

COMMITTEE OF THE WHOLE JUNE 21, 2004

**ZONING BY-LAW AMENDMENT FILE Z.03.070
DRAFT PLAN OF SUBDIVISION FILE 19T-95065
1275621 ONTARIO INC.
REPORT # P.2004.56**

Recommendation

The Commissioner of Planning recommends:

1. That the Block 11 Staging Plan for Phase I (Attachment 4) lands, as red-lined, BE APPROVED.
2. That the revised Block 11 Transportation Management Plan, dated May 2004, and included as Attachment 5, be approved.
3. That Zoning Amendment Application Z.03.070 (1275621 Ontario Inc.) BE APPROVED to rezone the lands to the appropriate zone categories to implement the approved draft plan of subdivision and that the Phase 1 – Stage 2 portion of the lands, be placed in a “Holding” Zone, pending availability of servicing capacity.
4. That the red-lined Block 88 on the subject draft plan be placed in a “Holding” Zone pending finalizing the location and size of the neighbourhood park block, residential lot pattern, and road network, which shall be to the satisfaction of the City prior to the lifting of the Holding ‘H’ provision.
5. That Block 129 be placed in a “Holding” Zone pending the completion of a Cultural Heritage Assessment for the existing residence located within the limits of the valley feature. The cultural heritage assessment and recommendations thereto, shall be to the satisfaction of the City and the Toronto and Region Conservation Authority prior to the lifting of the Holding ‘H’ provision.
6. That Lots 104 to 108 inclusive be placed in a “Holding” Zone pending the completion of a Cultural Heritage Assessment for the existing residence located on Lots 106 and 107 of the draft plan. The cultural heritage assessment and recommendations thereto, shall be to the satisfaction of the City and the Toronto and Region Conservation Authority prior to the lifting of the Holding ‘H’ provision.
7. That Draft Plan of Subdivision 19T-95065 (1275621 Ontario Inc.) prepared by Alcorn & Associates Limited, dated June 14, 2004, and red-lined to revise Street ‘B’ to allow for a 6 metre wide landscape buffer along Dufferin Street; and, red-lined to revise the lotting pattern to show Lots 29 to 81 inclusive as Block 88, BE DRAFT APPROVED, subject to conditions as set out in Attachment 1.
8. 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.”
9. That Council adopt the following resolution with respect to the allocation of sewage and water servicing capacity:

“NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT the proposed Draft Plan of Subdivision application 19T-95065 (1275621 Ontario Inc.) Phase 1, Stage 1 is allocated sewage capacity from the York/Durham Servicing Scheme

via the North Don Collector on an interim basis and ultimately via the Bathurst Trunk Sanitary Sewer once constructed, and water supply capacity from Pressure District No. 7 of the York Water Supply System for a total of 51 residential units, following the execution of a subdivision agreement to the satisfaction of the City.”

10. That the Owner enter into an agreement, (to be registered on title) with the City of Vaughan, indicating that the Lots included in Phase 1- Stage 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 September 29, 2003, the Owner submitted applications to permit, in part, a high-density residential/commercial block on the subject lands, with the applications being heard at the December 8, 2003 Public Hearing.

On January 26, 2004, the Owner submitted revised applications to amend the Zoning By-law and for a Draft Plan of Subdivision on the 17.14ha site, to permit the following:

- 67 detached lots with frontages from 12.5m to 17.7m;
- 38 semi-detached lots with frontages from 7.5m to 13.0m;
- 3.04ha neighbourhood commercial block
- 2.17ha elementary school block;
- 0.31ha neighbourhood park block; and,
- 4.18ha open space/valley lands block.

On May 26, 2004, Staff received a letter from the York Catholic District School Board, stating that the Board no longer requires an elementary school site within this draft plan of subdivision.

On June 14, 2004, the Owner submitted revised applications to permit the following on the 17.15ha site:

- 128 detached lots with frontages from 12.5m to 19.3m;
- 3.02ha neighbourhood commercial block
- 0.31ha neighbourhood park block; and,
- 4.18ha open space/valley lands block.

The Owner proposed 53 single detached lots in place of the school block; however, Staff has red-lined the draft plan to revise the lot pattern on the said lands back to a single block (Block 88). Staff is of the opinion that the park block on the adjacent draft plan (Block 200 on Plan 19T-03V01) be relocated onto the said lands, thereby providing a minimum of 3 street frontages onto the park.

In view of the above, the red-lined Block 88 on the subject draft plan shall be placed in a “Holding” Zone pending finalizing the location and size of the neighbourhood park block, residential lot pattern, and road network, which shall be to the satisfaction of the City prior to the lifting of the Holding ‘H’ provision.

Background - Analysis and Options

The site is located at the southeast corner of Major Mackenzie Drive and Dufferin Street, in Part of Lot 20, Concession 2, City of Vaughan. The 17.15ha site has 241m frontage on Major Mackenzie Drive and 443m flankage on Dufferin Street.

The subject lands are designated "Medium Density Residential/Commercial", "Neighbourhood Commercial Centre", "Low Density Residential", and "Valley Lands" by OPA 600, and zoned A Agricultural Zone and OS5 Open Space Environmental Protection Zone by By-law 1-88. The approved Block 11 Plan specifically defines the land uses as neighbourhood commercial, low density residential, medium density residential, elementary school, neighbourhood park, and open space/valley lands. The surrounding land uses are:

- North - Major Mackenzie Drive; driving range (A Agricultural Zone)
- South - farmland/future development (A Agricultural Zone)
- East - valley lands (OS5 Zone)/farmland (A Agricultural Zone)
- West - Dufferin Street; farmland/future development (A Agricultural Zone)

On February 27, 2004, a notice of public hearing was circulated to all property owners within 120m of the subject lands, with no responses being received. The recommendation of the Committee of the Whole on March 22, 2004, to receive the public hearing and forward a technical report to a future Committee meeting, was ratified by Council on March 29, 2004.

Block Plan

On August 25, 2003, Council adopted the August 18, 2003 Committee of the Whole Report for the Block 11 Planning Area, subject to conditions. A list of 10 conditions respecting the Block Plan are required to be addressed prior to any draft plan of subdivision within Block 11 proceeding to Council for approval. Each of the 10 conditions have been completed or will be addressed through the conditions of draft plan approval.

Block 11 is located within the community of "Carrville Urban Village 2" and bounded by Rutherford Road to the south, Major Mackenzie Drive to the north, Dufferin Street to the west and Bathurst Street to the east.

The Block 11 Plan provides primarily low density residential development for most of the Block, which is comprised of detached and semi-detached units. The Block also includes medium density development in the form of on street and block townhouse units, and high density development in the Carrville District Centre at the southwest corner of the block, with three neighbourhood commercial sites proposed at the other corners of the block. Four convenience commercial blocks are also proposed along Dufferin Street, Rutherford Road, and Bathurst Street.

The Block 11 Plan provides for four elementary schools and one high school, however, the York Catholic District School Board no longer requires the elementary school on the subject lands. There are three neighbourhood parks located adjacent to elementary school properties and the location and size of one park block to be finalized on the subject draft plan. The Block also consists of eight stormwater management ponds, with a significant portion of the Block being designated valleylands. Also, a large parcel of land located centrally on the west side of the block has been dedicated as a nature reserve.

Official Plan

The "Low Density Residential" designation permits detached dwellings at a maximum net density of 22 units/ha, and at an average net density for low density across the entire Block 11 Plan area of 16-18 units/ha.

The Block 11 Landowners have provided new residential density counts proposing a total of 3,642 dwelling units comprised of 1,631 low density, 1,539 medium density and within the Carrville District Centre showing 472 high density units. Staff is satisfied that the revised density counts for the Block 11 Plan are in conformity with the density policies of OPA 600.

In addition to the above, the subject draft plan is permitted a maximum of 204 units (9.29ha x 22 units/ha), whereas 75 units are proposed, as red-lined, which is also in conformity with the density policies of OPA 600.

Block 129 at 3.04ha is designated "Neighbourhood Commercial" and permits 5,000 m² - 20,000 m² of Gross Leasable Area. Uses included in this designation consist of food stores, retail stores, pharmacies, banks and financial institutions, business and professional offices, personal services, restaurants, service stations and gas bars, but shall not include a department store. The proposed Neighbourhood Commercial Centre conforms to the Official Plan.

The proposed neighbourhood commercial site will be reviewed in greater detail once the site development application is submitted for approval.

Zoning

The lands are presently zoned A Agricultural and OS5 Open Space Environmental Protection Zones. An amendment to the current zoning is required to implement the proposed draft plan of subdivision. The subject lands will be zoned in accordance with the City of Vaughan's new residential zone standards, including the RD1, RD2 and RD3 standards for detached lots having frontages of 18m, 15m and 12m, respectively.

Exceptions to the residential zone standards may be required for Lots 106 to 108 inclusive, should the existing residence remain.

All lands designated valleylands (Blocks 130, 134, and 135) will maintain the OS5 Open Space Environmental Protection Zone, and the park block (Block 131) would be zoned OS2 Open Space Park Zone.

An exception to the permitted maximum lot area for the C4 Neighbourhood Commercial Zone site at the northwest corner of the proposed draft plan will be required as Block 129 is 3.04ha, whereas a maximum 2.5ha is permitted.

The portion of the draft plan lands identified as Phase 1- Stage 2 development will be zoned with a "Holding" Provision pending availability of servicing capacity. The affected lots and blocks that are subject to the holding provision include: Lots 9 to 28 inclusive and 99 to 122 inclusive (all detached lots), Blocks 88 and 157, and includes Streets A, B, C, and E.

Block 157 shall only be developed in conjunction with the adjacent lands; in the interim, the block will be subject to an "H" Holding Zone provision

Block 129 will be zoned with a "Holding" Zone pending the completion of a Cultural Heritage Assessment for the existing residential dwelling located within the limits of the valley feature. The Cultural Heritage Assessment and recommendations thereto, shall be to the satisfaction of the City and the Toronto and Region Conservation Authority prior to the lifting of the Holding 'H' provision.

Lots 104 to 108 inclusive will be zoned with a "Holding" Zone pending the completion of a Cultural Heritage Assessment for the existing residential dwelling located on Lots 106 and 107 of the draft plan. The Cultural Heritage Assessment and recommendations thereto, shall be to the satisfaction of the City and the Toronto and Region Conservation Authority prior to the lifting of the Holding 'H' provision.

The red-lined Block 88 on the subject draft plan shall be placed in a "Holding" Zone pending finalizing the location and size of the neighbourhood park block, residential lot pattern, and road network, which shall be to the satisfaction of the City prior to the lifting of the Holding 'H' provision.

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 to the ORMCP Plan.

A letter was submitted by Alcorn & Associates, dated June 11, 2004, which addresses all of the requirements of the ORMCP in relation to the natural heritage evaluation and hydrological evaluation, as required.

Subdivision Design

With the exception of the red-lined revisions to Street 'B', to allow for a 6 metre wide landscape buffer along Dufferin Street; and, the red-lined revisions to the lotting pattern to show Lots 29 to 81 inclusive as Block 88, the draft plan has been prepared in accordance with the approved Block 11 Plan. The road pattern is designed to align with road patterns of adjacent draft plans of subdivision within the Block, as well as aligning with the future east/west road on the west side of Dufferin Street (Planning Block 18). Construction access to the subject lands will be via Dufferin Street, subject to Regional approval.

The use of alternative road design standards is being proposed in this development within the Block 11 Plan. Traffic calming in the form of an all-way stop is planned for the intersection of Street G1 and Street D. Street G1 is to align itself directly across from the proposed primary road in Block 18. A 3.0m greenway is proposed along Street G1.

The draft plan provides for 75 single detached residential lots, as red-lined, with frontages ranging between 12.0m to 19.3m, with one partial single detached block (Block 157) to be combined with a block on the adjacent draft plan to make one lot. Lot depths range from a minimum of 30.0m in depth to 58.7m in depth, with lot depths vary throughout the plan.

The draft plan provides for a 0.31ha neighbourhood park block, situated at the south end of the draft plan, to be combined with a 1.17ha park block on the adjacent draft plan. However, the deletion of the school block provides an opportunity to relocate the park block from the adjacent draft plan onto the said lands, thereby providing a minimum of 3 street frontages onto the park. Staff is working with the Owners of the subject lands and the adjacent lands to the south (19T-03V01) to address this matter.

The 3.04ha Neighbourhood Commercial Block is situated at the southeast corner of Major Mackenzie Drive and Dufferin Street.

Blocks 130, 134, and 135 are designated valleylands, and have a combined area of 4.34ha.

Vaughan Engineering Department

The Vaughan Engineering Department has provided the following comments:

Environmental Site Assessment (ESA)

On April 22, 2004, Terrapex Environmental Limited commenced its peer review of the ESA Phase 1 and has since provided preliminary comments on the plan. In accordance with the Council approved Block Plan conditions the completion of the peer review and the implementation of any recommendations will be completed to the satisfaction of the City prior to final approval of the plan.

Engineering Servicing

The municipal services for this development shall be in accordance with the approved M.E.S.P. dated August 2001, Addendum attachments dated August 2002 and Supplementary Block Plan Approved Documents dated December 2002, and January 2003, March 2003 and July 2003 all prepared by Alcorn and Associates et al. Subsequent plans or reports, which are approved and amended for Block 11 (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 11 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, valley crossings, stormwater management facilities and the extension of the Pressure District No. 6 water supply across Rutherford Road 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 11. Interim sanitary sewage capacity is provided through the North Don Collector via Block 10, with the ultimate outlet being the Bathurst Trunk Sanitary Sewer. If the infrastructure required to connect to the interim or ultimate outlets is not constructed or there is insufficient interim capacity within the North Don Collector 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.

Sanitary Servicing

The subject site will be serviced through the approved draft plan of subdivision 19T-03V01. Allocation as well as a connection to the sanitary stub located on Street D at the southern boundary of the proposed plan of subdivision is required.

Sewage servicing capacity has been reserved by the City for 4,500 people within Phase 1 of Block 11. Allocation for the Phase 1 lands shall be received prior to registration. The Phase 1 lands shall utilize an interim outlet near Autumn Hill Boulevard in Block 10 into the North Don Collector in Richmond Hill until such time as the ultimate outlet into the Bathurst Trunk Sanitary Sewer is available.

Prior to the commencement of development within Phase 1 – Stage 2 or Phase 2, the Region of York shall identify sanitary servicing capacity and that capacity will be allocated or reserved by the City.

Storm Drainage

A storm sewer connection is required to the storm stub located on Street D at the southern boundary of the proposed plan of subdivision. The minor and major flows will be conveyed primarily through the proposed road allowances and ultimately drain into a stormwater management facility located within proposed draft plan of subdivision 19T-03V01.

Water Supply

The subject lands are located within service area Pressure District No. 7 of the York Water Supply System. The Pressure District No. 7 network is divided into two segments, this plan falls

within the northern strip abutting Major Mackenzie Drive. This area shall be serviced through two 400 mm extensions of the Pressure District No. 7 Interconnecting Watermain across Major Mackenzie Drive to Street E and across Dufferin Street to Street G.

The water supply to this draft plan shall be from a new the 400 mm diameter watermain connecting to the PD7 interconnecting watermain at Major Mackenzie Drive and Dufferin Street. The applicant will require permission from the Region of York to extend and connect to the watermain across Dufferin Street. 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 1 – Stage 2 or Phase 2, the Region of York shall identify water servicing capacity and that capacity will be allocated or reserved by the City.

Urban Design

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

The Block 11 Landowners have submitted a Landscape Master Plan and Urban Design Guidelines, prepared by Paul Cosbourn and Associates Limited. This report is currently under review by Staff and will require final approval prior to the passing of the implementing zoning by-law.

Architectural Design Guidelines, prepared by John G. Williams Architects Limited, have been submitted and are currently being reviewed by Staff. Prior to final approval of the plan of subdivision, staff will prepare a report for Council's endorsement of these guidelines.

Cultural Services Department

The Cultural Services Department has requested a Cultural Resource Impact Assessment and an Archeological Assessment be conducted on the subject lands. The Cultural Resources Impact Assessment was a requirement through the Block Plan process. As one was not submitted during that time, the Cultural Services Department has required the Impact Assessment as a condition of draft plan approval.

Specifically, two existing residential dwellings were identified through the Block Plan and Draft Plan process as being listed on the City of Vaughan's Inventory of Heritage Properties.

The first dwelling is located within the staked valley limits at the north end of the draft plan, adjacent to the neighbourhood commercial block. The Owner has requested that the boundaries of the commercial lands be revised to include the residential dwelling as part of the commercial development. However, the dwelling is located within the valley lands zoned OS5 Zone, to be conveyed to public ownership, which does not permit the proposed commercial use. The TRCA has reviewed the Owners request and provides the following conditions of draft plan approval:

- The applicant shall submit a Cultural Heritage Assessment for the existing residential dwelling located within the limits of the valley feature (northwest corner - Block 134) to the City of Vaughan and further, dependent on the results of this assessment, the following will apply:
 - a) If the existing residence is determined to be of historical significance, a property boundary will be demarcated, to the satisfaction of the TRCA, around the perimeter of the residence. The residential lot will then be incorporated into Block 129 (Neighbourhood Commercial).

- b) If the existing residence is determined **not** to be of historical significance, the existing residence will be removed from the valley corridor, at the expense of the Owner.

The second dwelling is located within Lots 106 and 107, with the draft plan showing Lots 104 to 108 inclusive encroaching into the staked valley limits. The TRCA has reviewed the draft plan and provides the following conditions of draft plan approval:

- In the event that the existing residence on proposed Lots 106 and 107 is removed or relocated, the applicant is to submit a revised final draft plan clearly indicating the 5.0 metre buffer block on Lots 106 and 107, to the satisfaction of the TRCA.
- That the applicant submits a final draft plan with the buffer blocks on Lots 104 and 105, to the satisfaction of the TRCA.
- That the applicant submit a revised final draft plan clearly indicating all buffer blocks and confirm the 5.0 metre buffer on Block 129 (Neighbourhood Commercial) and Lot 108, within Draft Plan of Subdivision 19T-95065), to the satisfaction of the TRCA.

In view of the above, Block 129 and Lots 104 to 108 inclusive will be zoned with a "Holding" Zone pending the completion of a cultural heritage assessment. The cultural heritage assessment and recommendations thereto, shall be to the satisfaction of the City and the Toronto and Region Conservation Authority prior to the lifting of the Holding 'H' provision.

Region of York

Sewer and water capacity for the subject draft plan of subdivision is available, subject to the conditions outlined in Attachment #1.

Restrictions are to be imposed on the development that requires Phase 2 water and sewer capacity. These restrictions include the application of a "Holding" Provision and execution of a "No Pre-sell Agreement". Prior to or concurrent with the draft approval of Phase 2 lands, the Landowners shall enter into an agreement with the City of Vaughan and Region 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.

Other Comments

The Toronto & Region Conservation Authority (TRCA) has reviewed the proposed draft plan of subdivision and is generally satisfied, subject to conditions outlined 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 is an appropriate form of development for the lands and conforms to the density and land use policies of the area Official Plan and approved Block 11 Plan, subject to the conditions outlined in Attachment #1.

Lots identified in Phase 1-Stage 2 of the plan will be subject to a “holding” provision in the Zoning By-law until servicing allocation has been granted by Council. Block 129 and Lots 104 to 108 inclusive will be subject to a “Holding” provision in the Zoning By-law pending the completion of a cultural heritage assessment. The red-lined Block 88 on the draft plan shall be placed in a “Holding” Zone pending finalizing the location and size of the neighbourhood park block, residential lot pattern, and road network, which shall be to the satisfaction of the City prior to the lifting of the Holding ‘H’ provision.

Should Committee concur, the “Recommendation” can be adopted.

Attachments

1. Conditions of Approval
2. Location Map
3. Draft Plan of Subdivision
4. Block Plan (Phasing)
5. Transportation Management Plan

Report prepared by:

Jason Sheldon, Planner, ext. 8320

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-95065
1275621 ONTARIO INC.
PART OF LOT 20, CONCESSION 2, 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-95065, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to the draft plan of subdivision, prepared by Alcorn & Associates, dated May 21, 2004 and revised June 14, 2004, and red-lined to revise Street 'B' to allow for a 6 metre wide landscape buffer along Dufferin Street; and, red-lined to revise the lotting pattern to show Lots 29 to 81 inclusive as Block 88.
2. Lots 9 to 28 inclusive and 99 to 122 inclusive (all detached lots), Blocks 88 and 157, and Streets A, B, C, and E, shall be subject to an 'H' Holding Provision to be lifted upon the satisfaction of the terms 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.

The red-lined Block 88 shall be subject to an 'H' Holding Provision pending finalizing the location and size of the neighbourhood park block, residential lot pattern, and road network, which shall be to the satisfaction of the City prior to the lifting of the 'H' Holding provision.

Block 129 shall be subject to an 'H' Holding Provision pending the completion of a Cultural Heritage Assessment for the existing residence located within the limits of the valley feature. The cultural heritage assessment and recommendations thereto, shall be to the satisfaction of the City and the Toronto and Region Conservation Authority prior to the lifting of the 'H' Holding Provision.

Lots 104 to 108 inclusive shall be subject to an 'H' Holding Provision pending the completion of a Cultural Heritage Assessment for the existing residence located on Lots 106 and 107 of the draft plan. The cultural heritage assessment and recommendations thereto, shall be to the satisfaction of the City and the Toronto and Region Conservation Authority prior to the lifting of the 'H' Holding Provision.

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:

RD1, RD2 and RD3 Residential Detached Zones; C4 Neighbourhood Commercial Zone, OS5 Open Space Environmental Protection Zone; and OS2 Open Space Park 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 406-2003.

4.
 - a) Prior to final approval of the Plan, any and all appropriate revisions, as required shall be made to the Block Plan for Block 11 and all associated reports to the satisfaction of the City.
 - b) Prior to final approval of the Plan, all outstanding conditions of Block Plan Approval shall be addressed to the satisfaction of the City.
5. 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.
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. Prior to application for building permit, site plan approval is required under the City's Site Plan By-law, for draft approved Block 129.
9. The road allowances included within this draft plan of subdivision shall be dedicated as public highways without monetary consideration and free of all encumbrances.
10. The road allowances included within this draft plan of subdivision shall be named to the satisfaction of the City and the Regional Planning Department.
11.
 - a) 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.
 - b) 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.
12. 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. 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.
13. 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.
14. 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.

15. 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 existing and proposed adjacent plans of subdivision.
16. The Owner shall agree in the subdivision agreement that construction access shall be provided only in a location approved by the City and/or the appropriate authority.
17. 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.
18. 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.
19. 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.
20. The Owner shall agree that Block 157 shall only be developed in conjunction with the adjacent lands; in the interim, the block will be subject to an "H" Holding Zone provision.
21. 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.
22. a) Prior to final approval of the Plan, the Owner shall enter into a Developers' Group Agreement with the other participating landowners within Block 11 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 11. 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 11 shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 11 Developers' Group Agreement.
- c) That the Owner enter into an agreement (to be registered on title), with the City of Vaughan, indicating that the Lots included in Phase 1 – Stage 2 will not be offered for

sale by the Owner or purchasers until servicing capacity has been identified and allocated by the City.

23. Prior to final approval of the plan, a migration strategy for the terrestrial resources shall be included as part of the submission of the Environmental Impact Statement. The document shall include:
 - a) recommendations with respect to remedial and mitigation measures required within designated impact zones, including any edge management planting or maintenance programs;
 - b) an assessment of the effectiveness of the proposed/selected mitigation techniques;
 - c) a conceptual monitoring program specific to identified effects;
 - d) identification of proposed limits of clearing; and
 - e) restoration opportunities.
24. The Owner shall agree that all disturbed lands within Phase 1 Stage 2 or 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.
25. Prior to final approval of the plan the owner shall finalize the Block 11 phasing plan and the owner further acknowledges that the plan shall proceed in phases in accordance with the approved Block 11 Phasing Plan.
26. The Owner shall not apply for building permits and the City shall not issue building permits within Phase 1 Stage 1 of the Block 11 Phasing plan area, until the following Block Plan related phasing criteria are satisfied:
 - a) the Pressure District No. 6 secondary water supply and improvements across Rutherford Road included in the City's current Development Charges By-law shall be completed to the satisfaction of the City;
 - b) all stormwater management facilities required for the servicing of the Phase 1 – Stage 1 development shall be completed to the satisfaction of the City;
 - c) all valley crossings required for the servicing of the Phase 1 – Stage 1 development to complete Block Plan Streets B, D, F and H shall be completed to the satisfaction of the City;
 - d) all streets required to accommodate the spine servicing and phasing of the Block shall be completed to the satisfaction of the City;
 - e) a secondary emergency access to the northwest quadrant of the Block shall be constructed to the satisfaction of the Engineering Department; and
 - f) the Owner shall not apply for building permit and the City shall not issue building permits within Phase 1 – Stage 1 draft plan applications including 19T-95065, 19T-03V01, 19T-04V05, 19T-95064 and the A. Smith property within the Block 11 Phasing

Plan Area, until the two valley crossings, 6 and 7, are completed to the satisfaction of the City.

27. The Owner acknowledges that prior to final approval of any plan in Phase 2 the following criteria shall be satisfied to the satisfaction of the City:
 - a) a roadway connection from Street “G1” to Major Mackenzie Drive shall be constructed to the satisfaction of the City;
 - b) the development of the proposed high school block at the northwest corner of Block Plan Streets D and G1 shall proceed to the satisfaction of the school board; and,
 - c) the widening of Bathurst Street to 6 lanes from the mid-block east-west primary in Block 10 to Weldrick Road shall be completed to the satisfaction of the Region.
28. The Owner acknowledges that the total servicing capacity available for Phase 1 Stage 1 within Block 11 shall not exceed 4,500 persons and shall be distributed amongst the individual plans within Block 11 in accordance with the approved Block 11 phasing plan to the satisfaction of the City.
29. 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.
30. 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.
31. 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.

32. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost any external municipal services, temporary and/or permanent built or proposed, that have been designed and oversized by others to accommodate the development of the plan.
33. 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.
34. 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.
35. The Owner shall not apply for building permits and the City shall not issue building permits within Phase 1 – Stage 2, until the culvert/bridge valley crossing required to complete Block Plan Streets G1 and G2 in the north half of the block shall be completed to the satisfaction of TRCA and the City.
36. 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.”
37. 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.
38. 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 submit environmental site assessment report(s) (Phase 1 report and Phase 2 report if required) for the applicable phase or skeleton servicing works, in accordance with the “Ministry of the Environment and Energy’s Guidelines for Use at Contaminated Sites in Ontario” June 1996 for review and approval.

In the event that a Phase 2 or site remediation is recommended, the Phase 2 and Remedial Action Plan as required, shall be submitted for review and approval prior to final approval of the applicable phase or prior to initiation of grading, or topsoil stripping of the applicable phase or skeleton servicing works.

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 of the phase or prior to initiation of grading, or topsoil stripping of the phase or skeleton servicing works, a copy of a Record of Site Condition acknowledged by a provincial Officer of the Ministry of the Environment.

A qualified professional shall certify that all lands within the phase and any lands and easements external to the phase to be dedicated to the City meet the applicable soil and groundwater criteria noted above.

The Owner shall carry out or cause to be carried out the recommendations of the Environmental Site Assessment report(s).

39. 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).
40. Prior to final approval, the Owner shall reimburse the City for the cost of the City's peer review of the environmental site assessment reports.
41. 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.
42. Prior to final approval of the plan the Owner shall provide a revised Water Supply Analysis for review and approval by the Engineering Department.
43. Prior to final approval of the plan the owner shall ensure that the following matters are resolved to the satisfaction of the Engineering Department and TRCA:
 - a) buffer and edge management zones for all environmental features shall be addressed prior to defining the limits of development. When defining the edge of environmental features, the defined edge shall generally be regarded as one (1) metre outside the established dripline; and
 - b) that in consideration of the above, and in conjunction with the proposed cut/fill, the provision of buffer areas (where deemed suitable and necessary), and where future detailed geotechnical investigations demonstrate the need, the limits of development as illustrated on the Block Plan be subject to revision, as required and demonstrated by the review and approval of detailed technical submissions for individual development applications to the satisfaction of the TRCA and the City.
44. a) Prior to final approval and prior to any works commencing on the site, the Owner shall submit for approval by the City and the Toronto and Region Conservation Authority (TRCA), a detailed engineering report(s) that describes the storm drainage system for the proposed development, which shall include:
 - i) plans illustrating how this drainage system will be tied into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, the design capacity of the receiving system and how external flows will be accommodated; plans illustrating how this drainage system will tie into surrounding drainage systems (i.e. is it part of an overall drainage scheme?),

how external flows be accommodated, and the design capacity of the receiving system;

- ii) the location and description of all outlets and other facilities;
- iii) stormwater management techniques which may be required to control minor and major flows;
- iv) proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction;
- v) overall grading plans for the subject lands;
- vi) storm water management practices to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat;
- vii) stormwater management techniques which maybe required to control minor or major flows;
- viii) 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;
- ix) proposed method for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction;
- x) 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 Regulations; and
- xi) overall grading plans for the subject lands.

b) The Owner shall agree to implement the recommendations set out in the aforementioned report(s) to the satisfaction of the City and TRCA.

- 45. That this draft plan of subdivision be subject to red-line revision in order to meet the requirements of Condition 44, if necessary.
- 46. That the valley and stream corridor (Block 130) and associated buffer blocks (Blocks 134 and 135) be set aside for acquisition or dedication to either the TRCA or the City of Vaughan free of all charges and encumbrances.
- 47. 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.

48.
 - 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.
49. 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.
50. 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.
51. 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.
52. 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 "I", in accordance with the Special Area Woodlot Development Charge By-law.
53. Prior to final approval, the owner shall prepare Urban Design Guidelines for the Block 11 Community to the satisfaction of the City. These guidelines shall address but not be limited to the following issues:
 - a) Community structuring elements;
 - b) Community character;

- c) Lotting fabric;
 - d) Built form and public realm landscape architecture;
 - e) Boulevard and sidewalk design;
 - f) Community feature locations; and
 - g) Urban design built form guidelines for commercial, institutional and townhouse development.
54. Prior to final approval, the owner shall prepare a streetscape and open space landscape master plan in accordance with the approved Block 11 Urban Design Guidelines and OPA 600 policies, the plan shall address but not be limited to the following issues:
- a) 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.
 - b) The pedestrian urban connections between streets and within the neighbourhood;
 - c) The appropriate location and high quality design for the telecommunications and hydro utility buildings and easements;
 - d) Open space edge management rehabilitation planting, trails, bridge crossings, erosion repair sites and pedestrian access points into the valley;
 - e) The site organization of Neighbourhood Commercial Block 129, including the interface along the residential lots and open space lands;
 - f) The built form and streetscape treatment at the Dufferin Street and Major Mackenzie Drive intersection.
55. 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.
56. 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.
57. 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 blocks. The study shall include an inventory of all existing trees within an 8 metre zone inside the staked edges, and areas where the woodlot/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 and TRCA.
58. The Owner shall provide a report for a 20 metre zone within all staked woodlot and open space/valley 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.
59. 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.”

60. 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.
61. 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 a open space/ valley and park.
62. The Owner shall convey arterial Buffer Block 136 to the City free of all cost and encumbrance for landscaping purposes.
63. The Owner shall convey Park Block 131 to the City free of all encumbrances for parkland purposes.
64. The Owner shall convey Greenway Blocks 132 and 133 to the City free of all encumbrances.
65. In the event that the Owner and the City agree that the Owner will develop Park Block 131, 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.”
66. Prior to building permit issuance, the Owner shall prepare for review and approval on Park Block 131, 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 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.
67. 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.
68. City may undertake periodic reviews to ensure compliance with the architectural guidelines; should inadequate enforcement be evident, the City may cease to accept drawings stamped by the control architect and retain another control architect at the expense of the Owner.

69. 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
70. 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 archeological evaluation of the entire area within the proposed plan of subdivision shall be carried out at the owner's expenses, and the same report shall identify any significant archeological site found as a result of the assessment. The archeological assessment report shall be carried out by licensed archeologist and prepared according to the Ministry of Citizenship, Culture and Recreation approved Archeological Assessment Technical Guidelines, dated 1993. The archeological assessment shall be submitted to the municipality and the said Ministry for review and approval.
71. 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, the Owner shall complete and submit a Cultural Resource Impact Assessment of the subject lands.
72. Prior to final approval or registration of the development applications or plan of subdivision, the owner by way of development application or plan of subdivision agreement, shall agree that no development or grading shall occur on any site identified as being archeologically significant as a result of the archeological evaluation carried out on the property, until such time as protective and mitigative measures of all significant archeological sites have been fulfilled to the satisfaction of the Ministry of Citizenship, Culture and Recreation (Archeological unit) and the municipality.
73. The Owner agrees to:
 - a) provide the following for each community mailbox site, as shown on the servicing plans:
 - i) an appropriately sized sidewalk section (concrete pad), as per municipal and Canada Post standards, to place the Community Mailboxes on. The Owner further agrees to provide these cement pads during sidewalk pouring and will notify Canada Post of the locations as they are completed;
 - ii) any required walkway across the boulevard, as per municipal standards; and,
 - iii) any required curb depressions.
 - b) Provide a suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s).
 - c) Provide a copy of the executed agreement to Canada Post.
 - d) Provide a suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s).
 - e) Provide a copy of the executed agreement to Canada Post.
 - f) Agrees to ensure that all new buyers will be officially notified of the exact community mailbox location prior to any house sale.

- g) That the builder will post in clear site a copy of the plan indicating the community mail box site at the sales office.
 - h) The Owner/develop agrees to include all offers of purchase and sale a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
 - i) 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 homeowner does a sign off.
 - j) 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.
 - k) The Owner agrees to determine, provide and fit up a suitable temporary Community Mailbox location(s), which may be used by Canada Post until the permanent mailbox pads, curbs, sidewalks, and final grading have been completed at the permanent CMB site locations. The Owner 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.
74. 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 and Blocks:
- a) within the entire subdivision plan:
 - i) “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.”
 - ii) “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.”
 - iii) “Purchasers and/or tenants are advised that public transit routes have not been determined for the area within the Plan, however, Street G1, Major Mackenzie Drive and Dufferin Street may be subject to public transit bus traffic.”
 - iv) “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 Street G1, Major Mackenzie Drive and Dufferin Street may be of concern, occasionally interfering with some activities of the dwelling occupants.”
 - v) “Purchasers and/or tenants are advised that Street G1 shall be extended across the valley completing a continuous road from Dufferin Street to Bathurst Street.”

- vi) “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.”
- vii) “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.”
- viii) "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."
- ix) “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.”
- x) “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.”

- b) The following warning clause shall be included in all Offers of Purchase and Sale or Lease for Lots 21 to 26, 43 to 45, 81, 88 to 98, 101 to 112 and Block 157 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.”

- c) The following warning clause shall be included in all Offers of Purchase and Sale or Lease for Lots 28 to 43 inclusive 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.”

- d) 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 in proximity of the nature reserve.

“Purchasers and/or tenants are advised that the lot abuts a Nature Reserve under a 99 year lease with the Nature Conservancy of Canada. The permitted uses within the nature reserve are not known at this time. Therefore it is possible that noise, lighting and/or renaturalization of the area may occasionally interfere with some activities of the dwelling occupants.”

75. 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.

- a) the Block Plan for the broader area, showing surrounding land uses, arterials/highways, railways and hydro lines etc.
- b) 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.
- c) the location of parks, open space, stormwater management facilities and trails.
- d) the location of institutional uses, including schools, places of worship, community facilities.
- e) the location and type of commercial sites.
- f) colour-coded residential for singles, semis, multiples, and apartment units.
- g) 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.]

76. 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.

77. 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.
78. 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.

Toronto and Region Conservation Authority

79. 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 11). 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 and/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.
80. That this draft plan of subdivision be subject to red-line revision in order to meet the requirements of Condition 1, if necessary.
81. That the valley and stream corridor (Block 130) and associated buffer blocks (Blocks 134, 135 and any additional buffer blocks) be set aside for acquisition or dedication to either the TRCA or the City of Vaughan, free of all charges and encumbrances.
82. That the implementing zoning by-law recognize Open Space Blocks 130, 134 and 135, in an open space, or other suitable zoning category, which has the effect of prohibiting development, to the satisfaction of the TRCA.

83. That the applicant submit a revised final draft plan clearly indicating all buffer blocks and confirm the 5.0 metre buffer on Block 129 (Neighbourhood Commercial) and Lot 108, within Draft Plan of Subdivision 19T-95065), to the satisfaction of the TRCA.
84. That the applicant submit a final draft plan with the buffer blocks on Lots 104 to 106 inclusive, to the satisfaction of the TRCA.
85. That the applicant submit a cultural heritage assessment for the existing residence located within the limits of the valley feature (northwest corner - Block 134) to the City of Vaughan and further, dependent on the results of this assessment, the following will apply:
 - a) If the existing residence is determined to be of historical significance, a property boundary will be demarcated, to the satisfaction of the TRCA, around the perimeter of the residence. The residential lot will then be incorporated into Block 129 (Neighbourhood Commercial).
 - b) If the existing residence is determined *not* to be of historical significance, the existing residence will be removed from the valley corridor, at the expense of the applicant.
86. In the event that the existing residence on proposed Lot 107 is removed or relocated, the applicant is to submit a revised final draft plan clearly indicating the 5.0 metre buffer block on Lot 107, and as such, will be subject to Condition 3 & 4.
87. That Future Development Block 154, be placed within a reserve designation, with the effect of limiting development of the block until such time as the adjacent landowner, east of the property boundary is prepared to develop the remaining portion of Block 154 and furthermore, until such time that it is demonstrated that Block 154 is a viable building lot, to the satisfaction of the TRCA.
88. That the owner in the subdivision agreement, in wording acceptable to the TRCA:
 - a) to carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the technical report referenced in Condition 82;
 - b) to maintain all stormwater management and erosion and sediment control structures operating and in good repair during the construction period, in a manner satisfactory to the TRCA;
 - c) to obtain all necessary permit pursuant to Ontario Regulation 158 from the TRCA;
 - d) to erect a permanent fence to the satisfaction of the TRCA for Lots 88 to 112 inclusive and Block 154; and,
 - e) to provide a copy of the executed subdivision agreement to The Toronto and Region Conservation Authority.

Region of York Conditions

89. 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.

90. 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.
91. The subdivision proponents within Blocks 11 and 12 will retain a professional engineer to provide assurances that the sanitary drainage area in Blocks 11 and 12 relying on interim (Phase I) servicing to the North Don Sewer does not exceed 8,000 persons.
92. 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.
93. Prior to final approval of Phase 1 the Region shall confirm the following:
- i) the in service date for the Bathurst Trunk Sewer (Phase II) is expected to occur in six (6) months;
 - ii) completion of a sewage flow monitoring program in the North Don Collector sewer has occurred and any interim sewer works that are deemed to be required as a result of the flow monitoring have been completed;
 - iii) completion of modifications to the existing Vaughan No. 2 Flume has occurred;
- c) prior to final approval of any lands beyond Phase 1, the Region shall confirm the following:
- The in-service date for the South East Collector Sewer and Bathurst Trunk Sewer (Phase I) is expected in 6 months, and the Region has confirmed that additional water supply from Peel Region for the Phase II water capacity is available.
- Or
- 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.
- d) 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;

- e) Prior to final approval, 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.
94. The Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required Regional road improvements for this subdivision. The report/plan, submitted to the Regional Transportation and Works Department for review and approval, shall explain all transportation issues and shall recommend mitigating measures for these issues. This report shall be submitted for the Region's review.
95. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Regional Transportation and Works Department, to implement the recommendations of the functional transportation report/plan as approved by the Regional Transportation and Works Department.
96. 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.
97. The intersection of Dufferin Street and Street 'G1' 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.
98. 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:
- i. 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,
 - ii. A road widening along the entire frontage of the site adjacent to Major Mackenzie Drive, of sufficient width to provide 18 metres from the centerline of Major Mackenzie Drive,
 - iii. 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.
 - iv. A 0.3 metre reserve across the full frontage of the site where it abuts Major Mackenzie Drive shall be conveyed to the Regional Municipality of York for public highway purposes, free of all costs and encumbrances.
 - v. A 15 metre by 15 metre daylighting triangle(s) at the Northeast and Southeast corner(s) of the intersection of Dufferin Street and Street 'G1',
 - vi. A 30 metre by 30 metre daylighting triangle(s) at the Southeast corner of the intersection of Dufferin Street and Major Mackenzie drive,
 - vii. An additional 2.0 metre widening, along the site frontage with Dufferin Street at the intersection of Street 'G1', for the purpose of a right turn lane, 40.0 metres in length, together with a 60.0 metre taper.

- viii. An additional 2.0 metre widening, along the site frontage with Dufferin Street at the intersection of Major Mackenzie Drive, for the purpose of a right turn lane, 50.0 metres in length, together with a 60.0 metre taper.
99. The connection of Street 'G1' and Dufferin Street shall be achieved at an intersection angle of 90 degrees.
100. 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.
101. Direct vehicle access from the proposed dwellings to Major Mackenzie Drive will not be permitted. Access must be obtained through the internal road network.
102. Direct vehicle access from the proposed dwellings to Dufferin Street will not be permitted. Access must be obtained through the internal road network.
103. Any existing driveway(s) along the Regional road(s) frontage of this subdivision must be removed as part of the subdivision work, at no cost to the Region.
104. The Owner shall engage the services of a consultant to prepare and submit for review a noise study to the Regional 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 Transportation and Works Department.
105. The following warning clause shall be included in a registered portion of the subdivision agreement with respect to the lots or blocks affected:
- "Purchasers are advised that despite the inclusion of noise attenuation features within the development area and within the individual building units, noise levels will continue to increase, occasionally interfering with some activities of the building's occupants".
106. The noise attenuation features will abut a Regional right-of-way, the Owner shall agree in the subdivision agreement, in wording satisfactory to the Regional Transportation and Works Department, as follows:
- i. that no part of any noise attenuation feature shall be constructed on or within the Regional right-of-way;
 - ii. that noise fences adjacent to Regional roads shall be constructed on the private side of the 0.3 metre reserve and may be maximum 2.5 metres in height, subject to the area municipality's concurrence;
 - iii. that maintenance of the noise barriers and fences bordering on Regional right-of-ways shall not be the responsibility of the Regional Municipality of York; and
 - iv. that 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.

107. 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 on both sides of the street, as well as on Major Mackenzie Drive. 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 "Subject Property", in which case only this side of the street will require the sidewalk.
108. 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.
109. 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:
 - i) Northbound Dufferin Street at the intersection of Street G1 (near-side placement, adjacent to Block 94)
 - ii) Northbound Dufferin Street at the intersection of Major Mackenzie Drive (near-side placement, adjacent to Block 86)
110. 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.
111. The cul-de-sac identified as Street B will require provision of an appropriate concrete pedestrian walkway to link it with Dufferin Street, subject to design approval by the local municipality and the Region of York, to facilitate pedestrians' access to/from planned transit services on Dufferin Street. The walkways are to be provided at no cost to the Region of York concurrent with construction of necessary sidewalks.
112. 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.
113. Prior to final approval all required easements for the Bathurst Trunk Sewer within Block 11 shall be in place.
114. 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.

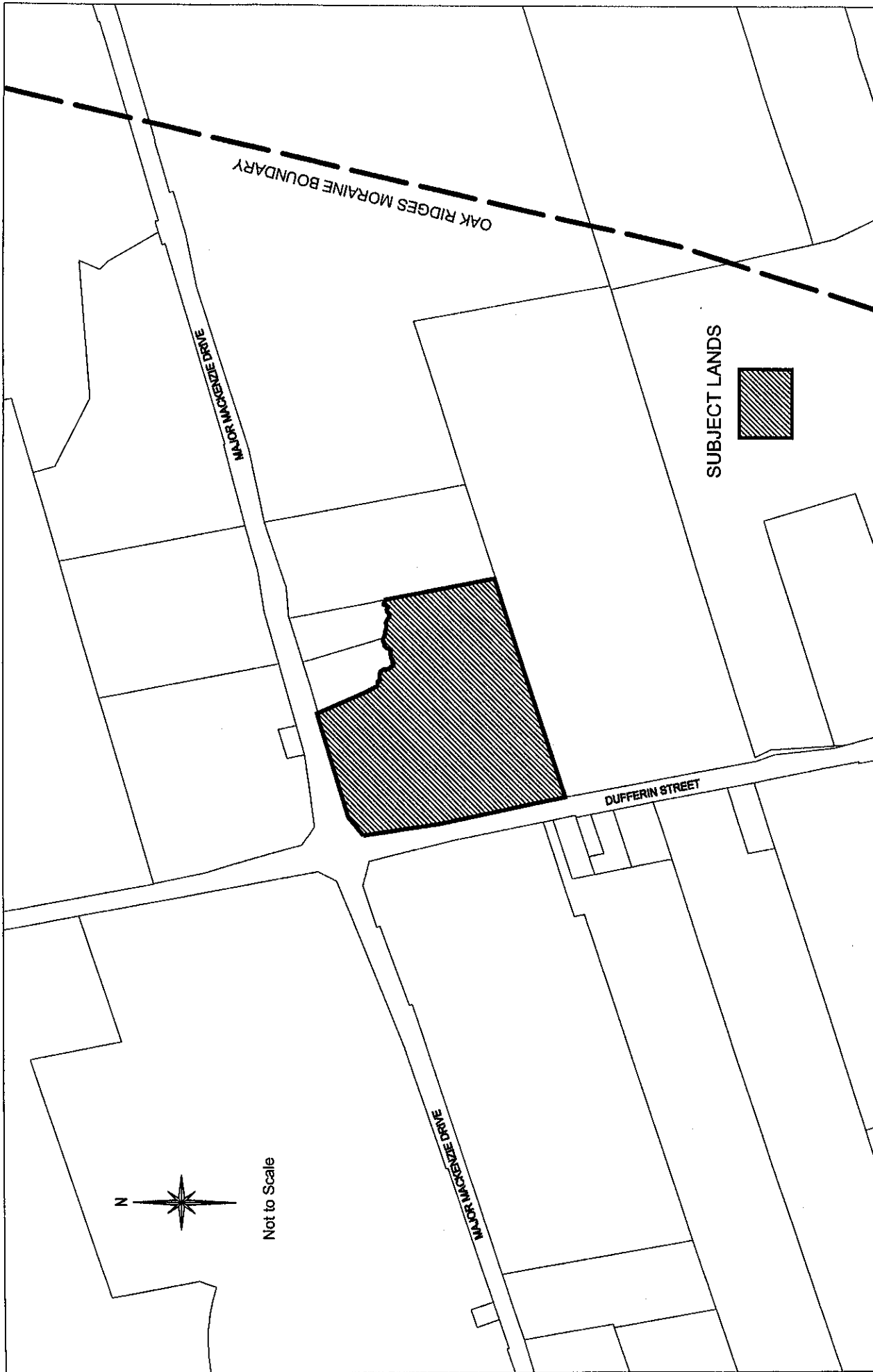
115. The owner shall provide a solicitor's certificate of title to the Region's Corporate and Legal Services Department, to the satisfaction of the Regional Solicitor, at no cost to the Region, with respect to the conveyance of lands to The Regional Municipality of York.
116. The owner shall enter into 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.
117. The Region of York Planning and Development Services Department shall advise that Conditions 89 to 117 inclusive, have been satisfied.

York Region School Boards

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

Other Conditions

119. 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 118 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
120. The City shall advise that Conditions 1 to 78, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
121. The Toronto and Region Conservation Authority shall advise that Conditions 79 to 88 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
122. The Regional York shall advise that Conditions 89 to 117 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
123. The York Region School Board shall advise that Condition 118 has been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



Location Map

Part of Lot 20,
Concession 2
APPLICANT:
 1275621 ONTARIO INC.



Community Planning Department

Attachment 2

FILE No.:
 19T - 95065,
 Z.03.070 & OP.03.022
 June 17, 2004

