

COMMITTEE OF THE WHOLE JUNE 21, 2004

**ZONING BY-LAW AMENDMENT FILE Z.00.057
DRAFT PLAN OF SUBDIVISION APPLICATION FILE 19T-00V12
FERNBROOK HOMES (MAJOR MAC) LIMITED
REPORT #P.2004.9**

Recommendation

1. That the Block 18 – Phasing Plan (Attachment #4) BE APPROVED.
2. That Zoning By-law Amendment Application Z.00.057 (Fernbrook Homes (Major Mac) 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 Attachment #3, be placed in a “Holding” Zone, pending availability of servicing capacity. The implementing zoning by-law shall permit a C4 Neighbourhood Commercial Zone site having a maximum lot area of 4.2 and subject to a holding zone provision.
3. That Draft Plan of Subdivision 19T-00V12 (Fernbrook Homes (Major Mac) Limited) prepared by KLM Planning Partners Inc., dated May 27, 2004, BE DRAFT APPROVED, 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 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-00V12 Fernbrook Homes (Major Mac) Limited 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 263 residential units, following the execution of a subdivision agreement to the satisfaction of the City.”
6. That the Owner enters 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 May 30, 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 34.457 ha site. The plan contains the following:

- 248 detached lots (frontages of 9.0m – 12.5m)
- 148 semi-detached units (15.2m lot frontages)
- 90 townhouse units (6.0m frontage)
- 4.1119 ha neighbourhood commercial block
- 1.374ha elementary school blocks (2)
- 1.557ha neighbourhood park block

- 1.932ha stormwater management block
- 1.644 ha open space/valleyland
- 0.65ha greenway and buffer blocks
- the plan also includes part lots/blocks for residential purposes.

Background - Analysis and Options

The 34.457ha site is located on the southwest corner of Major Mackenzie Drive and Dufferin Street, Planning Block 18, being Part of Lot 20, Concession 3, City of Vaughan.

The subject lands are designated as "Low Density Residential", "Medium Density Residential/Commercial", "Neighbourhood Commercial Centre" and "Valley Lands" by OPA No. 600, and OPA No. 604 (ORMCP) 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, as amended by By-law 242-2003 (Oak Ridges Moraine). 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 - Major Mackenzie Drive; golf course (OS2 Open Space Park Zone and C1 Restricted Commercial Zone)
- South - residential, vacant, (A Agricultural Zone and OS5 Open Space Environmental Protection Zone)
- East - residential, vacant, (A Agricultural Zone)
- West - Dufferin Street; Block 11 Plan (A Agricultural Zone)

On December 15, 2003, a Notice of Public Hearing was circulated to all property owners within 120 metres of the subject lands and to the Maple Village and Gates of Maple Ratepayer Associations. A letter was received from the owner of 9605 Dufferin Street expressing concerns 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;
- provision of adequate protection and buffer zones from the wetland, stream and woodlots; and greenway.

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 plan 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 and 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 subject lands are designated as "Low Density Residential", "Medium Density Residential/Commercial", "Neighbourhood Commercial Centre" and "Valley Lands" by OPA No. 600, and OPA No. 604 (ORMCP) further designates a majority of the lands as "Settlement Area".

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 the entire Block for the low-density area shall be between 16 to 18 units per hectare. The draft plan yields an overall density of approximately 15.9 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 and semi-detached units, street townhouses, parks, schools, small-scale community facilities, places of worship, and local convenience commercial uses.

The "Medium Density Residential Commercial" designation permits detached, semi-detached, and street/duplex/triplex/en block townhouse dwelling units as well as schools, parks/open space, community facilities, places of worship, institutional and commercial uses. This designation permits a net residential density on a site of 17 to 40 units per hectare and the average net density permitted across the Block is 25 to 35 units per hectare. The plan yields a density of 31.1 units per hectare, and the average density across the medium density/commercial designation in the Block 18 Plan is 30.4 units per hectare.

The "Medium Density Residential/Commercial" designation, which includes the "Neighbourhood Commercial Centre" overlay, allows food stores, retail stores, pharmacies, bank and financial institutions, business and professional offices, personal service stores, restaurants, and service station/gas bar uses with the commercial centre located at or near the intersection of arterial

roads, in addition to permitted residential uses. A Neighbourhood Commercial Centre is to provide approximately 5000m² to 15,000 m² of gross leasable area, to a maximum of 20,000m².

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 and RD4 Residential Detached Zones would be the appropriate zone categories to be applied to the detached units, the RS1 Residential Semi-Detached Zone for the semi-detached units, and the RT1 Residential Townhouse Zone for the townhouse units. The neighbourhood commercial block will be zoned C4 Neighbourhood Commercial Zone and requires an exception to the by-law to permit the proposed lot area of approximately 4.2 ha rather than the maximum 2.5 ha. A holding zone will be applied pending approval of a site plan application. The school blocks will be placed in a residential zone in keeping with the adjacent residential zones. 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.

All open space blocks and buffers will be zoned OS5 Open Space Environmental Protection Zone in accordance with By-law 242-2003 (Oak Ridges Moraine By-law). The neighbourhood parks and greenways would be zoned OS2 Open Space Park Zone. The stormwater management block will be zoned OS1 Open Space Conservation Zone.

The portion of the draft plan 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: Lot: 3, 4, 6 to 15 inclusive, 18 to 32 inclusive, 37 to 50 inclusive, 53 to 70 inclusive, 132, 133, 134, 149 to 155 inclusive, 175, 176, 177, 271 to 333 inclusive; and Blocks 1, 2, 16, 17, 33 to 36 inclusive, 51, 52, 71, 72, and 361

Subdivision Design

The draft plan has been prepared in accordance with the approved Block 18 Plan. The road pattern is designed to align with roads in adjacent plans and with the external roads on the north side of Major Mackenzie Drive and in the Planning Block 11 community. When completed, the road pattern will provide for a continuous movement of traffic.

The draft plan provides for 248 detached units with, frontages ranging from 9.0 – 12.5 metres, 148 semi-detached residential units and 90 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 from 31 to 35 metres.

The draft plan includes one (1) stormwater management pond block located adjacent to natural/open space systems.

A 4.2 ha Neighbourhood Commercial block has been provided at the southwest corner of Dufferin Street and Major Mackenzie Drive, consistent with the approved Block 18 Plan. This block will likely have access from the internal road system, and the Region of York would need to approve access to Dufferin Street and Major Mackenzie Drive.

Part of a block for a separate elementary school has been provided south of the main east-west road, which will be joined with a part block in the adjacent draft plan to the south. A small block (Block 362) forms part of the public elementary school site to be developed with the plan to the west (19T-03V15).

The plan includes a neighbourhood park developed in a campus format with an adjacent elementary school. The stormwater management and open space blocks are located on the south side of Street "C", which can serve as attractive entry blocks into the community.

The draft plan indicates that sidewalks will be provided on both sides of the main primary roads (Streets "B" and "C"). Sidewalks are provided intermittently on one side of the local streets throughout the plan.

Engineering Servicing

i) ESA

Terrapex Environmental Limited concluded its peer review of the ESA Phase 1 and has agreed with the conclusion that the land is suitable for use as a residential development subject to the receipt of the FOI request.

ii) Roads

The use of alternative road design standards is being proposed in this development within the Block 18 Plan. Traffic calming in the form of a raised intersection is planned for the intersection of Street B and Street C. Lay-bys are proposed for Street B and Street 12 in front of the schools.

Construction access to the subject lands will be via either Dufferin Street or Major Mackenzie Drive, subject to Regional approval.

Street C is to align itself directly across from the proposed primary road in Block 11.

3.0 metre greenways are proposed along Street C and Street 12.

iii) Engineering Servicing

The municipal services for this development shall be in accordance with the approved Master Environmental Servicing Plan (August 1997), the Block 18 Master Environmental Servicing Plan Response to Comments (December 2000), the Block 18 Master Environmental Servicing Plan Supplementary Block Plan (July 2003) and Supporting Documents For Approval of Block 18 - Environmental (November 20, 2003) prepared by Schaeffer & Associates Ltd., Dillon Consulting Limited, and KLM Planning Partners Inc. 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 plan approvals 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 this case, the roads constructed through the agreement shall be dedicated to the City in advance of the individual draft plans registration.

This plan of subdivision depends on municipal services (sanitary, storm and watermain) to be constructed throughout Block 18. The sanitary sewerage scheme 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 if 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 along Dufferin Street at the 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) Storm Drainage

This plan contains one 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.

The Block 18 M.E.S.P identifies an existing stream corridor traversing the subject lands. This stream is the receiving watercourse for the proposed stormwater management facility.

vi) 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 Major Mackenzie Drive.

The applicant will require permission from the Region of York to extend and connect to the watermain on Major Mackenzie Drive. 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

The Urban Design Department is satisfied with the proposed plan, subject to 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 will require 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. Council approval of the guidelines is required prior to final approval of the plan of subdivision.

Cultural Services Department

The Cultural Services Department has advised that the building at 9980 Dufferin Street is listed on the City's inventory of heritage structures and the owner for review must submit a cultural heritage impact assessment. The Owner has submitted a Heritage Impact Assessment, prepared by Archaeological Services Inc., and dated May 2004, respecting the status of this building. A condition of draft approval is included respecting the disposition of this matter.

Region of York

The Region of York Staff has advised 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, 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, draft plans will be serviced in phases such that part of the draft plan(s) will be serviced by the Phase I water and sewer capacity, and part of the draft plan(s) 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 capacity is available to service projected demands. These include the application of holding zone 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 has provided conditions of draft approval that are included in Attachment #1.

Other Comments

The Toronto & Region Conservation Authority (TRCA) has reviewed the proposed draft plan of subdivision and is generally satisfied, subject to the conditions included in Attachment #1.

The York Region Catholic School Board has advised that it is in agreement with the part site for an elementary school shown in this plan (Block 363, 1.372 ha). The acceptability of the site is subject to a site inspection, and conditions of approval included on Attachment #1.

York Region Public School Board and Canada Post have no objection to the proposed development subject to conditions, included in Attachment #1.

Relationship to Vaughan Vision 2007

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

Conclusion

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 approved subject to the conditions contained in Attachment #1. The Phase 2 portion of the plan will be subject to a "holding provision" in the Zoning By-law until servicing capacity is available. 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:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

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ATTACHMENT NO. 1

CONDITIONS OF DRAFT APPROVAL

**DRAFT PLAN OF SUBDIVISION 19T-00V12
{FERNBROOK HOMES (MAJOR MAC) LIMITED}
{LOT 20, 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-00V12, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to the draft plan of subdivision, prepared by KLM Planning Partners Inc., drawing #04:5, dated May 27, 2004, to incorporate the following revisions:
 - a) Lots: 3, 4, 6 to 15 inclusive, 18 to 32 inclusive, 37 to 50 inclusive, 53 to 70 inclusive, 132, 133, 134, 149 to 155 inclusive 175, 176, 177, 271 to 333 inclusive; Blocks: 1, 2, 16, 17, 33 to 36 inclusive, 51, 52, 71, 72 and 361, 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) the location of the telecommunications and hydro utility building(s) shall be identified on the draft plan of subdivision.
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: 3, 4, 6 to 15 inclusive, 18 to 32 inclusive, 37 to 50 inclusive, 53 to 70 inclusive, 132, 133, 134, 149 to 155 inclusive 175, 176, 177, 271 to 333 inclusive; Blocks: 1, 2, 16, 17, 33 to 36 inclusive, 51, 52, 71, 72, and 361 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
 - RD4 – Residential Detached Zone 4
 - RS1 – Residential Semi Detached Zone
 - RT1 – Residential Townhouse Zone
 - C4 – Neighbourhood Commercial, with an exception to the maximum lot size
 - OS1 – Open Space Conservation Zone (Storm water Management Ponds)
 - OS2 – Open Space Park Zone (Neighbourhood Park)
 - OS5 – Open Space Environmental Protection Zone (Open Space and Buffer Blocks)

- c) The implementing zoning by-law, zone Open Space Block 365 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. Prior to application for building permit, site plan approval is required under the City's Site Plan By-law, for draft approved Block 367.
 9. 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 and 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 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.

10. 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."

11. 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."
12. 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.
13. 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.
14. 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

15. 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.
16. 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.
17. 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).
18. That the approved Oak Ridges Moraine (ORM) conformity report(s) will become an addendum to the supporting Block Plan reports.

Engineering Department (General Conditions)

19. 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.
20. The road allowances included within this draft plan of subdivision shall be dedicated as public highways without monetary consideration and free of all encumbrances.
21. The road allowances included within this draft plan of subdivision shall be named to the satisfaction of the City and the Regional Planning Department.
22. 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.
23. 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.
24. The Owner shall agree in the subdivision agreement that construction access shall be provided only in a location approved by the City.
25. Easements as may be required for utility, drainage or construction purposes shall be granted to the appropriate authority (is), free of all charge and encumbrance.

26. 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.

27. 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.

28. 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.

29. 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.

30. 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.

31. 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)

32. 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.
33. 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.
34. 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.
35. (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.
36. 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.
37. Prior to final approval of the plan the owner shall provide the City and its peer reviewer the results of the Freedom of Information request. Should this information indicate that further work is required to ensure the property is suitable for its intended use as a residential development, the Owner shall undertake such work to the satisfaction of the City and its peer reviewer.
38. 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.
39. Prior to final approval of the plan the Owner shall provide a revised Water Supply Analysis for review and approval by the Engineering Department.

40. 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.
41. 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.
42. 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.
43. 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.
44. 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.
45. 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.
46. 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.
47. The Owner acknowledges that the plan shall proceed in phases in accordance with the Council approved phasing plan.
48. 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.
49. 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.
50. 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.
51. 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.
52. 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

53. 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.
54. 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.

55. 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.
56. 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 Major Mackenzie Drive;
 - The appropriate configuration and landscape treatment for stormwater management facility block 366;
 - The internal site organization of the neighbourhood commercial block 367 including the appropriate streetscape integration with the commercial blocks in Block 11,12 and 19 that abut the Major Mackenzie/Dufferin Street intersection;
 - 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;
 - The treatment of the Neighbourhood Commercial block 367 interface with the abutting residential lotting.

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.

57. 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.
58. The owner shall convey buffer blocks 376 and 377 to the City free of all cost and encumbrance for landscaping purposes.
59. 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 the pedestrian overpass to the satisfaction of the City.
60. The Owner shall convey park block 363 to the City free of all encumbrances for parkland purposes.

61. The owner shall convey greenway blocks 369, 370, 371, 372, 373, 374 and 375 to the City free of all encumbrances.
62. In the event that the Owner and the City agree that the owner will develop Park block 364, 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."
63. Prior to building permit issuance, the owner shall prepare for review and approval on Park block 364, 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.

Cultural Services

64. Prior to final approval, the applicant must review the Cultural Heritage Resource Impact Assessment prepared for the property municipally known as 1850 Rutherford Road with Culture Staff and Heritage Vaughan, the council-appointed committee for heritage related matters, addressing the mitigative options as outlined in the Assessment.
65. Prior to final approval, the owner must review the Cultural Heritage Resource Impact Assessment for the property municipally known as 9980 Dufferin Street with Culture Staff and Heritage Vaughan, the council-appointed committee for heritage related matters, addressing the mitigative options as outlined in the Assessment. The configuration of the proposed lotting and street patterns currently reflected in the Draft Plan of Subdivision may require modification in order to preserve the heritage structure.

Region of York

66. 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.
67. 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.
68. 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.
69. 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.

70. 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.
71. 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.
72. 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.
73. 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.
74. 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.
75. 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.
76. 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.

77. 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.
78. The intersection of Major Mackenzie Drive and Street 'B' 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.
79. The intersection of Dufferin Street and Street 'C' 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.
80. 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 Major Mackenzie Drive, of sufficient width to provide 18 metres from the centerline of Major Mackenzie Drive,
 - b. 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,
 - c. 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.
 - d. 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.
 - e. 15 metre by 15 metre daylighting triangle(s) at the Southeast and Southwest corner(s) of the intersection of Major Mackenzie Drive and Street 'B',
 - f. 15 metre by 15 metre daylighting triangle(s) at the Northwest and Southwest corner(s) of the intersection of Dufferin Street and Street 'C',
 - g. A 30 metre by 30 metre daylighting triangle at the Southwest corner of the intersection of Major Mackenzie Drive and Dufferin Street,
 - h. An additional 2.0 metre widening, along the site frontage with Major Mackenzie Drive at the intersection of Street 'B', for the purpose of a right turn lane, 40.0 metres in length, together with a 60.0 metre taper.
 - i. An additional 2.0 metre widening, along the site frontage with Dufferin Street at the intersection of Street 'C', for the purpose of a right turn lane, 40.0 metres in length together with a 60.0 metre taper.

81. The connection of Street 'B' and Major Mackenzie Drive shall be achieved at an intersection angle of 90 degrees.
82. The connection of Street 'C' and Dufferin Street shall be achieved at an intersection angle of 90 degrees.
83. 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.
84. Direct vehicle access from the proposed dwellings to Major Mackenzie Drive will not be permitted. Access must be obtained through the internal road network.
85. Direct vehicle access from the proposed dwellings to Dufferin Street will not be permitted. Access must be obtained through the internal road network.
86. 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.
87. 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.
88. 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".
89. 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:
 - a. that no part of any noise attenuation feature shall be constructed on or within the Regional right-of-way;
 - b. that noise fences adjacent to 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;
 - c. 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
 - d. 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.

90. 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, with the exception of Dufferin Street where a sidewalk would be required on the west side of the street. Such sidewalks shall be constructed on both sides of the planned transit roadways.
91. 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.
92. 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. Westbound Street 'C' at the intersection of Dufferin Street (far-side placement);
 - b. Westbound Street 'C' between Street 6 (west leg) and Street 5 (east leg), mid-block placement;
 - c. Westbound Street 'C' at the intersection of Street 'B' (near-side placement);
 - d. Westbound Street 'C' between Street 4 (west leg) and Street 3 (east leg), mid-block placement;
 - e. Westbound Street 'C' at the intersection of Street 12 (near-side placement);
 - f. Southbound Dufferin Street at the intersection of Street 'C' (near-side placement, incorporating sidewalk linkage to Street 'C');
 - g. Eastbound Street 'C' between Street 9 and Street 8, mid-block placement;
 - h. Eastbound Street 'C' at the intersection of Street 'B' (near-side placement);
 - i. Eastbound Street 'C' between Street 5 (east leg) and Street 6 (west leg), mid-block placement;
 - j. Eastbound Street 'C' at the intersection of Dufferin Street (near-side placement);
 - k. Eastbound Major Mackenzie Drive at the intersection of Street 'B' (near-side placement);
and
 - l. Eastbound Major Mackenzie Drive at the intersection of Dufferin Street (near-side placement).
93. 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.

94. The single-loaded roadways, which will abut Major Mackenzie Drive (i.e. Streets 3, 4, 5 and 6) will each require provision of an appropriate concrete pedestrian walkway, subject to design approval by the local municipality and the Region of York, to facilitate pedestrians' access to/from existing transit services on Major Mackenzie Drive. These walkways are to be provided at no cost to the Region of York concurrent with construction of necessary sidewalks.
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 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.
 102. 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

103. That prior to final approval, the owner shall have made Agreement satisfactory to the York Region District School Board for the transfer of one a portion of one public elementary school site identified as Block 362, on the proposed draft plan of subdivision.
104. 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 builing 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;
105. 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.
106. 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 105 ii) 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.
107. 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.
108. 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.
109. 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.
110. 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.

York Region Catholic District School Board

111. Prior to final approval to 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.
112. That the Owner shall enter into an agreement satisfactory to the York Catholic District School Board for the transfer of Block 363 (1.372 Ha.).

113. 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 363, as determined by the Board.
- c) There shall be no stockpiling of topsoil on Block 363.
- d) To construct and maintain galvanized chain link fence 1.8 metres in height along all boundaries of the school that adjoin/about 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.

114. That the Owner shall submit, at no cost to the Board, a report from a qualified consultant concerning:

- a) The suitability of Block 363 for construction purposes relating to soil bearing factors, surface drainage and topography and or grading plan. There shall be a minimum of 12 boreholes on the school site, in locations as approved by the Board.
- b) Both Phase 1 and Phase 2 Environmental Testing reports for the school site to ensure the site is clear and free of all contaminates and unfit soil.
- c) The availability of natural gas, electrical, water, storm sewer, sanitary sewer, telephone, fibre optic cable and cable television services in a location along the property line, as determined by the Board. All services must meet Board specifications and approval.

115. That the Owner shall submit, at no cost to the Board, a certificate from the City of Vaughan confirming the following as they relate to a new school facility:

- a. The availability of a satisfactory water supply (both domestic and fire).
 - b. An acceptable method of sewage disposal.
 - c. Adequacy of electrical services.
 - d. The availability of a satisfactory natural gas supply.
 - e. That an adequate storm water management facility has been designed to accommodate a school site and ensure that water retention will not be required on this site.
116. 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.
117. 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.
118. 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.
119. 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.
120. 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".
121. 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".
122. 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.
123. 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.

Canada Post

124. The Owner agrees to:

- a) provide the following for each community mailbox site, as shown on the servicing plans:
 - i) a sidewalk section (concrete pad), as per municipal and Canada Post standards, to support the mailboxes;
 - ii) any required walkway across the boulevard, as per municipal standards; and,
 - i) any required curb depressions.
- b) provide a suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s).
- c) provide a copy of the executed agreement to Canada Post.

Warning Clauses

125. 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) for all lots within the subdivision plan:

i) Engineering Department

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".
- "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."
- "Purchasers and/or tenants are advised that public transit routes have not been determined for the area within the Plan, however, Streets B, C and 12 may be subject to public transit bus traffic".
- "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 B, C, 12, Dufferin Street and Major Mackenzie Drive may be of concern, occasionally interfering with some activities of the dwelling occupants."

- “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.”
- “Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the CRTC authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs.”
- “Purchasers and/or tenants are advised that 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.”
- “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 132, 152, 153 and 177 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 84, 85, 109, 110, 131, 132, 152 and 178 to 185 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 Lots 3 to 15 inclusive, 18 to 32 inclusive, 291 to 300 inclusive, 311 to 333 inclusive and 339 to 343 inclusive and Blocks 1, 2, 16, 17, 33, 34 and 344 to 361 inclusive within the plan.

"Purchasers and/or tenants are advised that a booster pump may be needed to be installed within their dwelling in the vicinity of the water meter to increase pressure."

Urban Design

- "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."

General

- "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 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."

i) 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."

ii) abutting a park block:

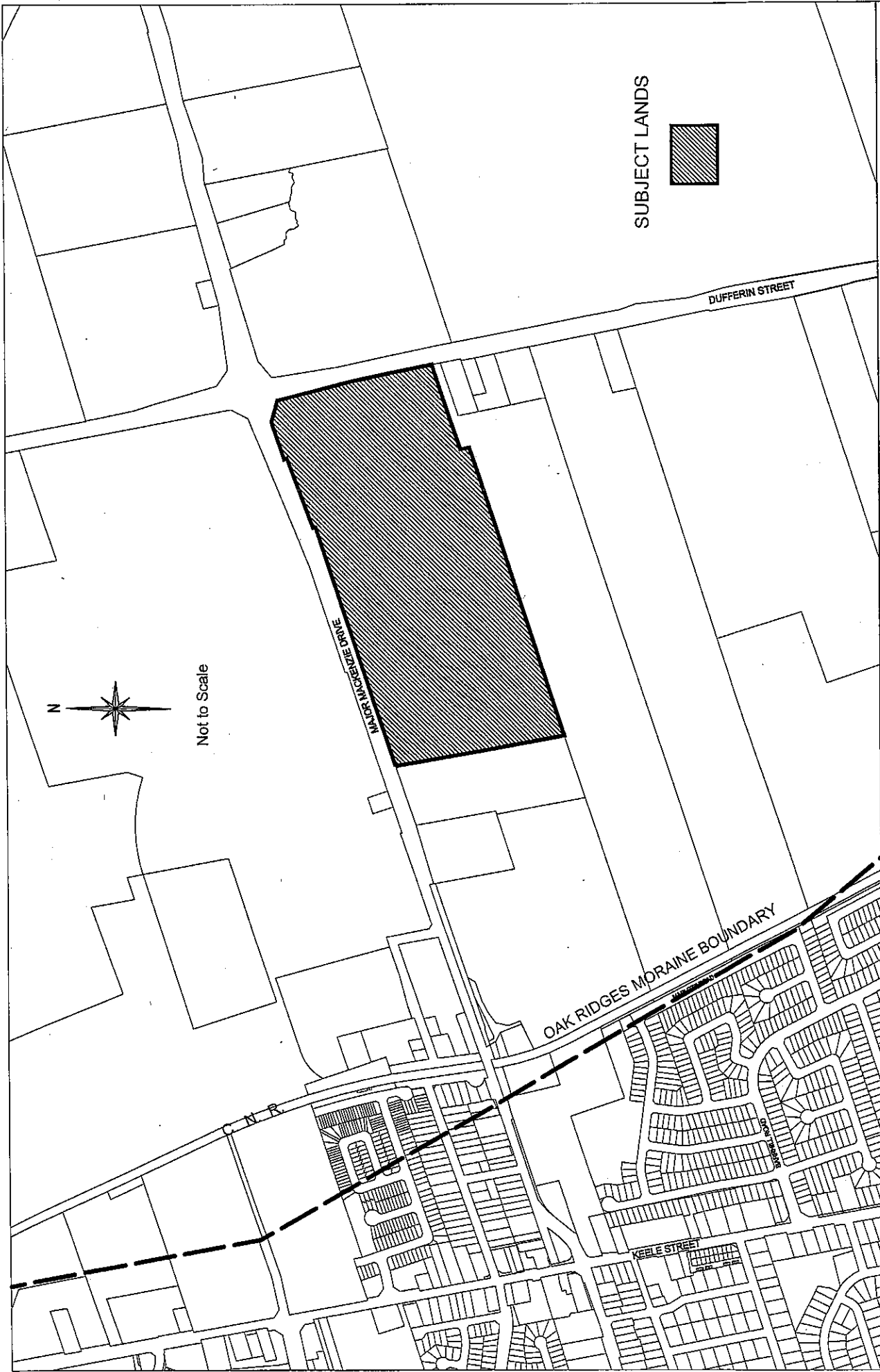
- "Purchasers and/or tenants are advised that the lot abuts a "Neighbourhood Park", and that noise and lighting should be expected from the designed active use of the park."

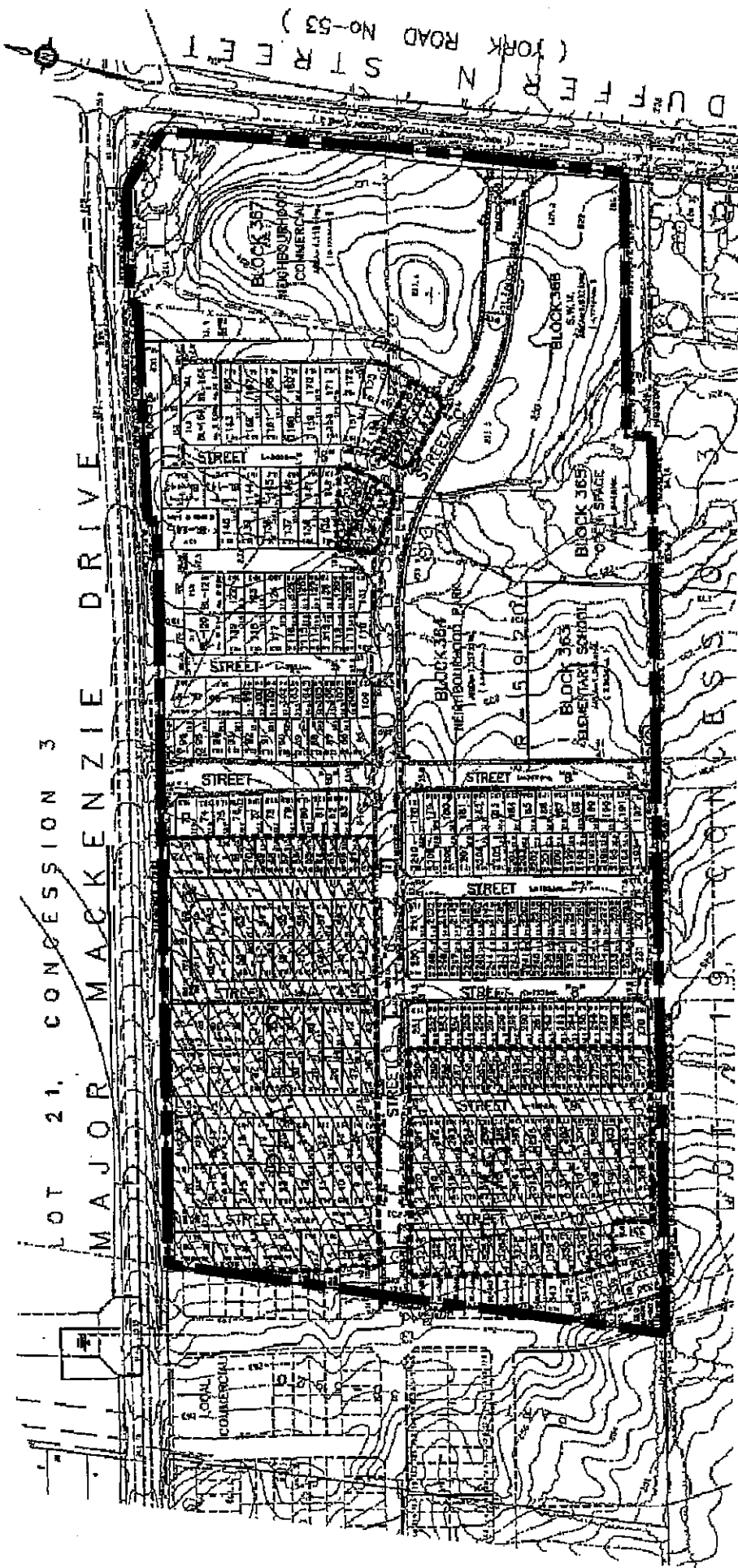
iii) along a potential transit route:

- "Purchasers and/or tenants are advised that the following streets may be used as transit routes in the future: Street "B" and Street "C" (or name of streets) ."

Other Conditions

126. 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 125 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.
127. The City shall advise that Conditions 1 to 65 inclusive, and 125 have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
128. The Region of York shall advise that Conditions 66 to 98 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
129. The Toronto and Region Conservation Authority shall advise that Conditions 99 to 102 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
130. The York Region District School Board shall advise that Conditions 103 to 110 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
131. The York Catholic School Board shall advise that Conditions 111 to 123 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.





SUBJECT LANDS



Not to Scale

Draft Plan of Subdivision

Lot 20,
Concession 4

APPLICANT:
FERNBROOK HOMES
(MAJORMAC) LIMITED

City of
Vaughan

Community Planning Department

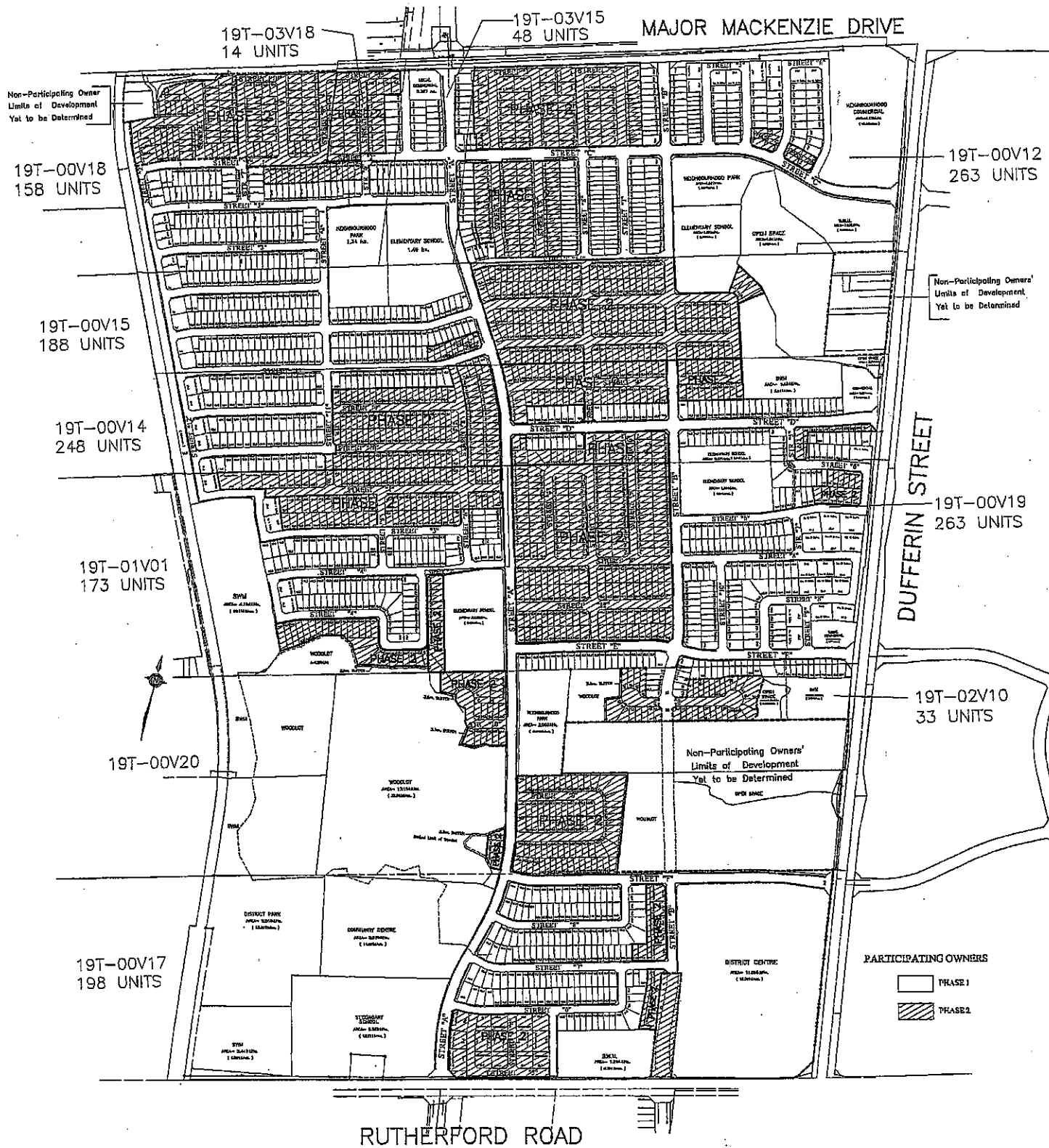
Attachment

3

FILE No.:
19T-00V12 &
Z.00.057

June 10, 2004

BLOCK 18 PHASING PLAN



Not to Scale

Block 18 Phasing Plan

Lots 16 - 20,
Concession 3



Community Planning Department

Attachment

June 10, 2004

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