

COMMITTEE OF THE WHOLE SEPTEMBER 4, 2001

**DRAFT PLAN OF SUBDIVISION APPLICATION
ZONING BY-LAW AMENDMENT APPLICATION
REPORT P. 2000. 97
HEATHERWOOD PROPERTIES INC.
FILE: Z.00.088 & 19T-00V16**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment Application Z.00.088 (Heatherwood Properties Inc.) to implement the Draft Plan of Subdivision, BE APPROVED, subject to the following:
 - a) rezone the subject lands to RVM1(A), RV4, RV4(W.S), C3 and OS2 Zones;
 - b) provide for a minimum 10 m structural setback for Lots 1 to 20, where a yard abut an OS1 Zone; and,
 - c) to permit semi-detached units to be linked below grade only with 0.45 m setbacks from the common lot line above grade.
2. THAT Draft Plan of Subdivision 19T-00V16 (Heatherwood Properties Inc.) dated August 31, 2000, BE DRAFT APPROVED, subject to the conditions of draft approval included on Attachment No. 1.
3. THAT Council pass the following resolution with respect to the allocation of water and sewage servicing capacity:

"NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT Plan of Subdivision 19T-00V16 is allocated sewage capacity from the Phase 1 Servicing Scheme for Block 10, and water capacity from Pressure District No. 6 of the York Region Water Supply System."
4. THAT the subdivision agreement shall contain a provision that parkland shall be dedicated, and/or cash-in-lieu paid, within the plan at the rates stipulated in OPA #600 and conform to the approved "Cash-In-Lieu of Parkland Policy".

Purpose

On September 5, 2000, the Owner submitted applications to amend the Zoning By-law and for Draft Plan of Subdivision, to permit a residential subdivision. The proposed draft plan consists of 183 units (28 detached, 96 semi-detached and 59 on-street townhouse units), a 0.893 ha neighbourhood park and a 0.244 ha convenience commercial block. The commercial block was subject to site specific Official Plan and Zoning By-law Applications OP.99.037 and Z.99.086, which were approved by Council on April 17, 2001, to permit a gas bar and car wash uses.

In October 2000, the Owner submitted a zoning amendment application to permit pairs of semi-detached dwellings to be linked only below-ground, and each unit separated above-ground by a minimum 0.45m setback from the common property line, and a minimum 1.2m setback on the opposite side. The application also requested a maximum building height of 9.5m with a provision for a loft in the roof, subject to the main building elevation facing a street being restricted to a maximum of 2-storeys. These exceptions were approved for the RV4(W.S) Zone lots in the Heatherwood Phase 1 Draft Approved Plan of Subdivision 19T-89118, and is being sought in the subject Phase 2 development.

Background - Analysis and Options

The subject lands are located on the south side of Rutherford Road, between Dufferin Street and Bathurst Street, in Lot 15, Concession 2, City of Vaughan. The vacant 8.168ha site has road frontage on Rutherford Road. The surrounding land uses are:

- North - Rutherford Road; vacant (A Agricultural Zone)
- South - vacant (zoned residential) and institutional use (Hesperus Fellowship)
- East - open space and institutional uses (Hesperus Fellowship)
- West - vacant (zoned residential)

On November 17, 2000, a notice of public hearing was circulated to all property owners within 120m of the subject lands. The recommendation of the Committee of the Whole at the Public Hearing on December 11, 2000, to receive the public hearing and forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on December 18, 2000.

Staff have received 8 letters from the Hesperus Community Fellowship, a non-profit housing provider for seniors. Hesperus is located directly south and east of the subject lands.

The primary concern for Hesperus is access to its lands. Currently, access is from Bathurst Street, through an easement over the Toronto Waldorf School's land via an internal private road network. Hesperus has expressed their intention to expand operations in the near future and are concerned that without their own street frontage, access to their parcel is affected. Hesperus has requested access to the internal Block 10 road pattern via the Heatherwood lands. Originally, access was requested from the end of the cul-de-sac, Street "BC", which has now been revised to Street "BF".

Official Plan

The subject lands are designated "Low Density Residential" and "Medium Density Residential/Commercial" by OPA #600, and subject to the Council-approved Block 10 Plan. The "Low Density Residential" designation permits a maximum density of 22 units/ha (uph). In Block 10, the average density across all "Low Density Residential" designations must be between 16 to 18 uph. The proposed density in this draft plan is approximately 18 uph.

The "Medium Density Residential/Commercial" designation permits densities between 17 and 40 uph. In Block 10, the average density across all "Medium Density Residential/Commercial" designations must be between 25 and 35 uph. The proposed density in this draft is 28.5 uph.

The proposed development conforms to the policies of the Official Plan.

Block 10 Plan

On July 12, 1999, Council approved the Block 10 Plan, for the 385 ha within this concession block.

The proposed subdivision layout as shown on Attachment #4, is consistent with the layout and land uses in the approved Block 10 Plan.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88. On August 25, 1997, Council enacted By-law 243-97, which created new zones and comprehensive zoning standards applicable to all OPA #600 urban expansion areas to be incorporated into By-law 1-88.

On November 22, 1999, the Ontario Municipal Board (OMB) approved By-law 390-99 (Exception 9(1063), as amended), which contains the zoning standards for the Block 10 draft approved plans of subdivision. A site-specific by-law will be required to rezone the subject lands. The appropriate zone categories to facilitate the subdivision are:

- RVM1(A) Residential Urban Village Multiple Dwelling Zone One (Street Townhouse)
- RV4 Residential Urban Zone Four
- RV4(WS) Residential Urban Zone Four – Wide Shallow
- C3 Local Commercial Zone
- OS2 Open Space Park Zone

The RVM1(A) Zone permits street townhouse units with minimum 6m frontage. The RV4 Zone permits single or semi-detached dwellings on minimum 9.75m frontage lots for singles, and 7.5m frontage for semis. The RV4 Zone (wide shallow) permits detached dwellings with 12m frontages and semi-detached dwellings with 8.4m frontages, on wide-shallow lots.

On April 30, 2001, Council enacted By-law 161-2001 to permit pairs of semi-detached dwelling units to be linked below ground, and each unit separated above-ground by a minimum 0.45m setback to the common property line, with a minimum 1.2m setback on the opposite side, on lots zoned RV4(WS) Zone in Heatherwood's Phase 1 subdivision 19T-89118. The Owner is seeking this exception in the subject Phase 2 subdivision, which can be supported by Staff.

The Phase 1 by-law also permitted a maximum building height of 9.5m, with a provision for a loft within the roof, subject to the front or main building elevation facing a street being restricted to a maximum of 2-storeys, for lots in the RV4(WS) Zone. The Owner is also seeking this exception, which can be supported by Staff.

Developer's Group Agreement

The participating landowners in the Block 10 Plan are to enter into a Developer's Group Agreement. The Agreement identifies the costs to be borne by each of the participating landowners within the Block Plan, which includes, but is not limited to, the provisions of parks, feeder roads, stormwater management ponds and municipal services. The agreement also provides for additional parties to become party to the agreement when they develop. The Owner is a party to this agreement.

Subdivision Design

The draft plan consists of a total of 176 residential units, including 26 detached units in the east portion of the plan, 54 on-street townhomes in the north portion of the plan and 96 semi-detached units in the balance of the plan. The plan proposes a convenience commercial block in the northwest corner of the plan that is to be combined with a convenience commercial block immediately to the west in Draft Approved Plan of Subdivision 19T-89118. The major portion of a Neighbourhood Park is included in the south portion of the plan, and is to be combined with a park block to the west to have frontage on Thornhill Woods Drive (Street B).

The draft plan is set out in a modified grid pattern that incorporates alternative standards for reduced road allowances. The internal streets have a right-of-way width of 17.5m, and 15m for single-loaded roads.

Access to adjacent Hesperus Lands

In consideration of the issues raised by the Hesperus Community regarding access, Staff is proposing that the current access along Street BF (Block 89) to the rear of the Toronto Waldorf School, be shifted north, to straddle the common property line between the Hesperus and Waldorf lands. The Block 10 Plan anticipates one access point along Street "BF" to the institutional property to the east, and by shifting the current access north, the intent of the Block 10 Plan is maintained.

This revised access location will allow both institutional uses a secondary access into the Block Plan, while still maintaining their main access via the Waldorf's private driveway system to Bathurst Street. The exact location of the access point will be confirmed by Staff, upon consultation with the Applicant and representatives from the Hesperus Community and the Waldorf Toronto School. A Condition of Draft Plan Approval has been included in Attachment #1, regarding this issue.

Servicing

The Engineering Department has reviewed the proposed applications and advise as follows:

"Engineering Servicing

The municipal services for these developments shall be in accordance with the approved M.E.S.P. and any subsequent plans or reports that are amended for Urban Village II (OPA 600).

Water System

The Block Plan is located within the service area of Pressure District # 6 of the York Water Supply System.

Currently, there are no watermains within the limits of the Block 10 subject lands. System modeling must be provided at the detailed design stage to confirm that the existing water system has sufficient capacity, pressure and meets the fire flow criteria for the Plan.

Water allocation is required for this plan.

Sanitary Servicing

The subject lands are part of the Block 10- Phase 1 lands. These lands will drain to the Richmond Hill system through Block 10 until the Bathurst trunk is extended north.

Sanitary sewage allocation is required for this plan.

Stormwater Management

The majority of the surface runoff from the Block drains to the East Don River. A small portion of the Block at the southwest corner drains to the West Don River via the New Westminster Creek.

The M.E.S.P. proposes that stormwater management for the Block be accomplished by providing a series of multi-functional stacked ponds to control quantity, to provide erosion control and water quality treatment. A detailed stormwater management report will be required at the detailed design stage of this development.

Roads

The proposed road network in the Block Plan is based on alternative road design standards. The horizontal and vertical road alignment of the streets in the plan shall conform to the City's standards and criteria and shall align in such a manner as to be compatible with the adjacent developments. Traffic-calming measures shall be incorporated into the plan to the satisfaction of the Engineering Department.

Environmental Noise Assessment

An environmental noise impact study shall be submitted to the City for review and approval. The preparation of the noise report shall include the ultimate traffic volumes associated with the surrounding road network.

Streetlighting

Streetlighting within the plan of subdivision will be required to meet City criteria on existing and proposed roads in the vicinity of the Block 10 planning area."

School Sites

The York Catholic District School Board and the York District School Board do not have any objections to draft approval of the subdivision, and neither requires a school site.

Parks and Open Space

The Urban Design Department advises they have no objection to the draft approval of this plan, subject to their conditions of draft approval being fulfilled, and that walkway block leading into Park Block 91 from "Street BF" shall be identified as a separate block and not part of dedicated parkland.

Environmental

The Cultural Services Division advises that as a condition of draft approval, a preliminary archaeology evaluation of the subject lands is to be undertaken, prior to final approval and prior to commencing any site grading.

The Toronto Region and Conservation Authority has no objections to the proposed draft plan, subject to conditions.

Region of York

The Region of York has no objections to the proposed draft plan, subject to conditions.

Urban Design and Architectural Guidelines

On September 25, 2000, Council approved the Architectural Design Guidelines for Block 10, which seeks to achieve a variety in streetscapes. To achieve this goal, alternative elevations are to be offered for each unit type, providing differences in details such as massing, rooflines, front entry treatment, fenestration, architectural detailing and building materials. Additionally, the same

elevation is not to comprise more than 30% of any streetscape block.

Prior to the issuance of a building permit for any development not requiring site plan approval, the individual site plans and building elevations must be approved by Watchorn Architect Inc., who is the design control architect for Block 10, to verify architectural conformity of the dwellings with the approved architectural design guidelines for the Block.

Conclusion

Staff have reviewed the proposed applications and have concluded that the proposed rezoning of the subject lands to permit a draft plan of subdivision comprising 26 detached, 96 semi-detached and 54 on-street townhouse units, is in accordance with OPA #600 and reflects the Block 10 Plan.

Should the Committee concur, Draft Plan of Subdivision 19T-00V116 can be draft approved, together with the approval of the zoning amendment application, by adopting the recommendation in this report.

Attachments

1. Conditions of Draft Approval
2. Location Map
3. Block 10 Plan (as of January 11, 2001)
4. Draft Plan of Subdivision 19T-00V116

Report prepared by:

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Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

/CM

ATTACHMENT NO. 1

STANDARD CONDITIONS OF DRAFT APPROVAL

DRAFT PLAN OF SUBDIVISION 19T-00V16 HEATHERWOOD PROPERTIES INC. {LOT 15, CONCESSION 2}, CITY OF VAUGHAN

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION 19T-00V16, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to the draft plan of subdivision, prepared by Bousefield, Dale-Harris, Cutler & Smith, dated August 31, 2000, as red-lined on September 4, 2001:
2. The lands within this Plan shall be appropriately zoned by a zoning by-law which has come into effect in accordance with the provisions of The Planning Act. In particular, the lands shall be rezoned to the RVM1(A), RV4, RV4(W.S), C3 and OS2 zone categories and Lots 1 to 20 inclusive shall be subject to a 10 m structural setback from the OS1 Zone.
3. The Owner shall pay any and all outstanding application fees to the Community Planning Department, in accordance with Tariff of Fees By-law 321-99.
4. Prior to final approval of any part of the Plan, the Owner shall submit a revised Block Plan, if required, to reflect any significant alterations caused from this draft plan approval, to the satisfaction of the City.
5. The Owner shall enter into a subdivision agreement with the City to satisfy all financial and other conditions, with regard to such matters as the City may consider necessary, including payment of development levies and the woodlot development charge, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
6. The Owner shall agree to create easements for maintenance purposes for all lots providing less than 1.2 m sideyards, or having roof encroachments, prior to transfer of land.
7. Prior to final approval, easements required for utility, drainage and construction purposes shall be created and granted to the appropriate authority(ies), free of all charge and encumbrances.
8. Prior to application for building permit, site plan approval is required under the City's Site Plan By-law, for draft approved Block 92.
9. The road allowances within this Plan shall be named to the satisfaction of the City, in consultation with the Regional Planning Department, and dedicated as public road allowances, free of all charge and encumbrances. Proposed street names shall be submitted by the Owner to enable the approved names to be included on the first engineering drawings.

10. The road allowances within the Plan shall be designed in accordance with the City's engineering standards and shall be dedicated to the City free of all charge and encumbrances. The streets, lots and blocks shall be designed to coincide with the development pattern on adjacent properties.
11. Any dead end or open side of a road allowance within the Plan shall be terminated in a 0.3m reserve, to be conveyed to the City free of all charge and encumbrances until required for a future road allowance or development of adjacent lands.
12. Final engineering design(s) may result in minor variations to the Plan (eg., in the configuration of road allowances and lotting, number of lots etc.), which may be revised to the satisfaction of the City.
13. The Owner shall agree that construction access shall be provided only in a location approved by the City and the appropriate authority.
14. Prior to final approval, the Owner shall submit a soils report, and the Owner shall agree to implement the recommendations of such report, as approved by the City.
15. The Owner shall agree to remove any driveways and buildings on site, which are not approved to be maintained as part of the plan, to the satisfaction of the City and the appropriate authority; any modification to off-site driveways required to accommodate this Plan shall co-ordinated and completed at the cost of the Owner.
16. The Owner shall agree that Blocks 87, 88, 89, 90 and 91 shall only be developed in conjunction with the adjacent lands; in the interim, such blocks will be subject to an "H" Holding Zone provision.
17. The Owner shall agree that all lots or blocks to be left vacant, shall be graded, seeded, maintained and signed to prohibit dumping and trespassing.
18. The Owner shall agree that no building permits will be applied for until the City is satisfied that adequate access, municipal water, sanitary and storm services are available.
19. The Owner shall agree that on lots with flankages on a collector or primary road, as identified by the Architectural Design Guidelines and the City, a front elevation featuring a main entrance or in some cases, an upgraded elevation, shall face the flankage. The flankage elevation for such lots shall be approved by the Control Architect and the Director of Urban Design, or alternatively the Director of Community Planning, prior to issuance of a building permit.
20.
 - a) Prior to the initiation of grading or stripping of topsoil and prior to final approval of this Plan, the Owner shall submit to the satisfaction of the City, environmental site assessment report(s) in accordance with the "Ministry of Environment and Energy's Guidelines for Use at Contaminated Sites in Ontario, June 1996", as amended, and shall reimburse the City for the cost of peer review of the reports.
 - b) Should site remediation be required to meet the applicable soil and ground water criteria set out in the above Guidelines, the Owner shall submit to the City prior to final approval, a copy of the Record of Site Condition acknowledged by a Provincial Officer of the Ministry of the Environment.

- c) The Owner shall provide a certificate by a qualified professional that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City, meet the applicable soil and ground water criteria noted above.
- 21.
- a) Prior to final approval and prior to any works commencing on the site, the Owner shall submit for approval by the City and the Toronto and Region Conservation Authority (TRCA), a detailed engineering report(s) that describes the storm drainage system for the proposed development, which shall include:
 - i) plans illustrating how this drainage system will be tied into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, the design capacity of the receiving system and how external flows will be accommodated;
 - ii) the location and description of all outlets and other facilities;
 - iii) stormwater management techniques which may be required to control minor and major flows;
 - iv) proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction;
 - v) overall grading plans for the subject lands;
 - vi) storm water management practices to be used to treat stormwater to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat.
 - b) The Owner shall agree to implement the recommendations set out in the aforementioned report(s) to the satisfaction of the City and TRCA, including red-line revisions, if necessary.
 - c) Prior to registration, the Owner shall carry out, or cause to be carried out, erosion protection works at the rear of Lots 6 to 8 inclusive.
22. The Owner shall agree:
- a) to obtain all necessary permits pursuant to Ontario Regulation 158 and the Lakes and Rivers Improvement Act;
 - b) to maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period; and
 - c) to provide a copy of the executed subdivision agreement to The Toronto and Region Conservation Authority.
23. Prior to final approval, the Owner shall pay the proportionate share of the cost of any external municipal services, temporary and/or permanent built or proposed, that have been designed and oversized by others to accommodate the subject plan.

24.
 - a) Prior to final approval of the Plan, the Owner shall satisfy all technical, financial and other requirements of Hydro Vaughan Distribution Inc., its successors and assigns, (herein Hydro Vaughan) regarding the design, installation, connection and/or expansion of electric distribution services, or any other related matters arising in connection with the Plan. The Owner shall enter into a development agreement with Hydro Vaughan which addresses the foregoing requirements on terms satisfactory to Vaughan Hydro.
 - b) The Owner is to design, purchase materials, and install a buried hydro distribution system within the confines of the Plan, and compatible with the existing and/or proposed systems, in surrounding Plans, all in accordance with the latest standards and specifications of Hydro Vaughan Distribution Inc and the City.
25. Prior to final approval, the Owner shall submit a noise and/or vibration study, prepared by a qualified consultant, and the Owner shall agree to implement the abatement measures recommended by the City-approved study.
26. Prior to final approval, access via Street "BF" to the Hesperus Fellowship Community and the Toronto Waldorf School lands shall be confirmed and finalized to the satisfaction of the City.
27. The Owner shall design, purchase materials and install a street lighting system within the Plan, which is compatible with the existing and/or proposed systems in surrounding plans, in accordance with City standards and specifications.
28. The Owner shall agree to erect fencing in the locations and of the types as shown on the approved construction drawing and as required by the City, in accordance with an Urban Design and Architectural Design Guidelines.
29. The Owner shall agree to pay the City at the time of registration of the Plan, payment at the rate of \$1,000.00 per residential unit, plus \$500.00 per future unit on each part lot, as per Schedule "I", in accordance with the Special Area Woodlot Development Charge By-law.
30. Prior to final approval, the Owner shall submit a tree assessment including an inventory of all existing trees, assessment of significant trees to be preserved, and proposed methods of tree preservation/or remedial planting; the Owner shall agree to undertake the measures identified in the City-approved assessment.
31. Prior to final approval, the Owner shall submit:
 - a) an Urban Design Guidelines Report which shall identify all the urban design objectives of the Urban Design guidelines document.
 - b) an urban design/streetscape master plan in accordance with the Urban Design Guidelines Report approved in conjunction with the Block Plan approval; the plan shall address, but not be limited to, the following issues:
 - internal landscaping on boulevards as it relates to the road rights-of-ways and the location of underground services, ie. typical road sections incorporating boulevard trees;

- co-ordination of the urban design/streetscape elements as they relate to all Plans within the Block 10 Block Plan, including entrance features and medians;
 - landscaping along Rutherford Road, including walls and fencing, typical cross-sections required to determine appropriate locations for buffer landscaping.
 - landscaping along the greenways and single loaded roads.
32. Prior to final approval, the Owner shall not remove any vegetation or topsoil or start any grading of the lands, without a fill permit issued by the City, and entering into a development agreement if necessary.
33. Prior to final approval, architectural guidelines shall be submitted for Council's approval; the Owner shall agree that:
- a) a control architect satisfactory to the City shall be retained at the cost of the Owner, to ensure that all development proceeds in compliance with the approved architectural design guidelines.
 - b) prior to the submission of individual building permit applications, the control architect shall have stamped and signed the drawings certifying compliance with the approved architectural guidelines.
 - c) City may undertake periodic reviews to ensure compliance with the architectural guidelines; should inadequate enforcement be evident, the City may cease to accept drawings stamped by the control architect and retain another control architect at the expense of the Owner.
34. a) Prior to final approval and prior to commencement of any works on any site identified as being archaeologically significant, the Owner shall carry out archaeological excavations of such sites to the satisfaction of the Ministry of Citizenship, Culture and Recreation (Archeological Unit) and the City; the Owner shall agree to take protective measures required by the City for such sites.
- b) Prior to the commencement of any archaeological field work, a copy of the contract information sheet which was submitted to the Ontario Heritage Foundation, shall have been forwarded to the City. Licensed consultants are urged to review the Archaeological Facility Master Plan Study housed in the City of Vaughan Archives, prior to commencing any fieldwork.
35. The Owner agrees to:
- a) provide the following for each community mailbox site, as shown on the appropriate servicing plans:
 - i) an appropriately sized sidewalk section (concrete pad), as per municipal and Canada Post standards, to support the mailboxes;
 - ii) any required walkway across the boulevard, as per municipal standards; and,
 - iii) any required curb depressions.

- b) provide a suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s).
 - c) provide a copy of the executed agreement to Canada Post.
36. The Owner shall cause the following warning clauses to be included in a schedule to all offers of purchase and sale, or lease for all lots/blocks:
- a) within the entire subdivision plan:
 - "Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the dwelling occupants."
 - "Purchasers and/or tenants are advised that the proposed finished lot and/or block grading may not meet City of Vaughan lot grading criteria in certain areas, to facilitate preservation of existing vegetation and to maintain existing adjacent topographical conditions."
 - "Purchasers and/or tenants are advised that traffic calming measures may have been incorporated into the road allowances."
 - "Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the City and a conceptual location Plan is included in the subdivision agreement. While every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete any boulevard tree without further notice."
 - "The City has not imposed a "tree fee", or any other fee which may be charged as a condition of purchase, for the planting of trees. Any "tree fee" paid by a purchaser for the boulevard trees within the Plan does not guarantee that a tree will be planted on the boulevard adjacent to their residential dwelling."
 - "Purchasers and/or tenants are advised that where Canadian National or Canadian-Pacific railway company(s), or its assigns or successors in interest, has a right-of-way within 300 metres from the subject lands, and there may be future alterations or expansions to the rail facilities or operations, which may affect the living environment of the residents in the vicinity, notwithstanding any noise and vibration attenuating measures included in the development and individual dwelling(s). CNR/CPR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way."
 - "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings."

- b) abutting any open space, woodlot or stormwater facility:
 - "Purchasers and/or tenants are advised that the adjacent open space, woodlot or stormwater management facility may be left in a naturally vegetated condition and receive minimal maintenance."
 - c) abutting a park block:
 - "Purchasers and/or tenants are advised that the lot abuts a "Neighbourhood Park", from which noise and lighting from designed uses of the park for active recreation, may be a concern."
 - d) along a potential transit route:
 - "Purchasers and/or tenants are advised that the following streets may be used as transit routes in the future."
37. The Owner shall cause the following to be displayed on the interior wall of the sales office, information approved by the City of Vaughan, prior to offering any units for sale, to be monitored periodically by the City. No building permit shall be issued for a sales office or model home, or a residential unit until such information is approved by the City of Vaughan.
- the block plan for the broader area, showing surrounding land uses, arterials/highways, railways and hydro lines etc.
 - the location of sidewalks, street utilities, community mailboxes, entrance features, fencing and noise attenuation features.
 - the location of parks, open space, stormwater management facilities and trails.
 - the location of institutional uses, including schools, places of worship, community facilities.
 - the location and type of commercial sites.
 - colour-coded residential for singles, semis, multiples, and apartment units.
 - the following notes in **BOLD CAPITAL TYPE** on the map:
 - "For further information, on proposed and existing land uses, please call or visit the City of Vaughan Community Planning Department, at 2141 Major Mackenzie Drive, (905)832-8565."
 - "For detailed grading and berming information, please call the developer's engineering consultant, (name) at _____".
 - "This map is based on information available as of (Date of Map), and may be revised or updated without notification to purchasers."

[In such circumstances, the Owner is responsible for updating the map and forwarding it to the City for verification.]

38. In the event that the Owner and the City agree that the Owner will develop the park block(s), the Owner shall agree that the design, securities and construction for the park(s) will be addressed through an amending agreement in accordance with the City's "Developer Build/Parks Development Policy, OPA #400 and future lands."
39. Prior to final approval, the Owner shall enter into a Developers Group Agreement with other participating landowners within Block 10 to the satisfaction of the City. The agreement shall have regard but not be limited to all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services within Block 10. This agreement shall also provide a provision for additional developers to participate within the Developers Group Agreement when they wish to develop their lands.

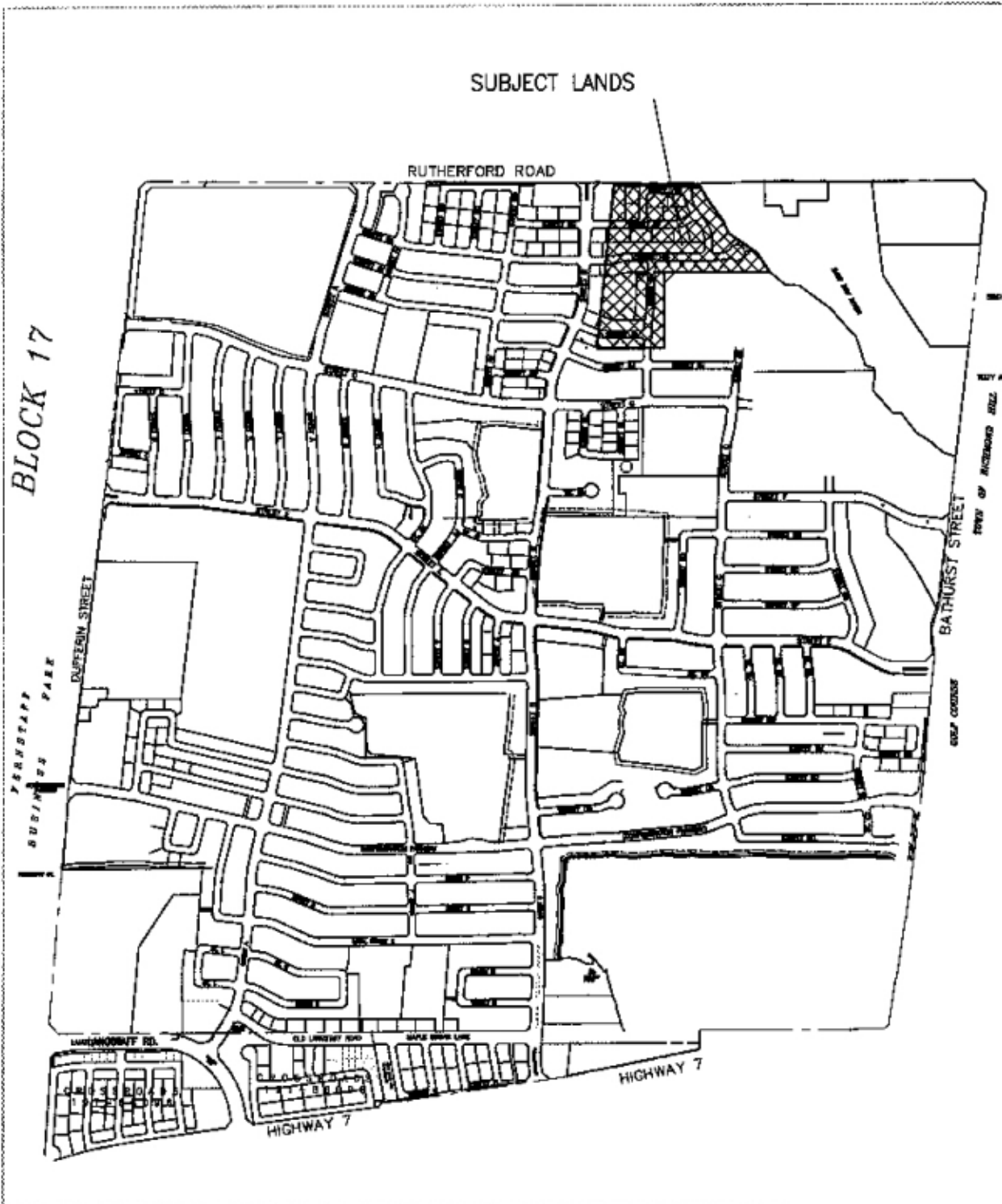
Region of York Conditions

40. The following lands shall be conveyed to the Region of York for public highway purposes, free of all costs and encumbrances, as shown on the red-lined draft plan:
 - a) a road widening and .3 m reserve across the entire length of the Rutherford Road frontage.
41. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Region of York Transportation and Works Department, to provide for the installation of headlight screening between Rutherford Road and Street "BC", consisting of either a screening fence or a combination of a berm and planting, 1.2 to 1.5 metres in height, to be located within the landscaping buffer block.
42. The Owner shall provide a set of engineering drawings for approval by the Region which indicates the subdivision storm drainage system, site grading and servicing, plan and profile for proposed intersections, construction access and mud mat design, utility location plans, pavement markings, intersection signalization and illumination design, traffic control/construction staging plans, and landscape plans.
43. The Owner shall agree:
 - a) that any noise attenuation required fences adjacent to Regional roads shall be constructed only on the private side of the 0.3 metre reserve, to a maximum of 2.5 metres in height, subject to the area municipality's concurrence.
 - b) that maintenance of the noise barriers and fences bordering on Regional right-of-ways shall not be the responsibility of the Region.
 - c) that any landscaping provided on the Regional right-of-way by the Owner or the area municipality, must be approved by the Region and maintained by the area municipality, with the exception of the usual grass maintenance.

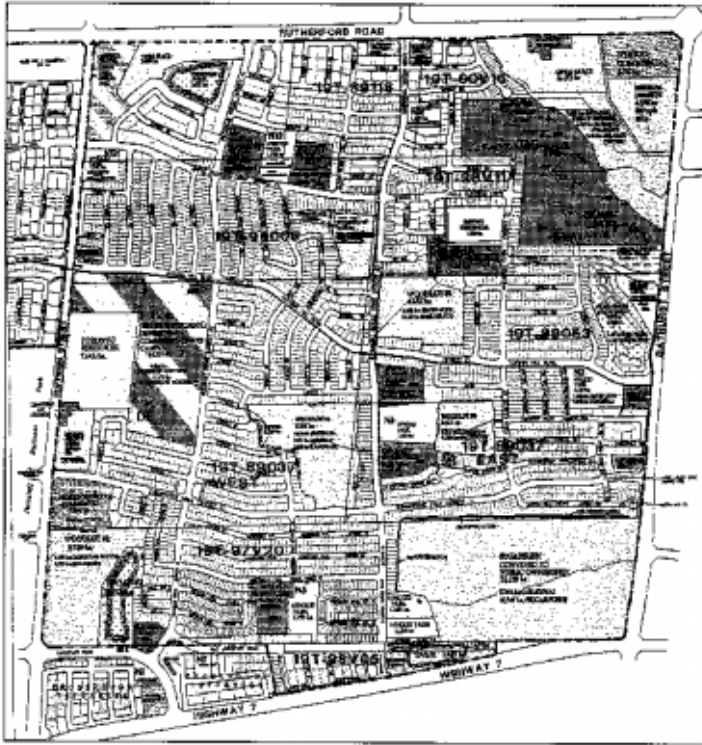
44. The Owner shall provide the following to the Region of York:
- a) a copy of the executed subdivision agreement; and
 - b) a Solicitor's Certificate of Title to the Region of York Corporate and Legal Services Department, to the satisfaction of the Regional Solicitor, at no cost to the Region, with respect to the conveyance of lands to The Regional Municipality of York.
45. The Owner shall enter into an agreement with the Region of York, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law DC-3-98-77.

Other Conditions

46. Final approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees provided that:
- a) phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services; and
 - b) all government agencies agree to registration by phases and provide clearances, as required in Conditions 1 to 45 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
47. The City shall advise that Conditions 1 to 39 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
48. The Regional York shall advise that Conditions 40 to 45 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.

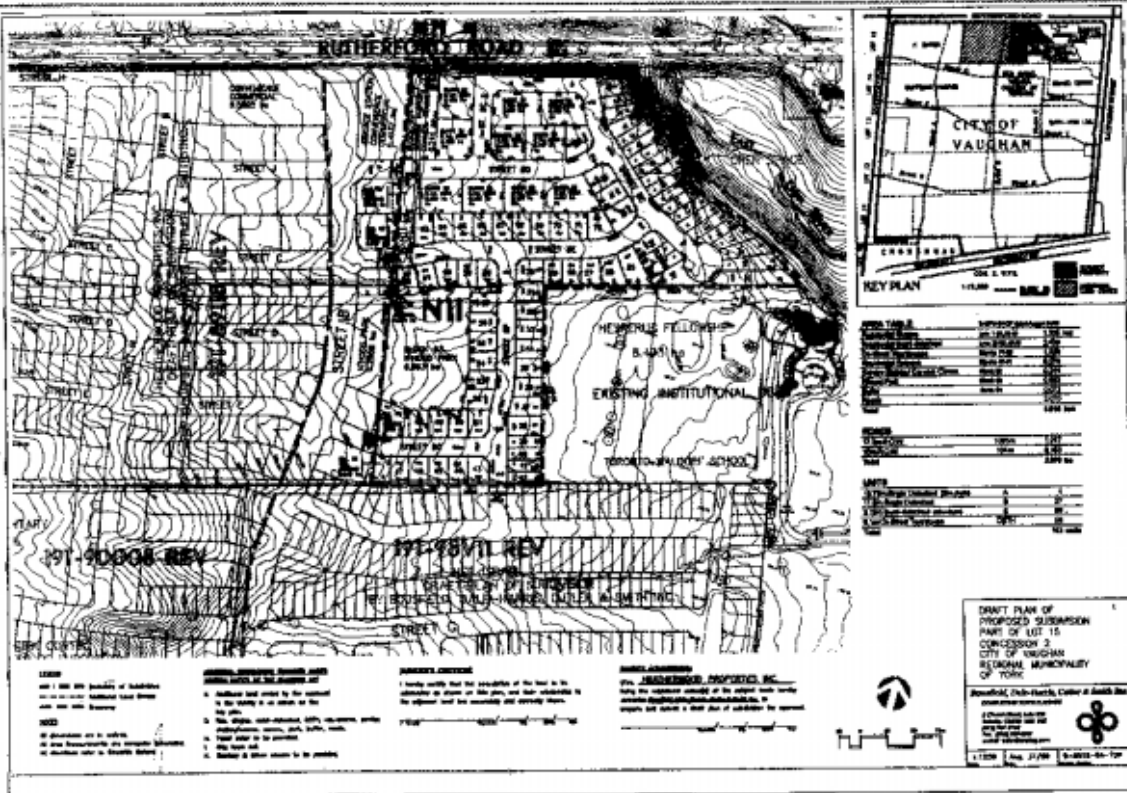


ATTACHMENT '2' LOCATION MAP	FILE #:	REPORT #:	DATE: 21/08/2001	 SUBJECT LANDS
	19T-00V16 3	LOCATION: PWT LOT 14,16 COND. 2	SCALE: NOT TO SCALE	
			CITY OF VAUGHAN PLANNING DEPARTMENT	



LEGEND	
[Symbol]	LOW DENSITY RESIDENTIAL
[Symbol]	MEDIUM DENSITY RESIDENTIAL
[Symbol]	COMMUNITY CENTER/RECREATION AREA / MISC USE
[Symbol]	COMMERCIAL/INDUSTRIAL
[Symbol]	PARKS
[Symbol]	UNDESIGNATED LANDS
[Symbol]	SCHOOLS
[Symbol]	RECREATION
[Symbol]	FORM WATER MANAGEMENT
[Symbol]	GREENWAY
[Symbol]	BIKEWAYS
[Symbol]	BLACK TOP DRIVEWAY

ATTACHMENT "3" BLOCK 10 PLAN	FILE #:	REPORT #:	DATE:
	19T-0016 Z.00.088	LOCATION: PART LOT 14,15 CONC. 2	21/08/2001 SCALE: NOT TO SCALE
CITY OF VAUGHAN PLANNING DEPARTMENT		APPLICANT: HEATHERWOOD PROPERTIES	



ITEM	DESCRIPTION	AREA (SQ. FT.)	AREA (SQ. YD.)
1	Lot 15	10,000	115
2	Lot 16	10,000	115
3	Lot 17	10,000	115
4	Lot 18	10,000	115
5	Lot 19	10,000	115
6	Lot 20	10,000	115
7	Lot 21	10,000	115
8	Lot 22	10,000	115
9	Lot 23	10,000	115
10	Lot 24	10,000	115
11	Lot 25	10,000	115
12	Lot 26	10,000	115
13	Lot 27	10,000	115
14	Lot 28	10,000	115
15	Lot 29	10,000	115
16	Lot 30	10,000	115
17	Lot 31	10,000	115
18	Lot 32	10,000	115
19	Lot 33	10,000	115
20	Lot 34	10,000	115
21	Lot 35	10,000	115
22	Lot 36	10,000	115
23	Lot 37	10,000	115
24	Lot 38	10,000	115
25	Lot 39	10,000	115
26	Lot 40	10,000	115
27	Lot 41	10,000	115
28	Lot 42	10,000	115
29	Lot 43	10,000	115
30	Lot 44	10,000	115
31	Lot 45	10,000	115
32	Lot 46	10,000	115
33	Lot 47	10,000	115
34	Lot 48	10,000	115
35	Lot 49	10,000	115
36	Lot 50	10,000	115
37	Lot 51	10,000	115
38	Lot 52	10,000	115
39	Lot 53	10,000	115
40	Lot 54	10,000	115
41	Lot 55	10,000	115
42	Lot 56	10,000	115
43	Lot 57	10,000	115
44	Lot 58	10,000	115
45	Lot 59	10,000	115
46	Lot 60	10,000	115
47	Lot 61	10,000	115
48	Lot 62	10,000	115
49	Lot 63	10,000	115
50	Lot 64	10,000	115
51	Lot 65	10,000	115
52	Lot 66	10,000	115
53	Lot 67	10,000	115
54	Lot 68	10,000	115
55	Lot 69	10,000	115
56	Lot 70	10,000	115
57	Lot 71	10,000	115
58	Lot 72	10,000	115
59	Lot 73	10,000	115
60	Lot 74	10,000	115
61	Lot 75	10,000	115
62	Lot 76	10,000	115
63	Lot 77	10,000	115
64	Lot 78	10,000	115
65	Lot 79	10,000	115
66	Lot 80	10,000	115
67	Lot 81	10,000	115
68	Lot 82	10,000	115
69	Lot 83	10,000	115
70	Lot 84	10,000	115
71	Lot 85	10,000	115
72	Lot 86	10,000	115
73	Lot 87	10,000	115
74	Lot 88	10,000	115
75	Lot 89	10,000	115
76	Lot 90	10,000	115
77	Lot 91	10,000	115
78	Lot 92	10,000	115
79	Lot 93	10,000	115
80	Lot 94	10,000	115
81	Lot 95	10,000	115
82	Lot 96	10,000	115
83	Lot 97	10,000	115
84	Lot 98	10,000	115
85	Lot 99	10,000	115
86	Lot 100	10,000	115

DRAFT PLAN OF PROPOSED SUBDIVISION PART OF LOT 15 CONCESSION 2 CITY OF VAUGHAN REGIONAL MUNICIPALITY OF YORK

Heatherwood Properties, Ontario & South West
 4700 Sheppard Avenue East, Suite 100
 Scarborough, Ontario M1S 1T6
 Tel: (416) 291-1111
 Fax: (416) 291-1112

ATTACHMENT "4"
 DRAFT PLAN OF SUBDIVISION

FILE #:
 197-00V16
 Z.00.088

REPORT #:
 LOCATION:
 PART LOT 14,15 CONC. 2

CITY OF VAUGHAN
 PLANNING DEPARTMENT

DATE: 21/06/2001
 SCALE: NOT TO SCALE

APPLICANT:
 HEATHERWOOD PROPERTIES