

**COMMITTEE OF THE WHOLE APRIL 18, 2005**

**ZONING BY-LAW AMENDMENT FILE Z.04.046  
DRAFT PLAN OF SUBDIVISION FILE 19T-03V10  
P. GABRIELE AND SONS LIMITED  
REPORT #P.2004.94**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.04.046 (P. Gabriele and Sons Limited) BE APPROVED, and that the implementing zoning by-law shall incorporate the following revisions to By-law 1-88, on the subject lands shown on Attachment #3:
  - i) rezone the portion of the subject lands located south of Street "A" (Blocks 1-15 inclusive) from A Agricultural Zone to RVM1(A) Residential Urban Village Multiple Dwelling Zone One and provide exceptions to require a minimum lot area of 156 m<sup>2</sup> rather than 180 m<sup>2</sup>, and a minimum lot depth of 29 m rather than 30 m, for 78 street townhouse units;
  - ii) rezone the portion of the subject lands located north of Street "A" (Blocks 16 and 17) from A Agricultural Zone to RVM2-H Residential Urban Village Multiple Dwelling Zone Two with "H" Holding Symbol for 78 block townhouse units, permitting only the production of field crops or a use legally existing as of the date of enactment of the implementing by-law, until the Holding provision is removed;
  - iii) require that prior to the removal of the "H" Holding Symbol, a site development application shall be approved by Council; and,
  - iv) provide any necessary zoning exceptions required to implement the approved Draft Plan of Subdivision.
2. THAT Draft Plan of Subdivision 19T-03V10 (P. Gabriele and Sons Limited) as revised, as shown on Attachment #3, BE APPROVED, subject to the conditions set out in Attachment # 1 to this report.
3. THAT for the purposes of notice, the implementing subdivision agreement for Draft Plan of Subdivision 19T-03V10 (P. Gabriele and Sons Limited) shall contain a provision that the Owner pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". The Owner shall submit an approved appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.
4. THAT Council pass the following resolution with respect to the allocation of sewage and water capacity:

"NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT the proposed Draft Plan of Subdivision Application 19T-03V10 (P. Gabriele and Sons Limited) be allocated sewage capacity from the Maple Service Area of the York/Durham Servicing Scheme and water supply capacity from Pressure District No. 6 of the York Water Supply System, for a total of 156 residential units following the

execution of a subdivision agreement to the satisfaction of the City. Said allocation to the draft plan shall automatically be revoked after a period of one year in the event that the draft plan has not been registered."

### **Purpose**

The Owner has submitted an application to amend the Zoning By-law to rezone the subject lands shown on Attachment #3, from A Agricultural Zone to RVM1(A) Residential Urban Village Multiple Zone One (Blocks 1-15) and RVM2(H) Residential Urban Village Multiple Zone Two with the Holding Symbol "H" (Blocks 16 and 17). The Owner has also submitted an application for a Draft Plan of Subdivision consisting of 15 blocks for 78 street townhouse units with minimum lot frontages of 6 m and lot areas of 156 m<sup>2</sup>, and 2 blocks for 78 block townhouse units, on a 4.08 ha site.

### **Background - Analysis and Options**

The 4.08 ha subject lands shown on Attachment #1 are located on the south side of Major Mackenzie Drive, west of Weston Road, in Part of Lot 20, Concession 6, City of Vaughan. The site is relatively flat with no significant vegetation, and has been used for a landscape business.

The subject lands are designated "Vellore Village Centre - Low-Rise Residential" by OPA #600, as amended by OPA #650 (Vellore Village District Centre), and zoned A Agricultural Zone by By-law 1-88. The surrounding land uses are:

- North - Major Mackenzie Drive; residential (RR Rural Residential Zone), farmland (A Agricultural Zone)
- South - residential (RV3 Residential Urban Village Zone Three)
- West - proposed residential Plan of Subdivision 19T-03V03 (A Agricultural Zone)
- East - MTO Works Yard (A Agricultural Zone)

### **Public Hearing**

On August 27, 2004, a Notice of Public Hearing was mailed to all property owners within 120m of the subject lands, and to the Vellore Village, Vellore Woods and Millwood Woodend Residents' Associations. At the September 20, 2004 Public Hearing, a resident of 590 Fossil Hill Road, advised that he is opposed to any townhouses on the subject lands.

The recommendation of the Committee of the Whole to receive the public hearing report on September 20, 2004, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on September 27, 2004.

### **Official Plan**

#### **i) Land Use Designation**

The subject lands are designated "Vellore Village Centre - Low-Rise Residential" by OPA #600, as amended by OPA #650 (Vellore Village District Centre). The Official Plan permits single-detached, semi-detached, street townhouses, block townhouses and other ground-related multiple housing forms on the subject lands. The ground floor of the ground-related multiple housing forms that face Major Mackenzie Drive may be used for business and professional uses. The proposed land uses conform to the Official Plan. The Owner for the draft plan of subdivision was not a participant in the Block Plan process, however, the draft plan layout conforms to the approved Block 39 Plan.

ii) Density

OPA #650 permits a residential density of between 17-40 units/ha, with an average density within each quadrant of the Vellore Village District Centre of a minimum of 25 units/ha. The density calculation includes the land for local and primary roads, and the residential units. The density for the subject lands is 38.21 units/ha and the average density meets the minimum requirement of 25 units/ha. The proposed plan of subdivision conforms to the density requirements of the Official Plan.

Zoning

The subject lands are currently zoned A Agricultural Zone by By-law 1-88. To facilitate the proposed plan of subdivision, as shown on Attachment #3, a by-law amendment is required to rezone the lands from A Agricultural Zone to RVM1(A) Residential Urban Village Multiple Dwelling Zone One and RVM2-H Residential Urban Village Multiple Dwelling Zone Two with the "H" Holding Symbol.

The lands (Blocks 1-15) located south of Street "A" on Attachment #3, are proposed to be zoned RVM1(A) Residential Zone to facilitate the development of 78 street townhouse units. The RVM1(A) Zone standards are as follows:

- Minimum Lot Frontage – 6 m per unit
- Minimum Lot Area – 180 m<sup>2</sup> per unit
- Minimum Lot Depth – 30 m
- Minimum Front Yard – 3 m
- Minimum Rear Yard – 7.5 m
- Minimum Interior Side Yard (end unit) – 1.2 m
- Minimum Exterior Side Yard – 2.4 m
- Maximum Height – 9.5m
- Minimum Parking Spaces – 2 spaces

Exceptions to the RVM1(A) Zone standards are proposed, including reductions to the minimum lot area and minimum lot depth from 180 m<sup>2</sup> and 30m to 156 m<sup>2</sup> and 29 m, respectively. Staff supports these modifications as they are minor in nature and in keeping with the general intent of the Urban Village zoning standards.

The lands located north of Street "A" and shown as Blocks 16 and 17 on Attachment #3, are proposed to be zoned RVM2-H Residential Zone with the "H" Holding Symbol to facilitate a total of 78 block townhouse units. The RVM2 Zone standards are as follows:

- Minimum Lot Frontage – 30 m per block
- Minimum Lot Area – 230 m<sup>2</sup> per block
- Minimum Front Yard – 3 m
- Minimum Rear Yard – 4.5 m
- Minimum Interior Side Yard (end unit) - 1.2 m
- Minimum Exterior Side Yard – 2.4 m
- Maximum Height – 11 m
- Minimum Parking Spaces – 2 spaces

The final use and layout for the Blocks will be determined through the Site Development approval process, and therefore the "H" Holding Symbol is being applied to Blocks 16 and 17 pending the approval of a Site Development application. A clause will be included in the implementing zoning by-law limiting the use of the lands zoned with the "H" Holding Zone to the production of field crops or a use legally existing as of the date of enactment of the implementing by-law. The "H" Holding Symbol cannot be removed until a Site Development application has been approved by Council.

## Subdivision Design

The 4.08 ha draft plan of subdivision shown on Attachment #3 consists of 78 street townhouse units in 15 blocks with a range of 4 to 6 units in each block. Four of the street townhouse units are partial units that will be developed with the adjacent lands to the west (Subdivision Application 19T-03V03, Terwol Developments Inc.). The street townhouse lots have frontages of 6m, an area of 156 m<sup>2</sup>, and a depth of 29 m. The street townhouses front onto two roads (Streets "A" and "C"), which traverse the site in an east-west direction and provide road connections to the future residential lands to the immediate east and west. The draft plan also provides for the northerly extension of two roads, Foxbridge Way and Calista Street, from the registered plans of subdivision to the south. Four of the street townhouse units flank these roads.

Blocks 16 and 17 abut Major Mackenzie Drive to the north and a proposed east-west road (Street 'A') to the south. A north-south road (Street "B") separates the two blocks and intersects with Major Mackenzie Drive. Block 16 has an area of 0.739 ha and Block 17 is 0.645 ha. Both Blocks have a frontage of 55 m on Street "B". Blocks 16 and 17 will facilitate the development of 78 block townhouse units. The distribution of units per block has not been determined.

The development details for the draft plan of subdivision are as follows:

Blocks 1 – 15 (78 Street Townhouses)	1.5723 ha
Blocks 16 & 17 (78 Block Townhouses)	1.4655 ha
Block 18 Street Widening	0.1664 ha
Blocks 19 – 34 (0.3 m Reserves)	0.0189 ha
<u>Streets</u>	<u>1.0145 ha</u>
Total Draft Plan Area	4.0831 ha

Staff review has resulted in the draft plan of subdivision being red-lined, as shown on Attachment #3 to identify a separate Block to facilitate a future community entrance feature at the southeast corner of Major Mackenzie Drive and Forest Hill Road. Subject to the comments in this report, and the conditions of approval in Attachment #1, Staff is satisfied with the proposed subdivision design.

As noted above, the subject lands are part of the Block 39 Plan and part of the Vellore District Centre lands. The Block 39 Plan has been amended to incorporate the changes resulting from the approval of the Vellore Village District Centre Plan (OPA #650). However, the background supporting documents must be revised to conform to this draft plan of subdivision. A condition of approval is included in this respect.

## Engineering Department

The Engineering Department has reviewed the proposed draft plan of subdivision and provides the following comments:

### i) Environmental Site Assessment (ESA)

The subject lands are subject to the Waste Disposal Assessment Area (Passer Estate) policies of OPA #600, which requires that studies be carried out to the satisfaction of the City and the Ministry of the Environment to show development is compatible and can safely take place. On January 7, 2005, the Engineering Department reviewed the ESA Phase 1 report by Soil Engineers Ltd. for the subject draft plan of subdivision, and found the report to meet the requirements of Ontario Regulation 153/04 for Contaminated Sites, and that the site was suitable for residential development, and that a Phase II ESA is not required.

ii) Engineering Services

The subject lands are located within the Maple Service Area of the York Durham Sewage System, which is tributary to the Jane/Rutherford Collector Sanitary Sewer as indicated in the Vaughan Sanitary Service Area Master Plan, and is to receive wastewater servicing from this system. The subject lands are to ultimately be serviced by the Langstaff Trunk Sewer and Bathurst Trunk Sewer. The draft plan of subdivision is located within and is to receive water servicing from Pressure District 6 of the York Water Supply System.

The draft plan of subdivision will connect to the Artibus Phase 2 Plan of subdivision to the south for municipal services (road, watermain, sanitary and storm drainage). The Engineering Department has no objections to the approval of the proposed subdivision, subject to the conditions of approval on Attachment #1.

Parkland/Cash-in-Lieu

The parkland dedication for the plan has been addressed through the Block 39 overall parkland/cash-in-lieu agreement with the City. However, should the block townhouses for Blocks 16 and 17 require additional cash-in-lieu of parkland dedication than what was provided through the agreement, the Owner shall pay to the City, the difference at the rates stipulated in the City's approved "Cash-In-Lieu of Parkland Policy".

Archeological Assessment

The Cultural Services Department requires that prior to final approval of the subdivision or prior to the initiation of any grading, an archaeological evaluation is to be undertaken in accordance with the Ministry of Citizenship, Culture and Recreation's approved Archaeological Assessment Technical Guidelines, for approval by the City and Ministry. The City and Ministry have reviewed the Stage 1 and 2 archaeological assessments prepared by Archaeological Services Inc., dated June 1998, which indicated that no archaeological resources were documented, and have concurred with the assessments.

Agency Comments

The Region of York, Canada Post, Power Stream, and Toronto and Region Conservation Authority have advised that they have no objections to the draft plan of subdivision, subject to the conditions of approval, as provided on Attachment #1.

**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 19T-03V10 in accordance with the applicable policies of the Official Plan and the requirements of the Zoning By-law. Staff is of the opinion that the proposed draft plan of subdivision consisting of 15 blocks for 78 street townhouse units, and 2 blocks for 78 block townhouse units, as shown on Attachment #3 is an appropriate form of development for the lands and conforms to the policies of OPA #600, as amended by OPA #650 (Vellore Village District Centre). Furthermore, the proposed plan is consistent with the overall pattern of development in the Block 39 Planning Area.

For these reasons, Staff recommends approval of the zoning by-law amendment application and the red-lined draft plan of subdivision, subject to the conditions of approval provided on Attachment #1.

**Attachments**

1. Conditions of Approval
2. Location Map
3. Draft Plan of Subdivision 19T-03V10, with Red-line Revisions (April 18, 2005)

**Report prepared by:**

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Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

MARCO RAMUNNO  
Director of Development Planning

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# **ATTACHMENT NO. 1**

## **CONDITIONS OF APPROVAL**

### **DRAFT PLAN OF SUBDIVISION 19T-03V10 P. GABRIELE AND SONS LIMITED PART OF LOT 20, CONCESSION 6, 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-03V10, ARE AS FOLLOWS:**

#### City of Vaughan Conditions

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by KRCMAR Surveyors Ltd., dated March 15, 2005, incorporating the following red-line revisions:
  - a) incorporate a separate community entrance block at Major Mackenzie Drive and Fossil Hill Road intersection.
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. The zoning category to be applied is as follows:
  - a) RVM1(A) Residential Urban Village Multiple Dwelling Zone One for Blocks 1 to 15 inclusive;
  - b) RVM2 – H Residential Urban Village Multiple Dwelling Zone Two with the “H” Holding Symbol for Blocks 16 and 17; and,
  - c) The following exceptions shall be provided in the implementing by-law:
    - a minimum lot area of 156 m<sup>2</sup> rather than 180 m<sup>2</sup> for the RVM1(A) Residential Urban Village Multiple Dwelling Zone One;
    - a minimum lot depth of 29 m rather than 30 m for the RVM1(A) Residential Urban Village Multiple Dwelling Zone One; and,
    - any necessary exceptions to implement the final Draft Approved Plan of subdivision.
3. The Owner shall pay any and all outstanding application fees to the Community Planning Department, in accordance with Tariff of Fees By-law 79-2005.
4. Prior to final approval of any part of the Plan, the Owner shall submit a revised Block Plan for Planning Block 39 and all associated reports, if required, to reflect any significant alterations caused from this draft plan approval to the satisfaction of the City.
5. The Owner shall enter into a subdivision agreement with the City to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary,

including payment of development levies, 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 road allowances included within this Plan shall be dedicated as public highways without monetary consideration and free of all encumbrances.
7. The road allowances within this Plan shall be named to the satisfaction of the City, in consultation with the Regional Planning and Development Services Department. Proposed street names shall be submitted by the Owner for approval by Council and shall be included on the first engineering drawings.
8. The road allowances included in the Plan shall be designed in accordance with City standards for road and intersection design, temporary turning circles, daylighting triangles and 0.3 m 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.
9. The Owner shall agree in a subdivision agreement that the location and design of the construction access shall be approved by the City and the Region of York, if required.
10. 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.
11. Prior to final approval, the Owner shall submit a soils report, and the Owner shall agree to implement the recommendations of such report, as approved by the City. 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.
12. Prior to the initiation of grading, and prior to registration of this draft plan of subdivision or any phase thereof, the Owner shall submit to the City for approval the following:
  - a) a detailed engineering report that describes the storm drainage system for the proposed development within this draft plan of subdivision, which report shall include:
    - i) plans illustrating how this drainage system will tie into the 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;
    - i) the location and description of all outlets and other facilities;
    - ii) stormwater management techniques which may be required to control minor and major flows; and,
    - iii) proposed methods of controlling or minimizing erosion and siltation on-site 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.



13. The Owner shall agree in the subdivision agreement that no building permits will be applied for or issued for any lot, until the City is satisfied that adequate road access, municipal water supply, sanitary sewer and storm drainage, recycling pickup, garbage pickup, snow removal, fire service and emergency service inclusive, is provided for the proposed development to the satisfaction of the City.
14. Prior to final approval of the plan, the Owner shall pay its 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 development of the plan.
15. Prior to final approval of the Plan, 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.
16. Prior to final approval of the Plan, the Owner shall submit to the satisfaction of the City, a listing prepared by an Ontario Land Surveyor of all the lot and block areas, frontages and depths in accordance with the approved Zoning By-law for all the lots and blocks within the Plan.
17. Notwithstanding the provisions (Subsection 5.1) generally included within the subdivision agreement, the City may issue model home building permits provided that the land is zoned to the satisfaction of the City and the relevant conditions (Subsection 5.18) of the subdivision agreement are fulfilled.
18. Prior to the issuance of a building permit for any lot or block, the Owner's consulting engineering shall certify, to the satisfaction of the Engineering Department and the Building Standards Department that the lot grading complies with the City of Vaughan lot grading criteria and the driveway as shown on the plan submitted for the construction of the building on that particular lot or block conforms in terms of location and geometry (i.e., width, etc.) with the approved or amended and subsequently approved Construction Drawings.
19. 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) 832-8585."

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

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

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

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

20. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunications provider to provide their services underground at the approved locations and to the satisfaction of the City.
21. Prior to the transfer of any lot or block on the Plan, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses required by the subdivision agreement have been included in the Offers of Purchase and Sale or Lease for such Lot or Block.
22. Prior to final approval of the Plan, the City and Region of York Transportation and Works Department Water and Wastewater Branch shall confirm that adequate water supply and sewage treatment capacity are available to accommodate the proposed development.
23. Prior to final approval of the Plan, or commencement of construction within the Plan, whichever comes first, the Owner shall submit a detailed hydrological impact study that identifies, if 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.
24. a) Prior to final approval of the Plan, the Owner shall enter into a Developers' Group Agreement with other participating landowners within Block 39 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 39. This agreement shall include a provision for additional developers to participate in 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 39 shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 39 Developers' Group Agreement.
25. Prior to final approval of the Plan, the lots and/or blocks to be serviced by improvements beyond the interim allocation capacity shall be placed in a holding zone and identified as such on the Plan.
26. Prior to the initiation of grading or stripping of topsoil and prior to final approval, 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.
27. The Owner shall agree to remove any driveways and buildings on site, which are not approved to be maintained as part of the Plan. Any modification to off-site driveways required to accommodate this Plan shall be co-ordinated and completed at the cost of the Owner.
28. No part of any noise attenuation feature or any other fence shall be constructed partly on or within any public highway, park or open space. Fences adjacent to public lands shall be constructed entirely on private lands. The maintenance of noise attenuation features or fencing shall not be the responsibility of the City or the Region of York and shall be maintained by the Owner until assumption of the services in the Plan. Thereafter, the maintenance by the noise attenuation fence shall be the sole responsibility of the lot owner. Landscaping provided on the Regional Road right-of-ways by the Owner or the City for aesthetic purposes shall be approved by the Region and maintained by the City with the exception of the usual grass maintenance.
29. The Owner agrees that all part Blocks within the Plan shall only be developed in conjunction with abutting part Blocks of adjacent draft plans.
30. a) Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of PowerStream Inc. (formerly Hydro Vaughan Distribution Inc.), its successors and assigns, regarding the design, installation, connection and/or expansion of electric distribution services, or any other related matters; the Owner shall enter into a development agreement with PowerStream Inc. which addresses the foregoing requirements.
- b) The Owner shall agree to design, purchase materials, and install a buried hydro distribution system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of PowerStream Inc. and the City.
31. 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 roads within the Plan may have been constructed using Alternative Development Standards. In April 1995, the Ministry of Housing and the Ministry of Municipal Affairs published the Alternative Development Standards as a guideline to municipalities. The

Province of Ontario has been promoting the use of these guidelines which provide for reduced pavement widths.”

- “Purchasers and/or tenants are advised that public transit routes have not been determined for the area within the Plan, however, internal streets may be subject to public transit bus traffic.”
- “Purchasers and/or tenants are 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 locations for boulevard trees 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 the 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 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 driveway widths and curb cut widths are governed by City of Vaughan By-Law 1-88, as amended, as follows:
  - a) The maximum width of a driveway shall be 6 metres measured at the street curb, provided circular driveways shall have a maximum combined width of 9 metres measured at the street curb.
  - b) Driveway in either front or exterior side yards shall be constructed in accordance with the following requirements:

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

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

<sup>2</sup>The Lot Frontage for Lots 12.0m and greater shall be comprised of a Minimum of 50% Landscaped Front or Exterior side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or

Exterior side yard shall be soft landscaping in accordance with Paragraph 4.1.2.”

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

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

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

The City has taken a Letter of Credit from the Owner for 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.”

- “Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings.”
- “Purchasers and/or tenants are advised that any roads ending in a dead end or cul-de-sac may be extended in the future to facilitate development of adjacent lands, without further notice.”
- “Purchasers and/or tenants are advised that prior to or upon final completion of the Major Mackenzie Drive capital works project adjacent to this development area, Street ‘B’ will be restricted to right-in right-out only access to Major Mackenzie Drive. Full movement access to Major Mackenzie Drive will ultimately be provided through the lands to the east and west of this development.”

32. 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.
33. The Owner shall agree in the subdivision agreement to erect a permanent minimum 1.8 m high privacy or acoustic fence barrier or approved equal along the limits of the residential lots that abut future townhouse Blocks 16 and 17.
  34. The Owner shall agree in the subdivision agreement to implement the approved Urban Design Guidelines and Landscape Master Plan for the Vellore Village Community.
  35. The Owner shall agree in the subdivision agreement to prepare a concept plan to the satisfaction of the City. The plan shall conceptually illustrate how the proposed development integrates into the proposed and approved road and public open space network of the Vellore District Centre.
  36. The Owner shall agree in the subdivision agreement that:
    - a) All development shall proceed in accordance with the Council approved Architectural Design Guidelines for the Vellore Village Community prepared by Watchhorn Architect Inc.
    - b) Prior to the submission of individual building permit applications, the control architect shall have stamped and signed the drawings certifying compliance with the approved architectural guidelines; and,
    - c) 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.
  37. The Owner shall agree in the subdivision agreement to pay the City at the time of registration of the plan an additional voluntary 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 the abutting part lot in an adjacent plan to form a building lot, as per Schedule "I" in accordance with the "Voluntary Woodlot Contribution Policy".
  38. The Owner shall convey the community entrance block referenced in Condition 1 to the City free of all cost and encumbrances for landscaping purposes.
  39. That prior to final approval of a plan of subdivision, and prior to the initiation of any grading to any lands included in the plan of subdivision, a preliminary archeological evaluation of the entire area within the proposed plan of subdivision shall be carried out at the owner's expense, and the same report shall identify any significant archaeological sites found as a result of the assessment. The archaeological assessment report shall be carried out by a licensed archaeologist and prepared according to the Ministry of Citizenship, Culture and Recreation approved Archaeological Assessment Technical Guidelines, dated 1993. The archaeological assessment shall be submitted to the municipality and the said Ministry for review and approval.

Prior to final approval or registration of the development application or plan of subdivision, the owner by way of development application or subdivision agreement, shall agree that no development or grading shall occur on any site identified as being archaeologically significant as a result of the archaeological evaluation carried out on the property, until such time as protective

and mitigative measures of all significant archaeological sites have been fulfilled to the satisfaction of the Ministry of Citizenship, Culture and Recreation (Archaeological Unit) and the municipality.

#### Region of York Conditions

40. The following lands shall be conveyed to The Regional Municipality of York for public highway purposes, free of all costs and encumbrances:
  - a) a widening across the full frontage of the site where it abuts Major Mackenzie Drive, of sufficient width to provide a minimum of 18 metres from the centreline of construction of Major Mackenzie Drive;
  - b) a 15.0 metre by 15.0 metre daylight triangle at the southwest and southeast corners of Major Mackenzie Drive and Street 'B'; and,
  - c) an additional 2.0 metre widening, for the purpose of an eastbound right turn lane at the intersection of Major Mackenzie Drive and Street 'B'.
41. The Owner shall convey to The Regional Municipality of York, a 0.3 metre reserve along the entire frontage of the site, adjacent to the above noted widening and daylighting triangles, free of all costs and encumbrances, to the satisfaction of the Regional Solicitor.
42. The Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required road improvements for this subdivision. The report/plan to be submitted to The Regional Municipality of York, Transportation and Works Department for review and approval shall explain all transportation issues and shall recommend mitigative measures for these issues.
43. The Owner shall agree in the subdivision agreement, in wording satisfactory to The Regional Municipality of York Transportation and Works Department, to implement the recommendations of the functional transportation report/plan as approved by The Regional Municipality of York Transportation and Works Department.
44. The Owner shall submit detailed engineering drawings, to The Regional Municipality of York Transportation and Works Department for review and approval that incorporate the recommendations of the functional transportation report/plan as approved by the Transportation and Works Department. Additionally, the engineering drawings shall include the subdivision storm drainage system, siltation control plans, site grading and servicing, plan and profile drawings for the proposed intersections, construction access and mud mat design, utility location plans, pavement markings, electrical drawings for intersection illumination design, traffic control/construction staging plans and landscape plans.
45. The Owner shall agree in the subdivision agreement, that prior to the commencement of any site preparation for this plan of subdivision, that the intersection works at Major Mackenzie Drive and Street B, shall be designed, approved, secured, insured and constructed to the satisfaction of the Transportation and Works Department. This intersection shall be the location of the subdivision construction access and shall be illustrated on the engineering drawings.

46. Any existing driveway(s) along the Regional road frontage not part of the final approval for this subdivision must be removed as part of the subdivision work, at no cost to The Regional Municipality of York.
47. Elevations along the Major Mackenzie Drive streetline shall be 0.3 metres above the centreline elevations of the adjacent roadway.
48. Direct vehicle access from Blocks 16 and 17 to Major Mackenzie Drive will not be permitted. Access must be obtained through the internal road network.
49. Street 'B' shall be designed to intersect Major Mackenzie Drive at ninety degrees to the centreline of construction of Major Mackenzie Drive.
50. The throat width of Street 'B' shall be designed to accommodate one 4.25 metre inbound lane and 4.5 metre outbound lane for a distance of 60.0 metres from the widened limit of Major Mackenzie Drive; no intersection or non-residential access shall be permitted on Street 'B' within 60.0 metres of the widened limit of Street 'B'.
51. The Owner shall submit drawings depicting the following to the satisfaction of York Region staff:
  - a) All existing woody vegetation within the Regional Road right of way;
  - b) Tree protection measures to be implemented on and off the Regional Road right-of-way to protect right-of-way vegetation to be preserved;
  - c) Any woody vegetation within the Regional Road right of way that is proposed to be removed or relocated. However, it is to be noted that tree removal within Regional Road right's of way shall be avoided to the extent possible/practical. Financial or other compensation may be sought based on the value of trees proposed for removal; and,
  - d) A planting plan for all new and relocated vegetation to be planted within the Regional Road right-of-way, based on the following general guideline: Tree planting shall be undertaken in accordance with York Region standards as articulated in Streetscaping Policy and using species from the Regional Street Tree Planting List. These documents may be obtained from the Forestry Section. If any landscaping or features other than tree planting (e.g. flower beds, shrubs) are proposed, they will require the approval of the local municipality and be supported by a maintenance agreement between the municipality and York Region for area municipal maintenance of these features. In addition, the agreement should indicate that where the area municipality does not maintain the feature to the Region's satisfaction, the area municipality will be responsible for the cost of maintenance or removal undertaken by the Region.
52. The Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of the Transportation and Works Department recommending noise attenuation features and the Owner shall agree in the subdivision agreement to implement these noise attenuation features to the satisfaction of the Transportation and Works Department.
53. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Regional Transportation and Works Department, that prior to the release of any security held by York Region in relation to this plan of subdivision, and where noise wall, window and/or oversized



forced air mechanical systems are required, these features shall be certified by a professional engineer to have been installed as specified by the approved Noise Study and in conformance with the Ministry of Environment guidelines.

54. Where noise attenuation features will abut a Regional right-of-way, the Owner shall agree in the subdivision agreement, in wording satisfactory to The Regional Municipality of York Transportation and Works Department, the following:
- a) that no part of any noise attenuation feature shall be constructed on or within the Regional right-of-way;
  - b) that noise fences adjacent to The Regional Municipality of York roads may be constructed on the private side of the 0.3 metre reserve and may be a maximum 2.5 metres in height, subject to the area municipality's concurrence;
  - c) that maintenance of the noise barriers and fences bordering on The Regional Municipality of York right-of-ways shall not be the responsibility of The Regional Municipality of York; and
  - d) that any landscaping provided on The Regional Municipality of York right-of-way by the Owner or the area municipality for aesthetic purposes must be approved by The Regional Municipality of York Transportation and Works Department and shall be maintained by the area municipality with the exception of the usual grass maintenance.
55. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Regional Transportation and Works Department that existing core level transit services currently operate on the following roadways in the vicinity of the subject lands:
- a) Weston Road (south of Major Mackenzie Drive); and,
  - b) Fossil Hill Road (south of Davos Road)
56. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Regional Transportation and Works Department that future transit service is planned to be provided locally on the following roadways, or sections thereof:
- a) Fossil Hill Road (south of Major Mackenzie Drive); and,
  - b) Street 'C'.
57. The Owner shall agree in the subdivision agreement in wording satisfactory to the Regional Transportation and Works Department to advise all potential purchasers of existing and planned/future 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.
58. Subject to approval by the City of Vaughan and York Region, the Owner shall agree in the subdivision agreement to construct sidewalks along the subject lands' frontage onto the planned

transit roadways. 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 designated as the subject lands, in which case only this side of the street will require the sidewalk.

59. 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.
60. 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 York Region concurrent with construction of the necessary sidewalks. Required platform locations are as follows:
  - a) Northbound Fossil Hill Road at the intersection of Street C (near side placement);
  - b) Northbound Fossil Hill Road at the intersection of Major Mackenzie Drive (near side placement); and,
  - c) Westbound Street C at the intersection of Fossil Hill Road (near side placement).
61. The Owner shall agree in the subdivision agreement in wording satisfactory to the Regional Transportation and Works Department, that the bus passenger standing platforms identified above shall be designed and constructed to the satisfaction of the area municipality and York Region Transit.
62. 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.
63. 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.
64. 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 Conditions

65. a) Prior to final approval and prior to any works commencing on the site, the Owner shall submit for approval by the City and the Toronto and Region Conservation Authority (TRCA), a detailed engineering report(s) that describes the storm drainage system for the proposed development, which shall include:
  - i) plans illustrating how this drainage system will be tied into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, the design capacity of the receiving system and how external flows will be accommodated;
  - ii) the location and description of all outlets and other facilities;

- iii) stormwater management techniques, which may be required to control minor and major flows;
  - iv) proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction;
  - v) overall grading plans for the subject lands; and,
  - vi) stormwater management practices to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat.
- b) The Owner shall agree to implement the recommendations set out in the aforementioned report(s) to the satisfaction of the City and TRCA.
  - c) The Draft Plan of Subdivision shall be subject to red-lined revision in order to meet these requirements, if necessary.

Canada Post Conditions

66. The Owner shall agree 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,
    - iii) any required curb depressions;
  - b) provide a suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s); and,
  - c) provide a copy of the executed subdivision agreement to Canada Post.

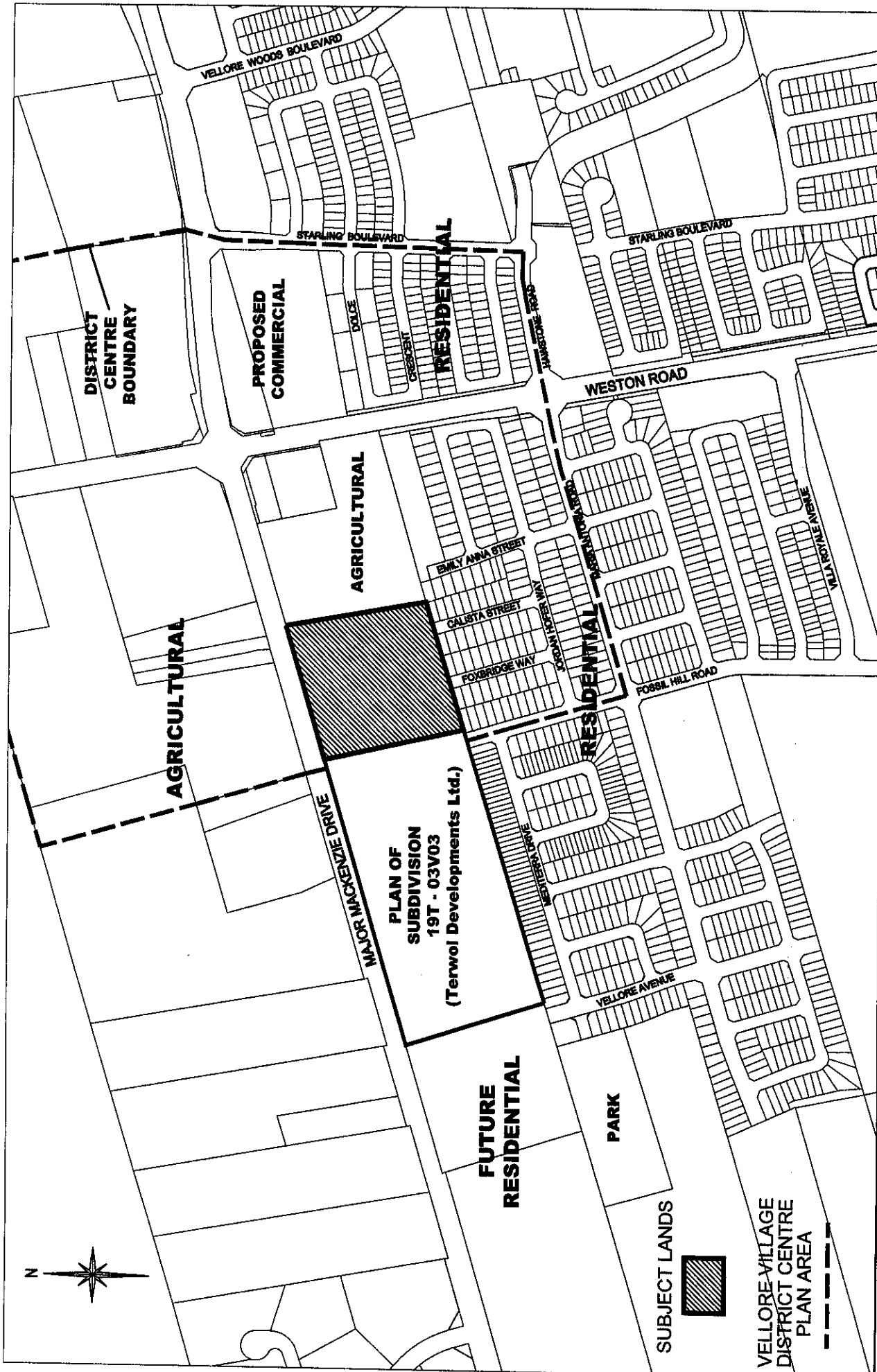
York Region School Boards

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

Other Conditions

68. Final approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees provided that:
- a) phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services; and

- b) all government agencies agree to registration by phases and provide clearances, as required in Conditions 69 to 73 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
- 69. The City shall advise that Conditions 1 to 39 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
- 70. The Region of York shall advise that Conditions 9, 10, 22, 28 and 40 to 64 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
- 71. The Toronto and Region Conservation Authority shall advise that Condition 65 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.
- 72. Canada Post shall advise that Condition 66 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.
- 73. The York Region School Board(s) shall advise that Condition 67 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.



**Location Map**

Part of Lot 20,  
Concession 6

APPLICANT:  
P. GABRIELE & SONS LIMITED

MAP#1 ATTACHMENTS\19\19-03V10



Development Planning Department

**Attachment**

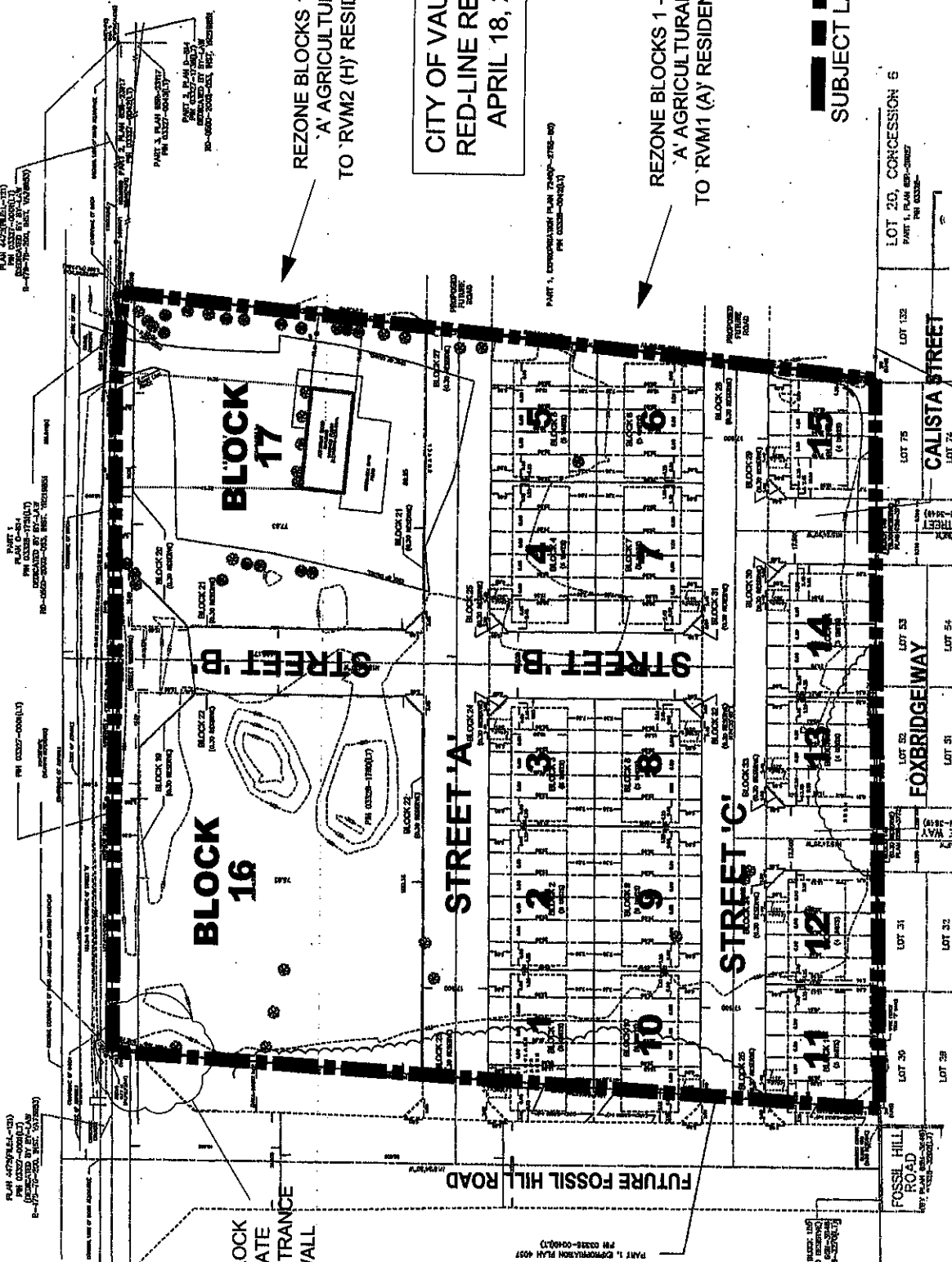
**2**

FILE No.'s:  
19T-03V10, Z.04.046

Not to Scale

April 4, 2005

MAJOR MACKENZIE DRIVE WEST  
 (ROUND ALTERNATE BETWEEN LOTS 29 AND 31, CONCESSION 6)



PROVIDE BLOCK TO FACILITATE COMMUNITY ENTRANCE FEATURE WALL

CITY OF VAUGHAN  
 RED-LINE REVISED  
 APRIL 18, 2005

REZONE BLOCKS 1 - 15 FROM  
 'A' AGRICULTURAL ZONE  
 TO 'RVM1 (A) RESIDENTIAL ZONE

REZONE BLOCKS 16 & 17 FROM  
 'A' AGRICULTURAL ZONE  
 TO 'RVM2 (H) RESIDENTIAL ZONE

SUBJECT LANDS

# Draft Plan of Subdivision Red-Line Revised

APPLICANT:  
 P. GABRIELE & SONS LIMITED  
 Part of Lot 20,  
 Concession 6



Development Planning Department

# Attachment

# 3

FILE No.'s:  
 19T-03V10, Z-04.046  
 Not to Scale  
 April 4, 2005