

COMMITTEE OF THE WHOLE JUNE 21, 2004

**ZONING BY-LAW AMENDMENT FILE Z.00.084
DRAFT PLAN OF SUBDIVISION APPLICATION FILE 19T-00V15
EAST MAPLE CREEK LANDS LTD.
REPORT #P.2004.11**

Recommendation

1. That the Block 18 – Staging Plan for Phase 1 lands (Attachment #4) BE APPROVED.
2. That Zoning By-law Amendment Application Z.00.084 (East Maple Creek Lands Ltd.) BE APPROVED, to rezone the lands to the appropriate zone categories to implement the approved draft plan of subdivision, and that the Phase 2 portion of the plan identified on the red-lined Attachment 3, be placed in a “Holding” Zone, pending availability of servicing capacity.
3. That Draft Plan of Subdivision 19T-00V15 (East Maple Creek Lands Ltd.) prepared by Bousfield Inc., dated June 10, 2004, BE DRAFT APPROVED, as red-lined on June 21, 2004, subject to conditions contained in Attachment #1.
4. For the purpose of notice, the subdivision agreement shall contain a provision that parkland shall be dedicated, and/or cash-in-lieu be paid, within the plan at the rates stipulated in OPA #600 and 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 the proposed Draft Plan of Subdivision application 19T-00V15 East Maple Creek Lands Ltd. 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 District No. 7 of the York Water Supply System for a total of 188 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 included in Phase 2 will not be offered for sale by the Owner or purchasers until servicing capacity has been identified and allocated by the City.

Purpose

On August 24, 2000, the Owner submitted applications to amend the Zoning By-law to rezone the subject lands to the appropriate zone categories to permit a proposed draft plan of subdivision on a 27.638 ha site. The plan contains the following:

- 337 detached lots (12.0m frontages)
- 20 on street townhouse units (6.0m frontages)
- 0.143ha residential reserve
- 1.866ha elementary school
- 1.057ha neighbourhood park
- 1.097ha Storm water management pond

- 2.761ha woodlot
- 0.355ha buffers
- 0.048ha 3m greenway
- 6.297ha roads

Background - Analysis and Options

The site is located on the south side of Major Mackenzie Road, between Dufferin Street and the CN Rail Line, within Block 18, being Part of Lots 19 and 20, Concession 3, City of Vaughan. The 27.638 ha site has frontage on Dufferin Street.

The subject lands are designated as part of the Carrville – Urban Village 2 area by OPA No. 600, and OPA No. 604 (Oak Ridges Moraine Conformity Plan) further designates a majority of the lands as "Settlement Area". The lands are zoned A Agricultural Zone and OS5 Open Space Environmental Protection Zone by By-law 1-88. These applications were commenced prior to November 17, 2001 and are not subject to the Oak Ridges Moraine Conservation Plan. The surrounding land uses are:

- North - vacant (A Agricultural Zone and OS5 Open Space Environmental Protection Zone)
- South - vacant (A Agricultural Zone and OS5 Open Space Environmental Protection Zone)
- West - CN Rail Line and existing residential (M3 Transportation Industrial Zone and R3 and R4 Residential Zone)
- East - Dufferin Street; Block 11 Plan – future community (Agricultural and RR Rural Residential Zone)

On December 15, 2003, a Notice of Public Hearing was circulated to all property owners within 120 metres of the subject land, and to the Maple Village and Gates of Maple Ratepayer Associations.

A letter was received from the owner of 9605 Dufferin Street identifying a number of issues in Block 18, including:

- that the proposed development will interfere with a stream, which crosses from Block 18 into Block 12, east of Dufferin Street;
- adequate protection and buffer zones from the wetland, stream and woodlots; the provision of greenways is required.

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 January 5, 2004 and forward a comprehensive report of a future Committee meeting was ratified by Council on January 12, 2004. Council also directed that the appropriate funding be provided for streetscaping along Major Mackenzie Drive from Hill Street to the Railway crossing and pedestrian overpass; that the issues of the non-participating landowners be addressed prior to draft approval and, that a front-end agreement be executed with respect to the widening of Dufferin Street between Rutherford Road and Major Mackenzie Drive prior to draft plan approval.

Block 18 Plan

On September 22, 2003, Council approved the Block 18 Block Plan, subject to conditions. The proposed draft plan of subdivision is consistent with the Block 18 Plan.

The Block Plan provides primarily low density residential development over most of the Block, comprised of detached lots with frontages ranging from 9.0 to 13.5m. There are sites for one secondary school and four elementary schools, three neighbourhood parks, a district park and a community centre site. Three of the school sites are adjacent to parks. There is one neighbourhood commercial and three local convenience commercial sites, and six stormwater management ponds. The Block Plan further includes the northwest quadrant of the Carrville District Centre planned for the intersections of Rutherford Road and Dufferin Street, for higher order residential and commercial uses.

The approved Block Plan would accommodate a total of 3638 dwelling (2246 low density, 776 medium density and 616 high density). Revisions to certain draft plans within the block has resulted in a decrease in the total number of units to 3527, comprised of 2111, 740 and 676 low, medium and high density units, respectively. OPA #600 provides for an overall gross density of 16-18 units per hectare. The Block Plan has an overall gross density of 17.023 units per hectare, which is in conformity with the Official Plan.

The Official Plan provides for a maximum average net density across the Low Density Residential land of 16 - 18 units per hectare, and the Block 18 Plan achieves a density of 17.8uph. Within the Medium Density Residential-Commercial area, the net residential density on any one site is 17 to 40uph. The average net density, taken across the Medium Density Residential-Commercial area of the block plan must be in the range of 25 to 35uph. The proposed draft plans each comply with the maximum net residential requirements on one site, and the average net density taken across the Medium Density lands for the block is 30.4uph.

Oak Ridges Moraine Conservation Plan

The lands are located on the Oak Ridges Moraine. The Oak Ridges Moraine Conservation Plan (ORMCP) requires that all Planning Act applications must conform with the ORM Plan. The lands included in the applications are designated "Settlement Area" in the Oak Ridges Moraine Conservation Plan. These applications were commenced prior to November 17, 2001 and are not subject to the Oak Ridges Moraine Conservation Plan

Official Plan

The lands are designated "Low Density Residential" and "Valley Lands" by OPA No. 600, and OPA No. 604 (Oak Ridges Moraine Conformity Plan) further designates the lands as "Settlement Area". The lands are zoned A Agricultural Zone and OS5 Open Space Environmental Protection Zone by By-law 1-88 as amended by By-law 242-2003 (Oak Ridges Moraine).

Within the "Low Density Residential" designation the maximum permitted net density on a site is 22 units per hectare. The maximum average net density across entire Block 18 for the low-density area shall be between 16 to 18 units per hectare. The draft plan yields an overall density of approximately 17.4 units per net hectare. The maximum average net density across Block 18 is 17.8 units per hectare. The draft plan conforms to the Official Plan in this respect.

The "Low Density Residential" designation permits a range of uses including detached homes, semi-detached houses, street townhouses, parks, schools, small-scale community facilities and places of worship, and local convenience commercial uses.

Zoning

The lands are zoned A Agricultural Zone and OS5 Open Space Environmental Protection Zone by By-law 1-88 as amended by By-law 242-2003 (Oak Ridges Moraine). An amendment to the zoning is required to implement the draft plan of subdivision. The RD3 Residential Detached Zones would be the appropriate zone categories to be applied to the detached units and the RT1 Residential Townhouse Zone for the townhouse units. 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 block will be placed in a residential zone in keeping with the adjacent residential zones.

All open space blocks, woodlots and buffers will be zoned OS5 Open Space Environmental Protection Zone in accordance with By-law 242-2003, the City's Oak Ridges Moraine Conformity Zoning By-law. The neighbourhood parks and greenways would be zoned OS2 Open Space Park Zone. The storm water management block will be zoned OS1 Open Space Conservation Zone.

The portion of the draft plan of subdivision identified as Phase 2 development on Attachment #4, will be zoned with a Holding Provision "H" pending the availability of servicing capacity. The affected lots and blocks that are subject to the "H" Zone include: Lots 1 to 159 inclusive, 196 to 204 inclusive; and Blocks 344 to 345 inclusive.

Subdivision Design

The draft plan has been prepared in accordance with the approved Block 18 Plan. The road pattern is designed to align with adjacent road patterns within the block (Helmhorst Investment Ltd., Senang Investments Ltd., and Great Gulf Group to the north and Ivy Glen Developments inc. to the south). When completed the road pattern will provide for a continuous movement of traffic. There is no external access to Dufferin Street from this subdivision.

The draft plan provides for 337 detached units with frontages ranging between 12.0 – 18.78 metres and 20 townhouse units. Part lots that will be developed with adjacent plans of subdivision are also included in the draft plan of subdivision plan. Lot depths vary throughout the plan ranging approximately between 31.1 to 41 metres and generally increased lot depths have been provided adjacent to natural features.

The draft plan includes 2 storm water management pond part blocks located adjacent to natural/open space systems. Block 350 has an area of 0.259ha and continues to the north of the subdivision in the Helmhorst Investments Ltd. subdivision. Block 349 is a larger block with an area of 0.838ha that continues south of the subject lands in the Ivy Glen Developments Inc. subdivision.

Two elementary school part blocks are proposed, Block 346 for a public elementary school and Block 347 for a separate elementary. Block 346 abuts Street B to the east and a neighbourhood park to the west. Block 347 western lot line abuts Street A and an open space buffer to the east. The two school part blocks will be developed with another block included in the draft plan of subdivision located immediately north of the subject property.

The proposed plan includes a neighbourhood park (Block 348) that continues north of the subdivision into the Great Gulf Group 19T-00V18 subdivision. A greenway block is provided along the full length of the main north/south road in the proposed draft plan of subdivision, which will be zoned into an OS2 Open Space Park Zone. The park and

greenway blocks will be conveyed to the City free of all encumbrances for parkland purposes.

The proposed draft plan of subdivision indicates that sidewalks will be located on both sides of the primary roads (Streets "A" and "B"), and on one side of the street for the remainder of the roads.

Servicing

The Vaughan Engineering Department provides the following comments:

i) ESA

Terrapex Environmental Limited has concluded its peer review of the ESA Phase 1 and recommended that the City accept the ESA and agreed with the conclusion that the land is suitable for use as a residential development.

ii) Roads

The use of alternative road design standards is being proposed in this development within the Block 18 Plan. Raised crosswalks are planned for the intersection of Street "B" and Street "I" and Street "A" and Street "I".

Construction access to the subject lands will be via Dufferin Street, subject to Regional approval.

A 3.0 metre greenway is proposed along Street "B".

iii) Engineering Servicing

The municipal services for this development shall be in accordance with the approved Master Environmental Servicing Plan dated August 1997, the Block 18 Master Environmental Servicing Plan Response to Comments dated December 2000, the Block 18 Master Environmental Servicing Plan Supplementary Block Plan dated July 2003 and Supporting Documents For Approval of Block 18 – Environmental dated November 20, 2003 prepared by Schaeffer & Associates Ltd., Dillon Consulting Limited, and KLM Planning Partners Inc., and any subsequent reports which are approved and amended for Block 18 (OPA 600) shall also be deemed to constitute part of the approved M.E.S.P.

Subsequent to the individual draft plans receiving approval by the City, the participating landowners within Block 18 have indicated that they may wish to enter into a Skeleton Servicing Agreement with the City, which would address the design and construction of select storm sewers, sanitary sewers, watermains, roads and stormwater management facilities among other items. In the event that the participating landowners enter into the Skeleton Servicing Agreement, the roads constructed through the agreement shall be dedicated to the City in advance of the individual draft plans of subdivision proceeding to registration.

This plan of subdivision depends on municipal services (sanitary, storm and watermain) to be constructed throughout Block 18. The sanitary sewerage scheme for Block 18 sewage is provided through the Langstaff Collector via the Basaltic sub-trunk and Block 11. A new sanitary sewer along Rutherford Road to Westburn Drive is required to connect to the Basaltic Subtrunk. New sanitary sewers through Block 11 are required to connect to the Langstaff Collector. Until the sewers are constructed through Block 11, Block 18 is proposing to construct a pumping station at Dufferin Street to temporarily redirect the flows to the Basaltic Subtrunk. If the infrastructure required to connect to the

Basaltic Sub-trunk or the Langstaff Collector is not constructed or there is insufficient capacity within the system to accommodate this plan, the necessary remedial works shall be constructed as external works in conjunction with this plan.

The development of the draft plan shall proceed in phases as per the approved M.E.S.P. and the availability of sanitary sewage and water servicing capacity and allocation.

iv) Sanitary Servicing

The subject site will be serviced through both the Basaltic Sub-trunk as well as the Langstaff Collector. Allocation as well as a connection to the sanitary sewers located on Streets B and G at the southern and eastern boundary of the proposed plan of subdivision is required.

Sewage servicing capacity has been reserved by the City for 5,400 people within Phase 1 of Block 18. Allocation for the Phase 1 lands shall be received prior to registration. The sanitary sewerage scheme for Block 18 sewage is provided through two sewer sheds. The first being the Basaltic sub-trunk and the second being the Langstaff Collector. A new sanitary sewer along Rutherford Road to Westburn Drive is required to connect to the Basaltic Subtrunk.

The Block is proposing that a temporary pumping station be constructed where the sanitary sewer is proposed to cross Dufferin Street to redirect the flows destined for the Langstaff Collector via Block 11 to the Basaltic Sub-trunk. Once the sewers are constructed through the proposed draft plan of subdivision 19T-03V01, the temporary pumping station will be decommissioned.

Prior to the commencement of development within Phase 2, the Region of York shall identify sanitary servicing capacity and that capacity will be allocated or reserved by the City.

v) Phasing

The phasing boundary on the plan needs to be altered to reflect the red-lined phasing plan as prepared by KLM Planning Partners Inc dated June 11, 2004. This alteration will result in lots 196 to 204 inclusive being moved from Phase 1 to Phase 2.

vi) Storm Drainage

This plan contains two of the six stormwater management ponds to be constructed as part of Block 18. The minor and major flows will be conveyed primarily through the proposed road allowances and ultimately drain into the stormwater management facility located within this draft plan of subdivision as well as proposed plans of subdivisions 19T-00V12, 19T-00V14 and 19T-01V01.

vii) Water Supply

The subject lands are located within service area Pressure District No. 7 of the York Water Supply System. The Block's Pressure District No. 7 network shall be serviced through two connections to the Vaughan-Richmond Hill Interconnecting Pressure District No.7 Watermain along Major Mackenzie Drive and the extension of a 450 mm Pressure District No. 7 watermain along Rutherford Road to Confederation Parkway. Additionally, the Block will have two cross connections to Block 11 across Dufferin Street.

The water supply to this draft plan shall be from the 400 mm diameter watermain stubs on Streets A and B through the proposed draft plan of subdivision 19T-00V12.

The applicant will be required to provide the City with a detailed network analysis at the engineering design stage.

Prior to the commencement of development within Phase 2, the Region of York shall identify water servicing capacity and that capacity will be allocated or reserved by the City.

Urban Design Department

Urban Design Department is satisfied with the proposed plan, subject to red-lined plan changing Block 351 to read Open Space and subject conditions of draft plan approval included in Attachment #1.

The Urban Design Department has also advised that the draft plan of subdivision should be revised to identify the location of the telecommunications and hydro utility building.

The Block 18 landowners have submitted a Landscape Masterplan (April 30, 2003) prepared by NAK Design Group that are currently being reviewed by Staff and will require final approval prior to final approval of the plan of subdivision.

Architectural Design Guidelines, prepared by The Planning Partnership 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.

Region of York

The Region of York has reviewed the proposed plan and advises that Phase I sewer and water capacity is currently available for the participating Block 18 and 33W owners dependent upon:

- i) 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; and
- ii) modifications to the existing Flow Splitting Chamber.

Phase II sewer capacity is dependent upon the construction of the South East Collector Sewer, the Langstaff Trunk Sewer and Bathurst Trunk Sewer (Phase I), or additional capacity may become available if determined solely by the Region from time to time based on monitoring and ongoing analysis of the York Durham Sanitary Sewer System. Phase II 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 owner's draft plan(s) of subdivision will be serviced by the Phase I water and sewer capacity and part of the owner's draft plan(s) of subdivision will be serviced by the Phase II water and sewer capacity.

There is no restriction on phases serviced by the Phase I water and sewer capacity. Restrictions should however be imposed on developments that require Phase II 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.

The Region of York has provided conditions of draft approval that are included in Attachment #1.

Other Comments

The Toronto & Region Conservation Authority (TRCA), Go Transit, The York Region District School Board, York Region Catholic School Board and Canada Post has reviewed the proposed draft plan of subdivision and is generally satisfied with the plan. The conditions of draft plan approval are 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

Community Planning Staff is of the opinion that the proposed draft plan of subdivision conforms 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 lots identified in Phase 2 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 18 - Phasing Plan

Report prepared by:

Margaret Holyday, Planner I ext. 8216
Art Tikiryana, Senior Planner, ext. 8212

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-00V15 {EAST MAPLE CREEK LANDS LTD.} {LOT 19, 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-00V15, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to the draft plan of subdivision, prepared by Bousfields Inc., drawing #X-0004-34DP, dated June 10, 2004 as red-lined on June 21, 2004 to incorporate the following revisions:
 - a) Lots 1 to 128 inclusive, 196 to 204 inclusive; Blocks 344 to 345 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) Plan to be red-lined to adjust phasing to correspond with lots identified in paragraph a) above.
 - c) the location of the telecommunications and hydro utility building(s) shall be identified on the draft plan of subdivision.
 - d) Block 351 should be revised to read Open Space.
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 1 to 128 inclusive, 196 to 204 inclusive; Blocks 344 to 345 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 therefore, 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 3
 - RT1 – Residential Townhouse Zone
 - OS1 – Open Space Conservation Zone (Stormwater Management Block)
 - OS2 – Open Space Park Zone (Parks & Buffer Zones)
 - OS5 – Open Space Environmental Protection Zone (Open Space)

- c) The implementing zoning by-law, zone Open Space Block 351 in an open space zone or other suitable category, which has the effect of prohibiting development, to the satisfaction of the TRCA.
3. The Owner shall pay any and all outstanding application fees to the Community Planning Department, in accordance with Tariff of Fees By-law 321-99.
 4. Prior to final approval of any part of the Plan, the Owner shall submit a revised Block Plan, if required, to reflect any significant alterations caused from this draft plan approval.
 5. The Owner shall enter into a subdivision agreement with the City to satisfy all financial and other conditions, with regard to such matters as the City may consider necessary, including payment of development levies and the woodlot development charge, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
 6. The Owner shall agree to create easements for maintenance purposes for all lots providing less than 1.2 m sideyards, or having roof encroachments, prior to transfer of land.
 7. Prior to final approval, easements required for utility, drainage and construction purposes shall be created and granted to the appropriate authority(ies), free of all charge and encumbrances.
 8. The Owner shall agree that on lots with flankages on the collector or primary roads, 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 Commissioner of Planning, or designate, prior to the issuance of a building permit.
 9. 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.
 10. Prior to final approval of the plan of subdivision, and prior to the initiation of any grading to any lands included in the plan of subdivision, a preliminary archaeological 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 licenced archaeologist and prepared according to the Ministry of Citizenship, Culture and Recreation (Heritage Operations Unit) approved Archaeological Assessment Technical Guidelines, dated 1993. The archaeological assessment shall be submitted to the municipality and the Ministry for review and approval.

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 a 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.

Warning Clauses

11. 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 where Canadian National or Canadian-Pacific railway company(s), or its assigns or successors in interest, has a right-of-way within 300 metres from the subject lands, and there may be future alterations or expansions to the rail facilities or operations which may affect the living environment of the residents in the vicinity, notwithstanding any noise and vibration attenuating measures included in the development and individual dwelling(s); CNR/CPR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way."
- "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings."
- "Purchasers and/or tenants are advised that any roads ending in a dead end or cul-de-sac may be extended in the future to facilitate development of adjacent lands, without further notice."

- 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) along a potential transit route:
 - "Purchasers and/or tenants are advised that the following streets may be used as transit routes in the future: Streets "A", and "B".

12. The Owner shall cause the following to be displayed on the interior wall of the sales office, information approved by the City of Vaughan, prior to offering any units for sale, to be monitored periodically by the City. No building permit shall be issued for a sales office or model home, or a residential unit until such information is approved by the City of Vaughan:

- the Block Plan for the broader area, showing surrounding land uses, arterials/highways, railways and hydro lines etc.
- the location of street utilities, community mailboxes, entrance features, fencing and noise attenuation features, together with the sidewalk plan approved in conjunction with draft plan approval.
- the location of parks, open space, stormwater management facilities and trails.
- the location of institutional uses, including schools, places of worship, community facilities.
- the location and type of commercial sites.
- colour-coded residential for singles, semis, multiples, and apartment units.
- the following notes in BOLD CAPITAL TYPE on the map:

"For further information, on proposed and existing land uses, please call or visit the City of Vaughan Community Planning Department, at 2141 Major Mackenzie Drive, (905)832-8565."

"For detailed grading and berming information, please call the developer's engineering consultant, (name) at _____".

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

"This map is based on information available as of (date of map), and may be revised or updated without notification to purchasers."

13. Where the Owner and the City determine that the Owner will develop the park block(s), the Owner shall agree that the design, securities and construction for the park(s) will be addressed through an agreement in accordance with the City's "Developer Build/Parks Development Policy, OPA #400 and future lands."
14. 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.
15. 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.
16. 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.

Block Plan Conditions

17. That the applicant shall submit a detailed soils report to address ground water balance/recharge concerns and a comprehensive plan identifying all related groundwater recharge mitigation measures to be implemented throughout the block.
18. That the applicant shall ensure that the recommendations of the City's Draft Pedestrian and Bicycle Study are implemented in the draft plan of subdivision.
19. That the noise attenuation measures that are proposed by the Regional Municipality of York in its Noise Policy/Guideline Update Study be considered to the satisfaction of the City, and the Toronto and Region Conservation Authority (TRCA).
20. That the approved Oak Ridges Moraine (ORM) conformity report(s) will become an addendum to the supporting Block Plan reports.

Engineering Department (General Conditions)

21. The Owner shall enter into a subdivision agreement with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payments of development levies, the provisions of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.

22. The road allowances included within this draft plan of subdivision shall be dedicated as public highways without monetary consideration and free of all encumbrances.
23. The road allowances included within this draft plan of subdivision shall be named to the satisfaction of the City and the Regional Planning Department.
24. 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.

25. Any dead ends or open sides of road allowances created by this draft plan of subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.
26. The Owner shall agree in the subdivision agreement that construction access shall be provided only in a location approved by the City.
27. Easements as may be required for utility, drainage or construction purposes shall be granted to the appropriate authority(ies), free of all charge and encumbrance.
28. 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.
29. Prior to the initiation of grading, and prior to the registration of this draft plan of subdivision or any phase thereof, the owner shall submit to the City for review and approval the following:

A detailed engineering report that describes the storm drainage system for the proposed development within this draft plan, which report shall include:

- a) plans illustrating how this drainage system will tie into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
- b) the location and description of all outlets and other facilities;
- c) storm water management techniques which may be required to control minor or major flows; and
- d) proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction.

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.

30. The Owner shall agree in the subdivision agreement that no building permits will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed development.
31. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost any external municipal services that have been designed and oversized by others to accommodate the development of the plan.
32. 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.
33. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots and/or Blocks within the Plan:

“Purchasers and/or tenants are advised that despite the inclusion of noise control features within the development area and within individual units, noise levels from construction activity may continue to be of concern occasionally interfering with some activities of the building occupants.”

Engineering Department (Specific Conditions)

34. The Owner shall agree in the subdivision agreement that the engineering design(s) for alternative road design, traffic calming measures and designated transit route(s) may result in variation to the road and lotting pattern number of lots to the satisfaction of the City.
35. Prior to final approval of the Plan, any and all appropriate revisions, as required shall be made to the Block Plan for Block 18 and all associated reports to the satisfaction of the City.
36. 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 as well as connect any existing residences which remain in place after development to the municipal system.
37. (a) Prior to final approval of the Plan, the Owner shall enter into a Developers' Group Agreement with the other participating landowners within Block 18 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 18. 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 18 shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 18 Developers' Group Agreement.
38. 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.
39. Prior to final approval the Owner's Consultant shall certify that the internal roads within this Plan have been designed to comply with the internal roads of the approved Block Plan and that the pattern of the street and the layout of the blocks within the plan have been designed to coincide and correspond with the pattern and layout of the proposed adjacent plans of subdivision.
40. Prior to final approval of the plan the Owner shall provide a revised Water Supply Analysis for review and approval by the Engineering Department.
41. 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.
42. 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.
43. Prior to final approval of the plan 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 plan.
44. Prior to release of the first building permit, construction of the following Block Plan items is required.
- a. All streets required to accommodate the spine servicing and phasing of the Block;
 - b. All stormwater management facilities required for the servicing of the Phase 1 development;
 - c. The sanitary outlet to that Basaltic Sub-trunk;
 - d. The sanitary outlet to the Langstaff Collector via Block 11 or a temporary pumping station to divert the flows from Dufferin Street to the Basaltic Sub-trunk; and
 - e. The extension of the Pressure District Number 7 watermain along Rutherford Road from the Maple Neighbourhood 2 area (west of the CN Railway) to Confederation Parkway.
45. The Owner shall not apply for building permits and the City shall not issue building permits for any lot until a minimum of two dedicated municipal road accesses are available to service the proposed development to the satisfaction of the City. The Owner is further advised that access

through an unregistered plan of subdivision is not considered public access. If the roads within an unregistered plan of subdivision are transferred to the City through an R-plan and dedicated as public highway, they will be considered an access point.

46. The Owner shall agree in the subdivision agreement to include the following warning clause in all Offers of Purchase and Sale or Lease for all dwellings within the Plan:

“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 Municipal Affairs published the Alternative Development Standards as a guideline to municipalities. The Province of Ontario has been promoting the use of these guidelines, which provide for reduced pavement widths that are narrower than City Standards. Traffic calming measures have also been incorporated in the road design”.

47. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots and Blocks on the Plan.

“Purchasers and/or tenants are advised that the plan lies within the boundary of the Oak Ridges Moraine as defined through the Oak Ridges Moraine Conservation Plan, April 22, 2002.”

48. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots and Blocks on the Plan.

“Purchasers and/or tenants are advised that public transit routes have not been determined for the area within the Plan, however, Streets A and B may be subject to public transit bus traffic”.

49. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots and Blocks on the Plan.

“Purchasers and/or tenants are advised that despite the inclusion of noise abatement features within the development area and within the building units, noise levels from increasing traffic on Streets A, B and Dufferin Street may be of concern, occasionally interfering with some activities of the dwelling occupants.”

50. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots and Blocks on the Plan.

“Purchasers and/or tenants are advised that the City of Toronto owned and operated a landfill within 4 kilometres of the property and that the facility is now closed and will be redeveloped into a park.”

51. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots and Blocks on the Plan.

“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.”

52. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for Lots 29, 30, 31, 93, 94 and 159 within the plan in proximity of a stormwater management facility or an open space block:

“Purchasers and/or tenants are advised that the adjacent open space or storm water management facility is designed for renaturalization and therefore shall receive minimal maintenance”

53. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots 270-282 inclusive, 294 and 337 within the plan in proximity of a park:

“Purchasers and/or tenants are advised that the lot abuts a Neighbourhood Park of which noise and lighting may be of a concern due to the nature of the park for active recreation.”

54. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots and Blocks on the Plan:

“Purchasers and/or tenants are advised that this plan of subdivision is designed to include rear lot catchbasins. The rear lot catchbasin is designed to receive and carry only clean stormwater. It is the homeowner’s responsibility to maintain the rear lot catchbasin in proper working condition by ensuring that the grate is kept clear of ice, leaves and other debris that would prevent stormwater from entering the catchbasin. The rear lot catchbasins are shown on the Construction Drawings and the location is subject to change without notice.”

55. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots and Blocks within the Plan.

“Purchasers and/or tenants are advised that fencing along the side and/or rear 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.”

56. The Owner shall agree that all disturbed lands within Phase 2 of the subject draft plan left vacant six (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.
57. The Owner shall agree in the subdivision agreement that prior to the development of any lands located within Phase 2, sanitary and water servicing capacity will be identified by the Region for development of lands within Phase 2, as applicable, and such capacities will be allocated or reserved by the City.

58. The Owner acknowledges that the plan shall proceed in phases in accordance with the Council approved phasing plan.
59. The Owner acknowledges that the servicing capacity available is subject to the following limitations:
- a. Water supply capacity has been reserved for Phase 1 of Block 18 for 5,400 persons;
 - b. Sewage servicing capacity has been reserved for Block 18 for a total of 5,400 persons;
 - c. Allocation of both water and sewage servicing capacity to Phase 1 of Block 18 shall not exceed 5,400 persons and will be allocated by the City prior to registration; and
 - d. Each individual draft plan shall identify a phasing limit to address the individual breakdown of the Phase 1 servicing capacity of 5,400 persons. The phasing for each plan shall be approved by the City prior to draft plan approval.
60. Prior to the issuance of a building permit for any lot or block within a phase, 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 all park block(s) located within that phase, 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).

Urban Design Department

61. The owner shall agree in the subdivision agreement that:
- a) Prior to final approval, architectural guidelines shall have been prepared in accordance with Council Policy and approved by Council;
 - b) All development shall proceed in accordance with the Council approved architectural design guidelines;
 - c) A control architect 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.
62. Prior to final approval, the Owner shall pay to the City, a woodlot acquisition payment at the rate of \$1,000.00 per residential dwelling unit plus \$500.00 for each future residential dwelling unit contained on a part lot in the Plan which is to be combined with an abutting part lot in an adjacent plan to form a building lot, as per schedule "T", in accordance with the Special Area Woodlot Development Charge By-law.
63. Prior to final approval, the owner shall prepare Urban Design Guidelines for the Block 18 Community to the satisfaction of the City. These guidelines shall address but not be limited to the following issues:
- Community structuring elements;
 - Community character;
 - Lotting fabric;
 - Built form and public realm landscape architecture;
 - Boulevard and sidewalk design;
 - Community feature locations;
 - Urban design built form guidelines for commercial, institutional and townhouse development.
64. Prior to final approval, the owner shall prepare a streetscape and open space landscape master plan in accordance with the approved Block 18 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, parkettes, trail heads, medians and fencing;
 - Community edge treatments along Dufferin Street;
 - The appropriate configuration and landscape treatment for Stormwater management facility Block 349;
 - The pedestrian urban connections between streets and within the neighbourhood;
 - The appropriate location and high quality design for the telecommunications and hydro utility buildings and easements;
 - Open space edge management rehabilitation planting, trails, bridge crossings, erosion repair sites and pedestrian access points into the valley;

The Owner agrees to prepare detailed landscape construction drawings and implement the Streetscape and Open Space Landscape Master Plan to the satisfaction of the City.

65. Prior to final approval, the owner shall provide a tree preservation 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.

66. The warning clause council approved September 29, 1997 with respect to "Tree Fees" shall be included in the subdivision agreement:

"Purchasers are advised that the planting of trees on City boulevards in front of residential units is a requirement of the subdivision agreement. A drawing depicting conceptual location for boulevard tree is included as a schedule in this subdivision agreement. This is a conceptual plan only and while every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete and boulevard tree without further notice.

The City has not imposed an amount of 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 the purchasers for boulevard trees does not guarantee that a tree will be planted on the boulevard in front or on the side of a residential dwelling.

67. The owner shall convey buffer blocks 352 to the City free of all cost and encumbrance for landscaping purposes.

68. Prior to final approval of the plan the owner shall prepare a detailed edge management plan study for the perimeter of the valley/open space block 351. The study shall include an inventory of all existing trees within an 8 metre zone inside the staked edges, and areas where the open space edges are disturbed, assessment of significant trees to be preserved and proposed methods of edge management and/or remedial planting shall be included. The owner shall not remove any vegetation without written approval by the City.

The owner shall provide a report for a 20 metre zone within all staked open space edges to the satisfaction of the TRCA and City, which identifies liability and issues of public safety and recommends woodlot/forestry management practices and removal of hazardous and all other trees as identified to be removed prior to assumption of the subdivision.

69. Prior to final approval the Owner shall agree to provide funding for streetscaping along Major Mackenzie Drive from Hill Street to the Railway crossing and pedestrian overpass to the satisfaction of the City.

70. The Owner shall convey park blocks 348 to the City free of all encumbrances for parkland purposes.

71. The owner shall convey greenway blocks 354, 355 and 356 to the City free of all encumbrances.

72. 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 lots that abut the park block, storm pond or open space.

73. In the event that the Owner and the City agree that the owner will develop Park block 348, 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."

74. Prior to building permit issuance, the owner shall prepare for review and approval on Park block 348, 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 recommendation 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 of the City.

The owner shall reimburse the City for the cost of the City's peer review of the Phase II E.S.A.

Region of York

75. 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.
76. 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.
77. 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.
78. 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.
79. 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.
80. 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.
81. 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.
- 82. 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.
 - 83. 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.
 - 84. The Owner shall submit detailed engineering drawings, to the Regional Transportation and Works Department for review 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, pavement markings, intersection signalization and illumination design, traffic control/construction staging plans and landscape plans.
 - 85. The intersection of Dufferin Street and Street 'D' 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.
 - 86. The Owner shall convey the following lands to The Regional Municipality of York, free of all costs and encumbrances, to the satisfaction of The Regional Municipality of York Solicitor:
 - a. A road widening along the entire frontage of the site adjacent to Dufferin Street, of sufficient width to provide 18 metres from the centerline of Dufferin Street,
 - b. A 0.3 metre reserve across the full frontage of the site where it abuts Dufferin Street shall be conveyed to the Regional Municipality of York for public highway purposes, free of all costs and encumbrances.
 - 87. The location and design of the construction access for the subdivision work shall be completed to the satisfaction of the Regional Transportation and Works Department and illustrated on the Engineering Drawings.
 - 88. Direct vehicle access from the proposed dwellings to Dufferin Street will not be permitted. Access must be obtained through the internal road network.
 - 89. Any existing driveway(s) along the Regional road frontage of this subdivision must be removed as part of the subdivision work, at no cost to the Region.

90. Any landscaping provided on the Regional right-of-way by the Owner or the area municipality for aesthetic purposes must be approved by the Regional Transportation and Works Department and shall be maintained by the area municipality with the exception of the usual grass maintenance.
91. Subject to approval by the City of Vaughan and the Region of York, the owner shall agree in the subdivision agreement to construct sidewalks along the subject lands' frontage onto the planned transit roadways, with the exception of Dufferin Street. Such sidewalks shall be constructed on both sides of the planned transit roadways, with the exception of Dufferin Street where a sidewalk would be required on the west side of the street.
92. 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.
93. 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 of York concurrent with construction of necessary sidewalks. Required platform locations are as follows:
 - a. Northbound Street B at the intersection of Streets C/D (near-side placement, adjacent to rear lot line of Lots 59/127)
 - b. Southbound Street B at the intersection of Streets C/D (near-side placement, adjacent to the rear lot line of Lot 293)
 - c. Northbound Street A at the intersection of Streets C/M (far-side placement, NE corner, adjacent to Lot 347 – "Elementary School")
 - d. Southbound Street A at the intersection of Streets C/M (near-side placement, adjacent to rear lot line of Lots 28/32)
94. The owner shall agree in the subdivision agreement that the bus passenger platforms identified above shall be designed to the satisfaction of the area municipality and York Region Transit.
95. 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.
96. 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.
97. 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.

98. 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.

Toronto and Region Conservation Authority

99. The Owner shall submit a detailed engineering report for the review and approval of the TRCA that describes the storm drainage system (quantity and quality) for the proposed development of the subject lands, in accordance with the MESP for this area (Block 18). This report shall include:
- Plans illustrating how this drainage system will tie into surrounding drainage systems, i.e., is it part of an overall drainage scheme? How will external flows be accommodated? What is the design capacity of the receiving system?;
 - Stormwater management techniques which may be required to control minor or major flows;
 - Appropriate Stormwater Management Practices (SWMPs) 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;
 - Proposed method for controlling or minimizing erosion and siltation on-site/or in downstream areas during and after construction;
 - Location and description of all outlets and other facilities which may require a permit, pursuant to Ontario Regulation 158, the Authority's Fill, Construction and Alteration to Waterways Regulation;
 - Overall grading plans for the subject lands.
100. That this draft plan of subdivision be subject to red-line revisions in order to meet the requirements of Condition 99, if necessary.
101. That the applicant revise the draft plan to clearly indicate all buffer blocks and confirm the 2.5 metre buffer on Lots 29 to 31 inclusive within draft plan of subdivision 19T-00V15, to the satisfaction of the TRCA.
102. That the applicant submit detailed edge management plans and detailed restoration plans for the natural environmental features (Northeast Forest), to the satisfaction of the TRCA.
103. That the Owner agree in the subdivision agreement, in wording acceptable to the TRCA:
- a.) to carry out, or cause to be carried, to the satisfaction of the TRCA, the recommendations of the technical report referenced in Condition 99;
 - b.) to maintain all stormwater management and erosion and sediment control structures operating in good repair during the construction period, in a manner satisfactory to the TRCA;
 - c.) to obtain all necessary permit(s) pursuant to Ontario Regulation 158 from the TRCA.

104. A copy of the executed subdivision agreement should be provided to the TRCA when available in order to expedite the clearance of conditions of draft approval.

York Region District School Board

105. That prior to final approval, the owner shall have made Agreement satisfactory to the York Region District School Board for the transfer of one public elementary school site. The public elementary school site, Block 346, shall contain not less than 1.0 hectares.

106. 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 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 any buildings on each school block;
- iii) to remove trees on each school block as required to accommodate school layout;
- iv) to provide a letter of credit pertaining to stockpiling and removal of topsoil as established in the latest version of Hanscomb's Yardstick for Cost Data for the Canadian Construction industry to the satisfaction of the Board;
- v) 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 specifications determined by the Board;
- vi) to construct a galvanized chain link fence, Type II 1-1/2" mesh along all boundaries of the school blocks, including road frontage(s) at the discretion of the Board;
- vii) to construct the fences prior to the issuance of building permits for Phase 1 of the subdivision;
- viii) to erect and maintain a sign on the on the public school site at such time as the relevant access roads are constructed, indicating that the date has not been set for the construction of the school;
- ix) to provide the foregoing at no cost to the Board; and,
- x) 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 is required;

107. 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.
108. 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 Condition 107ii) shall be installed to the mid-point of the frontage of the elementary school site and positioned as designated by the Board, at no cost to the Board.
109. The City of Vaughan 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.
110. 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.
111. 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.
112. That the York Region District School Board shall advise that conditions 105 to 111 inclusive have been met to its satisfaction. The clearance letter shall include a brief statement detailing how each condition has been satisfied or carried out.
113. That the City of Vaughan be advised that unless the provincial funding model provides sufficient funds to construct new schools, there can be no assurance as to the timing of new school construction nor a guarantee that public school accommodation will be provided within the subject plan notwithstanding the designation of a public school site.
114. Prior to final approval of the subject plan, the YRDSB shall have advised that the Board has entered into agreement(s) satisfactory to the Board for the acquisition of Block 346 in 19T-00V15, Block 38 in 19T-03V15 and Blocks 362 and 363 in 19T-00V12 to allow for the future construction of a new elementary school to serve the community.

York Catholic District School Board

115. That the Owner shall enter into an agreement satisfactory to the York Catholic District School Board for the transfer of Block 347 (0.885 Ha.).
116. 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 347, as determined by the Board.
 - c) There shall be no stockpiling of topsoil on Block 347.
 - 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. (Please refer to the attached "*Schedule B*").
 - 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.
117. That the Owner shall submit, at no cost to the Board, a report from a qualified consultant concerning:
- b) The suitability of Block 347 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.
 - c) 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.
 - d) 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.
118. 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.
 - e) The availability of a satisfactory natural gas supply.

- f) 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.
119. 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.
120. That the Owner shall agree in words acceptable to the York Catholic District School Board, that the services referred to in Condition 4, 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.
121. 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.
122. 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.
123. 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".
124. 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".
125. That prior to final approval the YCDSB shall be satisfied that adequate provisions have been made within Block 18 for the accommodation of both elementary and secondary students, and that lands designated as school sites are in satisfactory locations, and of configurations that conform to Board criteria.
126. That prior to final approval the YCDSB shall be satisfied that arrangements have been made for the transfer of Lands municipally known as 1820 Rutherford Road to the YCDSB for the purposes of a secondary school site, and that these lands are free and clear of all structures and zoned for the purposes of a secondary school.

Go Transit

127. The Zoning By-law shall require a minimum building setback from the railway right-of-way of 30 metres in conjunction with a 2.5 metre high safety berm.
128. The Owner is required to engage a consultant to undertake an analysis of noise and vibration in order to recommend abatement measures necessary to achieve the maximum level limits set by the Ministry of the Environment and GO transit. Upon review and approval of the noise and vibration reports, all recommendations provided should be included in the subdivision agreement.

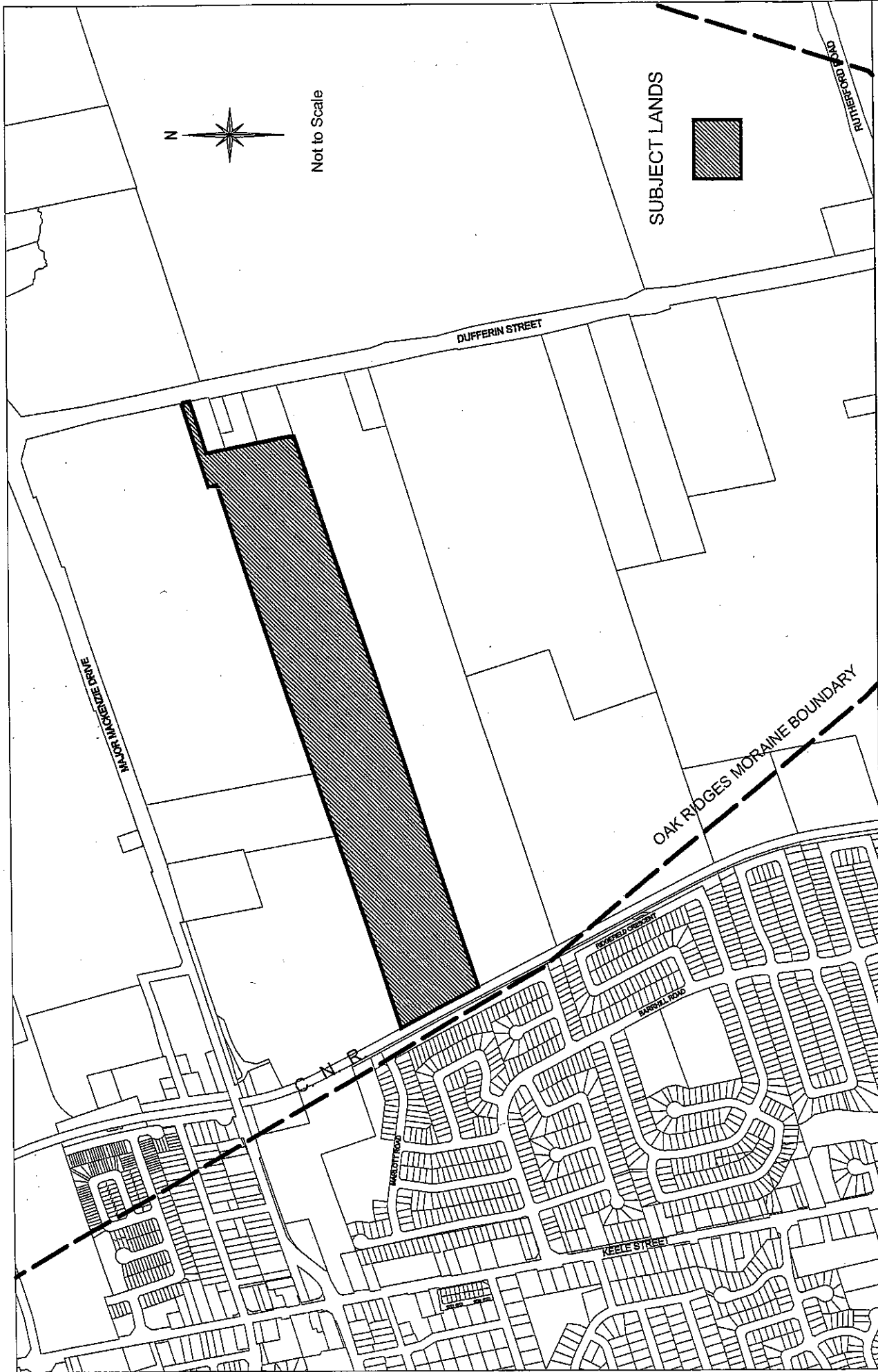
129. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to GO Transit, to the following:
- a) Construct and maintain an earthen berm a minimum of 2.5 metres above grade at the property line, having side slopes not steeper than 2.5 to 1, adjoining and parallel to the railway right-of-way with returns at the ends.
 - b) Construct and maintain an acoustic barrier along the top of the berm of a minimum combined height of 5.5 metres above top-of-rail. The acoustic fence is to be constructed without openings and of a durable material with a surface density not less than 20 kg/m². Subject to the review of the noise report, GO Transit may consider other measures recommended by an approved Noise Consultant.
 - c) Install and maintain a chain link fence of a minimum 1.83 metre height along the mutual property line.
 - d) That any proposed alterations to the existing drainage pattern affecting GO Transit property must receive prior concurrence from GO Transit and be substantiated by a drainage report to the satisfaction of GO Transit. Due to the location of the proposed stormwater management, we request to review the stormwater management report.
130. The following warning clause shall be included in the Subdivision Agreement and inserted in all Agreements of Purchase and Sale or Lease for each dwelling unit within 300 metres of the right-of-way. Provisions must be included in the Subdivision Agreement to ensure that the warning clause survives the release of the Owner's obligations under the Subdivision Agreement and remains on title.
- “Warning :** The Greater Toronto Transit Authority, carrying on business as GO Transit, and its assigns and successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that GO Transit or any other railway entering into an agreement with GO Transit to use the right-of-way or their assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of noise and vibration attenuating measures in the design of the development and individual dwelling(s). GO Transit will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.”
131. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have the sole responsibility for and shall maintain these measures to the satisfaction of GO Transit.
132. The Owner shall enter into an Agreement with GO Transit that will stipulate how GO Transit's concerns will be resolved and will pay GO Transit's reasonable costs in preparing and negotiating the agreement.

Canada Post

133. The Developer agrees to ensure that all new home buyers will be officially notified of the exact Community Mail Box locations prior to any house sales. Also that the builder will post in clear site a copy of the plan indicating the Community Mail Box sites at the sales office. This plan is requested to be completed and approved prior to the start of the house sales for the subdivision.
134. The owner/developer agrees to include on all offers of purchase and sale a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
135. The owner/developer will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer on which the homeowners does a sign off.
136. The owner/developer will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
137. The owner/developer will provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans:
 - a) an appropriately sized sidewalk section (concrete pad), as per municipal and Canada Post standards, to place the Community Mailboxes on (a copy if the Standards will be provided upon Request). The developer further agrees to provide these cement pads during sidewalk pouring and will notify Canada Post of the locations as they are completed
 - b) Any required walkway across the boulevard, as per municipal standards (1.0 to 1.5 metres wide)
 - c) Any required curb depressions for wheelchair access
 - d) Multiple Blocks will have the appropriate Canada Post Delivery Policy applied as the required information becomes available and it is requested that information be provided to Canada Post by the Developer
138. Canada Post Corporation's Multi Unit Policy will be in effect for any Multi Unit Buildings. It will be the Owner's responsibility to purchase and maintain Centralized Mail Boxes for this development type.
139. Any institutions in this plan will be treated as a single business and will be provided mail delivery to 1 Point of Call.
140. The owner/developer further agrees to determine, provide and fit up a suitable temporary Community Mailbox location(s) which may be utilized by Canada Post until the permanent mailbox pads, curbs, sidewalks and final grading have been completed at the permanent CMB site locations. (a gravel area with a single row of patio stones – spec to be provided). This will enable Canada Post to provide mail service to new residences as soon as homes are occupied. The developer further agrees to fit up the temporary area 30 to 60 days prior to the first occupancy and notify Canada Post of the first occupancies at this time.

Other Conditions

141. Final approval for registration shall be issued in phases in accordance with the Phasing Plan prepared by KLM Planning Partners Inc., dated June 11, 2004 and 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 140 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
 - c. Allocation being provided within the appropriate capacity assigned by the region, as approved by the City, in consultation with the region of York.
142. 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.
143. The Region of York shall advise that Conditions 75 to 98 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
144. The Toronto and Region Conservation Authority shall advise that Conditions 99 to 104 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
145. The York Region District school board shall advise that Conditions 105 to 114 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
146. The York Catholic School Board shall advise that Conditions 115 to 126 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
147. GO Transit shall advise that Conditions 127 to 132 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
148. Canada Post shall advise that Conditions 133 to 140 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



Attachment 2

FILE No.:
19T-00V15 &
Z00.084

June 17, 2004

City of Vaughan

Community Planning Department

Location Map

Part Lots 19 & 20,
Concession 3

APPLICANT:
EAST MAPLE CREEK
LANDS LIMITED

