

COMMITTEE OF THE WHOLE FEBRUARY 21, 2005

**ZONING BY-LAW AMENDMENT FILE Z.95.038
DRAFT PLAN OF SUBDIVISION FILE 19T-95044
HUMBOLD PROPERTIES LIMITED
REPORT #P.2004.79**

Recommendation

The Commissioner of Planning recommends:

1. That the Block 11 Staging Plan for the Phase 1 lands shown on Attachment #4, BE APPROVED.
2. That the revised Block 11 Transportation Management Plan, dated May 2004, and shown on Attachment #5, BE APPROVED.
3. That Zoning By-law Amendment Application Z.95.038 (Humbold Properties Limited) BE APPROVED, to rezone the subject lands from A Agricultural Zone and OS1 Open Space Conservation Zone to RD3 and RD4 Residential Detached Zone, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone as shown on Attachment #6 to implement the approved draft plan of subdivision, and that the Phase 1 - Stage 2 portion of the lands identified on Attachment #3, be placed in a Holding "H" Zone, pending availability of servicing capacity.
4. That Draft Plan of Subdivision 19T-95044 (Humbold Properties Limited) prepared by KLM Planning Partners Inc., dated December 6, 2004, BE DRAFT APPROVED, subject to the conditions set out in Attachment #1.
5. For the purpose of notice, the subdivision agreement shall contain a provision that parkland shall be dedicated, and/or cash-in-lieu paid in accordance with the City's Cash-In-Lieu of Parkland Policy.
6. That Council pass the following resolution with respect to the allocation of sewage and water servicing capacity:

"NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision Application 19T-95044 Humbold Properties Limited 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 Districts No. 6 and No.7 of the York Water Supply System for a total of 298 residential units, following the execution of a subdivision agreement to the satisfaction of the City."

7. 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

The Owner has submitted applications to:

1. amend Zoning By-law 1-88 to rezone the subject lands shown on Attachment #2, from A Agricultural Zone and OS1 Open Space Conservation Zone to RD3 and RD4 Residential

Detached Zones, OS2 Open Space Park Zone and OS1 Open Space Conservation Zone; and

2. permit a Draft Plan of Subdivision shown on Attachment #3, which proposes the following on a 36 ha site:
 - 529 detached lots (with frontages ranging between 9.15m and 13.4m)
 - 3.35 ha of valleylands
 - 2.47 ha elementary school block
 - 2.27 ha neighbourhood park block

Background - Analysis and Options

The subject lands are located (see Attachment #2) south of Major Mackenzie Drive, west of Bathurst Street within Planning Block 11, in Part of Lot 18, Concession 2, City of Vaughan.

The subject lands are designated "Low Density Residential" and "Valley Lands" by OPA No. 600, and zoned A Agricultural Zone and OS1 Open Space Conservation Zone by By-law 1-88. The approved Block 11 Plan specifically defines the land uses as Low Density Residential, Elementary School, Neighbourhood Park and Open Space/Valley Lands. The surrounding land uses are:

North - Subdivisions 19T-04V05 and 19T-95064 (A Agricultural Zone)
South - UJA institutional property (A Agricultural Zone)
East - other vacant lands owned by Humboldt (A Agricultural Zone)
West - Subdivision 19T-03V09 (A Agricultural Zone)

On May 31, 2004, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. The Town of Richmond Hill has previously expressed its concerns regarding the availability of servicing in this area through objections to other approved draft plans within Block 11. Concerns surrounding issues of service allocation have been resolved, and as a result, the appeals launched by the Town of Richmond Hill to the Ontario Municipal Board have been settled.

The recommendation of the Committee of the Whole to receive the Public Hearing report of June 21, 2004, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on June 28, 2004.

Block Plan

On August 25, 2003, Council adopted the Block 11 Plan (Attachment #4), subject to conditions, which have been addressed to the satisfaction of the City. 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 some medium density development in the form of townhouse units and high density development in the Carrville District Centre. The Block 11 Plan provides four elementary schools and one high school, as well as four neighbourhood parks, three of which are located adjacent to elementary school blocks. Three neighbourhood commercial sites are proposed, one in each quadrant of the Block. The Carrville District Centre located at the southwest corner of Block 11, and four convenience commercial sites are proposed, in the south portion of the Block. The Block also includes eight stormwater management ponds and a significant amount of valleylands. A large parcel of land located centrally on the west side of the Block has been dedicated as a nature reserve.

The Block 11 Landowners have provided new residential density counts proposing a total of 3,642 dwelling units, comprising 1,631 low density, 1,539 medium density, and within the Carrville District Centre there will be 472 high density units. The new residential unit counts conform to the Official Plan.

Oak Ridges Moraine Conservation Plan

A portion of the subject lands is within the Oak Ridges Moraine Area, however this application was submitted before November 16, 2001 and is therefore not subject to the provisions of the Oak Ridges Moraine Conservation Plan.

Official Plan

The "Low Density Residential" designation permits detached dwellings at a maximum net density of 22 units/ha, and at an average overall net density for low density across the Block 11 Plan of 16-18 units/ha. The low density residential component is at a density of 19.3 units/ha which is in conformity with the maximum density requirement of 22 units/ha.

Block 531 is designated "Valley Lands" and would be maintained in a natural state and conveyed to public ownership.

Zoning

The subject lands are presently zoned A Agricultural Zone and OS1 Open Space Conservation Zone by By-law 1-88. A rezoning of the subject lands is required to implement the proposed draft plan of subdivision, in accordance with the City's new residential zone standards, including the RD3 and RD4 Residential Detached Zones for detached lots having minimum frontages of 12m and 9m, respectively. Exceptions will be required for Lots 368, 369 and 390, which do not comply with the minimum required lot depth of 27m. Lots 368 and 369 have a minimum lot depth of 24.5m, and Lot 370 has a depth of 24.7m.

All valleylands will maintain the present OS1 Zone. The proposed neighbourhood park will be rezoned to OS2 Open Space Park Zone

Lots proposed for Phase 1 – Stage 2 of development will be zoned with a Holding "H" provision, including Lots: 19-68 inclusive, Lots 290-380 inclusive, Lots 383 – 455 inclusive, and Lots 465 to 479. and Streets "10", "11", "12", and "13".

Subdivision Design

The draft plan provides for 529 single-detached residential lots, with frontages ranging between 9.15m and 13.4m in width. Lot depths on the single-detached residential lots range from a minimum 24.5m in depth to 41.0m in depth. However, Lots 368, 369 and 370 do not comply with the required minimum lot depths and will require relief from the standards of the zone as previously noted in the report.

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. Construction access to the subject lands will be via Bathurst Street subject to Regional approval. The use of alternative road design standards is being proposed in this development. All-way stop control and a raised intersection is planned for the intersection of Streets 1 and 2 and the intersection of Streets 1 and 3 will be signalized.

The only proposed Neighbourhood Park is situated to the south of the public elementary school, east of Street 2.

Block 531 is designated valleylands and has an area of 3.35ha.

Vaughan Engineering Department

The Vaughan Engineering Department has provided the following comments:

a) Environmental Site Assessment (ESA)

On November 23, 2004, Terrapex Environmental Limited concluded its peer review of the Phase 1 ESA, and agreed with the conclusion that the land is suitable for a residential development, and recommended that the City accept the ESA.

b) Engineering Servicing

The municipal services for this development shall be in accordance with the approved Master Environmental Servicing Plan (MESP) dated August 2001, addendum attachments dated August 2002 and Supplementary Block Plan Approved Documents dated December 2002, 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 shall also be deemed to constitute part of the approved (MESP).

Subsequent to the individual draft plans receiving approval by the City, the participating landowners within Block 11 have indicated that they may 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) being constructed in the UJA site development to the south. 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 is to proceed in phases as per the approved (MESP) and the availability of sanitary sewage and water servicing capacity and allocation.

c) Sanitary Servicing

The subject site will be serviced through the UJA site plan and draft plan of subdivision 19T-95062. Allocation as well as a connection to the sanitary stubs located on Streets 2 and 3 at the south 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. 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 the capacity must be allocated or reserved by the City.

d) Storm Drainage

The proposed plan of subdivision contains one partial stormwater management block to be constructed in conjunction with draft plan of subdivision 19T-04V05 as part of the Block 11 skeleton works. The minor and major flows will be conveyed primarily through the proposed road allowances and ultimately drain into the stormwater management facility located within one of the two stormwater management ponds located in draft plan of subdivision 19T-95062.

The Block 11 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.

Within the open space contained within this plan, there is an on-line pond, which is required to be reconstructed and restored to its original condition.

e) Water Supply

The subject lands are located within service area Pressure District No. 6 of the York Water Supply System. The Block's Pressure District No. 6 network shall be serviced through two 400 mm connections from Block 10, namely Thornhill Woods Drive and Pleasant Ridge Avenue as well as an extension of the Rutherford Road watermain from Confederation Parkway to the first primary road east of Dufferin Street.

The water supply to this draft plan shall be from the watermain stubs on Streets 2 and 3 in the UJA site development to the south.

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

Development Planning

The Development Planning Department is satisfied with the draft plan of subdivision as shown on Attachment #3, subject to conditions of approval included in Attachment #1.

The Block 11 Landowners have submitted a Landscape Master Plan, prepared by Paul Cosbourn Associates Limited, and the Urban Design Guidelines prepared by Paul Cosbourn and Associates Limited, which are currently under review and will require final approval by Staff, 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 also 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 to be conducted on the subject lands. Conditions of draft approval have been included in Attachment #1.

Region of York

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

Restrictions are to be imposed on the portion of the plan that requires Phase II water and sewer capacity. These restrictions include the application of a Holding provision 'H' and execution of a "NO Pre-sell agreement". Prior to or concurrent with draft approval for the Phase 2 lands, the Owner 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.

Toronto and Region Conservation Authority (TRCA)

The TRCA has reviewed the proposed draft plan of subdivision and is generally satisfied, subject to the conditions set out in Attachment #1.

York Region District School Board

The York Region District School Board requires one public elementary school site within Phase 1 of the proposed draft plan of subdivision. Lands have been set aside to accommodate an elementary school site within Phase 1, Stage 1 of development. The York Region District School Board is generally satisfied, subject to the conditions set out in Attachment #1. The development of the school site will be subject to site plan approval from Council.

Relationship to Vaughan Vision 2007

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

Conclusion

Staff has reviewed the proposed applications to amend the Zoning By-law and for Draft Plan of Subdivision, in accordance with the Official Plan, By-law 1-88, and the Block 11 Plan. Staff is satisfied that the proposed zone categories identified in the staff report are appropriate to facilitate the draft plan of subdivision. Lots Identified in Phase 1-Stage 2 of the plan will be subject to a Holding "H" provision in the implementing zoning by-law until Council has granted servicing allocation.

For these reasons, Staff can recommend approval of the zoning amendment and draft plan of subdivision applications. Should the Committee concur, the recommendations in this report can be adopted.

Attachments

1. Conditions of Draft Plan Approval
2. Location Map
3. Draft Plan of Subdivision 19T-04V05
4. Block 11 Phasing Plan

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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-95044
{Humboldt Properties Limited}
{PART OF LOT 18, 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-95044, 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 # 05:8, dated January 31, 2005, and subject to the following:
 - a) Lots 19-68 inclusive; Lots 290-380 inclusive; Lots 383-455 inclusive; and Lots 465 to 479 inclusive; located in Phase 2, shall be 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 any 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 19-68 inclusive; Lots 290-380 inclusive; Lots 383-455 inclusive; and Lots 465 to 479; and Streets "10", "11", "12" and "13" be subject to an "H" Holding provision, to be lifted upon confirmation from the Region of York that water and sanitary servicing capacity is available to service these lots, or part thereof, in accordance with the Vaughan Development Charge Credit Agreement.
 - c) the implementing by-law shall zone the remainder of the subject lands utilizing the following zone categories:
 - RD4 – Residential Detached Zone 4
 - RD3 – Residential Detached Zone 3
 - OS1 – Open Space Conservation Zone
 - OS2 – Open Space Park Zone
3. The Owner shall pay any and all outstanding application fees to the Development Planning Department, in accordance with Tariff of Fees By-law 406-2003.
4. Prior to final approval of any part of the Plan, the Owner shall submit a revised Block Plan, if required, to reflect any significant alterations caused from this draft plan approval.

5. The Owner shall enter into a subdivision agreement with the City to satisfy all financial and other conditions, with regard to such matters as the City may consider necessary, including payment of development levies and the woodlot development charge, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
6. The Owner shall agree to create easements for maintenance purposes for all lots providing less than 1.2 m sideyards, or having roof encroachments, prior to transfer of land.
7. Prior to final approval, easements required for utility, drainage and construction purposes shall be created and granted to the appropriate authority(ies), free of all charge and encumbrances.
8. The Owner shall agree that on lots with flankages on the collector or primary roads, as identified by the Architectural Design Guidelines and the City, a front elevation featuring a main entrance or in some cases an upgraded elevation shall face the flankage. The flankage elevation for such lots shall be approved by the Control Architect and the by the Development Planning Department, prior to the issuance of a building permit.
9. The Owner shall agree that all lots or blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing.
10. Prior to final approval of the plan of subdivision, and prior to the initiation of any grading to any lands included in the plan of subdivision, a preliminary archaeological evaluation of the entire area within the proposed plan of subdivision shall be carried out at the Owner's expense, and the same report shall identify any significant archaeological sites found as a result of the assessment. The archaeological assessment report shall be carried out by a licenced archaeologist and prepared according to the Ministry of Citizenship, Culture and Recreation's (Heritage Operations Unit) approved Archaeological Assessment Technical Guidelines, dated 1993. The archaeological assessment shall be submitted to the municipality and the Ministry for review and approval.
11. Prior to final approval, or registration of a 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.
12. The Owner shall agree that a Cultural Heritage Resource Impact Assessment shall be completed prior to a site plan going forward to Council, and the Owner shall discuss with the Cultural Services Department how they propose to address the recommendations and mitigative options in the assessment prior to draft plan approval.

The advanced stages of assessment shall be completed and the reports forwarded to both this office and the Ministry of Culture before final clearance.

Warning Clauses

13. The Owner shall cause the following warning clauses to be included in a schedule to all offers of purchase and sale, or lease for all lots/blocks:

a) within the entire subdivision plan:

- "Purchasers and/or tenants are advised that the proposed finished lot and/or block grading may not meet City of Vaughan lot grading criteria in certain areas, to facilitate preservation of existing vegetation and to maintain existing adjacent topographical conditions."
- "Purchasers and/or tenants are advised that traffic-calming measures may have been incorporated into the road allowances."
- "Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the City and a conceptual location plan is included in the subdivision agreement. While every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete any boulevard tree without further notice."
- Purchasers and/or tenants are advised that the City has not imposed a "tree fee", or any other fee which may be charged as a condition of purchase, for the planting of trees. Any "tree fee" paid by a purchaser for boulevard trees does not guarantee that a tree will be planted on the boulevard adjacent to their residential dwelling."
- "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings."

b) abutting any open space, woodlot or stormwater facility:

- "Purchasers and/or tenants are advised that the adjacent open space, woodlot or stormwater management facility may be left in a naturally vegetated condition and receive minimal maintenance."

c) abutting a park block:

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

14. 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 Development 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."

15. 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."
16. 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.
17. 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.
18. The Owner shall permit any telephone or telecommunications service provider to locate its plant in a common trench within the proposed Plan of Subdivision prior to release of the plan for registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its plant so as to permit connection to individual dwelling units within the subdivision as and when each dwelling unit is constructed.

Engineering Department (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(ies), 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 11 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 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 within 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 the Owner has fulfilled all cost sharing and other obligations of the Block 11 Developer's 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, the Owners' 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.
- 38. Prior to final approval of the plan, the Owner shall provide a revised Water Supply Analysis for review and approval by the Engineering Department.
- 39. 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, 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.
- 40. Prior to final approval of the plan, a mitigation 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 and 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.
- 41. 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.

42. 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.
43. Prior to final approval of the plan, the Owner shall pay the proportionate share of the cost of any external municipal services, temporary and/or permanent built or proposed, that have been designed and oversized by others to accommodate the plan.
44. The Owner shall not apply for building permits and the City shall not issue building permits for any lot until a minimum 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 not apply for building permits and the City shall not issue building permits for any lot until the on-line pond within the Open Space is taken off-line to the satisfaction of the City and TRCA.
46. The Owner shall agree in the subdivision agreement to include the following warning clause in all Offers of Purchase and Sale or Lease for all dwellings within the Plan:

"Purchasers and/or tenants are advised that the roads within the Plan may have been constructed using Alternative Development Standards. In April 1995, the Ministry of Housing and Municipal Affairs published the Alternative Development Standards as a guideline to municipalities. The Province of Ontario has been promoting the use of these guidelines, which provide for reduced pavement widths that are narrower than City Standards. Traffic-calming measures have also been incorporated in the road design."
47. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots and Blocks on the Plan.

"Purchasers and/or tenants are advised that public transit routes have not been determined for the area within the Plan, however, Streets 1, 2, 3 and Bathurst Street may be subject to public transit bus traffic."
48. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots and Blocks on the Plan.

"Purchasers and/or tenants are advised that despite the inclusion of noise abatement features within the development area and within the building units, noise levels from increasing traffic on Streets 1, 2, 3 and Bathurst Street may be of concern, occasionally interfering with some activities of the dwelling occupants."

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

"Purchasers and/or tenants are advised that 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."

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

"Purchasers and/or tenants are 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."

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

"Purchasers and/or tenants are advised that the Streets 2 and 3 shall be extended north and south completing a continuous road from Rutherford Road to Major Mackenzie Drive."

Development Planning Department

52. 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 shall 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.

53. 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.

54. 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:

- 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.
55. 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, and 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, trail heads, medians and fencing;
 - Community edge treatments along Bathurst Street;
 - 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;
 - Valleyland edge management rehabilitation planting, trails, erosion repair sites and pedestrian access points into the valley.

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

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/rehabilitation plan study for the perimeter of the valley/open space blocks 531, 532 and 533. The study shall include an inventory of all existing trees within an 8 metre zone inside the staked edges, and areas where the valley/open space are disturbed, assessment of significant trees to be preserved and proposed methods of the edge management and/or remedial planting shall be included. The Owner shall not remove any vegetation without written approval by the City and TRCA.

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

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

"Purchasers are advised that the planting of trees on City boulevards in front of residential units is a requirement of the subdivision agreement. A drawing depicting conceptual location for boulevard tree is included as a schedule in this subdivision agreement. This is a conceptual plan only and while every attempt will be made to plant

trees as shown, the City reserves the right to relocate or delete and boulevard tree without further notice."

The City has not imposed an amount of a "Tree Fee" or any other fee which may be charged as a condition of purchase for the planting of trees. Any "Tree Fee" paid by the purchasers for boulevard trees does not guarantee that a tree will be planted on the boulevard in front or on the side of a residential dwelling.

59. The Owner shall convey open space Block 540 to the City free of all cost and encumbrances for landscaping purposes.
60. The Owner shall convey entrance feature Block 608 to the City free of all cost and encumbrance for landscaping purposes.
61. The Owner shall convey Park Block 535 to the City free of all encumbrances for parkland purposes.
62. The Owner shall convey greenway Blocks 536, 537, 538 and 539 to the City free of all encumbrances.
63. In the event that the Owner and the City agree that the Owner will develop Park Block 535, 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."
64. Prior to building permit issuance, the Owner shall prepare for review and approval on Park Block 535, 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, planting 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.

Toronto and Region Conservation Authority (TRCA)

65. 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 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.
66. That this draft plan of subdivision be subject to red-line revision in order to meet the requirements of Condition 65, if necessary.
 67. That the valley and stream corridor (Blocks 531, 532, 533 and 540) be set aside for acquisition or dedication to either the TRCA or the City of Vaughan, free of all charges and encumbrances.
 68. That the implementing zoning by-law recognize Open Space Blocks 531, 532, 533 and 540, in an open space, or other suitable zoning category, which has the effect of prohibiting development, to the satisfaction of the TRCA.
 69. That the Owner provide restoration planting plans for Blocks 531, 532, 533, 540 and any additional buffer blocks, in accordance with the MESP, to the satisfaction of the TRCA.
 70. That the applicant obtain the requisite approvals from TRCA, Fisheries and Oceans Canada (DFO) and the Ministry of Natural Resources (MNR) for the proposed channel works north of Crossing B.
 71. That the Owner agree 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 65;
 - 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 permits pursuant to Ontario Regulation 158 from the TRCA; and
 - d) to erect a permanent fence to the satisfaction of the TRCA for Lots 30-36 inclusive, Lots 366 to 380 inclusive, Lots 381 to 382 inclusive, Lots 386 to 401 inclusive and Lots 404 to 412 inclusive.

Region of York

72. 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.
73. 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.

74. 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.
75. The subdivision proponents within Blocks 11 and 12 shall 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.
76. Prior or concurrent with draft approval for lands other than Phase I, 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.
77. 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 I. 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 available to accommodate the draft plan or phase thereof in accordance with the Vaughan Development Charge Credit Agreement executed by the City of Vaughan, the Region and the Owner/Developer.
78. Prior to the registration of Phase I, the Region shall confirm the following:
- 1) the award of the contract for the construction of the Bathurst Trunk sewer (Phase II) has occurred and it is no earlier than six (6) months prior to the expected completion;
 - 2) a sewage flow monitoring program in the North Don Collector sewer and any interim sewer works that are deemed to be required as a result of the flow monitoring are underway; and
 - 3) modifications to the existing Vaughan No. 2 Flume have occurred.
79. Prior to the registration of any lands beyond Phase I, the Region shall confirm the following:
- The award of the contracts for the construction of the South East Collector sewer and Bathurst Trunk Sewer (Phase I) has occurred and it is no earlier than six (6) months prior to the expected completion of the South East Collector 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
- 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.

80. 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.
81. 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, construction access and mud mat design, utility location plans, pavement markings, intersection signalization and illumination design, traffic control/construction staging plans and landscape plans.
82. 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 Bathurst Street, of sufficient width to provide 18 metres from the centreline of Bathurst Street;
 - ii. A 0.3 metre reserve across the full frontage of the site where it abuts Bathurst Street shall be conveyed to the Regional Municipality of York for public highway purposes, free of all costs and encumbrances;
 - iii. 15 metre by 15 metre daylighting triangle at the northwest corner of the intersection of Bathurst Street and Street "1";
 - iv. An additional 2.0 metre widening along the site frontage with Bathurst Street at the intersection of Street "1"/Weldrick Road, for the purpose of a right turn lane, 40.0 metres in length together with a 60.0 metre taper.
83. The Owner shall provide a solicitor's certificate of title in a form satisfactory to the Regional Solicitor, at no cost to the Region, with respect to the conveyance of lands.
84. 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.
85. Direct vehicle access from the proposed dwellings to Bathurst Street will not be permitted. Access must be obtained through the internal road network.
86. Any existing driveway(s) along Regional road(s) 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 the 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, and the Owner shall agree in the subdivision agreement, in wording satisfactory to the Regional Transportation and Works Department, the following:
- 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 2.5m 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.
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, as well as on Bathurst Street. Such sidewalks shall be constructed on both sides of the planned transit roadways unless only one side of the street lies within the limits of the area designed as "Subject Property", in which case only this side of the street will require the sidewalk.
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:
- i. Westbound Street "1" at the intersection of Street "3" (near-side placement, adjacent to Block/Lot 236)
 - ii. Westbound Street "1" at the intersection of Street "13" (near-side placement, adjacent to Block/Lot 383)
 - iii. Northbound Street "2" at the intersection of Street "13" (near-side placement, adjacent to Block/Lot 422)
 - iv. Southbound Street "2" at the intersection of Street "14" (near-side placement, adjacent to Block/Lot 536)
 - v. Southbound Street "2" just north of Street "1" (mid-block placement, adjacent to Block/Lot 539/535)
 - vi. Southbound Bathurst Street at the intersection of Street "1" (near-side placement, adjacent to Block 541)
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 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 the 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.

95. 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.
96. Prior to final approval, all required easements for the Bathurst Trunk Sewer within Block 11 shall be in place.
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.

Canada Post

99. The Owner/Developer agrees to include on all offers of purchase and sale a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
100. The Owner/developer will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer on which the homeowners does a sign off.
101. 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.
102. The Owner/developer will provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans:
 - a) an appropriately sized sidewalk section (concrete pad), as per municipal and Canada Post standards, to place the Community Mailboxes on (a copy of the Standards will be provided upon request). The developer further agrees to provide these cement pads during sidewalk pouring and will notify Canada Post of the locations as they are completed;
 - b) Any required walkway across the boulevard, as per municipal standards;
 - c) Any required curb depressions for wheelchair access;
 - d) Multiple Blocks will have the appropriate Canada Post Delivery Policy applied as the required information becomes available and it is requested that information be provided to Canada Post by the Developer

103. Canada Post Corporation's Multi Unit Policy will be in effect for any Multi Unit Buildings. It will be the Owner's responsibility to purchase and maintain Centralized Mail Boxes for this development type.
104. Any institutions in this plan will be treated as a single business and will be provided mail delivery to 1 Point of Call.
105. The Owner/developer further agrees to determine, provide and fit up a suitable temporary Community Mailbox location(s) which may be utilized by Canada Post until the permanent mailbox pads, curbs, sidewalks and final grading have been completed at the permanent CMB site locations (a gravel area with a single row of patio stones – spec to be provided). This will enable Canada Post to provide mail service to new residences as soon as homes are occupied. The developer further agrees to fit up the temporary area 30 to 60 days prior to the first occupancy and notify Canada Post of the first occupancies at this time.

York Region District School Board

106. That prior to final approval, the Owner shall have made Agreement satisfactory to the York Region District School Board for the transfer of one public elementary school site. The public elementary school site, Block 534, shall contain not less than 2.476 hectares.
107. That the Owner shall agree in the Subdivision Agreement in wording satisfactory to the York Region District School Board:
 - i) to grade Block 534 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 to the satisfaction of the Board;
 - v) to remove stockpiled topsoil within 30 days of written notice by the Board, and in doing so compact, fill with clean material, replace any topsoil disturbed in the grading process and at the same time sod/seed the same lands to specifications determined by the Board;
 - vi) to construct a galvanized chain link fence, Type II 1-1/2" mesh along all boundaries of the school blocks, including road frontage(s) at the discretion of the Board;
 - vii) to construct the fences prior to the issuance of building permits for Phase 1 of the subdivision;
 - viii) to erect and maintain a sign on the on the public school site at such time as the relevant access roads are constructed, indicating that the date has not been set for the construction of the school;
 - ix) to provide the foregoing at no cost to the Board; and,
 - x) provide a geotechnical investigation and Phase 1 and Phase 2 environmental site assessment conducted by a qualified engineer. For an elementary school site a minimum of six boreholes shall be required and for a secondary school site a minimum of twelve boreholes is required;
108. 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.
- 109. 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 107 above 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.
- 110. The Owner shall agree to provide York Region District School Board confirmation that the location of the driveway access point are to the satisfaction of the City and York Region School Board.
- 111. 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.
- 112. 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.
- 113. 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.
- 114. That the Owner and City of Vaughan shall 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.

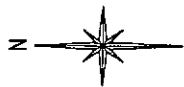
Bell Canada

- 115. The Owner shall be requested to enter into an agreement (Letter of Understanding) with Bell Canada complying with any underground servicing conditions imposed by the municipality, and if no such conditions are imposed, the Owner shall advise the municipality of the arrangements made for such servicing.
- 116. The Owner shall be advised that Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the electrical room and one or more conduits from the electrical room to the street line.

Other Conditions

- 117. Final approval for registration shall be issued in accordance with the draft plan of subdivision prepared by KLM Planning Partners Inc., Drawing # 05:8, dated January 31, 2005, and to the satisfaction of the City, subject to all applicable fees provided that:

- a) All government agencies agree to registration and provide clearances, as required in Conditions 118 to 122 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
 - b) Allocation being provided within the appropriate capacity assigned by the Region, as approved by the City, in consultation with the Region of York.
- 118. The City shall advise that Conditions 1 to 64 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
 - 119. The Region of York shall advise that Conditions 72 to 99 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
 - 120. The Toronto and Region Conservation Authority shall advise that Conditions 65 to 71 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
 - 121. The York Region District School Board shall advise that Conditions 106 to 114 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
 - 122. Bell Canada shall advise that conditions 115 and 116 have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



Not to Scale

TOWN OF
RICHMOND HILL

SUBJECT LANDS



Location Map

Part of Lot 18,
Concession 2

APPLICANT:
HUMBOLDT PROPERTIES LIMITED

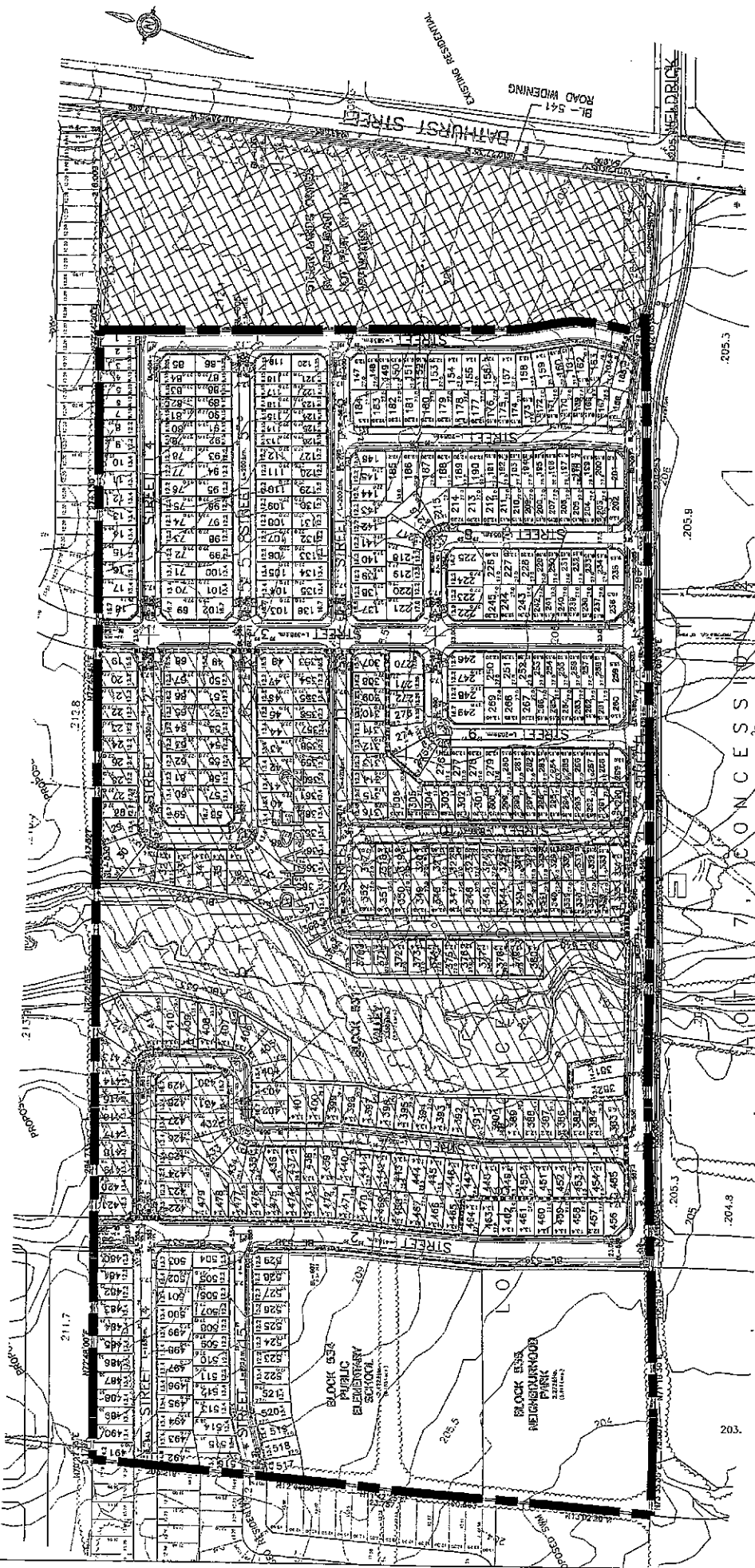
CITY of
Vaughan

Development Planning Department

Attachment **2**

FILE No.:
19T - 95044
& Z.95.038

February 10, 2005



SUBJECT LANDS

Not to Scale

Draft Plan of Subdivision

Part of Lot 18,
Concession 2

APPLICANT:
HUMBOLDT PROPERTIES LIMITED



Development Planning Department

Attachment

3

FILE No.:
19T - 95044
& Z.95.038

February 10, 2005

