

COMMITTEE OF THE WHOLE JUNE 21, 2004

ZONING BY-LAW AMENDMENT FILE Z.00.022 DRAFT PLAN OF SUBDIVISION FILE 19T-00V03 LORMEL DEVELOPMENTS (WESTON) INC. AND OZNER CORPORATION (SOUTH) REPORT #P.2003.76

Recommendation

The Commissioner of Planning recommends:

1. That the Block 33 West – Phase 1 Development Plan for servicing the lands (Attachment #4) BE APPROVED.
2. That Zoning Amendment Application Z.00.022 (Lormel Developments (Weston) Inc. and Ozner Corporation (South)) BE APPROVED, to rezone the lands to the appropriate zone categories to implement the approved draft plan of subdivision, and that the lots outside of Phase 1 be placed in a “Holding” Zone, pending availability of servicing capacity.
3. That Draft Plan of Subdivision 19T-00V03 (Lormel Developments (Weston) Inc. and Ozner Corporation (South)) prepared by KLM Planning Partners Inc., dated May 31, 2004, and red-lined on June 21, 2004, BE DRAFT APPROVED, subject to conditions as set out in Attachment No. 1.
4. For the purpose of notice, the subdivision agreement shall contain a provision that parkland shall be dedicated, and/or cash-in-lieu paid, within the plan at the rates stipulated in OPA #600 and shall conform to the approved “Cash-In-Lieu of Parkland Policy.”
5. That Council adopt the following resolution with respect to allocation of sewage and water servicing capacity:

“NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT proposed Draft Plan of Subdivision application 19T-00V03 Lormel Developments (Weston) Inc. and Ozner Corporation (South), Phase 1 is allocated sewage capacity from the York/Durham Servicing Scheme via the Maple Collector on an interim basis and ultimately via the Langstaff Trunk Sewer once constructed, and water supply capacity from Pressure Districts No. 7 of the York Water Supply System for a total of 310 residential units, following the execution of a subdivision agreement to the satisfaction of the City.”

6. That the Owner enter into an agreement, (to be registered on title) with the City of Vaughan, indicating that the lots outside of Phase 1 will not be offered for sale by the Owner or purchasers until servicing capacity has been identified and allocated by the City.

Purpose

On February 29, 2000, the owner submitted an application to amend the Zoning By-law to rezone the subject lands and for a Draft Plan of Subdivision for a mixed-use development on a 39 ha property. The development will consist of 324 detached units, 186 semi-detached units, park, school and stormwater management blocks, a 3.268 ha employment block and a 0.5 ha commercial block.

Background - Analysis and Options

The lands are located on the west side of Weston Road, between Major Mackenzie Drive and Highway 400, in Lots 22 and 23, Concession 5, City of Vaughan. There are existing farm structures on the lands. The surrounding land uses are:

- North - farmland (A Agricultural Zone)
- South - farmland (A Agricultural Zone)
- East - Highway #400; residential (RV4 Urban Village Residential Zone Four, OS1 Open Space Conservation Zone)
- West - Weston Road; farmland, residential (A Agricultural Zone, RR Rural Residential Zone)

The lands are designated "Low Density Residential", "Medium Density Residential/Commercial" and "High Performance Employment Area" by OPA 600. The Block 33 West Plan specifically defines the land uses as low density residential, high performance employment, commercial, park, school, and stormwater management pond. A portion of the lands are within the Vellore Village District Centre. The Official Plan Amendment for the District Centre has been appealed and is not yet in effect. The zoning is A Agricultural Zone by By-law 1-88.

On November 14, 2003, a notice of public hearing was circulated to all property owners within 120m of the subject lands, and the Vellore Village Residents Association, Vellore Woods Ratepayers Association, Millwood Woodend Ratepayers' Association and the Columbus Trail Residents' Association. Two responses were received. The first response was from the Block 32 West landowners group with respect to cost sharing which has since been resolved. The second letter was from the Rimwood Estates Homeowners' Association, expressing the following concerns:

- traffic, noise, pollution
- size and type of residential lots
- types of High Performance Employment uses

A notice of this Committee of the Whole meeting was sent to those individuals on file having expressed interest in this application.

The recommendation of the Committee of the Whole to receive the Public Hearing of December 8, 2003 and forward a comprehensive report of a future Committee meeting was ratified by Council on December 15, 2003.

Block Plan

On September 8, 2003, Council approved the Block 33 West Block Plan.

The Block 33 West Plan provides primarily low density residential development over most of the Block. The Block also includes medium density residential and medium density residential/commercial development. The Block Plan would accommodate a total of 1918 dwelling units, (1082 low density units and 836 medium density units). There are three elementary schools and three neighbourhood parks. All three of the school sites are adjacent to parks, forming campuses.

The lands along the length of Highway #400 west to the first north/south primary road are blocks for High Performance Employment uses.

Official Plan

The lands are designated “Low Density Residential”, “Medium Density Residential/Commercial” and “High Performance Employment Area” by OPA 600.

The “Low Density Residential” designation permits detached units at an overall gross density of 16 – 18 units per hectare for the block, and a maximum of 22 units per hectare on a site. The proposed development has a density of 17.4 units per hectare and conforms to the density policies of OPA #600.

The “Medium Density Residential/Commercial” designation permits residential units at an overall gross density of 25 – 35 units per hectare for the block, and a range of 17 to 40 units per hectare on a site. The proposed development has a density of 21.3 units per hectare and conforms to the density policies of OPA #600.

The “High Performance Employment Area” designation permits and encourages the development of a high quality business park environment, primarily for prestige/light industrial uses, research and data processing facilities. Uses such as gas bars, car washes, auto dealers, auto paint and repair, outside storage/display and uses generating a high level of truck traffic are prohibited.

Vellore Village District Centre

The southern portion of the lands is designated “Low Rise Residential” by OPA #650 (Vellore Village District Centre). OPA #650 was adopted by Council on August 25, 2003, and approved by the Region of York in April, 2004. Appeals related to the local road pattern and policies were filed.

As the Official Plan Amendment has 2 outstanding appeals, it is not yet in full force and effect. The lands identified on the draft plan (Attachment #3) as “Vellore Village District Centre – Block for Future Development” cannot be draft approved at this time. The lots affected by this are; Lots 365 – 417, inclusive, and Blocks 456, 457 and 449, along with Street ‘5’ and the associated road widenings and reserves. Once the appeals have been resolved, and OPA #650 is in effect, these lands can be draft approved. A further report to Council will be required.

Zoning

The lands are zoned A Agricultural Zone by By-law 1-88. An amendment to the zoning by-law is required to implement the draft plan of subdivision. The RD3 and RD4 Residential Detached Zones are the appropriate zone categories to be applied to the detached units. The RS1 Residential Semi-Detached Zone will be applied to the semi-detached lots. The zone standards are to be in accordance with the standards on Schedule “A-3”. Any exceptions required to the zoning standards will be identified and captured in the implementing zoning by-law. The school blocks will be placed in residential zones in keeping with the adjacent residential zones and the park block will be zone OS2 Open Space Park Zone. The stormwater management block will be zoned OS1 Open Space Conservation Zone. The High Performance Employment lands will be zoned EM1 Prestige Employment Zone.

The portion of the draft plan of subdivision lands outside of the Phase 1 development on Attachment 4, will be zoned with a Holding Provision “H” pending availability of servicing capacity. The affected lots and blocks that are subject to the “H” Zone include: Lots 190 – 254, 292 – 316, 319 – 351 and 356 - 364 inclusive and Blocks: 418 - 428 inclusive.

The Ministry of Transportation requires a minimum setback of 14 metres from Highway #400. This will be included in the zoning by-law.

Subdivision Design

The draft plan has been prepared in accordance with the approved Block 33 West Plan. The road pattern is designed to align with roads on adjacent plans. When completed, the road pattern will provide for a continuous movement of traffic.

The draft plan provides for 324 detached lots, with frontages varying from 9m to 14.3m. There are 93 semi-detached lots with frontages of 15m. Lot depths in the plan are generally 32m.

One elementary school block has been provided at the southeast corner of the plan, adjacent to a future neighbourhood park. A second school site and park are along the north side of the plan. There is also a stormwater management pond along Weston Road and an employment block along Highway #400.

Servicing

The municipal services for these developments shall be in accordance with the approved M.E.S.P. and any subsequent plans and reports, which are amended for Block 33 West (OPA #600). Block 33 West will be serviced by an existing 600mm diameter sub-trunk sanitary sewer located at Major Mackenzie Drive and Vellore Woods Boulevard. This sewer flows south through the existing subdivisions in Block 32 West and connects to the Jane/Rutherford sanitary trunk sewer just west of Highway 400. The Block 32 West Sub-trunk sewer and the Jane/Rutherford trunk sewer both have capacity to service the proposed development in Block 33 West. Block 33 West will be serviced by the City of Vaughan water supply and distribution system. The subject lands lies entirely within Pressure District 7 of the City's water system.

Prior to the commencement of development outside of Phase 1, the Region of York must identify water servicing capacity and that capacity will be allocated or reserved by the City.

Urban Design Department

The Urban Design Department is satisfied with the proposed plan, subject to conditions of draft plan approval included in Attachment #1.

The Block 33 West landowners have submitted a Landscape Masterplan (March 26, 2004) prepared by NAK Design Group and the Urban Design and Open Space Report (October 2003) was prepared by Joseph Bogdan Associates Inc. and NAK Design Group. These reports are currently being reviewed by Staff and will require final approval prior to passing the implementing zoning by-law.

Architectural Design Guidelines (April 2004), prepared by The Planning Partnership with Sterling Finlayson Architects, have been submitted and are currently being reviewed by Staff. Council approval of the guidelines is required prior to final approval of the plan of subdivision.

Cultural Services Department

An archaeological assessment will be required as a draft condition that must be satisfied prior to registration.

Region of York

The Region of York Staff has no objection to approval of the plan, subject to the conditions set out in Attachment 1.

Phase 2 sewer capacity is dependent upon the construction of the South East Collector Sewer, the Langstaff Trunk Sewer and Bathurst Trunk Sewer (Phase 1), or additional capacity may

become available if determined solely by the Region based on monitoring and ongoing analysis of the York Durham Sanitary Sewer System. Phase 2 water capacity is subject to confirmation of additional water supply from Peel Region.

In accordance with the Development Charge Credit Agreement, subdivision draft plans will be serviced in phases such that part of the draft plan will be serviced by the Phase 1 water and sewer capacity and part of the draft plan will be serviced by the Phase II water and sewer capacity.

There is no restriction on phases serviced by the Phase 1 water and sewer capacity. Restrictions should however be imposed on developments that require Phase 2 water and sewer capacity to ensure that water and sewer capacity is available to service projected demands. These include the application of holding provision 'H' on the subject phases and the restriction of pre-selling lots and blocks until the availability of water and sewer capacity is confirmed by the Region.

Other Comments

The Toronto & Region Conservation Authority (TRCA) is generally satisfied with the plan, subject to the conditions of draft plan approval included in Attachment #1.

The Ministry of Transportation, York Catholic District School Board, York Region District School Board and Canada Post have no objection to the proposed development subject to conditions, included in Attachment #1.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Conclusion

The proposed draft plan of subdivision is considered to conform to the density, land use and policies of the Official Plan and approved Block Plan and can be draft approved, subject to the conditions contained in Attachment #1. The lands outside of Phase 1 of the plan will be subject to a "Holding" provision in the Zoning By-law until servicing allocation has been granted by Council. Should Committee concur, the "Recommendation" can be adopted.

Attachments

1. Conditions of Draft Approval
2. Location Map
3. Draft Plan of Subdivision (as redlined by City of Vaughan)
4. Block 33 West – Phase 1 Development Plan

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Manager of Development Planning

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ATTACHMENT NO. 1

STANDARD CONDITIONS OF DRAFT APPROVAL

**DRAFT PLAN OF SUBDIVISION 19T-00V03
LORMEL DEVELOPMENTS (WESTON) INC. AND OZNER CORPORATION (SOUTH)
LOTS 22 AND 23, CONCESSION 5, CITY OF VAUGHAN**

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION 19T-00V03, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to the draft plan of subdivision, prepared by KLM Planning Partners Inc., drawing #04:7, dated May 31, 2004, and red-line June 21, 2004 to incorporate the following revisions:
 - a) Lots 190 – 254, 292 – 316, 319 – 351 and 356 - 364 inclusive and Blocks: 418 - 428 inclusive, are subject to a separate agreement restricting the sale of said lots by the Owner or subsequent purchasers of all the lots pending allocation of servicing capacity by the City.
 - b) Lots 365 – 417, inclusive and Blocks 449, 452, 456, 457, 460, 507, 508 and 509, shall be identified as a single block for future development.

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) Lots 190 – 254, 292 – 316, 319 – 351 and 356 - 364 inclusive and Blocks: 418 - 428 inclusive, shall be subject to an “H” Holding Provision, to be lifted upon satisfaction of the holding provision, including confirmation from the Region of York that water and sanitary servicing capacity is available to service these lots, or part thereof, in accordance with the Vaughan Development Charge Credit Agreement.
 - b) The implementing by-law shall zone the remainder of the subject lands utilizing the following zone categories:
 - RD3 Residential Detached Zone
 - RD4 Residential Detached Zone
 - RS1 Residential Semi-Detached Zone
 - OS1 Open Space Conservation Zone
 - OS2 Open Space Park Zone
 - EM1 Prestige Employment Zone

3. The Owner shall pay any and all outstanding application fees to the Community Planning Department, in accordance with Tariff of Fees By-law 321-99.

4. Prior to final approval of any part of the Plan, the Owner shall submit a revised Block Plan, if required, to reflect any significant alterations caused from this draft plan approval.
5. The Owner shall enter into a subdivision agreement with the City to satisfy all financial and other conditions, with regard to such matters as the City may consider necessary, including payment of development levies and the woodlot development charge, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
6. The Owner shall agree to create easements for maintenance purposes for all lots providing less than 1.2 m sideyards, or having roof encroachments, prior to transfer of land.
7. Prior to final approval, easements required for utility, drainage and construction purposes shall be created and granted to the appropriate authority(ies), free of all charge and encumbrances.
8. The road allowances within this Plan shall be named to the satisfaction of the City, in consultation with the Regional Planning Department; proposed street names shall be submitted by the Owner for approval by Council and shall be included on the first engineering drawings.
9. The road allowances within the Plan shall be designed in accordance with the City's engineering standards and shall be dedicated to the City free of all charge and encumbrances. The streets, lots and blocks shall be designed to coincide with the development pattern on adjacent properties.
10. The road allowances included in the Plan shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 metre reserves.

The pattern of streets and the layout of lots and blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.

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, a soils report prepared at the Owner's expense shall be submitted to the City for review and approval. 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. 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.
17. 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.
18. 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.
19.
 - 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).
20. Prior to final approval of the Plan or any phase thereof and prior to the initiation of any grading or any phase thereof, the Owner shall submit for review and approval of the City and the Toronto and Region Conservation Authority (T.R.C.A.) the following:
 - a) A detailed engineering report that describes the storm drainage system for the proposed development. The report shall include:
 - i) the manner in which stormwater will be conveyed from the site, including how this subdivision will be tied into existing development and how it conforms with the approved Block 33 West MESP;
 - ii) appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to ensure no negative impact on the quality and quantity of ground and surface water resources as it relates to fish and their habitat;

- iii) the location and description of all outlets and other facilities which may require permits under Ontario Regulation 158 and/or the Lakes and Rivers Improvement Act;
 - iv) proposed methods of controlling or minimizing erosion and siltation on-site and downstream areas during and after construction.
 - b) Overall grading and landscaping plans for the subject lands. The Owner shall agree in the subdivision agreement to carry out or cause to carry out, the recommendations set out in any and all of the aforementioned reports to the satisfaction of the City.
 - c) This draft plan of subdivision shall be subject to red-line revision in order to meet the requires of (a) and (b), above.
 - d) That the Owner agree in the subdivision agreement, in wording acceptable to the Toronto and Region Conservation Authority, to carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the technical report reference in (a), above.
- 21. That mitigation techniques for maintaining groundwater infiltration be incorporated into the design of the subdivision to the satisfaction of the Toronto and Region Conservation Authority and the City.
- 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 convey the following lands to the City or the TRCA, where appropriate, free of all charge and encumbrances:
 - a) Block 448 for stormwater management purposes
 - b) Blocks 444 and 445 for parkland purposes
 - c) Blocks 451 – 454, inclusive for landscaping purposes
27. 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.
28. The Owner shall agree to erect fencing in the locations and of the types as shown on the approved construction drawing and as required by the City, in accordance with an Urban Design and Architectural Design Guidelines.
29. The Owner shall agree to pay the City at the time of registration of the Plan, payment at the rate of \$1,000.00 per residential unit, plus \$500.00 per future unit on each part lot, as per Schedule "I", in accordance with the Special Area Woodlot Development Charge By-law.
30. Prior to final approval, the Owner shall submit a tree assessment, including an inventory of all existing trees, assessment of significant trees to be preserved, and proposed methods of tree preservation/or remedial planting; the Owner shall agree to undertake the measures identified in the City-approved assessment.
31. Prior to final approval, the Owner shall submit:
 - a) an Urban Design Guidelines Report which shall identify all the objectives of the approved Urban Design Guidelines for the Block Plan.
 - b) a streetscape and open space landscape master plan in accordance with the approved Block 33 West Urban Design Guidelines and OPA 600 policies, the plan shall address but not be limited to the following issues:
 - Co-ordination of the urban design/streetscape elements as they relate to the approved urban design guidelines including entrance features, medians and fencing.
 - Community edge treatments along Weston Road;
 - The appropriate configuration and landscape treatment of the stormwater management pond block 448;
 - The streetscape treatment for along Canada Way (Street '1') to ensure that the appropriate buffer treatment along the interface between the residential lotting and the Employment Area.

- The pedestrian urban connections between streets and within the neighbourhood;
 - The appropriate high quality buffer treatment along Hwy. 400.
32. Prior to final approval, the Owner shall not remove any vegetation or topsoil or start any grading of the lands, without a fill permit issued by the City, and a development agreement, if necessary.
33. Prior to final approval, architectural guidelines shall be submitted for Council's approval; the Owner shall agree that:
- a) Prior to final approval, architectural guidelines shall have been prepared in accordance with Council Policy and approved by Council;
 - b) All development shall proceed in accordance with the Council approved architectural design guidelines;
 - c) A control architect be retained at the cost of the owner with concurrence of the City to ensure compliance with the architectural design guidelines;
 - d) Prior to the submission of individual building permit applications, the control architect shall have stamped and signed drawings certifying compliance with the approved architectural guidelines;
 - e) The City may undertake periodic reviews to ensure compliance with the architectural design guidelines. Should inadequate enforcement be evident, the City may cease to accept drawings stamped by the control architect and retain another control architect, at the expense of the owner.
34. The owner shall agree in the subdivision agreement to erect a permanent 1.5 metre high black vinyl chain link fence or approved equal along the limits of the residential lots that abut Park block 444 and storm pond block 448.
35. Prior to building permit issuance, the owner shall prepare for review and approval on Park blocks 444 and 445, a phase II Environmental Site Assessment report in accordance with the Ministry of Environment's Guidelines for use at contaminated sites in Ontario (June 1996, as amended), to the satisfaction of the City. Testing may include but not be limited to surface and subsurface soil, groundwater, soil vapour, plant and aquatic species sampling and testing of building materials.
- The owner shall incorporate the recommendations contained in the report and ensure adequate field inspection is provided to validate the recommendation in the Phase II E.S.A. to the satisfaction
- The owner shall reimburse the City for the cost of the City's peer review of the Phase II E.S.A.
36. That prior to final approval of a plan of subdivision, and prior to the initiation of any grading to any lands included in the plan of subdivision, a preliminary archeological evaluation of the entire area within the proposed plan of subdivision shall be carried out at the owner's expense, and the same report shall identify any significant archaeological sites found as a result of the assessment. The archaeological assessment report shall be carried out by a licensed archaeologist and prepared according to the Ministry of Citizenship, Culture and Recreation approved Archaeological Assessment Technical Guidelines, dated 1993. The archaeological assessment shall be submitted to the municipality and the said Ministry for review and approval.

37. Prior to final approval or registration of the development application or plan of subdivision, the owner by way of development application or subdivision agreement, shall agree that no development or grading shall occur on any site identified as being archaeologically significant as a result of the archaeological evaluation carried out on the property, until such time as protective and mitigative measures of all significant archaeological sites have been fulfilled to the satisfaction of the Ministry of Citizenship, Culture and Recreation (Archaeological Unit) and the municipality.
38. 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.
39. 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,
- i) 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.
40. 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 despite the inclusion of noise control features on this development area, noise levels from Paramount Canada's Wonderland may continue to be of concern occasionally interfering with some activities of the dwelling occupants."
- "Purchasers and/or tenants are advised that a bridge over Highway #400 on America Avenue is proposed in the vicinity of their lots."
- "Purchasers and/or tenants are advised that the interchange and ramps located at Teston Road/Highway 400/Street "A" and the primary roads within the development area are expected to support more traffic than local roads and, if demand warrants, transit routes in the future."
- "Purchasers and/or tenants are advised that the roads within the Plan may have been constructed using Alternative Development Standards. In April 1995, the Ministry of Housing and the Ministry of Municipal Affairs published the Alternative Development Standards as a guideline to municipalities. The Province of Ontario has been promoting the use of these guidelines which provide for reduced pavement widths."
- "Purchasers and/or tenants are advised that public transit routes have not been determined for the area within the Plan, however, internal streets may be subject to public transit bus traffic."
- "Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the CRTC authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional

carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs.”

- Purchasers and/or tenants are advised that proper grading of all lots in conformity with the Subdivision Grading Plans is a requirement of this subdivision agreement.

The City has taken a Letter of Credit from the Owner for the security to ensure all municipal services including, but not limited to lot grading, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for lot grading purposes, is not a requirement of this subdivision agreement

- Purchasers and/or tenants are advised that driveway widths and curb cut widths are governed by City of Vaughan By-Law 1-88, as amended, as follows:
 - a) The maximum width of a driveway shall be 6 metres measured at the street curb, provided circular driveways shall have a maximum combined width of 9 metres measured at the street curb.
 - b) Driveway in either front or exterior side yards shall be constructed in accordance with the following requirements:

Lot Frontage	Maximum Width of Driveway
6.0 - 6.99m	3.5m
7.0 - 8.99m	3.75m
9.0 – 11.99m ¹	6.0m
12.0m and greater ²	9.0m

¹The Lot Frontage for Lots between 9.0 – 11.99m shall be comprised of a Minimum of 33% Landscaped Front or Exterior side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior side yard shall be soft landscaping in accordance with Paragraph 4.1.2.

²The Lot Frontage for Lots 12.0m and greater shall be comprised of a Minimum of 50% Landscaped Front or Exterior side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior side yard shall be soft landscaping in accordance with Paragraph 4.1.2.”

- 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."

d) The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots and Blocks on the Plan that may abut a public highway, laneway, walkway or other similar public space:

- "Purchasers and/or tenants are advised that fencing along the lot lines of Lots and Blocks abutting public lands is a requirement of this subdivision agreement and that all required fencing and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3 metre reserve, as shown on the Construction Drawings.

The City has taken a Letter of Credit from the Owner for the security to ensure all fencing including, but not limited to privacy fencing, chain link fencing and acoustic fencing, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for fencing, is not a requirement of this subdivision agreement."

e) The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots and Blocks on the Plan that abut either a collector roadway, arterial roadway or commercial block:

"The dwelling units shall be designed and constructed with a forced air heating system which includes central air conditioning. The air cooled condenser unit shall have a maximum AR1 rating of 7.6 bels, or shall emit noise not exceeding 61dba at a distance of 4.57 metres or at the nearest point on the closest property line; whichever distance is greater. No building permit shall be issued for a unit on any of the said lots unless the building plans include central air conditioning."

41. 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., including the Highway #400 overpass.
- 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.]

42. In the event that the owner and the City agree that the owner will develop Park block 445, the owner shall agree that the design, securities and construction for the Park will be addressed through an amending agreement in accordance with the "City Developer Build/Parks Development Policy."
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.

Engineering Department Conditions

46. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunication provider to provide their services underground at the approved locations and to the satisfaction of the City.
47. Prior to final approval of the Plan, the Owner shall submit, to the satisfaction of the City, a listing prepared by an Ontario Land Surveyor of all the Lot and Block areas and Lot frontages and depths in accordance with the approved Zoning By-law for all Lots and Blocks within the Plan.

48. Prior to final approval of the Plan, the Owner shall provide a copy of the fully executed subdivision agreement to:
 - a) The appropriate telecommunication provider.
49. Notwithstanding the provisions of Subsection 5.1 of the standard subdivision agreement, the City may issue model home building permits provided that the land is zoned to the satisfaction of the City and that the conditions of Subsection 5.18 of the standard subdivision agreement are fulfilled.
50. No building permit shall be issued until the Owner has provided proof that a restriction has been registered that prevents the transfer of the lot or block without the consent of the City where such transfer is to be restricted by any other provision of this agreement.
51. Prior to the issuance of a building permit for any lot, the Owner's consulting engineer shall certify, to the satisfaction of the Engineering Department and the Building Standards Department that lot grading complies with City of Vaughan lot grading criteria and the driveway as shown on the plan submitted for the construction of the building on that particular lot, conforms in terms of location and geometry (i.e. width etc.) with the approved, or the amended and subsequently approved, Construction Drawings.
52. Prior to the transfer of any Lot or Block on the Plan, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses required by this agreement have been included in the Offer of Purchase and Sale or Lease for such Lot or Block.
53. Prior to final approval of the Plan, the City and Region of York Transportation and Works Department Water and Wastewater Branch shall confirm that adequate water supply and sewage treatment capacity are available to accommodate the proposed development.
54. Prior to final approval of the Plan, any and all appropriate revisions, as required shall be made to the Block Plan for Block 33 West and all associated reports to the satisfaction of the City.
55. Prior to final approval of the Plan or commencement of construction within the plan, whichever comes first, the Owner shall submit a detailed hydrogeological impact study that identifies 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.
56. a) Prior to final approval of the Plan, the Owner shall enter into a Developers' Group Agreement with other participating landowners within Block 33 West to the satisfaction of the City. The agreement shall be regarding but not limited to all cost sharing for the provision of parks cash-in-lieu of parkland, roads and municipal services within Block 33 West. This agreement shall include a provision for additional developers to participate with the Developers' Group Agreement when they wish to develop their lands.

The Owner shall acknowledge that parkland shall be dedicated and/or cash-in-lieu paid in accordance with Section 51 of the Planning Act and conform to the City's "Cash-In-Lieu of Parkland Policy".

- b) Prior to final approval of the Plan, the Trustee for Block 33 West shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 33 West Developers' Group Agreement.
57. Prior to final approval of the plan, the Owner shall covenant and certify to the City that they are not aware of any soil, groundwater or sediment contamination on or within lands to be conveyed to the municipality which could interfere with its intended use.
58. Prior to final approval, the Owner shall submit a Record of Site Condition acknowledged by an officer of the Ministry of the Environment.
59. Prior to final approval of the Plan, the lots and/or blocks to be serviced by improvements beyond the interim allocation capacity shall be placed in a holding zone and identified as such on the Plan.
60. Prior to final approval, or prior to the initiation of grading or stripping of topsoil, whichever comes first, the Owner shall submit an Erosion and Sedimentation Control Plan including topsoil storage plan detailing the location, size, sideslopes, stabilization methods and time period, for approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either park or school blocks.
61. Prior to final approval of the plan the Owner shall confirm that the necessary provisions of the Environmental Assessment Act and the Municipal Class Environmental Assessment for Municipal Roads, Water and Wastewater Projects as they may apply to the proposed primary roads and related infrastructure matters, have been met.
62. The Owner shall agree that all disturbed lands within Phase 2 of the subject draft plan left vacant (6) months following completion of overall grading shall be topsoiled to a minimum depth of 100mm, seeded, maintained and signed to prohibit dumping and trespassing, to the satisfaction of the City.
63. Prior to final approval of the Plan the Owner shall provide a revised Water Supply Analysis for review and approval by the City.
64. Prior to final approval of the first draft plan within Block 33 West, the Teston Road/Highway #400/Street "A" interchanges and "Button-hook" ramp design and "High Performance Employment Area" shall be determined to the satisfaction of M.T.O., the Region and the City and the required easements and/or rights-of-way for the overpass across Highway #400 and any required services, shall be secured by the City.
65. 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 coordinated and completed at the cost of the Owner.
66. No part of any noise attenuation feature or any other fence shall be constructed partly or entirely on or within any public highway, Park or Open Space. Fences adjacent to public lands shall be constructed entirely on private lands.

The maintenance of the noise attenuation feature or fencing shall not be the responsibility of the City, or the Region of York and shall be maintained by the Owner until assumption of the services in the Plan. Thereafter, the maintenance of the noise attenuation feature or fencing shall

be the sole responsibility of the lot owner. Landscaping provided on Regional Road right-of-ways by the Owner or the City for aesthetic purposes shall be approved by the Region and maintained by the City with the exception of the usual grass maintenance.

67. Prior to final approval, an environmental noise impact study, prepared at the owner's expense, shall be submitted to the City for review and approval. The preparation of the noise report shall include the ultimate traffic volumes associated with the surrounding road network. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in the approved noise report to the satisfaction of the City.
68. The Owner shall agree in the subdivision agreement that the final engineering design(s) may result in minor variations to the Plan (e.g. 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.
69. The Owner agrees that all part Blocks within the Plan shall only be developed in conjunction with abutting part Blocks of adjacent draft plans.
70. Prior to final approval, all outstanding matters related to width, configuration and design of the stormwater management pond shall be addressed to the satisfaction of the City.
71. Prior to the issuance of a building permit for any lot or block within the plan, the Owner shall submit for review and approval a Phase II Environmental Site Assessment Report in accordance with the Ministry of Environment's Guidelines for Use at Contaminated Sites in Ontario (June 1996, as amended), and the City's Guideline, Phase II Environmental Assessment, Proposed Parkland, City of Vaughan for the park block located within the plan to the satisfaction of the City. Required 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.

In the event that remediation is required, a Remediation Action Plan will be submitted for review and approval by the City and an acknowledged Record of Site Condition shall be received from the Owner prior to issuance of a building permit.

The Owner shall carry out or cause to be carried out the recommendations contained in the report(s) and ensure that adequate field inspection is provided to validate the recommendations in the Phase II Environmental Site Assessment to the satisfaction of the City.

The Owner shall reimburse the City for the cost of the City's peer review of the environmental site assessment report(s).

72. Prior to final approval of a phase of the plan or prior to initiation of grading, or topsoil stripping of a phase or the skeleton servicing works, if applicable, the Owner shall remove the animal remains as identified in Report 8 (Updated) Phase 1 Environmental Site Assessment Report 8 prepared by Morrison Environmental Limited dated May 2004. Furthermore, the Owner shall provide, to the satisfaction of the City, a letter documenting the action taken.
73. Prior to final approval of the Plan, the City and the region shall be satisfied that adequate arrangements have been made for the construction of the Weston Road widening from major Mackenzie drive to Teston Road, when required.

Region of York Conditions

74. The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the area municipality and the Regional Planning and Development Services Department.
75. The registration of the proposed plan of subdivision shall occur in phases with allocation provided within the appropriate capacity assigned by the Region, as approved by the area municipality, in consultation with the Regional Municipality of York.
76. The subdivision proponents within Blocks 18 and 33W will retain a professional engineer to provide assurances that the sanitary drainage area in Blocks 18 and 33W relying on interim (Phase I) servicing to the Maple Collector Sewer does not exceed 9,000 persons.
77. Prior to or concurrent with draft approval for lands other than Phase 1, the owner shall enter into an agreement with the Regional Municipality of York, agreeing not to “pre-sell” lots or blocks to end users until such time as the Regional Municipality of York confirms in writing that there is sufficient water and sewer servicing capacity to service the proposed development.
78. The owner shall agree that the lands within this draft plan of subdivision shall be appropriately zoned by a zoning by-law that has come into effect in accordance with the provisions of the Planning Act. The Holding provisions of Section 36 of the Planning Act may be used in conjunction with any zone category to be applied to the subject lands in order to ensure that development does not occur until such time as the Holding “H” symbol is removed in accordance with the provisions of the Planning Act. The “H” symbol shall be placed on any and all lands beyond Phase 1. The Zoning By-law amendment shall specify the terms under which Council may consider the removal of the Holding “H” symbol, (in accordance with Official Plan policy/ Pre-Paid Development Charge Agreement, or other requirements). Said terms shall include confirmation from the Regional Transportation and Works Department that there is adequate water and sanitary servicing capacity available to accommodate the draft plan or any phase thereof in accordance with the Vaughan Development Charge Credit Agreement executed by the City of Vaughan, the Region and the owner/developer.
79. Prior to the registration of Phase 1 the Region shall confirm the following:
 - a. a sewage flow monitoring program in the Maple Collector sewer and any interim sewer works that are deemed to be required as a result of the flow monitoring are underway; and
 - b. modifications to the existing Flow Splitting Chamber have occurred.
80. Prior to the registration of any lands beyond Phase 1 the Region shall confirm the following:
 - a. It is no earlier than six (6) months prior to the expected completion of the South East Collector Sewer, the Langstaff Trunk Sewer and Bathurst Trunk Sewer (Phase I) as confirmed by the Region, and the Region has confirmed that additional water supply from Peel Region for the Phase II water capacity is available.

OR

- b. Additional sewer and water capacity is available as may be determined solely by the Region from time to time based on monitoring and ongoing analysis of the York Durham Sanitary Sewer System and York Water System.
81. The owner shall agree in the subdivision agreement that he/she shall save harmless the area municipality and Regional Municipality of York from any claim or action as a result of water or sewer service not being available when anticipated.
82. Prior to registration, 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.
83. The following lands shall be conveyed to The Regional Municipality of York for public highway purposes, free of all costs and encumbrances:
- a) a widening across the full frontage of the site where it abuts Weston Road of sufficient width to provide a minimum of 18 metres from the centreline of construction of Weston Road; and,
 - b) a 15.0 metre by 15.0 metre daylight triangle at the northeast and southeast corners of Lormel Gate and Retreat Boulevard where they intersect Weston Road; and,
 - c) an additional 2.0 metre widening, 40 metres in length, together with a 60.0 metre taper for the purpose of a northbound right turn lane at the intersections of Weston Road with Lormel Gate and Retreat Boulevard.
84. The Owner shall convey to The Regional Municipality of York a 0.3 metre reserve along the entire frontage of the site, adjacent to the above noted widening and daylighting triangles, free of all costs and encumbrances, to the satisfaction of The Regional Municipality of York Solicitor.
85. The Owner shall grant to The Regional Municipality of York, a good and valid easement, free of all costs and encumbrances, to the satisfaction of the Regional Solicitor, 5.0 metres wide along the widened frontage of the site adjacent to Weston Road for grading purposes. The proposed easement shall expire on December 31, 2007.
86. The Owner shall submit detailed engineering drawings to the Regional Transportation and Works Department for review and approval, that include the subdivision storm drainage system, site grading and servicing, plan and profile drawings for the proposed intersections, construction access and mud mat design, utility location plans, traffic control/construction staging plans and landscape plans for verification that The Regional Municipality of York's concerns have been satisfied.
87. The intersections of Weston Road with Lormel Gate and Retreat Boulevard shall be designed and constructed to the satisfaction of the Regional Transportation and Works Department with any interim or permanent intersection works including turning lanes, profile adjustments, illumination and/or signalization as deemed necessary by The Regional Transportation and Works Department. No intersection or non residential access will be permitted within 80.0 metres of the centerline of Weston Road.

88. The Owner shall agree in the subdivision agreement, that prior to the issuance of any foundation permit for this plan of subdivision by the City of Vaughan, the intersection works at the intersections Lormel Gate and Retreat Boulevard with Weston Road shall be designed, approved, secured and constructed to the satisfaction of the Regional Transportation and Works Department.
89. The location and design of the construction access for the subdivision work shall be completed to the satisfaction of The Regional Municipality of York Transportation and Works Department and illustrated on the engineering drawings.
90. Any existing driveway(s) along the Regional road frontage not part of the final approved lands of this subdivision must be removed as part of the subdivision work, at no cost to the Region.
91. The Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of The Regional Municipality of York Transportation and Works Department recommending noise attenuation features and the Owner shall agree to implement these noise attenuation features to the satisfaction of The Regional Municipality of York's Transportation and Works Department.
92. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Regional Transportation and Works Department, that prior to the release of any security held by York Region for this plan of subdivision, the Owner shall certify that the as-constructed noise attenuation features immediately adjacent to the Regional right-of-way meet the Ministry of Environment guidelines.
93. The Owner shall agree in the subdivision agreement, in wording satisfactory to The Regional Municipality of York Transportation and Works Department, to provide for the installation of visual screening between Weston Road and Tiana Court and Weston Road and Zachary Place, consisting of either a screening fence or a combination of a berm and planting, to a maximum of 1.8 metres in height, to be located entirely within the right-of-way of Tiana Court and Zachary Place, respectively. The Owner shall submit to The Regional Municipality of York Transportation and Works Department for review and approval, landscape plans showing the proposed planting for headlight screening purposes.
94. No direct access from Block 450 within in this plan of subdivision shall be permitted to Weston Road. Access to Block 450 shall be provided at a location approximately 80.0 metres from the centerline of Weston Road.
95. Where noise attenuation features will abut a Regional right-of-way, the Owner shall agree in the subdivision agreement, in wording satisfactory to The Regional Municipality of York's Transportation and Works Department, as follows:
 - a) that no part of any noise attenuation feature shall be constructed on or within the Regional right-of-way;
 - b) that noise fences adjacent to The Regional Municipality of York roads shall be constructed on the private side of the 0.3 metre reserve and may be a maximum 2.5 metres in height, subject to the area municipality's concurrence;

- c) that maintenance of the noise barriers and fences bordering on The Regional Municipality of York right-of-ways shall not be the responsibility of The Regional Municipality of York; and
- d) that any landscaping provided on The Regional Municipality of York right-of-way by the Owner or the area municipality for aesthetic purposes must be approved by The Regional Municipality of York Transportation and Works Department and shall be maintained by the area municipality with the exception of the usual grass maintenance.

96. Access to Lot 4 shall be via Tiana Court. No direct access shall be permitted to Lormel Gate.

97. Lormel Gate and Retreat Boulevard shall be designed to intersect Weston Road at a right angle.

98. The throat width of Lormel Gate and Retreat Boulevard shall be designed to accommodate two 3.5 metre inbound lanes, a 4.0 metre median island, one 3.0 metre outbound left turn lane and one 3.5 metre outbound through/right turn lane, for a distance of 60.0 metres from the widened limit of Weston Road.

Existing core-level transit services currently operate on the following roadways in the vicinity of the subject lands:

- Weston Road (south of Major Mackenzie Drive)
- Major Mackenzie Drive

Future transit service is planned to be provided locally on the following roadways* (or sections thereof), as they appear on the drawing dated March 17, 2004:

- Street '1'

(* For the purpose of this memorandum, these roadways will henceforth be referred to as the “planned transit roadways”.)

As such, YRT would require that:

99. Subject to approval by the City of Vaughan and the Regional Municipality of York, the Owner shall agree in the subdivision agreement to construct sidewalks along the subject lands’ frontage onto the planned transit roadways on both sides of the street. Such sidewalks shall be constructed on both sides of the planned transit roadways unless only one side of the street lies within the limits of the area designated as “Proposed Subdivision”, in which case only this side of the street will require the sidewalk.

100. The planned transit roadways shall be designated and designed to accommodate transit vehicles to the satisfaction of the area municipality and York Region Transit. As such, York Region Transit is to be consulted with respect to any traffic-calming features which may be considered for any of the planned transit roadways identified.

101. Further to the designation of the planned transit roadways (above), and subject to approval by York Region Transit, bus passenger standing areas/platforms are to be provided at no cost to the Region, concurrent with construction of necessary sidewalks. Required platform locations are as follows:

- i. Northbound Street '1' at the intersection of Street '3' (near-side placement, adjacent to Block 451)
 - ii. Southbound Street '1' at the intersection of Street '3' (near-side placement, adjacent to Block 455)
 - iii. Northbound Street Weston Road at the intersection of Street '4' (near-side placement adjacent to Block 450)
 - iv. Northbound Street Weston Road at the intersection of Street '3' (near-side placement adjacent to Block 449)
102. The Owner shall agree in the subdivision agreement that the bus passenger platforms identified above shall be designed and constructed to the satisfaction of the area municipality and York Region Transit.
103. The single-loaded roadways identified as Street '5' and Street '7' will each require provision of an appropriate concrete pedestrian walkway to link them with Weston Road, subject to design approval by the local municipality and York Region, to facilitate pedestrians' access to/from planned transit services on Weston Road. The walkways are to be provided at no cost to the Region, concurrent with construction of necessary sidewalks.
104. The single-loaded roadway identified as Street '11' will require provision of an appropriate concrete pedestrian walkway to link it with Street '1', subject to design approval by the local municipality and the Region, to facilitate pedestrians' access to/from planned transit services on Street '1'. The walkway is to be provided at no cost to the Region, concurrent with construction of necessary sidewalks.
105. The Owner shall agree in the subdivision agreement to advise all potential purchasers of the planned introduction of transit service in/around the subject lands, as per above, and that the placement of any necessary bus-stops and/or passenger amenities will be placed accordingly to the satisfaction of York Region Transit and the City of Vaughan, as applicable. This would include potential transit routes, bus stops and shelter locations, as necessary. Notification should be achieved through sales offices, marketing materials, and appropriate notification clauses in purchase agreements.
106. Prior to Final Approval the Owner shall provide a signed copy of the subdivision agreement to the Regional Transportation and Works Department, outlining all requirements of the Regional Transportation and Works Department.
107. The owner shall provide a solicitor's certificate of title to the Region's 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.
108. 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-0005-2003-050.

York Region School Boards

109. 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).

110. That prior to final approval, the Owner shall have made an agreement satisfactory to the York Region District School Board for the transfer of one school site. The public elementary school site, Block 446, shall contain no less than 1.66 hectares.
111. That the Owner shall agree in the subdivision agreement in wording satisfactory to the York Region District School Board:
- i) to grade each school block and in so doing so compact, fill with clean material, replace any topsoil disturbed in the grading process and at the same time sod/seed the same lands to specifications determined by the Board;
 - ii) to remove all trees and buildings on each school block as determined by the Board;
 - iii) to provide a letter of credit pertaining to stockpiling and removal of topsoil to the satisfaction of the Board;
 - iv) to remove stockpiled topsoil within 30 days of written notice by the Board, and in doing so compact, fill with clean material, replace any topsoil disturbed in the grading process and at the same time sod/seed the same lands to the specifications determined by the Board;
 - v) to construct a galvanized chain link fence, Type II 2" mesh, 1.8 metres in height, along all boundaries of the school blocks, including road frontage(s) at the discretion of the Board;
 - vi) to construct the fences prior to the issuance of building permits for Phase 1 of the subdivision;
 - vii) to erect and maintain a sign on the public school board site at such time as relevant access roads are constructed, indicating that the date has not been set for the construction of the school;
 - viii) to provide the foregoing at no cost to the Board; and,
 - ix) provide a geotechnical investigation and Phase 1 and Phase 2 environmental site assessment conducted by a qualified engineer. For an elementary school site a minimum of six boreholes shall be required and for a secondary school site a minimum of twelve boreholes shall be required.
112. That the Owner shall submit to the York Region District School Board, at no cost to the Board, a report from a qualified consultant concerning:
- i) the suitability of each school block for school construction purposes, relating to soil bearing factors, surface drainage, topography and environmental contaminants; and,
 - ii) the availability of natural gas, electrical, water, storm sewer and sanitary sewer services.

113. That the Owner shall agree in the subdivision agreement, in wording acceptable to the York Region District School Board, that the services referred to in 113 ii) shall be installed to the mid-point of the frontage of the elementary school site and positioned as designed by the Board, at no cost to the Board.
114. The Owner shall submit to the York region District School Board a certificate concerning:
- i) the availability of a satisfactory water supply; and,
 - ii) an acceptable method of sewage disposal.
115. That prior to final approval, the Owner shall submit to the York Region District School Board for review and approval, a copy of the final engineering plans as approved by the City of Vaughan which indicate the storm drainage system and the overall grading plans for the complete subdivision area.
116. That prior to final approval the local hydro authority shall have confirmed in writing to the Board that adequate electrical capacity will be supplied to the school site frontage by the developer at no cost to the Board.
117. That the Owner shall enter into an agreement satisfactory to the York Catholic District School Board for the transfer of Block 447 (0.5 Ha.). Part 1 of a 2-part school site.
118. That the Owner shall agree in the subdivision agreement in wording satisfactory to the York Catholic District School Board that prior to final approval:
- a) To grade the school site to conform to the overall grade plan of the subdivision and in doing so shall replace any topsoil disturbed in the grading process and at the same time sod/seed the same lands. If, in compliance with this clause, the addition of fill, the removal of existing soil, or, in any way, the alteration of existing grading results in increased costs of construction to the Board, then, and in that event, the Owner shall, upon demand, reimburse the Board for such additional costs.
 - b) To remove all trees and structures on Block 447, as determined by the Board.
 - c) There shall be no stockpiling of topsoil on Block 447.
 - d) To construct and maintain a galvanized chain link fence 1.8 metres in height along all boundaries of the school that adjoin/abut adjacent land uses (walkway entrances exempted) as determined by the Board. All other boundaries shall have a temporary post and wire fence.
 - i) To construct the temporary post and wire fence in locations as determined by the Board prior to the issuance of building permits for phase 1 of the subdivision.
 - ii) To construct the galvanized chain link fence, 1.8 metres in height in locations as determined by the Board; the fence will be constructed prior to the occupancy of the adjoining units.
 - e) To erect on the school site at such time as the school access street is constructed a visible sign with the dimensions and containing the words in the order, form and configuration as duly required.

- f) To post “No Dumping” signs along the perimeter fence as required by the Board.
 - g) To provide the foregoing at no cost to the Board.
119. That the Owner shall submit, at no cost to the Board, a report from a qualified consultant concerning:
- a) The suitability of Block 447 for construction purposes relating to soil bearing factors, surface drainage and topography and or grading plan. There shall be a minimum of 12 boreholes on the school site, in locations as approved by the Board.
 - b) Both Phase 1 and Phase 2 Environmental Testing reports for the school site to ensure the site is clear and free of all contaminates and unfit soil.
 - c) The availability of natural gas, electrical, water, storm sewer, sanitary sewer, telephone, fibre optic cable and cable television services in a location along the property line, as determined by the Board. All services must meet Board specifications and approval.
120. That the Owner shall submit, at no cost to the Board, a certificate from the City of Vaughan confirming the following as they relate to a new school facility:
- a) The availability of a satisfactory water supply (both domestic and fire).
 - b) An acceptable method of sewage disposal.
 - c) Adequacy of electrical services.
 - d) The availability of a satisfactory natural gas supply.
 - e) That an adequate storm water management facility has been designed to accommodate a school site and ensure that water retention will not be required on this site.
121. The Owner shall supply the Board a certificate, from the local hydro authority, confirming an adequate capacity for a new school and that the Board will not incur future upstream costs.
122. That the Owner shall agree in words acceptable to the York Catholic District School Board, that the services referred to in Condition 121, complete with inspection manholes shall be installed at the property line of said school site and positioned as designated by the Board, at no cost to the Board, allowing time for Board approval of the design of said services prior to the registration of the plan.
123. That the Owner confirms, prior to registration, that there are no easements, walkways or storm water management facilities existing, or planned for the school site.
124. That the Owner covenants and agrees to insert in every Transfer of lands abutting the Lands a Restrictive Covenant running with the lands which prohibits the installation and use of any gate or access point from such abutting lands to the Lands.
125. That the Owner covenants and agrees that a clause will be inserted in all Agreements of Purchase and Sale of residential lots and units within the Subdivision, a clause providing as follows: “The

construction of a Catholic School on a designated site is not guaranteed. Purchasers are advised that sufficient accommodation may not be available for students residing in this area, and you are notified that students may be accommodated in temporary facilities and/or bussed to existing facilities outside the area. The Board will in its discretion designate pick-up points for students who qualify for transportation”.

126. That the Owner covenants and agrees that a clause will be inserted in all Agreements of Purchase and Sale for residential lots and units abutting the Lands stating that “temporary facilities/portables may be placed on the Lands in order to accommodate students in excess of the capacity of the school building”.

Ministry of Transportation

127. That prior to final approval, the Owner shall submit to the Ministry of Transportation for review and approval, a copy of the stormwater management report indicating the intended treatment of the calculated run-off.

Other Conditions

128. 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 127 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
129. The City shall advise that Conditions 1 to 74 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
130. The Regional York shall advise that Conditions 75 to 109 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
131. York Region School Board shall advise that Conditions 110 to 126 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
132. The Ministry of Transportation shall advise that Condition 127, has been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



SUBJECT LANDS

Location Map

Lots 22 & 23,
Concession 5

APPLICANT:
LORMEL DEVELOPMENTS (WESTON) INC.
& OZNER CORPORATION (SOUTH)

City of
Vaughan

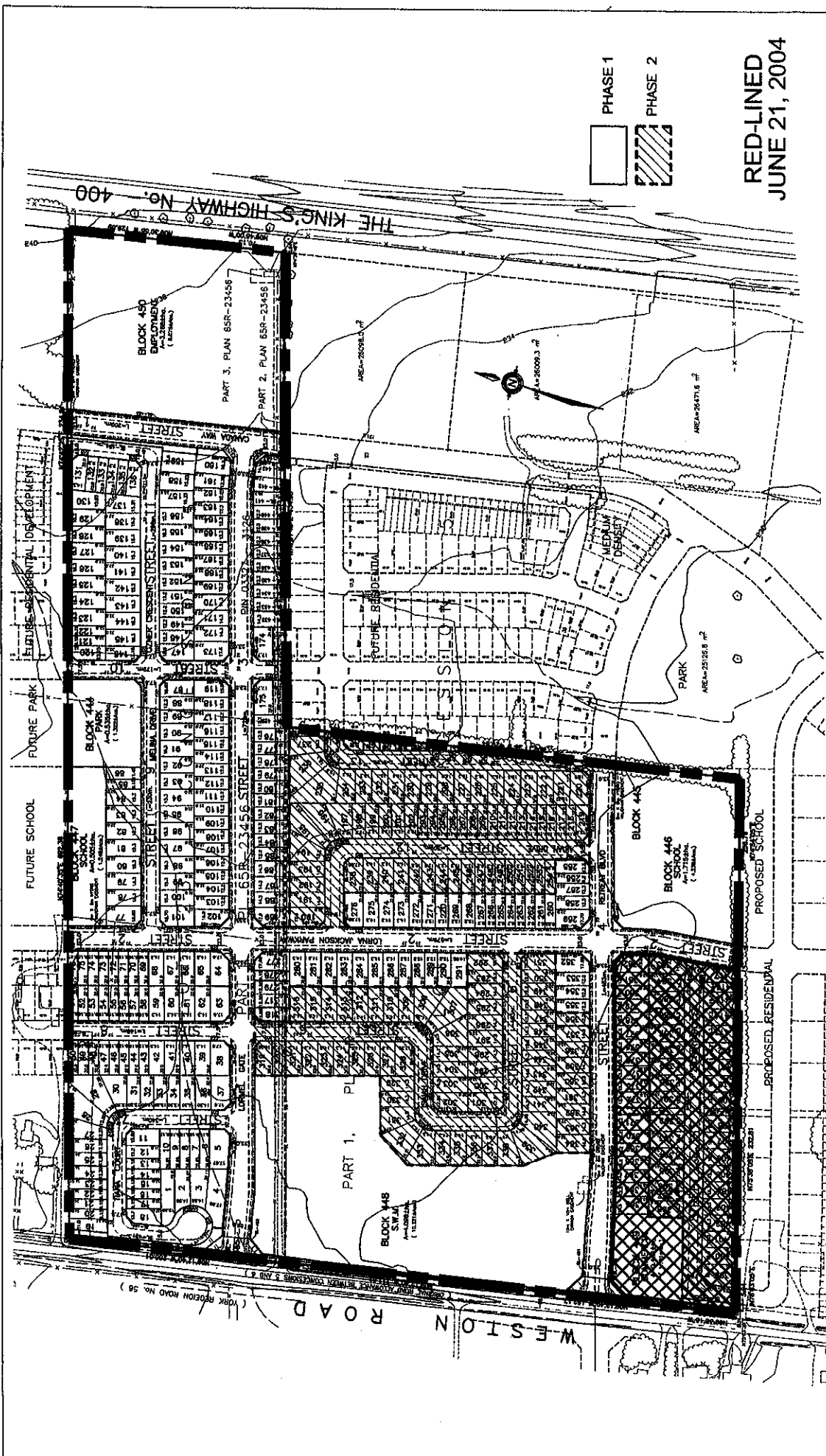
Community Planning Department

Attachment

2

FILE No.:
19T-00V/03 &
Z-00.022

June 16, 2004



PHASE 1
 PHASE 2

RED-LINED
 JUNE 21, 2004

Not to Scale



VELLORE VILLAGE DISTRICT CENTRE -
 BLOCK FOR FUTURE DEVELOPMENT

SUBJECT LANDS

Attachment 3
 FILE No.:
 19T-00V03 &
 Z.00.022
 June 16, 2004

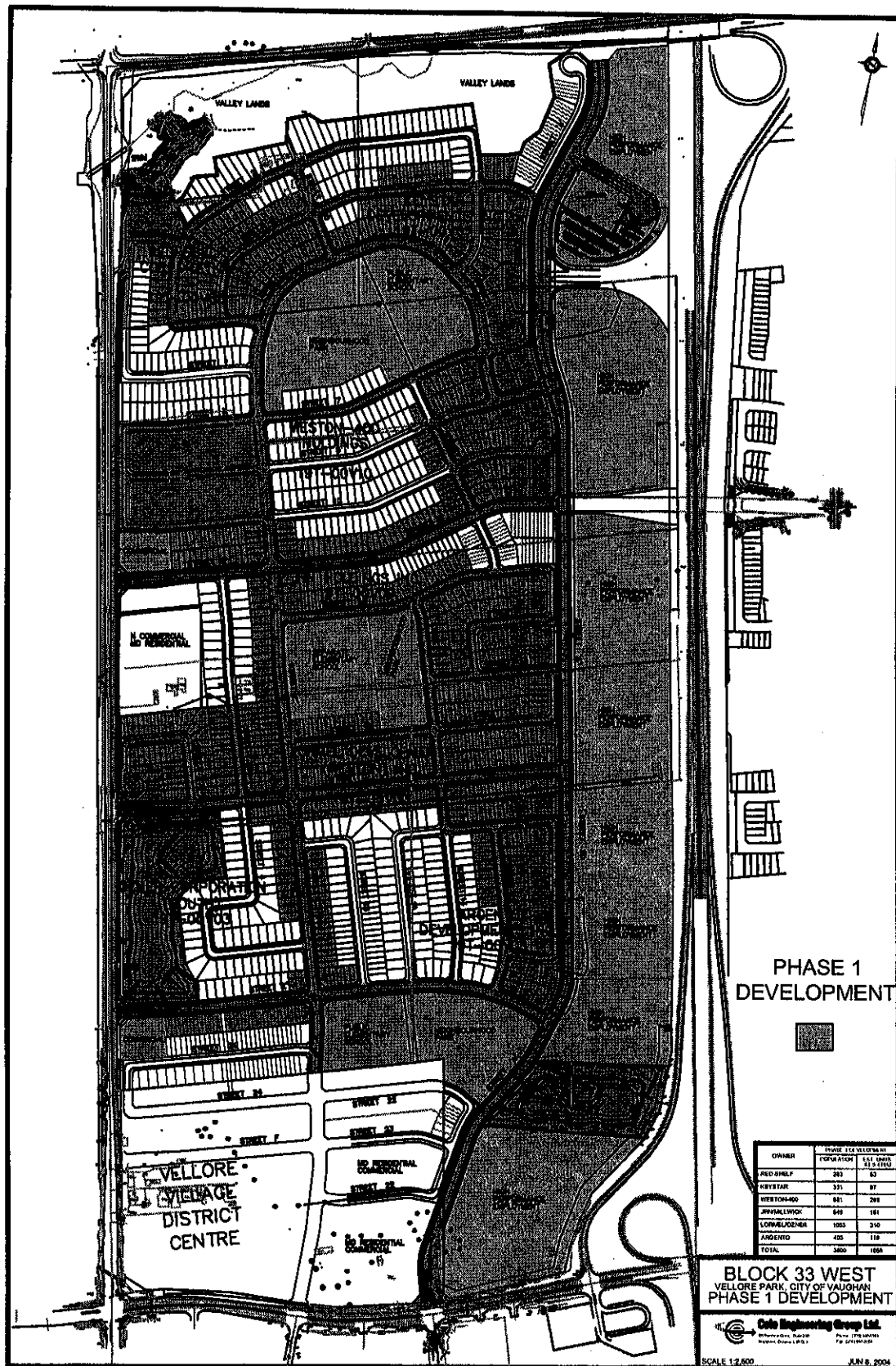


Community Planning Department

Draft Plan of Subdivision

Lots 22 & 23,
 Concession 5
 APPLICANT:
 LORMEL DEVELOPMENTS (WESTON) INC.
 & OZNER CORPORATION (SOUTH)

N:\DPT\1 ATTACHMENTS\19T-00V03.00.022



Not to Scale

**BLOCK 33 WEST -
PHASE 1
DEVELOPMENT PLAN**

APPLICANT:
BLOCK 33W PROPERTIES INC.

Community Planning Department

Attachment

FILE No.:

Lots 21 - 25,
Concession 5
June 9, 2004

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