

COMMITTEE OF THE WHOLE MAY 3, 2004

**ZONING BY-LAW AMENDMENT FILE Z.02.052
DRAFT PLAN OF SUBDIVISION FILE 19T-02V02
NORTHDALe RIDGE DEVELOPMENTS LIMITED
REPORT #P. 2002.75**

Recommendation

The Commissioner of Planning recommends:

1. That Council deem that the Comprehensive Development Plan, in accordance with OPA 332, as amended, not be required for Zoning By-law Amendment File Z.02.052 and Draft Plan of Subdivision 19T-02V02 (Northdale Ridge Developments Limited).
2. That the proposed public benefits meet the permissible bonusing provisions set out in OPA 332, as amended, to achieve the 31 units, and therefore, Draft Plan of Subdivision 19T-02V02 (Northdale Ridge Developments Limited) may proceed in conformity with the density policies of the Official Plan.
3. That a by-law be enacted to authorize the Mayor and Clerk to execute an agreement pursuant to Section 37 of *The Planning Act* for the implementation of the bonusing provisions.
4. That Zoning By-law Amendment File Z.02.052 (Northdale Ridge Developments Limited) BE APPROVED, the implementing by-law shall, subject to the following:
 - i) provide the necessary zoning and exceptions to implement the Draft Approved Plan of Subdivision;
 - ii) place a "H" Holding Symbol on all residential zones, if not already on, permitting only the production of field crops or a use legally existing as of the date of enactment of the implementing by-law;
 - iii) rezone lands from R1-H Residential Zone with the "H" Holding Symbol to OS5 Open Space Environmental Protection Zone to incorporate the 10m buffer adjacent to the Life Science Area of Natural and Scientific Interest (ANSI) abutting the rear of Lots 29 to 31 inclusive; and,
 - iv) require that prior to the removal of the "H" Holding Symbol, the requirements of OPA 332 shall be addressed to the satisfaction of Vaughan, including the execution and registration of an agreement pursuant to Section 37 of *The Planning Act* for the implementation of the bonusing provisions.
5. That Draft Plan of Subdivision 19T-02V02 (Northdale Ridge Developments Limited) prepared by David B. Searles Surveying Ltd., dated June 4, 2002, and red-line revised on September 15, 2003, BE DRAFT APPROVED, subject to the conditions set out in Attachment No. 1 to this report.
6. That for the purposes of notice, the subdivision agreement shall contain a provision that parkland shall be dedicated, and/or cash-in-lieu paid for Draft Plan of Subdivision 19T-02V02 (Northdale Ridge Developments Limited) in accordance with the approved "Cash-in-Lieu of Parkland Policy". The Owner shall submit an approved appraisal prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

7. That the following resolution be passed allocating sewage and water capacity:

"NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT the proposed Draft Plan of Subdivision application 19T-02V02 is allocated sewage capacity from the Maple Service Area of the York/Durham Servicing Scheme and water supply capacity from Pressure District No. 9 of the York Water Supply System, for a total of 31 residential units following the execution of a subdivision agreement to the satisfaction of the City."

Purpose

On June 19, 2002, the Owner submitted applications for a zoning amendment to rezone the lands and a Draft Plan of Subdivision consisting of 31 detached lots with minimum frontages of 23m and areas of 1000m².

Background - Analysis and Options

Site Description

The 4.834ha parcel is located on the west side of Dufferin Street, between Kirby Road and Major Mackenzie Drive, in Lot 27, Concession 3, City of Vaughan. The vacant site consists of gently sloping lands with no significant vegetation. The northern two-thirds of the site's topography has been altered by past construction activities.

The lands are designated "Oak Ridges Moraine Settlement Area-Executive Residential" and "Oak Ridges Moraine Natural Core Area-Open Space" by OPA 332, as amended by OPA 535 (Maple Valley Plan) and OPA 604 (Oak Ridges Moraine Conformity). The lands are zoned R1-H Residential Zone with the "H" Holding Symbol, OS1 Open Space Conservation Zone, OS5 Open Space Environmental Protection Zone and ORM Oak Ridges Moraine Zone by By-law 1-88, subject to Exceptions 9(948) and 9(1107), and By-law 242-2003. The surrounding land uses are:

- North - residential, valley (R1 Residential Zone and OS5 Open Space Environmental Protection Zone)
- South - agricultural (A Agricultural Zone)
- West - valley, Avondale Composting Site (OS1 Open Space Conservation Zone)
- East - Dufferin Street, golf course (OS2 Open Space Park Zone)

Public Hearing

On November 15, 2002, a public hearing notice was circulated to all property owners within 120m of the subject lands. The December 9, 2002 Public Hearing recommendation of the Committee of the Whole, to receive the application and forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on December 16, 2002.

Staff has received correspondence dated August 13, and September 30, 2003, from Mr. Angelo Caranci of 11000 Dufferin Street, advising that there is a private agreement between the applicant and himself for the applicant to design site services for the Caranci property, occupied by a detached dwelling, to connect to municipal services (sanitary sewers, water and storm) when capacity is available. This will be discussed later in the report.

Northdale Investments Ltd./Caranci Lands

The northerly portion of the subject draft plan (Lots 1 to 9 and parts of Lots 10 to 17) were lands identified as Stormwater Pond Block 102 in previous Draft Plan 19T-95093 (Northdale Investments Limited), registered as 65M-3544. The Caranci lands to the south of Block 102, which included an abandoned sand and gravel extraction operation within the valley lands that

was not remediated, were subsequently acquired by Northdale Investments Limited. A permanent stormwater management pond for both subdivision plans was then approved within part of the abandoned extraction site, freeing up Block 102. The Block 102 lands are zoned R1-H Residential Zone with the “H” Holding Symbol and OS1 Open Space Conservation Zone by By-law 1-88, subject to Exception 9(948). These lands require rezoning to implement the residential proposal.

The southerly portion of the subdivision plan (former Caranci lands) are zoned R1-H Residential Zone with the “H” Holding Symbol for lots with 23m frontages and 1000m² lot areas. The “H” Holding Symbol was placed on these lands, pending draft approval of a plan of subdivision which conforms to the Official Plan policies. The design and development of these lands will have to address the Official Plan policies associated with and not limited to, topography, natural vegetation, wildlife habitat, hydrology, hydrogeology and density provisions.

Official Plan

i) Land Use Designation

The lands are designated “Oak Ridges Moraine Settlement Area-Executive Residential” and “Oak Ridges Moraine Natural Core Area-Open Space” by OPA 332, as amended by OPA 535 and OPA 604. The Official Plan requires that the lands shall be developed for detached dwelling units or other housing forms, which minimize impact on areas of environmental sensitivity. The proposed land use conforms to the Official Plan.

ii) Oak Ridges Moraine

The subject lands are located within the Oak Ridges Moraine and are designated “Settlement Area” and “Natural Core Area” by OPA 604. The lands are subject to Sections 3.4, 3.5, 3.6, 4 and 5 of OPA 604, and must conform with the *Oak Ridges Moraine Conservation Plan (ORMCP)*. The Owner has submitted the required supporting documentation to demonstrate conformity of the proposal to the *Oak Ridges Moraine Conservation Plan* in accordance with OPA 604. The conformity of the proposal to the Plan will be discussed in further detail later in this report.

iii) Density

The maximum base density permitted on the subject lands is 5 units/net residential hectare, which may be increased to 5.5 units/hectare, subject to certain bonusing provisions in the Official Plan. Density bonusing is linked to three factors, being the construction of Kirby Road, the dedication of tableland woodlots or other tableland to a public authority for conservation purposes, and the provision of parkland in a location and size satisfactory to the City.

The Official Plan defines net residential hectare as the lands used for residential development, public and private roads, and private recreational facilities. The subject lands have a total area of 4.834ha, which would permit a maximum of 24 units at the base density and up to 27 units when the bonusing factor is applied. The Owner proposes to develop subject lands with 31 units, thereby yielding a density of approximately 6.4 units per hectare.

This proposed plan of subdivision represents a continuation of Plan 19T-95093 (Phase 1) to the immediate north, which was developed by the same Owner. The subdivision to the north has been developed with 100 lots for detached units on 19.52ha (net developable land includes a 1.35ha park block). When the density is calculated over the two properties, the net developable land totals 24.35ha.

A base density of 5 units per net residential hectare over both parcels would provide a unit yield of 121 units. The application of maximum bonusing at 5.5 units per net residential hectare over both parcels would provide a unit yield of 134 units. Since the lands to the north are developed

with 100 units, a balance of 21 to 34 units is available for the subject lands. The combined unit yield of 100 units in Plan 19T-95093 and the proposed 31 units in this proposal provide a density of 5.3 units per net residential hectare.

Section 37 of *The Planning Act* provides for “the council of a local municipality to, in a by-law passed under Section 34, authorize increases in the height and density of development otherwise not permitted by the by-law, that will be permitted in return for the provision of such facilities, services or matters as set out in the by-law.” To effect this bonusing provision, the municipality and Owner may enter into an agreement, which may be registered against the subject lands. Where the facilities cannot be provided, the municipality has the authority to accept a cash equivalent.

Section 3.4.3.2(b)(i) to (iii) of the Official Plan allows for density bonusing in exchange for the public benefits. The Owner has satisfied or intends to satisfy the bonus provisions as follows:

Section 3.4.3.2(b)(i) The construction of Kirby Road to City standards from Dufferin Street to the westerly second access point.

The Owner contributed towards the construction of Kirby Road through the Cost Sharing Agreement (May 29, 2001) between the Owner and Maplewood Ravines Limited, owner of Plan of Subdivision 19T-94023, which is to the north of Plan 19T-95093 (Phase1).

Section 3.4.3.2(b)(ii) The dedication of tableland woodlots or other tableland to be conveyed to a public authority.

The Owner is conveying land to a public authority, to the rear of Lots 29 to 31 inclusive, which is to be rezoned to OS5 Open Space Environmental Protection Zone to incorporate the 10m buffer for the Life Science Area of Natural and Scientific Interest (ANSI) in compliance with the ORMCP.

Section 3.4.3.2(b)(iii) The provision of parkland in a location, size and road frontage in a manner satisfactory to the City

The Owner provided a 1.35ha park in Plan 19T-95093 (Phase 1) to the City and is to pay cash-in-lieu of parkland for the 0.242ha of underdedicated parkland.

As the proposal required the bonus density to allow 31 units, the Owner is required to enter into a bonusing agreement with the City detailing the financial contribution towards Kirby Road and dedication of parkland to the City as a condition of draft plan approval. Staff is satisfied that the proposal meets the intent of the density provisions of the Official Plan.

vi) Comprehensive Plan

The Official Plan requires that development occur in a comprehensive manner that is sensitive to the environmental conditions of the site, which includes that a development plan be approved for each development in the executive residential area. The comprehensive development plan is to include an environmental impact study, servicing report, land use plan, phasing plan and open space/park trail system report. The majority of the executive lands have been developed with the approval of plans of subdivisions to the north of the subject lands. The subject lands and lands to the south have limited developable area where the lot and road layouts are generally predetermined based on the approved lot and road pattern on adjacent lands, and conformity with the ORMCP.

Development issues that would have been addressed as part of the comprehensive development plan can be addressed in the subdivision plan process through such documents as the conformity report to comply with the Oak Ridges Moraine, and the Maple Valley Plan and landscape master plan. Accordingly, Council can adopt a resolution that the comprehensive development plan is not required.

Zoning

The lands are zoned R1-H Residential Zone with the “H” Holding Symbol, OS1 Open Space Conservation Zone, OS5 Open Space Environmental Protection Zone and ORM Oak Ridges Moraine Zone by By-law 1-88, subject to Exceptions 9(948) and 9(1107), and By-law 242-2003. The “H” Holding Symbol was placed on the lands to ensure that certain development issues such as servicing, stormwater management and transportation are addressed as part of the draft plan of subdivision process. These issues will be resolved through the various conditions of draft approval and the “H” Holding Symbol can be removed with a zoning amendment.

In accordance with *The Planning Act*, the density bonus provisions to allow for the units above the base density of 5 units/net residential hectare, are to be included in the zoning by-law.

The Block 102 lands, which are zoned R1-H Residential Zone with the “H” Holding Symbol and OS1 Open Space Conservation Zone by By-law 1-88, subject to Exception 9(948), will be rezoned to R1-H Residential Zone with the “H” Holding Symbol. Lands that are zoned R1-H Residential Zone with the “H” Holding Symbol to the rear of Lots 29 to 31 inclusive, are to be rezoned to OS5 Open Space Environmental Protection Zone to incorporate the 10m buffer for the Life Science Area of Natural and Scientific Interest (ANSI) in compliance with the ORMCP. There may be some exceptions required for lot area to comply with the ORMCP. The zoning provides for lot sizes that are compatible with the executive residential development to the immediate north. The zoning for the subject lands will be as follows:

- Minimum Lot Frontage - 23m
- Minimum Lot Area - 1000m²
- Maximum Lot Coverage - 28%
- Minimum Front Yard - 7.5m
- Minimum Rear Yard - 9.5m
- Minimum Interior Side Yard - 1.5m
- Minimum Exterior Side Yard - 4.5m
- Maximum Height - 9.5m

Subdivision Design

The proposal consists of 31 residential lots, with minimum frontages of 23m, areas of 1,000m², and depths ranging from approximately 45m to 74m. Access to the subject lands is provided via the southerly extension of Hunterwood Chase, with no direct access to Dufferin Street. A local 20m road is proposed to run easterly from the extension of Heatherwood Chase to terminate at the rear of a residential lot (Caranci) which separates the subject lands from Dufferin Street. The road pattern would enable future development of the adjacent residential block with the easterly extension of this local road.

Staff review has resulted in red-lined revisions to the plan. Lots 29 to 31 inclusive have been red-lined to reconfigure their dimension to address the ORMCP, details of which are discussed later in this report. These revisions may result in exceptions to the zoning standards for the lot areas to comply with the ORMCP. The rear of Lot 25 is irregular in shape and has been red-lined to create a more rectangular-shaped lot resulting in modifications to Lots 27 and 28. The termination of the southerly extension of Hunterwood Chase and the easterly extension of the proposed local road have been red-lined to add temporary turning circles. Subject to the

comments in this report, and the conditions of approval in Attachment No. 1, Staff is satisfied with the proposed subdivision design.

Oak Ridges Moraine Conservation Plan

The property is located on the Oak Ridges Moraine and therefore, is subject to the ORMCP, as well as Sections 3.4, 3.5, 3.6, 4 and 5 of OPA 604. The ORMCP designates a majority of the lands as "Settlement Area", which permits the proposed residential use. The lands are also immediately adjacent to the "Natural Core Area" designation and appear to contain lands within the "Landform Conservation Area - Category 2". Adjacent to the subject lands are the McGill Area Environmentally Significant Area (ESA), as adopted by the Toronto and Region Conservation Authority, which also includes the Maple Uplands and Kettle Wetlands Regionally Significant Life Science Area of Natural and Scientific Interest (ANSI), as identified by the Ministry of Natural Resources. The site is also in proximity to the Oak Ridges Moraine Maple Spur Regionally Significant Earth Science ANSI as identified by the Ministry of Natural Resources.

The ORMCP requires that studies be prepared to assess the proposal's compliance with the requirements of the ORMCP. The Owner has submitted two studies entitled, *Oak Ridges Moraine Conservation Plan Environmental Compliance Study* (January 2003, as amended), prepared by Dougan and Associates, Philips Engineering Ltd. and Terraprobe Testing Ltd., and *Section 30 ORMCP Landform Conservation* (dated July 2003), prepared by Terraprobe Testing Ltd. Staff has reviewed the studies and proposed plan in the context of the ORMCP and are satisfied that the applicable sections of the ORMCP have been addressed to the satisfaction of the City, subject to the boundaries of Lots 29 to 31 inclusive being adjusted to comply with the Plan and to protect the adjacent ORM Natural Core Area. Lots 29 to 31 inclusive on the draft plan have been red-lined to reflect this requirement.

The Owner is required to prepare a rehabilitation plan concerning portions of the Natural Core Area - Open Space system, which is to be approved by the City and the Toronto and Region Conservation Authority (TRCA). Accordingly, this requirement has been included as a condition of draft approval.

The Toronto and Region Conservation Authority (TRCA) has reviewed the proposed draft plan of subdivision and the supporting Oak Ridges Moraine Compliance/Environmental studies, and have no objection to the plan subject to red-lining to provide a buffer for the Natural Core Area to the rear of Lots 29 to 31 inclusive. The TRCA has also provided conditions of draft approval, which have been included.

Engineering Department

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

a) ESA

The *Environmental Site Assessment (ESA) Phase 1 and Limited Subsurface Investigation Reports* prepared for the subject lands have been completed, peer reviewed and accepted by the City. The peer review advises that these Reports meet the minimum requirements of CSA Standard Z768-94 and the Ministry of Environment *Guideline for Use at Contaminated Sites*. These Reports provided sufficient information to conclude that the subject lands are suitable for the intended residential use. As a condition of draft approval, a clause stating that the Owner is not aware of any soil, groundwater or sediment contamination on or within the subject lands, is included.

b) Roads

The proposal provides for the southerly extension of Hunterwood Chase and the east-west traversing Street "A" to have a 20m r-o-w. The use of alternative road design standards is not being proposed in this development. Traffic calming has not currently been considered for this area. Construction access will be detailed on the Construction Drawings and subject to the requirements of the subdivision agreement.

The Engineering Department has provided a red-lined drawing to include temporary turning circles at the ends of Hunterwood Chase and Street "A", and reconfigures Lots 25, 27 and 28 to achieve an improved lotting configuration.

c) Servicing Allocation

On September 8, 2003, Council considered a report from the Commissioner of Engineering and Public Works and the Director of Community Planning respecting a strategy for the allocation and reservation of servicing capacity, which included a recommendation to reserve allocation for 31 detached units for the subject lands.

The Engineering Department has advised that servicing allocation for this development has been confirmed by the Region of York and a condition of approval has been included in this respect.

d) Sanitary Servicing

In the interim, the subject site will be serviced through Plan 19T-95093. In order for several plans of subdivision in the City, including this proposal, to proceed in advance of the construction and operation of the Langstaff Trunk Sewer, modifications to the Flow Splitting Chamber in the Maple Collector sewer north of Langstaff Road, are required prior to final approval of any plan. Accordingly, a condition of draft approval has been included concerning the modifications to the Flow Splitting Chamber in the Maple Collector sewer. Ultimately, the site will drain to the Bathurst Collector when available.

e) Water Supply

The subject lands are located within service area Pressure District No. 8 of the York Water Supply System, but the lands will be serviced on an interim basis from Pressure District No. 9 of the York Water Supply System. The interim water supply will be from the 200mm diameter watermain on Hunterwood Chase, constructed in conjunction with Plan 19T-95093. When a Pressure District No. 8 watermain is available, the ultimate pressure district boundaries will be established. The Applicant will be required to provide the City with a detailed network analysis at the engineering design stage.

f) Storm Drainage

The subject site will be serviced through the Plan 19T-95093, with a connection to the existing storm sewer on Hunterwood Chase. The minor and major flows will be conveyed primarily through the proposed road allowance and ultimately drain into the stormwater management facility constructed in conjunction with Plan 19T-95093 and located in Part 1, 65R-23814 to the west.

Parkland

The Urban Design Department has provided the preliminary parkland dedication calculation, as follows:

Calculation Based On 5% Of Gross Land

Total Land Area Within Plan	4.834ha
Total Lands For 5% Dedication	4.834ha
Total Parkland Dedication	0.242ha
Parkland Provided In Plan	0.000ha
Total Parkland Under-dedication	0.242ha

The Owner has previously conveyed parkland in Plan 19T-95093 (Phase 1) to the north. This parkland dedication calculation demonstrates an under-dedication of 0.242ha generated by this block.

Archeological Assessment

The Cultural Services and Archives Section requires that prior to the final approval of any subdivision agreement and prior to the initiation of any grading of lands, an archaeological evaluation is to be undertaken in accordance with the Ministry of Citizenship, Culture and Recreation's approved Archaeological Assessment Technical Guidelines, for approval by the City and Ministry.

Agency Comments

The Region of York, Canada Post, Vaughan Hydro, the York Region School Boards and TRCA have advised that they have no objections, subject to their provided conditions of draft approval.

Relationship to Vaughan Vision 2007

Vaughan Vision 2007 provides policy direction to create a City that is competitive in the market place and that promotes a safe, livable and sustainable environment. Vaughan Vision 2007 Section 4.4 provides the policy to ensure City wide protection of the environment by implementing environmental policies in the Official Plan and Section 4.6 provides the policy to preserve and enhance the natural and built heritage environment by the preservation of significant natural areas. The lotting and road layout of the plan, and the provision of buffer lands adjacent to the Life Science ANSI, are consistent with Vaughan Vision 2007.

Conclusion

The Owner has proposed a rezoning and draft plan of subdivision consisting of 31 detached dwellings. The plan has been reviewed in the context of the Official Plan, the *Oak Ridges Moraine Conservation Plan*, and Vaughan Vision 2007. Certain lands in the plan are to be rezoned to OS5 Open Space Environmental Protection Zone to address the conformity requirements of the *Oak Ridges Moraine Conservation Plan*. Staff is satisfied that the plan complies with all applicable policies and is consistent with the overall development pattern in the area.

Some of the lands were previously zoned R1-H Residential Zone with the "H" Holding Symbol, and other lands are to be zoned R1-H Residential Zone with the "H" Holding Symbol, with exceptions to facilitate development of the subject lands. This zoning is consistent with the zoning in the executive residential area.

For these reasons, Staff recommends approval of the red-lined draft plan of subdivision, subject to the conditions of approval provided on Attachment No. 1. Also, it is recommended that a Comprehensive Development Plan not be required, and that a bonusing agreement between the Owner and the City be executed. Should Council concur, Zoning By-law Amendment File Z.02.052 and Draft Plan of Subdivision 19T-02V02 (Northdale Ridge Developments Limited) can be approved, subject to conditions, with the adoption of the recommendation of this report.

Attachments

1. Conditions of Draft Approval
2. Location Map
3. Draft Plan of Subdivision 19T-02V02 - Red-Lined

Report prepared by:

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Manager of Development Planning

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ATTACHMENT NO. 1

CONDITIONS OF DRAFT APPROVAL

DRAFT PLAN OF SUBDIVISION 19T-02V02 NORTHDALE RIDGE DEVELOPMENTS LIMITED PART OF LOT 27, 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-02V02, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by David B. Searles Surveying Ltd., drawing #61-1-02.DWG, dated June 4, 2002, as red-lined on September 15, 2003 to incorporate the following revisions:
 - a) reconfiguration of the rear lot lines of Lots 29 to 31 inclusive to provide a Natural Core Block to comply with the Oak Ridges Moraine Conservation Plan;
 - b) provision of temporary turning circles at the end of Hunterwood Chase and Street "A"; and,
 - c) reconfiguration of Lots 25, 27 and 28 to create an improved lotting pattern.
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 following zoning shall apply:
 - a) Lots 1 to 31 inclusive: R1 Residential Zone
 - b) Natural Core Block to the rear of Lots 29 to 31: OS5 Open Space Zone, prohibiting structural encroachment.
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. The Owner shall enter into and execute an agreement pursuant to Section 37 of The Planning Act for the implementation of the bonusing provisions for the draft plan of subdivision.
5. 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 the abutting Plan of Subdivision 19T-95093, to the north.
6. 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, and the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
7. The Owner shall agree to create easements for maintenance purposes for all lots providing less than 1.2m sideyards, or having roof encroachments, prior to transfer of land.
8. 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.

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. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions to the satisfaction of 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. Prior to commencement of construction within the Plan, the Owner shall submit a detailed hydrological 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.
17. Prior to final approval, the Owner shall address habitat enhancement for portions of the open space system, with a rehabilitation plan to be completed by the Owner to the satisfaction of the City and Toronto and Region Conservation Authority.
18. 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.
19. 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.
20. The Owner covenants and agrees that they are not aware of any soil, groundwater or sediment contamination that would interfere with the intended use on or within the lands to be conveyed to the City.
21. 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, and that any required improvements to the existing system to service this development have been completed to the satisfaction of the City.

22. Prior to final approval of the Plan, the modifications to the Flow Splitting Chamber in the Maple Collector sewer north of Langstaff Road must be in place to the satisfaction of the City and Region.
23. Prior to final approval, the Owner shall reimburse the City for the cost of the City's peer review of the environmental site assessment reports.
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, 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.
25.
 - 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/open space 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 such blocks in the Plan, in accordance with the "Ministry of Environment and Energy's Guidelines for Use at Contaminated Sites in Ontario", June 1996, as amended, to the satisfaction of the City. On-site sampling contained in the report(s) 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).
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;
 - 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) stormwater 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.
- c) The Draft Plan of Subdivision be subject to red-lined revision in order to meet these requirements, if necessary.
27. That the Owner prepare and submit a planting plan for the subject lands to the satisfaction of the City and the TRCA, to enhance the open space and stormwater management blocks.
28. 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 TRCA.
29. 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.
30. 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.
31. 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.
32. The Owner shall convey the following lands to the City or the TRCA, where appropriate, free of all charge and encumbrances:
- a) Natural Core Block to the rear of Lots 29-31 inclusive for open space purposes.

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 in the subdivision agreement to prepare a detailed edge management rehabilitation/enhancement plan for along the limits of open space, to the satisfaction of the City and TRCA.
36. The Owner shall agree in the subdivision agreement to implement the approved Streetscape/Landscape Master Plan and Open Space Master Plan prepared as a condition of final approval for the Plan of Subdivision 19T-95093 (Phase 1 lands, Plan 65M-3544).
37. Prior to final approval, the Owner shall prepare a tree assessment study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation. The Owner shall not remove trees, without written approval by the City.
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.
 - 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.
40. 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); and,
 - c) provide a copy of the executed agreement to Canada Post.
41. 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.”
- “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 the adjacent open space, woodlot or stormwater management facility may be left in a naturally vegetated condition and receive minimal maintenance.”
- “Purchasers and/or tenants are advised that public transit routes have not been determined for the area within the Plan, however, Athabasca Drive may be subject to public transit bus traffic.”
- “Purchasers and/or tenants are advised that the proposed finished lot grading includes retaining walls and may not meet the City of Vaughan lot grading criteria in certain areas of the lot in order to maintain existing topographical conditions.”
- “The Owner be advised that portions of the surrounding area have been identified by the Ministry of Natural Resources as an area containing aggregate resources. The west half of Lot 30, Concession 2, which is located immediately east of the north easterly portion of the lands in the OPA 332 Planning Area is currently zoned M4 (Pits and Quarries Industrial Zone). All of these lands may be subject to an application to the Ministry of Natural Resources for an aggregate extraction

licence.”

- “The purchaser and/or tenant are aware that the property is located in proximity to the Keele Valley Landfill Site and the Avondale Composting Site. The purchaser and/or tenant is aware that during their operating lifetime the landfill and composting facilities may continue to 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.”

42. 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 Community 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 and 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.”

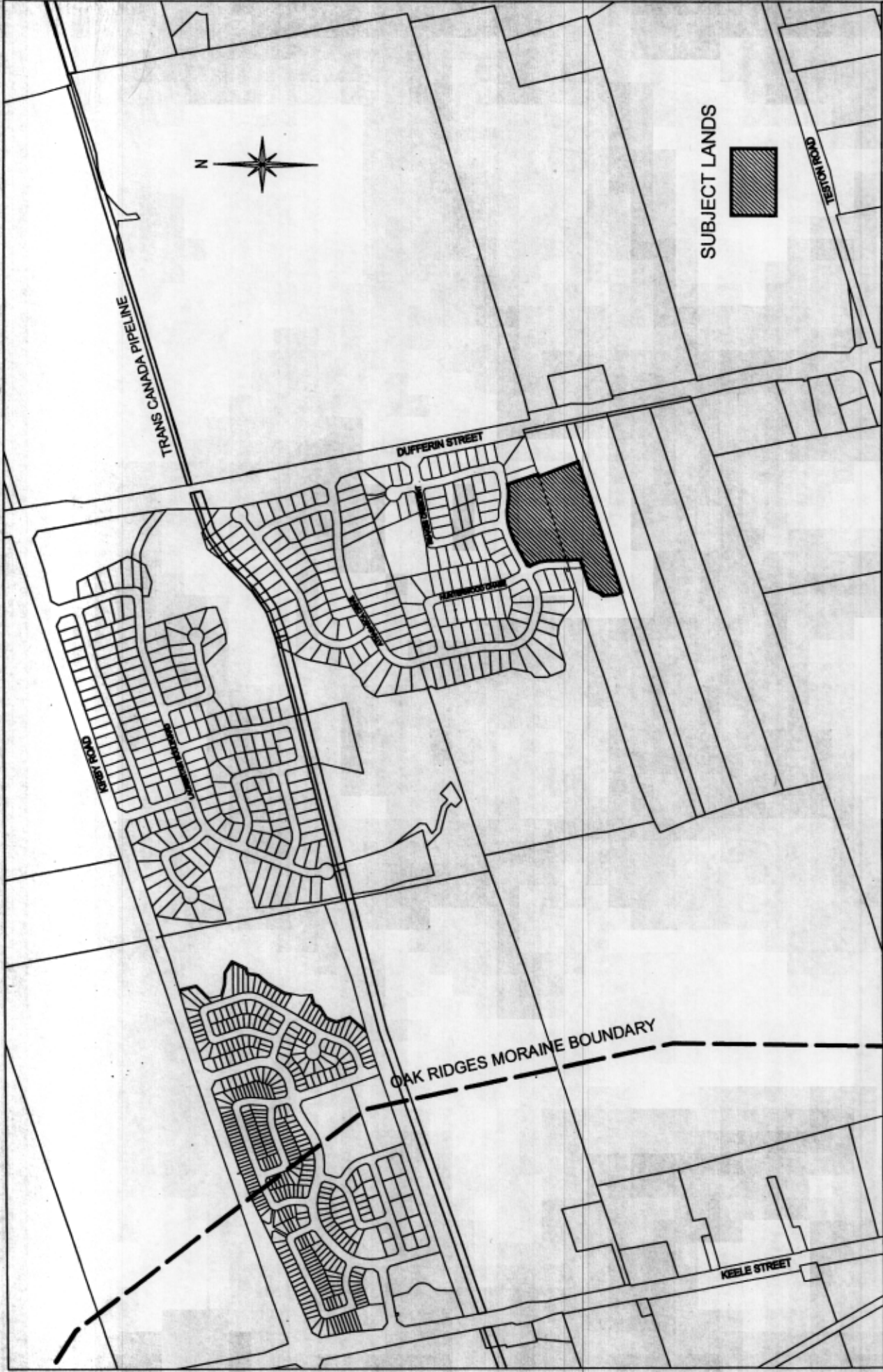
[In such circumstances, the Owner is responsible for updating the map and forwarding it to the City for verification.]

43. 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.

44. 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.
45. 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.
46. 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).
47. The Region shall confirm that contracts have been let for the required water supply and sanitary servicing facilities.
48. The Region shall confirm that adequate water supply capacity and sewage treatment capacity are available and have been allocated by the City of Vaughan for the development proposed within this Draft Plan of Subdivision or any phase thereof.
49. 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

50. 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 49 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
51. The City shall advise that Conditions 1 to 46 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
52. The Region of York shall advise that Conditions 47 to 49 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



Attachment 2

FILE No.:
19T-02V02 &
Z.02.052
April 5, 2004
Not to Scale

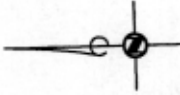
City of Vaughan
Community Planning Department

Location Map

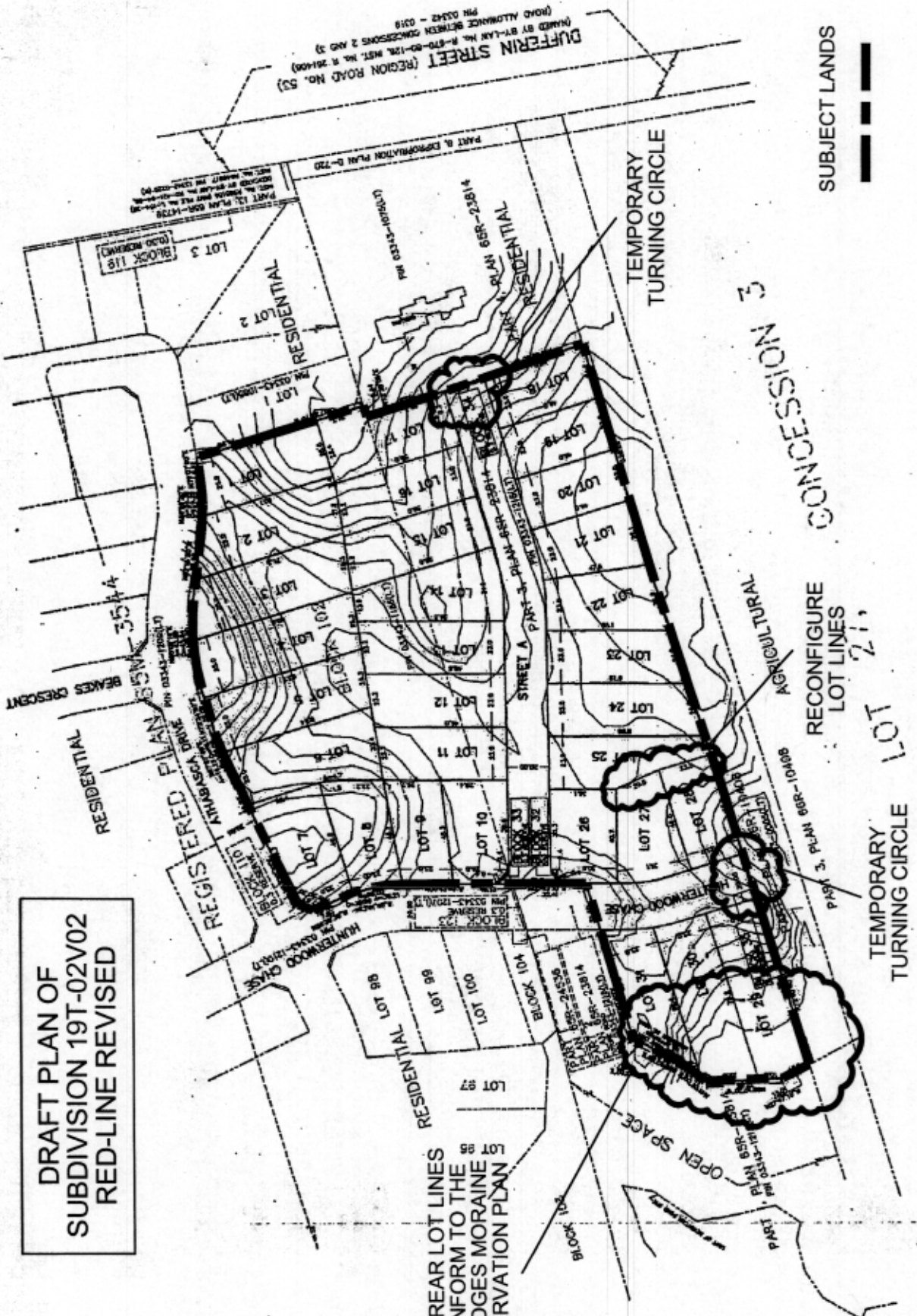
Part Lot 27,
Concession 3
APPLICANT:
NORTHDALE RIDGE
DEVELOPMENTS LIMITED

W:\DPT\1 ATTACHMENTS\19\19T-02V02

**DRAFT PLAN OF
SUBDIVISION 19T-02V02
RED-LINE REVISED**



**MODIFY REAR LOT LINES
TO CONFORM TO THE
OAK RIDGES MORaine
CONSERVATION PLAN 5**



SUBJECT LANDS



Draft Plan of Subdivision

Part Lot 27,
Concession 3
APPLICANT:
NORTHDALE RIDGE
DEVELOPMENTS LIMITED



Community Planning Department

Attachment
3
FILE No.:
19T-02V02 &
Z.02.052
April 5, 2004
Not to Scale