended that the Town of Newmarket Natural Heritage Pilot Project (LSRCA 2003) report be consulted to consider selection of an area for restoration identified as "low functioning" on Map 9 Terrestrial Habitat Landscape Analysis Existing Conditions (1999) Total Scores; iii. the area selected for off-site compensation contributes to the Town's NHS, for example by restoring woodland adjacent to an existing forest patch thereby providing additional core forest or by restoring woodland between two forest patches thereby providing ecological linkage; and iv. a comprehensive restoration plan must be developed and implemented at the applicant's expense for the off-site compensation area to restore a healthy, self-sustaining natural ecosystem. The restoration plan shall include the following: <ul style="list-style-type: none"> a. ecological goals and objectives for the site that can be used to identify measurable targets for implementation; b. control methods for invasive species present (if present); c. planting methods (including native species, stock size, protection measures, planting density, planting locations, etc.) in sufficient detail to implement the proposed restoration; 	<ul style="list-style-type: none"> ○ See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021

#	Comment	Response
	<ul style="list-style-type: none"> d. monitoring plan with clearly defined targets to measure progress and success of restoration; and e. adaptive management plan that is capable of responding to and correcting issues identified by monitoring. v. prepare a cost estimate for implementation of the restoration plan and provide assurance these funds will be available for implementation; and vi. obtain approval from the Town in regard to the following: <ul style="list-style-type: none"> a. the area(s) selected to compensate development of the NHS; b. the restoration plan prepared for compensation areas; c. the estimated cost of implementation; and d. the proposed method of implementation or the provisions for funding to the Town for implementation by the Town. 	
33.	<p>OR B. On-site compensation - develop a comprehensive on-site restoration plan that meets the following conditions</p> <ul style="list-style-type: none"> i. the area for on-site restoration shall include all on-site areas designated for protection within the subject property (i.e. buffer zone and valley lands); ii. a comprehensive restoration plan must be developed and implemented, at the expense of the applicant, for the on-site compensation area to restore a healthy, self-sustaining natural ecosystem. The restoration plan shall, at a minimum, include the following: <ul style="list-style-type: none"> a. ecological goals and objectives for each of the ELC communities present; b. control methods for invasive species present; c. strategy for the removal of garbage where present; .. d. conversion methods to restore native hardwoods within plantation areas; e. planting methods (including native-species, stock size, protection measures, planting density, planting locations, etc.) in sufficient detail to implement the proposed restoration; f. monitoring plan with clearly defined targets to measure progress and success of restoration; and 	<ul style="list-style-type: none"> o See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021

#	Comment	Response
	<ul style="list-style-type: none"> g. adaptive management plan that is capable of responding to and correcting issues identified by monitoring iii. prepare a cost estimate for implementation of the restoration plan and provide assurance these funds will be available for implementation; and iv. obtain approval from the Town in regard to the following: <ul style="list-style-type: none"> a. the area(s) selected to compensate development of the NHS; b. the restoration plan prepared for compensation areas; c. the estimated cost of implementation; and d. the proposed method of implementation or the provisions for funding to the Town for implementation by the Town. 	
34.	<p>OR C. Combination of Off-site and On-site compensation - a combination of A and B to the satisfaction of the Town</p>	<ul style="list-style-type: none"> o See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021
<p>Detailed Peer Review of Environmental Impact Study (February 2008) – comments follow section headings in report</p>		
35.	<p>The EIS does not provide sufficient detail in regard to the field methods used and dates when field investigations were conducted.</p>	<ul style="list-style-type: none"> o See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021
36.	<p>The EIS makes a technically incorrect reference to Ontario's Provincial Policy stating development and site alteration may be permitted in Significant Habitat of Endangered or Threatened Species and in Significant Wetlands. Whereas the PPS (2005) states development and site alteration shall not be permitted in these areas.</p>	<ul style="list-style-type: none"> o Noted.
37.	<p>The EIS provides Town of Newmarket Official Plan Schedules in Appendix A and Lake Simcoe Region Conservation Authority Information in Appendix B without an overlay showing the location of the subject property. It would be beneficial for the EIS to include figures showing information at a scale that allows meaningful review of the subject property.</p>	<ul style="list-style-type: none"> o See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021
38.	<p>The EIS identifies hydrostratigraphic units in the text which the report states are presented in report as Figure 4 (the actual figure number is 3). There does not appear to be a correlation between the text and the figure and there is no overlay showing the location of the subject property in relation to the information provided on the figure.</p>	<ul style="list-style-type: none"> o See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021

#	Comment	Response
39.	The EIS provides information on ground water elevations, ground water flow direction, soil infiltration capacity without providing a reference for this information.	<ul style="list-style-type: none"> ○ See FSR by Mansongsong, March 2021
40.	The EIS provides inconsistent information in regard to soils, which are referred to as "clayey" in paragraph one on page eight, and later as "sand loam soils" in paragraph four on page eight.	<ul style="list-style-type: none"> ○ See Geotechnical Studies submitted in support of revised development proposal.
41.	The EIS should review and provide a summary of the available information in regard to an Environmental Site Assessment based on the EIS statement "There were areas of the property that was occupied by areas of fill and fill storage that may have not been wholly from the property".	<ul style="list-style-type: none"> ○ See Geotechnical Studies submitted in support of revised development proposal.
42.	In characterizing existing conditions of the subject property the EIS should not make statements regarding the proposed development. Statements such as "The valley corridor feature to be retained ... " (page 6), " ... this storm water runoff will be directed to municipal sewers." (page 8), "There is no development proposed within this area." (page 11). Discussion of the proposed development, including the assessment of impacts and mitigation strategies should not be included within a section characterizing existing conditions.	<ul style="list-style-type: none"> ○ See FSR by Mansongsong, March 2021
43.	In its characterization of the proposed development the EIS indicates there are several studies yet to be completed, these include storm water management, geotechnical investigation regarding soil characterization, slope stability, grading requirements and groundwater protection. The EIS can not be considered complete without a review and analysis of these studies in order to provide a complete assessment of development impacts and to recommend appropriate mitigation and monitoring plans.	<ul style="list-style-type: none"> ○ See FSR by Mansongsong, March 2021
44.	The EIS must review relevant supporting studies related to surface and groundwater and storm water management surface to provide an assessment of the pre and post development water balance in relation to infiltration and surface and groundwater flow to the adjacent watercourse in order to assess impacts and outline protection and mitigation strategies for the natural features and functions present.	<ul style="list-style-type: none"> ○ See FSR by Mansongsong, March 2021
45.	The EIS must discuss storm water management in relation to the implementation of Low Impact Development measures, management of clean storm water from roof tops and rear yards, the creation of swales that collect and direct clean surface water runoff, the location of	<ul style="list-style-type: none"> ○ See FSR by Mansongsong, March 2021

#	Comment	Response
	the proposed storm water pond, storm water quality treatment, storm water quantity control to the adjacent watercourse and the location and design of the storm water outlet;	
46.	The EIS cannot be considered complete without a review and analysis of the studies noted above in order to provide a complete assessment of development impacts and to recommend appropriate mitigation and monitoring plans.	<ul style="list-style-type: none"> ○ See FSR by Mansongsong, March 2021
47.	Section 6.0 of the EIS does not provide a figure showing the footprint of the proposed development overlaid on the natural features and functions of the subject property to permit an analysis of environmental impacts.	<ul style="list-style-type: none"> ○ See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021
48.	Section 6.1 of the EIS provides an evaluation of environmental impacts in a planning context for polices of the Province, Region of York, Town of Newmarket and Lake Simcoe Region Conservation Authority. In regard to the Town's policies section 6.1.3 of the EIS notes a portion of the property is designated Natural Heritage System but does not provide an evaluation of the development policies associated with this Official Plan designation in the context of the environmental impacts arising from the proposed development.	<ul style="list-style-type: none"> ○ See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021
49.	Section 6.2.1 states "The land use will change from an undeveloped old field to residential land use.". Whereas the EIS should refer to an overlay figure (not provided) that would show the proposed development (as shown in figure SP1 provided at the end of the EIS report) will result in a land use change from CUP3-3, CUW1 and CUM1-1 to residential land use.	<ul style="list-style-type: none"> ○ See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021
50.	Section 6.2.2 states" ... development of the subject property will have limited impact on the existing adjacent land uses." The EIS should provide a complete assessment of environmental impacts, including details of the "limited impact' and mitigation and monitoring measures that may be taken to reduce impacts.	<ul style="list-style-type: none"> ○ See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021
51.	Section 6.2.2 includes a discussion of passive recreation use within the valley corridor (presumably referring to areas both on and off the property). Environmental impacts associated with human use and pets are considered unavoidable and it is suggested there are no mitigation options. This is not an adequate assessment of environmental impacts within the valley corridor and the EIS should make an effort to discuss the wide range of mitigation options that could be recommended (buffers, fencing, restoration, removal of exotic species, trail systems, signage, access points, and public information/education handbook. for new residents, etc.).	<ul style="list-style-type: none"> ○ See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021

#	Comment	Response
52.	Section 6.4 indicates ground water investigations will be completed by future geotechnical investigations. The EIS can not be considered complete without review and incorporation of the results of ground water studies.	<ul style="list-style-type: none"> ○ See Source Water Protection report.
53.	Section 6.5 provides a poor assessment of environmental impact on vegetation. This section is poorly organized, including information that would more appropriately be included in other sections of the EIS including sections on existing conditions and the proposed mitigation strategy. This section would also benefit by providing a sub-section outlining the findings of the arborist's report	<ul style="list-style-type: none"> ○ See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021
54.	Section 6.5 has not assessed the impact of development on the vegetation communities CUP3-3 and CUM1-1.	<ul style="list-style-type: none"> ○ See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021
55.	Section 6.6 states "There will be no impacts on existing wildlife populations ... ". Report section 4.5 documents wildlife present within the subject property suggesting the proposed development within areas of CUP3-3, CUW1 and CUM1-1 will in fact impact animal habitat that will result in an impact to some wildlife. The EIS should state what impact on wildlife is likely to occur as a result of the proposed development, this should include an assessment of direct impacts due to loss of habitat and potential indirect impacts on adjacent lands. The EIS should then make an assessment of the significance of the wildlife impact, recommend mitigation strategies where possible to confirm the proposed development conforms with all applicable policies.	<ul style="list-style-type: none"> ○ See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021
56.	Section 6.7 states "There will be no impact on the watercourse feature and associated fisheries ... ". Due to the fact storm water management was not reviewed and incorporated in the EIS it is not possible for the EIS to state there will be no impacts on the watercourse and associated fisheries. The EIS should consider the contribution of surface and ground water to the watercourse pre and post development to assess development impacts and recommend	<ul style="list-style-type: none"> ○ See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021
57.	Section 7 includes the reference Galvin et al. 2000 in the context of defining "specimen trees". It is unclear why a reference discussing Maryland's Forest Conservation Act would be used to determine an appropriate definition for specimen trees in southern Ontario. Maryland is located over 700 km to the south of Newmarket and represents a very different ecozone.	<ul style="list-style-type: none"> ○ See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021
58.	Section 7 should summarize the recommendations of the arborist's report.	<ul style="list-style-type: none"> ○ See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021

#	Comment	Response
59.	Section 7 states "LSRCA may require a setback from the staked top of bank to protect features and functions of the valley corridor". The EIS must define all areas that are to be protected from development; confirmation of LSRCA setbacks and the inclusion of setbacks (if required) on EIS report figures must be shown.	<ul style="list-style-type: none"> ○ See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021
60.	Section 7 states "Since there is little existing tree cover along the top of bank, canopy drip line will not likely be involved in the decision making process to delineate the development limit with the exception of several larger trees located near the top of bank in one location that have canopies that extend past the top of bank". The latter statement is ambiguous; report figure 2 shows trees are present where the top of bank intersects the vegetation communities CUP3-3; CUW1 and SWD3-4. The EIS must clearly define all areas that are to be protected from development, including where necessary the limits defined by canopy dripline. This information must then be included on EIS report figures ..	<ul style="list-style-type: none"> ○ See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021
61.	Section 7 states "Proposed mitigation strategies associated with the potential impacts of the development upon ground water function (infiltration) and the potential impacts of storm water management facilities will be presented at the time of a more detailed design of the proposed development." The EIS must assess all impacts associated with development including impacts to surface and ground water and stormwater management facilities and provide appropriate mitigation strategies.	<ul style="list-style-type: none"> ○ See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021
62.	The EIS has not provided an environmental monitoring strategy to ensure compliance with the protection strategy and implementation of mitigation measures proposed.	<ul style="list-style-type: none"> ○ See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021
Peer Review of Additional 2008 Environmental Field Data Letter Report		
63.	The ecological communities where breeding bird studies were conducted is not provided. This information is important to permit an analysis of the impact of development.	<ul style="list-style-type: none"> ○ See new Environmental Impact Statement including a new Tree Compensation Plan by GeoProcess, April 2021