

COMMITTEE OF THE WHOLE JUNE 17, 2002

ZONING BY-LAW AMENDMENT FILE Z.01.050
DRAFT PLAN OF SUBDIVISION FILE 19T-01V08
MAJORWEST DEVELOPMENT CORPORATION

Recommendation

The Commissioner of Planning recommends:

1. THAT Council provide direction to Staff with respect to attendance at the Ontario Municipal Board hearing in respect of an appeal of applications Z.01.050 and 19T-01V08 (Majorwest Development Corporation).
2. THAT the Ontario Municipal Board be advised that Council supports the approval of Draft Plan of Subdivision 19T-01V08 (Majorwest Development Corporation), and requests that should the Ontario Municipal Board approve said application, that the Board impose the conditions of draft approval, attached to this report as Attachment #1, and also:
 - i) that the Board withhold its order with respect to the approval of the draft plan of subdivision until the Board is notified that:
 - a) sanitary servicing capacity is available and has been allocated to this draft plan of subdivision by the City;
 - b) the applicable agreements regarding no pre-sale of lots has been entered into and registered on title for the subject lands; and
 - ii) that for the purposes of notice, 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."
3. THAT the Ontario Municipal Board be advised that Council supports the approval of Zoning By-law Amendment Application Z.01.050 (Majorwest Development Corporation), and requests that should the Ontario Municipal Board approve said application, that the Board impose the following condition:
 - i) that the lands be rezoned to the appropriate residential zones, subject to a "H" Holding Provision; the "H" shall not be lifted until sanitary servicing capacity is available and has been allocated to the subject lands by the City.

Purpose

On June 8, 2001, the Owner submitted applications to amend the Zoning By-law and a related draft plan of subdivision for 177 units consisting of 82 detached lots (minimum 9 m frontage) and 95 street townhouses (minimum 7.5 m frontage) on the 6.368 ha subject lands.

On November 6, 2001, the Owner submitted a revised draft plan for 150 units consisting of 97 detached lots (minimum 11.1 m frontage) and 53 street townhouses (minimum 7.5 m frontage).

Background - Analysis and Options

The subject lands are located on the east side of Weston Road, south of Major Mackenzie Drive, in Lot 20, Concession 5, City of Vaughan. The 6.368 ha property has approximately 300 m of frontage on Weston Road. The site is currently vacant. The surrounding land uses are:

- North - proposed commercial (A Agricultural Zone)
- South - detached residence, proposed residential subdivision 19T-02V01 (A Agricultural Zone)
- East - draft approved residential plan (RV4(WS) Residential Urban Village Four (Wide Shallow))
- West - Weston Road, future residential (A Agricultural Zone)

A Public Hearing has not been held for these applications as they were being held in abeyance pending the completion of the "Vellore Village District Centre" Study.

On April 25, 2002, the Owner appealed these applications to the Ontario Municipal Board on the basis of Council's failure to make a decision regarding the applications within 90 days of making application. A 4-day hearing is scheduled to commence on June 25, 2002.

Official Plan

The lands are designated "Medium Density Residential/Commercial" and "Low Density Residential" by OPA #600. The lands also abut one of the four quadrants at the intersection of Major Mackenzie Drive and Weston Road identified as "Vellore Village District Centre" in OPA #600. Section 4.2.1.5 (vii) District Centres: Vellore Village Centre & Patterson District Centre in OPA #600 states:

"Prior to the development of a District Centre, or any portion thereof, a tertiary plan in the form of an official plan amendment shall have been adopted by Council and approved. The minimum area required for the preparation of such an amendment shall be the lands designated District Centre within any Block Plan."

The subject lands are within a "District Centre Study Area" in the Block 32 West Plan, and therefore, subject to a tertiary plan for the District Centre. The tertiary plan has not been prepared or approved by Council, therefore, the proposed residential subdivision does not conform to the policies of the Official Plan.

Official Plan Amendment Application OP.01.006 (Majorwest Development Corporation) was submitted on February 8, 2001, to address the tertiary plan requirements of OPA #600. The purpose of this application is to satisfy the requirement for an official plan amendment for the District Centre lands, by including policies for; land use, urban design, vehicular circulation, pedestrian circulation and building massing and design. This application has also been appealed to the Ontario Municipal Board and is the subject of a separate report on this Committee of the Whole meeting agenda.

District Centres Study

The subject lands are located within the Vellore Woods Community (Block 32 West Plan), and identified as Study Area #1. This Study Area includes the commercial lands to the north of the proposed residential subdivision, under the same ownership. The lands within the Study Area are the subject of the "District Centres Study".

The City initiated the Vellore Village District Centre Study in the Spring of 2001, and has been working with affected landowners, agencies and residents towards the development of a proposal tertiary plan for the District Centre. The District Centre Study is expected to be completed by the Fall of 2002.

Waste Disposal Assessment Area

The subject lands are within a Waste Disposal Assessment Area, as it is within 500 m of a former waste disposal site, as identified by OPA #600. Under the City's "Contaminated or Potentially Contaminated Sites Policy", an Environmental Site Assessment Phase I must be completed and submitted to the City and peer reviewed prior to draft plan approval.

Standard conditions of draft approval have been included in Attachment #1 to ensure that the lands meet the required environmental guidelines prior to registration of the plan.

Developers Group Agreement

The participating landowners in the Block 32 West area have entered into a Developers Group Agreement. The agreement identifies the costs and obligations to be borne by each of the participating landowners within the block plan and includes, but not limited to, the provision of parks, feeder roads, stormwater management ponds and municipal services. Prior to final approval of the subdivision, the Owner must enter into the Block 32 West Developers' Group Agreement.

Zoning

The lands are zoned A Agricultural Zone by By-law 1-88 and an amendment is required to rezone the lands to the appropriate zone category to facilitate the residential subdivision. The application proposes that the street townhouses be zoned RVM1(WS-A) Residential Urban Village Multiple Zone One (Wide Shallow – A), and the detached residences be zoned RV4(WS) Residential Urban Village Zone Four (Wide Shallow). Staff considers the standards of these zones to be appropriate to implement the draft plan.

Draft Plan of Subdivision

The draft plan of subdivision consists of a total of 150 residential units, as follows:

	<u>Units</u>	<u>Area</u>
Detached (minimum 11.1 m frontage)	74 units	2.214 ha
Detached (minimum 12.5 m frontage)	11 units	0.347 ha
Detached (minimum 12.8 m frontage)	12 units	0.388 ha
Street Townhouses (minimum 7.5 m frontage)	53 units	1.158 ha
Buffer		0.108 ha
Road Widening		0.234 ha
Roads		1.919 ha
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TOTAL	150 units	6.368 ha

The development is based on 2 crescents off of Starling Boulevard. The townhouses front onto Street "3" at the north end of the property, with approximately half of them be backing onto a commercial site. Street "2" contains only detached dwellings. Street "1" will be part of Hawstone Boulevard, an entrance road into the neighbourhood from Weston Road.

Servicing

The Engineering Department has commented that the services must be in accordance with the approved Master Environmental Servicing Plan (M.E.S.P.) for Block 32 West. This plan of subdivision depends on municipal services to be constructed in the subdivision immediately to the east (19T-97V37 – Majorwest Development Corp.). An external easement is required to connect sanitary, storm and water services.

The lands are located within the service area of Pressure District No. 6 of the York Water Supply System. The M.E.S.P. report identifies a problem with residual pressures peak conditions. The subdivision agreement should require that the Owner provide securities in the form of a letter of credit to the City to install booster pumps in each unit, if required, until such time that the recommended network improvements to the system are completed.

The Engineering Department has advised that there is currently no servicing capacity for these lands. The Official Plan requires that servicing capacity be available for and allocated to the units within a plan of subdivision upon draft approval.

Roads

The Owner has proposed the use of Alternative Road Design Standards. The Engineering Department notes that the development requires 2 road accesses. External road allowances will be required to proceed with development of this plan.

Parkland

The Urban Design Department has provided calculations for the parkland dedication, based on 1 ha of parkland dedication for 300 units. The plan proposes 150 units, therefore a parkland dedication of 0.5 ha is required. The proposed plan of subdivision does not provide any parkland, and cash-in-lieu of the 0.5 ha parkland dedication is required.

The Urban Design Department also requests that the buffer block (Block 106) along Weston Road be widened to 6 metres along both Streets "2" and "3". This is to accommodate a pedestrian-oriented community edge streetscape treatment that encourages safe pedestrian activity and movement along Weston Road from the Vellore District Centre into the Vellore Woods Community. The conditions require that the block be widened, landscaped and dedicated to the City.

Conditions have been included requiring architectural control guidelines, urban design/streetscape master plan, a tree preservation study, and a warning clause regarding tree fees.

Region of York

The Region of York has no objections to the proposed development, subject to conditions which have been included in Attachment #1. The Region recommends that the City allocate sewer and water capacity at the time of draft approval.

Other Comments

The York Region District School Board and the York Catholic District School Board have no objections to these applications.

Staff of Cultural Services, Canada Post, Vaughan Hydro and the Toronto and Region Conservation Authority have no objection to the proposed development subject to conditions, which have been included in Attachment #1.

Conclusion

The Owner has appealed the zoning and draft plan applications to the Ontario Municipal Board and a hearing is scheduled to begin on June 25th. Conditions of draft approval have been provided for the Board's consideration, so that in the event the OMB approves the applications, the City's interests can be protected.

At the present time, servicing capacity is not available for the subject lands. The Official Plan requires that capacity shall be allocated to a plan of subdivision upon draft approval. Accordingly, conditions have been provided for the Board's consideration, requesting that an order approving the draft plan be withheld pending allocation of servicing capacity; that the Owners agree not to pre-sell lots within the plan; and, that an "H" Holding Zone be placed on the zoning of the property.

Should Council agree, the Recommendation can be adopted.

Attachments

1. Draft Conditions
2. Location Map
3. Draft Plan of Subdivision

Report prepared by:

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Respectfully submitted,

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ATTACHMENT NO. 1

CONDITIONS OF DRAFT APPROVAL

DRAFT PLAN OF SUBDIVISION 19T-01V08 MAJORWEST DEVELOPMENT CORPORATION LOT 20, CONCESSION 5, 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-01V08, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to the draft plan of subdivision, prepared by KLM Planning Partners Inc., drawing #01:03, dated October 29, 2001, as red-lined on June 17, 2002, to incorporate the following revisions:
 - a) Buffer Block 106 widened to 6 metres along Streets “2” and “3” to accommodate pedestrian-oriented streetscape treatment.
 - b) All sight triangles dimensioned.
 - c) All 0.3 m reserves shown.
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.
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.
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. The road allowances within this Plan shall be named to the satisfaction of the City, in consultation with the Regional Planning Department; proposed street names shall be submitted by the Owner for approval by Council and shall be included on the first engineering drawings.

9. 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.
10. 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.
11. 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 reflected in the final plan to the satisfaction of the City.
12. The Owner shall agree in the subdivision agreement that the engineering design(s) for alternative road design, traffic calming measures and designated transit route(s) may result in variation to the road and lotting pattern number of lots to the satisfaction of the City.
13. The pattern of streets and the layout of lots and blocks within this draft plan of subdivision shall be designed to correspond and coincide with the pattern and layout as approved for proposed plan of subdivision 19T-97V37 abutting this draft plan of subdivision to the east.
14. The Owner shall not apply for building permits and the City shall not issue building permits for Lots 9 to 62 inclusive, Blocks 1 to 8 inclusive and Lots 77 to 105 inclusive on the Plan until a minimum of two road accesses are available to service the proposed development to the satisfaction of the City.
15. Prior to final approval of the Plan, the City shall confirm that adequate water supply capacity and sewage treatment capacity are available and have been allocated.
16. The Owner shall agree that construction access shall be provided only in a location approved by the City and/or the appropriate authority.
17. 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.
18. The Owner shall agree to remove at his cost, any driveways and buildings on site, which are not approved by the City or the Region of York, to be maintained as part of the plan; any modification to off-site driveways required to accommodate this Plan shall be co-ordinated and completed at the cost of the Owner.
19. 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.
20. 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.
21. 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 and/or the Director of Community Planning, prior to issuance of a building permit.

22.
 - a) Prior to the City entering into a subdivision agreement with the Owner, the Owner shall enter into an approved Developers' Group Agreement for Block 32 West, to the satisfaction of the City, respecting, but not limited to, any cost sharing for the provision of roads and municipal services including the provision of a skeleton road and servicing network within Block 32 West.
 - b) Prior to final approval, the Trustee for Block 32 West Developers' Group shall provide the City with a letter indicating that the Owner has fulfilled all cost-sharing and other obligations of the Block 32 West Developers' Group Agreement.
23.
 - a) Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit 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.
 - d) Where lands are being conveyed to the municipality for parkland purposes, the Owner shall agree that prior to issuance of any building permits, the Owner shall submit a Phase 2 environmental site assessment report(s) addressing all park blocks in the plan, in accordance with the Ministry of Environment Guideline for Use at Contaminated Sites in Ontario (June 1996 as amended), to the satisfaction of the City. On-site sampling contained in the reports shall be conducted following completion and certification of the rough grading of the park block(s). Testing may include but not be limited to surface and subsurface soil, ground water, soil vapour, plant and aquatic species sampling and testing of building materials. The Owner shall reimburse the City for the cost of peer review of said report(s).
24. Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit an Erosion and Sedimentation Control Plan, including topsoil storage plan detailing the location, size, sideslopes, stabilization methods and time period, for approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either park or school blocks.

25. Prior to the initiation of grading or registration of this plan, or and phase thereof, the owner shall:
- a) obtain full Toronto and Region Conservation Authority approvals pursuant to Ontario Regulation 158 (The Fill, Construction and Alteration to Waterways Regulation) for the proposed watercourse enclosure, which shall be accompanied by the provision of detailed technical studies addressing servicing and drainage requirements and the appropriate compensation for environmental enhancement improvements both on and off-site, where applicable.
26. 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 which may require additional permit approvals pursuant to Ontario Regulation 158, the Authority's Fill Construction and Alteration to Waterways Regulation;
 - 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; and
 - 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. The draft plan of subdivision may be subject to red-line revision in order to implement the recommendations.
27. 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;
 - c) to carry out, or cause to be carried out, to the satisfaction of the TRCA the recommendations of all requirements referenced in Conditions #25 and #26; and,

- d) to provide a copy of the executed subdivision agreement to The Toronto and Region Conservation Authority.
28. 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.
29. a) Prior to final approval, 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; the Owner shall enter into a development agreement with Hydro Vaughan which addresses the foregoing requirements.
- b) The Owner shall agree to design, purchase materials, and install a buried hydro distribution system, 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.
30. Prior to final approval, the Owner shall submit a noise and/or vibration study, prepared by a qualified consultant for approval by both the City and the Region of York. The preparation of the noise report shall include the ultimate traffic volumes associated with the surrounding road network. The Owner shall agree in the subdivision agreement to implement the approved abatement measures.
31. Prior to final approval of the Plan, the Owner shall prepare a Traffic Management Plan that details the location of traffic signals, traffic calming, etc., that reflects the latest network to the satisfaction of the City.
32. Prior to commencement of construction within the Plan, the Owner shall submit a detailed hydrogeological impact study that identifies, if any, local wells that may be influenced by construction and, if necessary, outline a monitoring program to be undertaken before, during and after construction of the subdivision. The Owner shall agree in the subdivision agreement to reinstate a suitable potable water supply to any resident whose well is adversely impacted by development to the satisfaction of the City.
33. The Owner shall agree to design, purchase materials and install a street lighting system, compatible with the existing and/or proposed systems in surrounding plans, all in accordance with City standards and specifications.
34. 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.
35. 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.
36. 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. The Owner shall not remove trees, without written approval by the City.

37. Prior to final approval, the Owner shall submit:

- a) an urban design/streetscape master plan that includes the commercial block located north of this plan, along Weston Road and Major Mackenzie Drive. 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 the community edge treatment along Weston Road and the interconnection with the District Centre commercial block, including entrance features, bicycle/pedestrian trails, seating areas pedestrian scale lighting and medians;
 - landscaping of buffer Block 106 along Weston Road;
 - the appropriate continuous pedestrian linkage between the District Centre commercial block and the existing open space corridor trail that meanders through the Vellore Woods community;
 - the interface treatment between the District Centre commercial block and the rear lots of townhouse Blocks 1 to 4, inclusive.

38. 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 a development agreement, if necessary.

39. Prior to final approval, The Owner shall agree in the subdivision agreement that:

- a) prior to final approval, architectural guidelines shall have been prepared in accordance with Council Policy and approved by Council.
- b) all development shall proceed in accordance with the Council approved architectural design guidelines.
- c) 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.
- d) 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.

- e) 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.
40. The Owner shall convey buffer Block 106 to the City free of all costs and encumbrance for streetscape enhancement purposes furthermore, the Owner shall agree to provide high quality streetscape/landscape elements including, but not limited to, a pedestrian/bicycle trail, seating areas, high quality pedestrian scale lighting, fencing, decorative hard surface treatments and extensive planting to the satisfaction of the City.
41. 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.
42. The Owner agrees to:
- a) provide the following for each community mailbox site, as shown on the servicing plans:
 - i) a 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.
43. The owner shall be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any home sale.
44. The owner will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailbox and to indicate these locations on the appropriate servicing plans.
45. 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 are advised that the roads within the Plan may have been constructed using Alternative Development Standards. In April 1995, the Ministry of Housing and Municipal Affairs published the Alternative Development Standards as a guideline to municipalities. The Province of Ontario has been promoting the use of these guidelines, which provide for reduced pavement widths that are narrower than City Standards. Traffic calming measures have also been incorporated in the road design".
- "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.
- Purchasers and/or tenants are advised that 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 boulevard trees does not guarantee that a tree will be planted on the boulevard adjacent to their residential dwelling."
- "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."
- "Purchasers and/or tenants are advised that any roads ending in a dead end or cul-de-sac may be extended in the future to facilitate development of adjacent lands, without further notice."
- "Purchasers and/or tenants are advised that public transit routes have not been determined for the area within the Plan, however, Weston Road, Street "1" and Starling Boulevard may be subject to public transit bus traffic".

46. The following warning clause shall be included in all Offers of Purchase of Sale or Lease for Blocks 1 to 4 inclusive, Block 8 Unit A, Lots 9, 44, 45, 76, 77, and 105 within the Plan.

"Purchasers and/or tenants are advised that despite the inclusion of noise control features in this development area and within the dwelling unit, the noise levels from increasing traffic or future commercial development along Major Mackenzie Drive may be of

concern, occasionally interfering with some activities of the occupants. This dwelling has, therefore, been equipped with forced air heating and ducting etc., as well as central air conditioning which allow windows to be kept closed, thereby achieving indoor sound levels within the limits recommended by the Ministry of the Environment and in compliance with the City's noise policy".

47. The following warning clause shall be included in all Offers of Purchase of Sale or Lease for Block 8 Unit B, C, D & E, Lots 10, 41 to 43 inclusive, 46 to 48 inclusive, 74, 75, 78, 79 and 99 to 104 inclusive within the Plan.

"Purchasers and/or tenants are advised that despite the inclusion of noise control features in this development area, the noise levels from increasing traffic or future commercial development along Major Mackenzie Drive may be of concern, occasionally interfering with some activities of the occupants. This dwelling unit has been fitted with ducting sized to accommodate a central air conditioning unit. The installation of the central air conditioning by the homeowner will allow windows and exterior doors to be kept closed, thereby achieving indoor noise levels within the limits recommended by the Ministry of Environment."

48. The dwelling units on the lots referred to in Condition #46 shall be designed and constructed with a forced air heating system, which includes central air conditioning. The air-cooled condenser unit shall have a maximum ARI rating of 7.6 bels or shall emit noise not exceeding 61dBA at a distance of 4.57 metres or at the nearest point on the closest property line, whichever distance is greater. No building permit shall be issued for a unit on any of said lots unless the building plans include central air conditioning.
49. 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, Highway 400 overpass, railways and hydro lines etc.
 - the location of street utilities, community mailboxes, entrance features, fencing and noise attenuation features, together with the sidewalk plan approved in conjunction with draft plan approval.
 - 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.]

50. Where the Owner proposes to proceed with the construction of a model home(s) prior to registration of the Plan, the Owner shall enter into an agreement with the City, setting out the conditions, and shall fulfill relevant conditions of that agreement prior to issuance of a building permit.
51. The Owner shall cause the following warning clause to be included in a schedule to all offers of purchase and sale, or lease for all lots/blocks:

"Purchasers and/or tenants are advised that Official Plan Amendment #600 provides for the extension of Ashbury Road to the south as a primary road overpass, without interchange, connecting Weston Road to Jane Street."

Region of York Conditions

52. Where final approval of this draft plan of subdivision, or any phase thereof, has not been given within three years after the original date of draft plan approval, the Region of York shall confirm that adequate water supply and sewage treatment capacity continues to be available prior to final approval of any remaining portion of the plan, and continued capacity availability may require infrastructure additions or improvements.
53. The Owner shall engage the services of a consultant to prepare and submit for review and approval, a functional transportation report/plan to the satisfaction of the Regional Transportation and Works Department, outlining the required Regional road improvements for this subdivision. The report/plan shall explain all transportation issues and shall recommend mitigation measures for these issues.
54. The Owner shall agree in the subdivision agreement to implement the recommendations of the functional transportation report/plan.
55. The Owner shall provide a set of engineering drawings, as approved by the area municipality, which incorporate the recommendations of the functional transportation report/plan as approved by the Region of York Transportation and Works Department. Additionally, the engineering drawings shall include the subdivision storm drainage system, site grading and servicing, plan and profile for proposed roadwork, construction access and mud mat design, utility location plans, pavement markings, intersection signalization and illumination design, traffic control/construction staging plans and landscape plans.

56. Any street intersection with a Regional Road shall be designed and constructed to the satisfaction of the Region, including any interim or permanent intersection work such as turning lanes, profile adjustments, illumination and/or signalization as deemed necessary.
57. The following lands shall be conveyed to the Region of York for public highway purposes, free of all costs and encumbrances:
 - a) a widening across the full frontage of the site where it abuts Weston Road of sufficient width to provide a minimum 18.0 metres from the centreline of the construction of Weston Road;
 - b) a 15.0 metre by 15.0 metre daylighting triangle at the northeast corner of Weston Road and Street “1”; and,
 - c) a reserve, 0.3 metres in width, across the full frontage of the draft plan of subdivision where it abuts Weston Road, adjacent to the widening and daylighting triangle noted above.
58. Access to Block 1 and Lots 44, 45 and 105 shall be via the internal streets. Access to Weston Road shall not be permitted.
59. Any relocation or modification to neighbouring driveways required to accommodate the proposed Weston Road and Street “1” intersection shall be coordinated by the Owner and shall be carried out at no cost to the Region.
60. The Owner shall agree in the subdivision agreement, to provide for the installation of visual screening between Weston Road and Streets “2” and “3”, consisting of either a screening fence or a combination of a berm and planting, to a maximum height of 1.8 metres to be located entirely within the right-of-way of Streets “2” and “3”. The owner shall also submit to the Regional Transportation and Works department for review and approval, landscape plans showing the proposed planting for headlight screening purposes.
61. Where noise attenuation features will abut a regional right-of-way, the owner shall agree in the subdivision agreement, in wording satisfactory to the Region of York Transportation and Works Department, as follows:
 - a) that no part of any noise attenuation feature shall be constructed on or within the regional right-of-way;
 - b) that noise fences adjacent to regional roads may be constructed on the private side of the 0.3 metre reserve and may be a maximum of 2.5 metres in height, subject to the area municipality’s concurrence;
 - c) that maintenance of the noise barriers and fences bordering on Regional right-of-ways shall not be the responsibility of the Region.
 - d) 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.

62. 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.
63. 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.

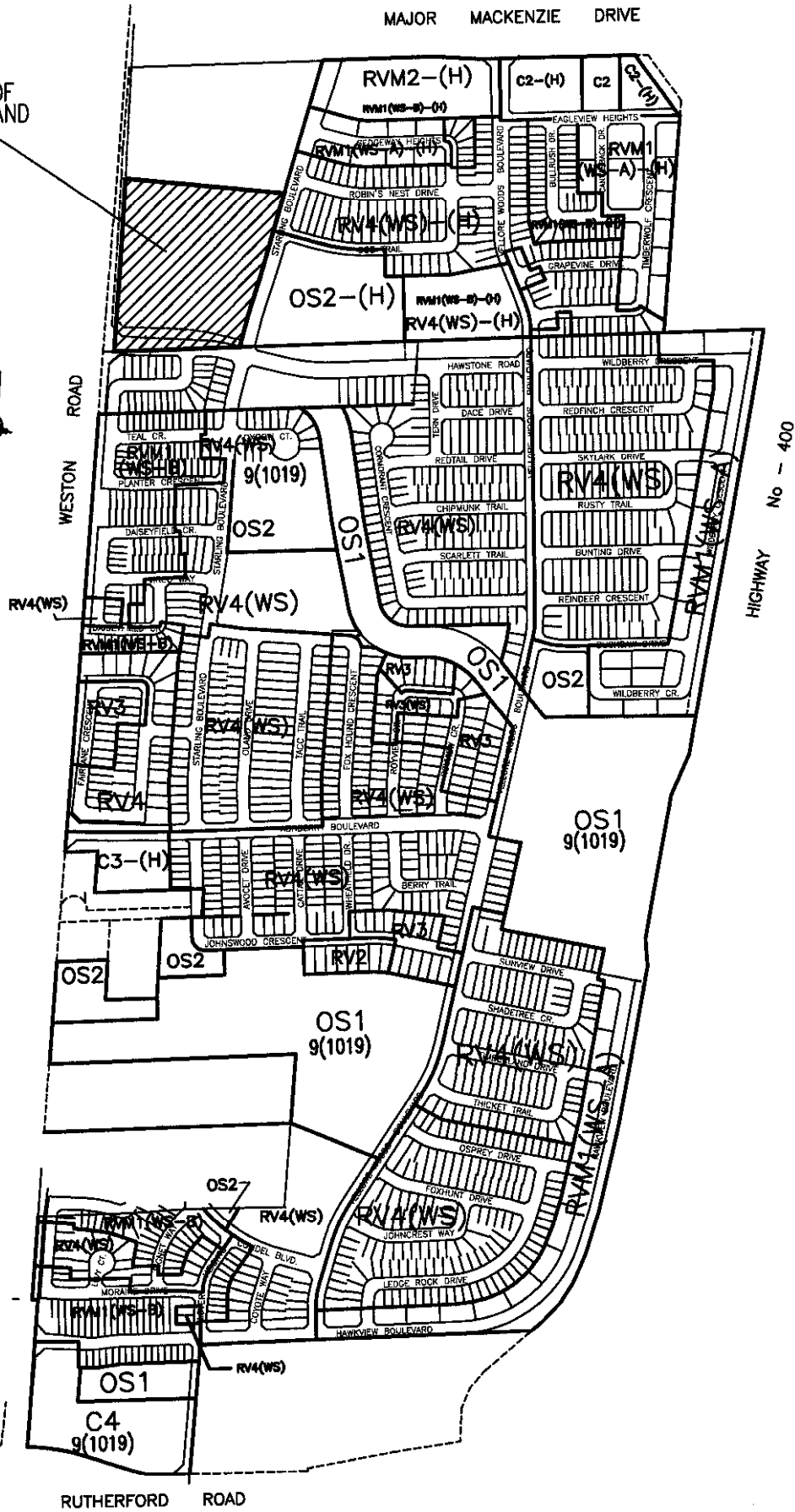
York Region School Boards

64. Prior to final approval, the City shall be advised by the School Board(s) that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the Owner and the School Board(s).

Other Conditions


65. 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 64 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
69. The City shall advise that Conditions 1 to 51 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
70. The Regional York shall advise that Conditions 52 to 63 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
71. York Region School Board shall advise that Condition 64 has been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.

LOCATION OF SUBJECT LAND



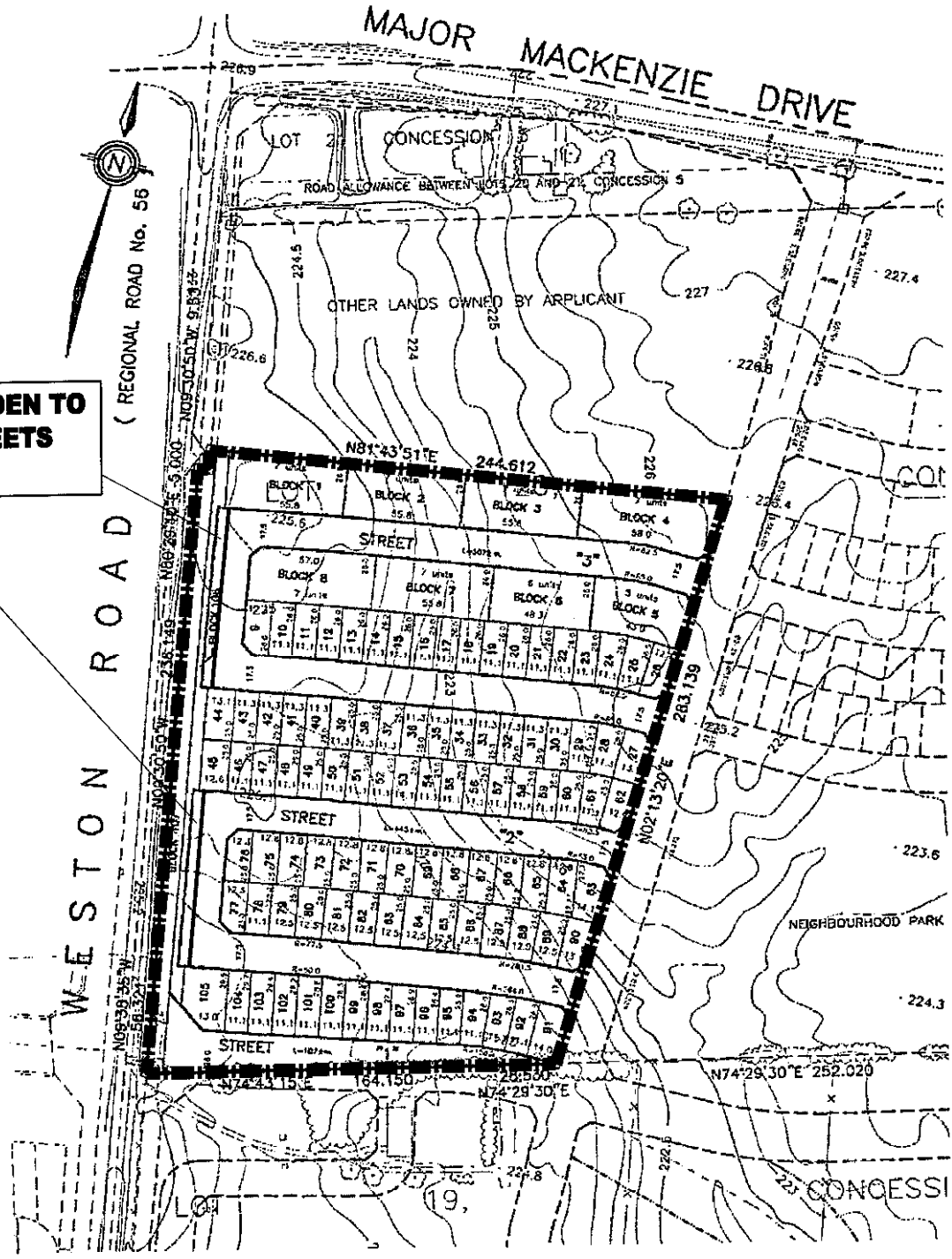
ATTACHMENT '2'
LOCATION MAP

FILE #:	REPORT #:
Z.01.050	LOCATION: LOT 20, CONC. 5

 SUBJECT LANDS
CITY OF VAUGHAN
PLANNING DEPARTMENT


DATE: 13/08/2001
SCALE: NOT TO SCALE
APPLICANT: MAJORWEST DEVELOPMENT CORP.

BLOCK 106 - WIDEN TO 6m ALONG STREETS '2' AND '3'



**A) ALL SITE TRIANGLES MUST BE DIMENSIONED
B) ALL 0.3m RESERVES MUST BE SHOWN**

RED-LINED JUNE 17, 2002

ATTACHMENT '3' DRAFT PLAN	FILE #:	REPORT #:	 SUBJECT LANDS	DATE: 06/11/2001
	Z.01.050	LOCATION: LOT 20, CONC. 5		CITY OF VAUGHAN PLANNING DEPARTMENT