

COMMITTEE OF THE WHOLE JUNE 16, 2003

**ZONING BY-LAW AMENDMENT FILE Z.02.071
DRAFT PLAN OF SUBDIVISION FILE 19T-02V07
DREAMWORKS PROPERTY INC.
REPORT # P.2002.69**

Recommendation

The Commissioner of Planning recommends:

1. That Zoning By-law Amendment Application Z.02.071 (Dream Works Property Inc.) BE APPROVED, and that the implementing by-law:
 - a) rezone the lands to RVM1A(H), with any necessary zoning exceptions to implement the Draft Approved Plan of Subdivision;
 - b) require that prior to the removal of the Holding (H) Symbol, the requirements of OPA #332 shall be addressed to the satisfaction of Vaughan, including:
 - the submission of a demographic study;
 - urban design guidelines; and,
 - an environmental impact study.
2. That Draft Plan of Subdivision 19T-02V07 (Dream Works Property Inc.) prepared by Weston Consulting Group Inc., dated November 23, 2002, BE DRAFT APPROVED, subject to conditions contained in Attachment #1.
3. For the purpose of notice, the Subdivision Agreement shall contain a provision that parkland shall be dedicated, and/or cash-in-lieu be paid, within the plan at the rates stipulated in the approved "Cash-in-Lieu of Parkland Policy".
4. The Owner shall acknowledge in the subdivision agreement that the parkland dedication for this plan in the amount of 0.130 ha, will be included as a component of the total parkland required for within the adjacent owned lands referred to as Part 2, Plan 65R-15317 (File 19T-02V08).

Purpose

On September 17, 2002, the Owner submitted applications to amend the Zoning By-law to rezone the subject lands to the appropriate residential zone category to permit a proposed draft plan of subdivision on a 0.888 ha parcel. The draft plan contains six townhouse blocks comprised of 39 residential units.

Background - Analysis and Options

The 0.88 ha site is located southeast of Keele Street and Kirby Road, on the south side of Village Vista Way within Lot 29, Concession 3, City of Vaughan. The parcel is relatively flat, vacant and open grassed field.

The subject lands are designated "Special Residential Area" by OPA #332, and zoned RM2 (H) Multiple Residential Zone, with the "H" Holding Symbol by By-law 1-88, subject to Exception 9(947). The surrounding land uses are:

North - residential (RVM1(A) Residential Urban Village Multiple Dwelling Zone One)
South - Trans Canada Pipeline; vacant (RM2(H) Multiple Residential Zone, subject to Exception 9(946)
West - vacant (RM2(H) Multiple Residential Zone)
East - vacant (RM2(H) Multiple Residential Zone)

On September 20, 2002, a notice of public hearing was circulated to all property owners within 120m of the subject lands. No comments have been received to date.

Official Plan

The subject lands are designated "Special Residential Area" by OPA #332. This designation permits a self-contained adult lifestyle community, providing for a range of housing types and unit sizes, as well as a variety of on-site recreational, social and personal service facilities.

a) Development Form

The proposed subdivision plan represents an infill situation in the context of the residential development that has taken place on the north side of Village Vista Way. The draft plan of subdivision is considered to be a compatible and appropriate form of development and can be supported from a land use perspective.

b) Comprehensive Development Plan

The policies in OPA #332 provide for the development of the lands to occur in a comprehensive manner. On March 20, 2000, Council adopted a concept plan for the development of the subject lands. The proposed draft plan of subdivision is in accordance with the concept plan.

c) Study Requirements (OPA #332)

OPA #332 requires that a number of studies be submitted in support of development in the "Special Residential Area": The applicant has submitted the required Functional Servicing Report and a Phase 1 Environmental Report. The following additional studies are still required under OPA 332:

- i) Environmental Impact Study to address a number of issues including ground water resource management, wetland protection, landform conservation, etc.;
- ii) Urban Design Guidelines, supported by Architectural Control Guidelines to address the Design Criteria requirements of OPA 332; and,
- iii) A demographic/marketing study.

As the Owner is also the proponent of the draft plan immediately to the south, which also requires submission of the above material, it would be appropriate for each report to address all the lands in both plans. These requirements should be addressed prior to lifting the Holding Zone (H) on the subject property.

b) Density

OPA #332 establishes a maximum density of 12 units per net hectare in this designation, with bonusing policies designed to achieve an additional 8.5 units per net hectare. A net residential hectare means the lands used for residential development, public and private roads, and private recreational facilities. The plan contains a net residential land area of 0.888 ha, which would allow a maximum of 11 units (12 units x 0.888 ha). The proposed plan yields a density of 44 units/net residential hectare. Although OPA #332 does not include policies which contemplate the density being allocated over land beyond the boundaries of the plan, this plan can be viewed as a completion of the plan to the north, with lots being provided along the south side of an

existing street. Furthermore, as the plan consists of only a row of lots, with no roads or facility blocks to balance the density yield, it is a net/net situation which results in an artificially high density.

There are bonusing policies for the provision of public benefits in OPA #332, to allow a maximum additional density of 8.5 units per net hectare. The bonusing provisions are as follows:

- the conveyance of tableland woodlots, or other developable tableland, to a public authority for conservation purposes: density bonus is at a rate of 2 x the base density x the developable tableland;
- an executed agreement to rehabilitate or restore ecological function to publicly owned lands in or adjacent to the Special Residential designation, in accordance with a study and plan approved by the City and other pertinent authorities: density bonus is at a rate of 1 x the base density x the rehabilitated land;
- landscaped areas and features in excess of City standards in areas adjacent to Keele Street, Kirby Road and major open space areas: density bonus is up to 1 unit per net hectare of developable land;
- meeting rooms and recreational facilities which will be made available to the City of Vaughan for use by senior citizens: density bonus is up to 1 unit per net hectare of developable land;
- an allocation of units within the Special Residential area for use by the Vaughan Non-Profit Housing Corporation: density bonus is up to 1 unit per net hectare of developable land; and,
- an agreement to provide private transit services for the residents of the Special Residential area: density bonus is up to 1 unit per net ha of developable land.

At this time, the subject plan can be considered as part of the larger development for density purposes. When the subdivision to the south proceeds, the requirements of the bonus policies will need to be met at that time to achieve the density proposed in both plans. A condition of draft approval to that effect is included.

Zoning

The subject lands are zoned RM2(H) Multiple Residential, with a Holding Symbol, subject to Exception 9(947). The proposed street townhouse dwellings are not permitted under the current zoning of the property.

Staff recommends that the site be rezoned to RVM1(A) (Residential Urban Village Multiple Zone), with any appropriate exceptions to provide for the proposed development. This zoning is consistent with the RVM1(A) directly across Village Vista Way. The lands should also be zoned with the Holding Symbol (H), which will be lifted upon the applicant satisfying the study requirements of OPA #332.

TransCanada Pipelines has requested that a 10 metre setback be established from the pipeline right-of-way abutting to the south for all permanent structures and excavations, which will be included in the implementing zoning by-law.

Staff is satisfied that from a zoning perspective, the amendments required to implement the proposed plan of subdivision are appropriate and will result in development that is compatible with the surrounding land uses.

Subdivision Design

The draft plan consists of six townhouse blocks on the south side of Village Vista Way. A total of 34 units are proposed, with minimum lot frontages of 6 metres and depths ranging between 34.3m - 36m. The proposed lots sizes are consistent with lots developed on the north side of Village Vista Way and compatible with the lots currently shown in the draft plan of subdivision to the south.

Servicing

The Engineering Department has reviewed the proposed draft plan and provides the following comments:

Servicing

Draft Plan of Subdivision 19T-02V07 will be provided with municipal services from the abutting Maplewood Villages Subdivision (19T-99V05).

Based on recent land use changes in the Maplewood Villages Plan of Subdivision, in particular, the redesignation of a residential block to a future school site, there is sufficient servicing capacity available through the original allocation of capacity to the Maplewood Villages Plan (19T-99V05) to accommodate the 39 units in this adjacent development.

Roads

The proposed townhouse blocks front onto Village Vista Way, a roadway constructed in conjunction with the Maple Highlands (19T-99V05) Subdivision. Traffic calming measures have been incorporated into the Maple Highlands Subdivision.

Construction access to the subject land will be from Keele Street to the satisfaction of the Region of York and the City.

Environmental Site Analysis (ESA)

An ESA Phase 1 Report has been submitted and approved in support of the application.

Urban Design Department

The Urban Design Department has advised that parkland dedication is calculated as follows:

Calculation Based on 1 ha Per 300 Units

Total Number of Units	39 Units
Total Parkland at 1 ha per 300 units	
TOTAL PARKLAND DEDICATION	0.130 ha
PARKLAND PROVIDED IN PLAN	0.000 ha
TOTAL PARKLAND UNDERDEDICATION	0.130 ha

The applicant also owns the lands immediately south of the subject property, subject to draft plan of subdivision 19T-02V08, wherein the under-dedication of parkland will be provided in the future. The Urban Design Department has provided a clause to be included in the "Recommendation" respecting parkland dedication.

TransCanada Pipelines

TransCanada Pipelines has three high-pressure natural gas pipelines within an easement which abuts the subject property to the south. TransCanada Pipelines has advised that they have no objection to the draft plan provided that a 10 metre setback is established from their right-of-way for all permanent structures and excavations, and subject to several conditions of draft approval, which have been included in the Conditions.

Other Comments

Vaughan Hydro has advised that the developer will be required to design, purchase materials, and install a buried hydro distribution system and street lighting system within the confines of this subdivision, and compatible with the existing and/or proposed systems in the surrounding plans of subdivisions, all in accordance with Hydro Vaughan and City of Vaughan standards and specifications, latest revisions.

The Toronto and Region Conservation Authority has advised that they have no objection to the proposed plan of subdivision.

Conclusion

Staff has reviewed the proposed draft plan of subdivision and zoning by-law amendment to implement a residential subdivision comprised of 39 street townhouse units. Staff is satisfied that the proposed development is compatible with and mirrors the existing development on the north side of Village Vista Way.

The appropriate zoning for the lands would be RVM1(A) (H) Zone, with the holding provisions to be lifted upon completion of the studies required under OPA #332. A TransCanada pipeline easement is located immediately south of the subject property, which separates the subdivision from the residential subdivision lands to the south. A 10 metre structural setback from the Pipeline easement is required. Subject to the comments and conditions in this report, Staff supports the infill development from a land use and development form perspective.

Should Council concur, the Recommendation can be adopted along with the conditions of draft approval provided on Attachment #1.

Attachments

1. Conditions of Draft Approval
2. Location Map
3. Proposed Draft Plan of subdivision

Report prepared by:

Marco Ramunno, Manager of Development Planning, ext. 8485

Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

ATTACHMENT NO. 1

STANDARD CONDITIONS OF DRAFT APPROVAL

DRAFT PLAN OF SUBDIVISION 19T-02V07 DREAM WORKS PROPERTY INC. PAR OF LOT 29, CONCESSION 3, 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-02V07, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to the draft plan of subdivision, prepared by Weston Consulting Group Inc., drawing #A6.1, dated November 23, 2002.
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. Particular zoning categories to be applied are as follows:
 - a) RM1V(H) Residential Urban Village Multiple Zone, with any required zoning exceptions for the residential lots. The Holding Zone shall be lifted upon the submission and approval of the required studies to satisfy the requirements of OPA #332, respecting the following: an Environmental Impact Assessment; Urban Design Guidelines and the supporting Architectural Control Guidelines; and, a demographic/marketing study.
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 Owner shall agree to erect permanent 1.5 m high black vinyl chain link fencing satisfactory to TransCanada Pipelines along the private side of the limit of any lots or blocks that abut the Trans-Canada right-of-way.

9. 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.
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 reflected in the final plan to the satisfaction of the City.
13. The Owner shall agree that the location and design of the construction access shall be approved by the City and/or 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; any modification to off-site driveways required to accommodate this Plan shall be co-ordinated and completed at the cost of the Owner.
16. The Owner shall agree to address the bonusing provisions of OPA #332 for this plan in conjunction with the abutting Plan of Subdivision 19T-02V08 to the south to the satisfaction of the City.
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 and/or 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, 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).
 - e) Prior to final approval, the Owner shall submit, to the satisfaction of the City and the City's peer review consultant, a report documenting the proper decommissioning of existing fuel storage tanks at the site, to be verified with soil samples, and the adequate measures taken to remove all contaminated soil, should there be leakage in the fuel tanks.
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; 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.
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, 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.
25. 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.
26. 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.
27. 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.
28. 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.

29. 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.
30. Prior to final approval, the Owner shall submit an urban design/streetscape master plan which shall address, at minimum, the following:
 - 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 Blocks 1-6, including entrance features and medians.
31. 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.
32.
 - 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.
33. 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.
34. 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 property is located in proximity to the Avondale Composting Site, which may create noise, odours, dust and/or visual impact which may from time to time under certain atmospheric conditions be noticed by the occupants of the property."
- "Purchasers and/or tenants are advised that the lot abuts or is in close proximity to a TransCanada Pipeline right-of-way which contains a high pressure gas pipeline."
- "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 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."

- "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 all permanent structures, including fences and excavations shall be located at least 10 m from the limits of the TransCanada Pipeline."

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", and that noise and lighting should be expected from the designed active use of the park."

35. 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 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.]

36. 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.
37. Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit a topsoil storage plan detailing the location, size, side slopes, 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.
38. The Owner shall permit any telephone or telecommunications service provider to locate its plant in a common trench within the proposed Plan of Subdivision prior to release of the plan for registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its plant so as to permit connection to individual dwelling units within the subdivision as and when each dwelling unit is constructed.
39. 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).

Region of York Conditions

40. 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.
41. 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.
42. 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.
43. Prior to final approval, the Region of York shall confirm that contracts have been let for the required water supply and sanitary servicing facilities, where required, and that adequate water supply capacity and sewage treatment capacity are available and have been allocated by the City of Vaughan for this draft plan of subdivision or any phase thereof.

44. 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.
45. Where final approval of this draft plan of subdivision, or any phase thereof, has not been given within 3 years after the original date of draft 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.

Trans Canada Pipelines

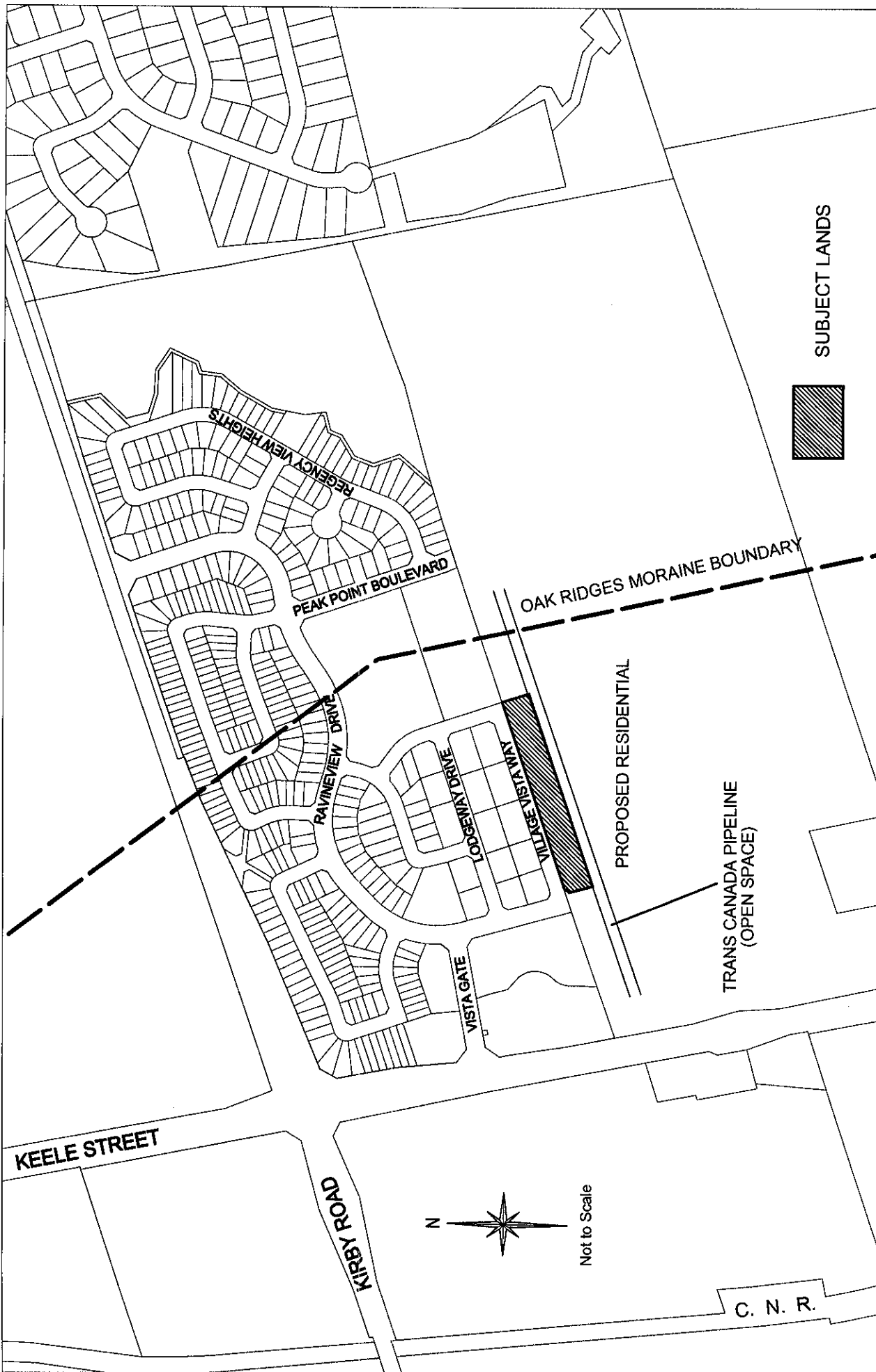
46. The conditions restrictions or covenants specified by TransCanada Pipelines Limited shall be registered against title in relation to the “Lands” and the plan by way of application to register conditions, restrictions or covenants, as applicable, pursuant to the Land Titles Act, or any amendments thereto.
47. All permanent structures and excavations (including swimming pools) must be located at least ten metres from the limits of TransCanada’s right-of-way.
48. All crossings of TransCanada’s right-of-way by roads, access ramps, trails or pathways, and above or below ground services and utilities must have TransCanada’s prior authorization. The crossing applicant will be required to sign a crossing agreement, which will be binding upon subsequent owners of the crossing. Furthermore, in accordance with the National Energy Board Act, an applicant is required to obtain crossing approval from the Right-Of-Way Department in Calgary before final registration of the subdivision and before the start of any work within the subdivision. The Owner agrees to meet all clearances and design requirements outlined in the crossing agreement and the NEB Pipeline Crossing Regulations.
49. Any grading that will affect drainage on TransCanada’s right-of-way, regardless of whether or not the grading is conducted on the right-of-way, must receive TransCanada’s prior written approval. Grading activities on the right-of-way will only be permitted when a TransCanada representative is present to inspect and supervise them.
50. Prior to any blasting being undertaken at the site, a report on the methods and charges to be used must be prepared, at the Owner’s expense, by a qualified blasting engineer and submitted for TransCanada’s written approval.
51. New development that is adjacent to or contains TransCanada’s right-of-way must be separated from the right-of-way by permanent fencing, of a type, location, and height acceptable to TransCanada and which will be maintained by the adjoining Owners. In this development, TransCanada will install markers to identify the location of its facilities and right-of-way. TransCanada Regional Office may approve alternate signage for the demarcation of the pipeline right-of-way.
52. Landscaping of TransCanada’s right-of-way must be approved in writing by TransCanada and done in accordance with TransCanada’s Planting Guidelines.

53. Vehicle barriers, of a design acceptable to TransCanada, shall be installed where public roads cross the right-of-way. The location of these barriers must be approved by TransCanada Pipelines.
54. Any roads or streets designed to run parallel to our right-of-way, must not have any portion of the road allowance limits located within the pipeline right-of-way.
55. Section 112 of the National Energy Board Act requires that anyone excavating with power-operated equipment or explosives within 30 metres of the pipeline must obtain leave from the National Energy Board (NEB) before starting the work. To satisfy this NEB requirement, you may send your request for leave directly to TransCanada Pipelines with supporting information explaining how the work will be carried out. Once you obtain written approval for the excavation request, you must notify TCPL at 1-800-827-5094 five business days before the start of any excavation using power-oriented equipment and seven business days before the use of explosives within 30 metres of the pipeline right-of-way limits.
56. The Owner shall not store any fill or building materials on the pipeline right-of-way unless written approval is obtained from TranCanada PipeLines.
57. During construction of the site, temporary fencing must be erected and maintained along the limits of the right-of-way by the owner(s) to prevent unauthorized access by heavy machinery. The fence erected must meet TransCanada's specifications concerning type, height and location. Please note that Section 112 of the Act states that "...no person shall operate a vehicle or mobile equipment across a pipeline unless leave is first obtained from the company...".
58. TransCanada's prior approval for all Site Plans for all permanent structures to be erected on any lands encumbered by or adjacent to TransCanada's right-of-way must be obtained.
59. The developer or Owner must invite TransCanada Pipelines to a pre-job meeting prior to any construction at this site. At this meeting, TransCanada must be given the opportunity to make a presentation to all job supervisors responsible for construction on this report. This presentation will be a maximum of 30 minutes in length.
60. The Owner shall ensure that all contractor(s) and sub-contractor(s) are fully aware of the and observe the foregoing conditions.
61. Three copies of any registered plan for this subdivision and a registered copy of the subdivision agreement must be sent to TransCanada's Land Department in Calgary.
62. TransCanada's Regional Office must be given five business days advance notice at 1-800-827-5094 before the commencement of any construction activities on the site.

Other Conditions

63. 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 62 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
- 64. 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.
- 65. 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.
- 66. The City, in consultation with TransCanada Pipelines shall advise that Conditions 46 to 62 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



Location Map

Lot 29,
Concession 3
APPLICANT:
DREAM WORKS PROPERTY INC.



Community Planning Department

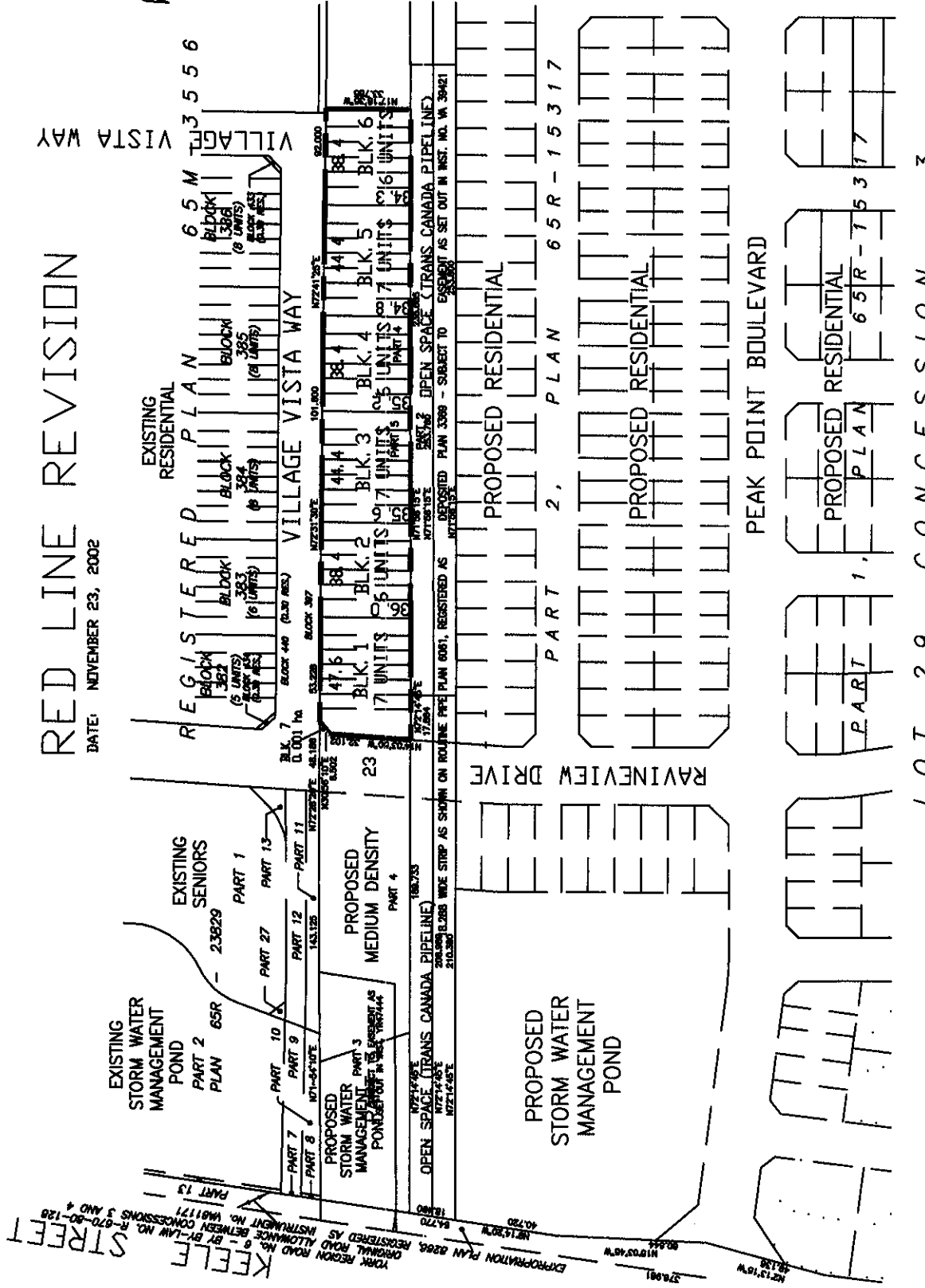
Attachment

2

FILE No.:
19T-02V07
RELATED FILE No.:
Z.02.071
December 18, 2002

RED LINE REVISION

DATE: NOVEMBER 23, 2002



Not to Scale

SUBJECT LANDS --- LOT 29 CONCESSION 3

Draft Plan of Subdivision

Lot 29,
Concession 3
APPLICANT:
DREAM WORKS PROPERTY INC.



Community Planning Department

Attachment 3

FILE No.:
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December 18, 2002