

**COMMITTEE OF THE WHOLE JUNE 20, 2005**

**ZONING BY-LAW AMENDMENT FILE Z.65.84  
DRAFT PLAN OF SUBDIVISION FILE 19T-84029  
ROBINTIDE FARMS LIMITED  
REPORT # P.2004.74**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment Application File Z.65.84 (Robintide Farms Limited) BE APPROVED, to provide an exception to the ORM Oak Ridges Moraine and OS5 Open Space Environmental Protection Zone to permit the following:
  - an estate residential plan of subdivision with the application of the RR Rural Residential Zone standards, and the following exceptions to the RR Zone:
    - minimum lot frontage shall be 28m;
    - minimum lot area shall be 6,000m<sup>2</sup>;
    - minimum setback to the OS5 Zone shall be 15m; and
  - a stormwater management pond shall be permitted within the OS5 Open Space Environmental Protection Zone.
2. That Draft Plan of Subdivision File 19T-84029 (Robintide Farms Limited) BE APPROVED, subject to conditions set out in Attachment #1;
3. The Owner shall 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 Cash-in-lieu Policy. The Owner shall submit an 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 the following street name for Draft Plan of Subdivision 19T-84029 (Robintide Farms Limited), as shown on Attachment #3, BE APPROVED:

<u>STREET</u>	<u>PROPOSED NAME</u>
Street 'A'	Robintide Court

**Economic Impact**

There are no requirements for new funding associated with this report. The proposed development will add new assessment to the local tax base.

**Purpose**

The Owner has submitted applications to amend the Zoning By-law and for Draft Plan of Subdivision. The zoning amendment will permit a site-specific exception to the existing ORM Oak Ridges Moraine Zone with application of the RR Rural Residential Zone standards on the tableland area of the site to facilitate a proposed draft plan of subdivision consisting of 15 estate residential lots with frontages ranging between 28m to 104m for detached residential units on a

road. The valleylands are currently zoned OS5 Open Space Environmental Protection Zone and will include a buffer block and stormwater management pond. The draft plan of subdivision is shown on Attachment #3.

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

The subject lands are located on the north side of King-Vaughan Road, west of Keele Street, in Part of Lot 1, Concession 4, City of Vaughan, as shown on Attachment #2. The subject 16.81 ha site is part of the owner's larger landholding (28.73ha), the remainder of which is not included in the proposed draft plan of subdivision. The 16.81ha site has 340m of frontage on King-Vaughan Road, and a depth which varies between 300m to 400m. The surrounding land uses are:

- North – woodlot, residential (King Township)
- South – King-Vaughan Road; farmland (ORM Oak Ridges Moraine Zone and OS5 Open Space Environmental Protection Zone)
- East – residential, farmland, open space, woodlot (ORM Oak Ridges Moraine Zone and OS5 Open Space Environmental Protection Zone)
- West – farmland (ORM Zone)

The site is designated "Estate Residential" by OPA #600, as amended by OPA #604 (Oak Ridges Moraine Conformity Plan). The tablelands are zoned ORM Oak Ridges Moraine Zone and the valleylands are zoned OS5 Open Space Environmental Protection Zone by By-law 1-88, as amended by By-law 242-2003 (the City's Oak Ridges Moraine Conformity Zoning By-law Amendment).

The applications were submitted prior to the enactment of the Oak Ridges Moraine Conservation Act on November 16, 2001, the applications may proceed to approval, subject to conformity with the prescribed provisions of the Plan as set out in Section 48 of the Oak Ridges Moraine Conservation Plan and OPA #604.

On May 14, 2004, a Notice of Public Hearing was circulated to all property owners within 120 m of the subject lands. As a result of the public hearing notice, the Development Planning Department received two written responses to the applications. Both comments were in support of the application, stating that the proposal is complementary to the existing subdivision to the north in King Township, and should be joined at Winter Road by extending the road in the proposed subdivision. In addition, at the Public Hearing on June 7, 2004, neighbouring residents voiced their concerns with respect to the additional traffic created by the proposal and the impact of the proposed development on the private wells and the various studies required to support the private services.

The recommendation of the Committee of the Whole to receive the Public Hearing report on June 7, 2004, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on June 14, 2004.

### **Official Plan**

#### **a) Land Use Designation**

The subject lands are designated "Estate Residential" by OPA #600, and further designated as "Natural Linkage Area" and "Natural Core Area" by OPA #604, which is the City's Oak Ridges Moraine Conformity Official Plan Amendment. The "Estate Residential" designation permits single detached dwellings on large lots. Each lot shall be serviced by a private well and sewage disposal system, which is provided for on the plan and appears to be sufficient, and must be confirmed at the building permit stage.

b) Estate Residential Subdivision Design Criteria

The Official Plan establishes the following criteria respecting the development of estate residential subdivisions:

- i) The minimum lot size for estate residential plans of subdivision shall be a minimum of 6,000m<sup>2</sup>.

The proposed draft plan of subdivision includes 15 residential lots each with the minimum lot area of 6,000m<sup>2</sup>.

- ii) For each lot, sufficient area shall be set aside for the installation of two septic tile beds and a recreational amenity area.

Attachment #3 shows the required primary and reserve tile beds. It appears that the proposed 640m<sup>2</sup> area is sufficient, however further review will be conducted at the building permit stage.

- iii) A natural vegetative buffer area with a minimum width of 30m from watercourses and ponds is required, or to the limit of the valley and stream corridor, whichever is greater, in order to minimize the impacts of development on the water resource.

A 30m woodland limit has been staked by the Ministry of Natural Resources (MNR) and is shown on Attachment #3. These lands will remain in private ownership as open space and zoned OS5 Open Space Environmental Protection Zone.

- iv) Roads should follow the topography of the site.

The road identified as Street 'A' on Attachment #3 has been designed to follow the topography of the site.

Oak Ridges Moraine Conservation Plan

Due to the timing of the submission of the applications in 1984, the applications are subject only to the "Prescribed Provisions" of the Oak Ridges Moraine Conservation Plan, or Section 10.1 (i) of OPA #600. The relevant sections of the ORMCP require that the applicant demonstrate connectivity of natural and hydrological features; identification, protection of natural and hydrological features, including the provision of required minimum vegetative protection zones; and to ensure that the appropriate sewage, water and stormwater management techniques are utilized.

There are several key natural heritage features and hydrologically sensitive features within the subject lands, including the Maple Uplands and Kettle Wetlands Area of Natural and Scientific Interest (ANSI), Significant Woodlands, wetlands, and permanent and intermittent streams. The key natural heritage features and hydrologically sensitive features have been delineated and protected with the required minimum vegetative protection zone (or ecological buffer) of 30m, which is located outside of the proposed residential lots.

Within the key natural heritage features and hydrologically sensitive features, development and site alteration is not permitted, with the exception of stormwater management ponds, which are permitted within the minimum vegetative protection zone, but not the feature itself. The proposed stormwater management pond is located within the minimum vegetative protection zone and outside of the key natural heritage and hydrologically sensitive features.

In support of the requirements of the ORCMP, and Section 10.1(i) of OPA #600, the applicant submitted an Oak Ridges Moraine Conformity Report prepared by Alcorn and Associates (January 2003), Environmental Impact Study prepared by Stantec Consulting (April 2004), and Drainage, Grading, Storm Water Management and Hydrological Evaluation prepared by Cansult (April 2004), which has been reviewed by the City and TRCA staff. The Development Planning Department is satisfied that conformity to the policies of the Oak Ridges Moraine Conservation Plan has been achieved. Additional technical work must be undertaken by the applicant in order to address the TRCA's issues with regard to surface water balance to the wetlands on site, and a monitoring program for the wetlands from pre-construction to subdivision assumption. The TRCA's outstanding issues are included as conditions of approval.

### Zoning

The subject lands are zoned ORM Oak Ridges Moraine Zone and OS5 Open Space Environmental Protection Zone by By-law 1-88, as amended by By-law 242-2003 (the City's Oak Ridges Moraine Conformity Zoning By-law Amendment). To facilitate the proposed plan of subdivision, as shown on Attachment #3, a by-law amendment is required to permit an estate residential subdivision on the subject lands zoned ORM Zone.

Due to the requirements of the *Oak Ridges Moraine Conservation Act*, and the Oak Ridges Moraine Conservation Plan, the tablelands will continue to be zoned ORM Oak Ridges Moraine Zone and the valleylands will continue to be zoned OS5 Open Space Environmental Protection Zone. Exceptions to the ORM Zone will be required to permit the estate residential lots single detached dwelling units. An exception to the OS5 Zone will be required to permit the stormwater management pond (Block 16).

The ORM Oak Ridges Moraine Zone provides for a 90m setback to an OS5 Open Space Environmental Protection Zone. The ORM Zone will include the residential lots which will utilize the RR Rural Residential Zone standards. The RR Zone provides a 15m rear yard setback which is considered adequate to protect the adjacent natural features, however, in order to ensure consistency in the application of the standards, where there is a side yard abutting the natural features, there will be a 15m setback from the OS5 Zone rather than the required 90m by the ORM Zone.

The ORM Zone will address the minimum required lot area and lot frontage to implement the draft plan of subdivision based on the RR Rural Residential Zone standards. The minimum requirement for lot area will be increased from 4,000m<sup>2</sup> to 6,000m<sup>2</sup> in order to comply with the minimum requirements of the "Estate Residential" policies in the Official Plan. The minimum lot frontage requirement will be decreased from 45m to 28m to accommodate the proposed pie shaped lots.

The ORM Zone will include the minimum building setbacks of the RR Zone as follows:

- front yard 15m
- rear yard 15m
- interior side 4.5m
- exterior side 9m

A maximum lot coverage of 10% shall also apply, which is consistent with the RR Zone.

### Subdivision Design

The proposed 16.81ha draft plan of subdivision shown on Attachment #3 consists of 15 residential lots with lot frontages ranging between 28m to 104m, and a minimum lot area of 0.6ha,

and proposed for single-detached residential dwellings. The lots front onto the proposed street name of "Robintide Court", which traverses the site in a northwest direction and ends in a cul-de-sac.

A stormwater management pond, which is identified as Block 16 on Attachment #3, is proposed between Lots 12 and 13, an accessed by a 7.5m wide maintenance road abutting Lot 13. The Owner will also use this maintenance road, which is part of Block 17, in order to access the private open space.

At the Public Hearing, a resident from the subdivision to the north in the Township of King wrote that the proposal is complementary to the existing subdivision to the north, and that the two estate residential communities should be joined by extending the proposed "Robintide Court to Winter Road in King. However, this is not possible due to the 30m wide MNR staked wetland limit that extends south from Winter Road and does not allow a physical connection.

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

Estate Residential (Lots 1-15 incl.)	9.12ha
Local Road	1.00ha
Block 16 Stormwater Management Pond	0.24ha
Block 17 Private Open Space	6.16ha*
Block 18 Road Widening	0.27ha
Block 19-20 (0.3m Reserve)	<u>0.02ha</u>
TOTAL	16.81ha

\*Block 17 includes the 30m wide buffer areas comprising 1.76ha

#### Toronto and Region Conservation Authority (TRCA)

The TRCA has provided conditions of approval, which are provided in Attachment #1, to address the outstanding issues related to the plan. The TRCA has provided comments respecting stormwater management details, site water balance and water balance to wetlands, and a monitoring program for the wetlands, in addition to the following:

i) Open Space Block

The TRCA has requested that the Open Space lands in the draft plan be conveyed to a public authority, which is consistent with their Valley and Stream Corridor Program, and is consistent with the City's practice. However, the TRCA has consented to permit the open space lands to remain in private ownership as the Owner intends to retain ownership of these lands and maintain the existing riding trail on these lands. While TRCA's ultimate preference would be to have these lands conveyed into public ownership, they are satisfied with the Owner's assurances that the lands will be maintained in their natural state. The open space lands will be zoned OS5 Open Space Environmental Protection Zone, which does not permit site alteration or new structures.

ii) Fencing

The TRCA had previously requested fencing to be installed along the rear lot lines of the residential lots that abut the valley. This issue stems from previous experiences of encroachments by future landowners into open space blocks (*i.e.*, garden plots, ancillary structural encroachments and dumping). The agent for the Owner has stated that the Owner will be vigorously 'policing' the boundary between the estate residential lots and the open space block. Furthermore, 4" x 4" painted posts, which will be clearly marked and visible to landowners, will be installed along the property lines/setback area, and included as a condition of approval.

iii) Education Kit

The TRCA has requested that given the open space lands will remain in private ownership and that the estate residential lots will abut many natural features on the Oak Ridges Moraine, the applicant should assemble and distribute an information package to future landowners in the subdivision, which informs them of the natural features in the area. This information kit will provide information on the Oak Ridges Moraine, including its overall role and function. This requirement has been included as a condition of approval.

Vaughan Engineering Department

The Vaughan Engineering Department has provided the following comments:

i) Servicing Allocation

There are no municipal services in this area, therefore, servicing allocation is not required in this subdivision. The individual services must be applied for in this subdivision, and should comply with the MOE development guidelines and current Ontario Building Code requirements.

ii) Roads

The roads within the subdivision should conform to City Standards. The angle bend for "Robintide Court" must be confirmed and include the daylight-triangle and centreline angle on the drawing, as per the City's current standards. All driveway locations on the draft plan at the proposed cul-de-sac and angle bend must be provided. A 0.3 metre reserve on the daylight triangle as per the City's current standards is also required. All curb and street line radii are to be shown. Additional detail is required on the draft plan to illustrate how the City's current angle bend detail can be implemented.

King-Vaughan Road is a City Road. The Region of York Transportation and Works Department has provided conditions of approval on Attachment #1, to protect for road widenings and other Regional interests, if in the future, King-Vaughan Road is transferred from the City to the Region.

iii) Engineering Servicing

In accordance with the servicing study report by Hydroterra Limited, dated October 1999, the subject subdivision will be serviced by drilled wells and tile-bed systems on the individual lots. Those individual services should comply with the Ministry of the Environment (MOE) development guidelines and current Ontario Building Code requirements.

iv) Sanitary Servicing

The subject site will be serviced by individual septic tank and tile bed systems. The location of the septic tank and tile bed should be shown with the minimum set back on the drawing as per the current Ontario Building Code. The private sewage disposal systems must be installed in accordance with the requirements of the Regional Medical Officer of Health and the regulations of the MOE.

v) Storm Drainage

The necessary approval for the Wetland, Woodland, Oak Ridges Moraine Conformity, and Storm Water Management shall be required from the Ministry of Natural Resources (MNR), TRCA and the Region of York.

The storm water management pond must be designed and sized to the satisfaction of the City.

An access road to the storm water management pond must be designed to the satisfaction of the City, with a minimum width of 4.0 metres.

vi) Water Supply

The proposed development will be serviced by individual drilled wells that are subject to the approval of the Region of York. The location of the well should be within the minimum setback requirements of the current Ontario Building Code. The quality of the water (Bacteria and Chemical) should conform to the MOE Drinking Water Standards.

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 Cultural Services Department has no objections to the approval of the proposed subdivision, subject to the conditions of approval set out in Attachment #1.

Agency Comments

Canada Post and PowerStream Inc. has advised that they have no objections to the draft plan of subdivision, subject to the conditions of approval, as set out in Attachment #1.

Street Name

The Development Planning Department has reviewed the proposed street name of "Robintide Court" and has no objections. The Development Planning Department for the Region of York has also reviewed the street name and advised that it does not have any objections.

**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**

The proposed applications to amend the Zoning By-law and to approve Draft Plan of Subdivision 19T-84029, have been reviewed in accordance with the policies in the Official Plan and the requirements of By-law 1-88. The Development Planning Department is of the opinion that the proposed draft plan of subdivision consisting of 15 single detached lots with minimum 28m frontages and 6000m<sup>2</sup> lot areas is an appropriate form of development for the lands, and conforms to the subdivision design criteria in OPA #600. The proposed plan also satisfies the applicable requirements of the Oak Ridges Moraine Conservation Plan. On this basis, it is recommended that the proposed amendment to the Zoning By-law and the Draft Plan of Subdivision be approved, subject to the conditions set out in Attachment #1 to this report.

**Attachments**

1. Conditions of Approval
2. Location Map
3. Draft Plan of Subdivision

**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-84029  
ROBINTIDE FARMS LIMITED  
PART LOT 1, CONCESSION 4, 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-84029, ARE AS FOLLOWS:**

City of Vaughan Conditions

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by Alcorn & Associates Limited, Drawing #031-DP9, dated June 2, 2005.
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:

ORM Oak Ridges Moraine Zone  
OS5 Open Space Environmental Protection 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 148-2005.
4. 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, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
5. 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.
6.
  - a) The Developer is to design, purchase materials, and install a buried hydro distribution system and a street lighting system within the confines of the above-noted subdivision, and compatible with the existing and/or proposed systems, in the surrounding plans of subdivision, all in accordance with PowerStream Inc. and City of Vaughan standards and specifications, latest revisions.
  - b) The Developer is also required to enter into a separate subdivision agreement with PowerStream Inc.
7. The Owner shall cause the following to be displayed on the interior wall of the sales office, information approved by the City of Vaughan, prior to offering any units for sale, to be monitored periodically by the City. No building permit shall be issued for a sales office or model home, or a residential unit until such information is approved by the City of Vaughan.

- a 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.]*

8. 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.
9. 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.
10. The road allowances included within this draft plan of subdivision shall be dedicated as public highway without monetary consideration and free of all encumbrances.
11. The road allowance 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.

12. 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.
13. The Owner shall agree in the subdivision agreement that construction access shall be provided only in a location approved by the City.
14. 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.
15. 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) A detailed engineering report that describes the storm drainage system for the proposed development within this draft plan, which report shall include:
    - i) 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;
    - ii) the location and description of all outlets and other facilities;
    - iii) storm water management techniques which may be required to control minor or major flows; and
    - iv) proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction.
16. 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.
17. 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.
18. The Owner shall agree in the subdivision agreement that the engineering design(s) for road design pattern and traffic-calming measures may result in variation to the road, lotting pattern and the number of lots, to the satisfaction of the City.
19. Prior to final approval, 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 the intended use.

20. Prior to final approval, or prior to 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.
21. Prior to final approval, the Owner's Consultant shall certify that the internal roads within this plan have been designed to conform to the current City Standards.
22. Prior to final approval, the Owner's Consultant shall certify that the Storm Water Management Pond has been designed to conform to the current City Standards.
23. An access road to the Storm Water Management Pond shall be granted to the City and appropriate authority(ies), free of all charge and encumbrance.
24. Prior to transfer of residential lots abutting open space lands, walkway, wetlands, woodlands and the storm water management pond, the Owner shall erect a permanent 1.5m high vinyl chain link fence along the limits of residential lots where they abut such uses, to the satisfaction of the City.
25. Prior to final approval, the Owner shall prepare a streetscape and open space landscape master plan to the satisfaction of the City. 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 envisioned neighbourhood character including entrance features, trail heads, medians and fencing;
  - the neighbourhood edge treatment along King/Vaughan Road;
  - the appropriate configuration and landscape treatment of the stormwater management pond (Block 16);
  - the appropriate naturalization of the 30 metre wide buffer along the north limit of the plan;
  - edge management rehabilitation planting, trails, bridge crossings, erosion repair sites and possible pedestrian access points into the valley.
26. 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.
27. Prior to final approval, the Owner shall prepare a detailed naturalization plan study for the perimeter of the open space 30 metre wide buffer to the satisfaction of the City and TRCA. The study shall include an inventory of all existing trees within the 30 metre wide zone, and areas where the woodlot/open space edges are disturbed, assessment of significant trees to be preserved, and proposed methods of edge management and/or remedial planting shall be included. The Owner shall not remove any vegetation without written approval by the City.
28. The Owner shall agree in the subdivision agreement to erect a permanent 1.5 metre high black vinyl chain link fence or approved equal along the limits of the residential lots that abut open space, storm pond and agricultural lands.
29. Prior to final approval of the plan of subdivision, and prior to the initiation of any grading to any lands included in the plan of subdivision, a preliminary archeological evaluation of the entire area

within the proposed plan of subdivision shall be carried out at the Owner's 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.

30. 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 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.
31. The Owner shall include the following warning clauses in a schedule to all Offers of Purchase and Sale, or Lease for all Lots/Blocks:
  - a) Within the entire subdivision plan:
    - "Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, and increasing traffic on King-Vaughan Road, may be of concern and occasionally interfere with some activities of the dwelling occupants."
    - "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."
    - "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 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 a 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."

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

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."

32. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Engineering Department that:

- a) Private sewage disposal systems shall be installed in accordance with the requirements of the Engineering Department and Regulations and requirement of the Ministry of the Environment and Energy;
- b) Both a primary and a reserve leaching bed area shall be provided on each lot, with a the size of areas based on the "T" time for the existing, native soil conditions;
- c) Individual test cuts in the proposed leaching bed area shall be completed and inspected on each lot at the time that application is made for a certificate of approval for the and prior to installation of a private sewage disposal system;
- d) A consultant, specializing in the design and installation of private sewage disposal systems, shall be retained to submit the necessary detailed site plan with each application for a certificate of approval for a private sewage disposal system;

- e) A detailed site plan showing the existing and proposed grades, site grading, locations of or envelopes for all buildings and structures, driveways, primary and reserve leaching bed areas, septic tanks, pump tanks, siphon tanks, drilled wells, drainage swales, drainage direction, and other pertinent information including erosion and sedimentation control features, shall be submitted with each application for a certificate of approval for a private sewage disposal system;
- f) Only sewage, and no other wastes such as water softener backwash or high efficiency furnace condensate, shall be directed into the private sewage disposal system;
- g) All raised leaching bed areas shall be:
  - i) provided with a mantle 15 metres in length and of sufficient depth in any direction in which sewage may flow laterally after leaving the leaching bed area; and,
  - ii) sodded immediately upon completion;
- h) no structures, including foundations for antennas, no accessory buildings, no heat pump heat exchange grids, and no swimming pools, shall be located within the primary and reserve leaching bed areas;
- i) no landscaping involving decks, berms, foundations, patios, walkways, driveways, or newly-planted trees shall be permitted in the primary and reserve leaching bed area;
- j) no automatic water sprinkler devices shall be located within the active leaching bed area nor close enough to the active leaching bed area that they may adversely affect the operation or effectiveness of the leaching bed area;
- k) eavestrough discharge, sump pump discharge, surface water, and storm drainage shall not be directed into the private sewage disposal system nor discharged either into the ground or onto the ground surface in the vicinity of the primary and reserve leaching bed areas;

Region of York

- 33. Prior to final approval, the Owner shall ensure that the proposed water supply from individual wells meets the current Ontario Drinking Water Quality Standards and any other related Legislation and/or regulations. The Owner shall provide copies of well water quality studies to York Region Health Services Department.
- 34. A detailed site plan showing the existing and proposed grades, site grading, locations of or envelopes for all buildings and structures, driveways, primary and reserve leaching bed areas, septic tanks, pump tanks, siphon tanks, drilled wells, drainage swales, drainage direction, and other pertinent information including erosion and sedimentation control features, shall be submitted to the Regional Public Health Department before the installatio of any well.

- a) a drilled well has been constructed on the lot in accordance with construction and grouting requirements which meet or exceed current applicable regulations made under the Ontario Water Resources Act;
  - b) the well has been tested for all parameters as specified by the Regional Health Department;
  - c) if parameters exceed maximum concentrations as stated in the current Ontario Drinking Water Objectives, the Owner has agreed in the subdivision agreement to insert in all offers of sale and purchase or lease, and register on the title or include in the lease for each dwelling, a notice advising prospective purchasers or tenants that the maximum concentrations are exceeded and setting out methods of treatment to reduce such concentrations; and,
  - d) the Owner has agreed in the subdivision agreement that the notice referred to in Condition 34c) shall be registered in accordance with applicable guidelines of the Ministry of Environment and Energy for such notices.
35. The City of Vaughan shall protect for the following road widenings on behalf of the Regional Municipality of York;
- a) A road widening along the entire frontage of the site adjacent to King-Vaughan Road, of sufficient width to provide 18 metres from the centerline of King-Vaughan Road;
  - b) An additional 2.0 metre widening, along the site frontage with King-Vaughan Road at the intersection of Street 'A', for the purpose of a right-turn lane, 40.0 metres in length, together with a 60.0 metre taper;
  - c) 15 metre by 15 metre daylighting triangle(s) at the northeast and northwest corner(s) of the intersection of King-Vaughan Road and Street 'A'; and
  - d) A 0.3 metre reserve across the full frontage of the site where it abuts King-Vaughan Road shall be conveyed to the Regional Municipality of York for public highway purposes, free of all costs and encumbrances.
36. If the ownership of King-Vaughan Road is transferred over to the jurisdiction of the Regional Municipality of York, then the following conditions (Conditions 35 to 38) shall apply.
37. Direct vehicle access from the proposed dwellings to King-Vaughan Road will not be permitted. Access must be obtained through the internal road network.
38. Any existing driveway(s) along the King-Vaughan Road frontage of this subdivision must be removed as part of the subdivision work, at no cost to the Regional Municipality of York or the City of Vaughan.
39. Where noise attenuation features will abut a King-Vaughan Road right-of-way, the Owner shall agree in the subdivision agreement, in wording satisfactory to the Regional 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 Regional roads shall be constructed on the private side of the 0.3 metre reserve and may be maximum 2.5 metres in height, subject to the City of Vaughan's concurrence;
  - c) that maintenance of the noise barriers and fences bordering on King-Vaughan Road right-of-ways shall not be the responsibility of the City of Vaughan; and
  - d) that any landscaping provided on the King-Vaughan Road right-of-way by the Owner or the area municipality for aesthetic purposes shall be maintained by the area municipality with the exception of the usual grass maintenance.
40. 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.
41. 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.
42. 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

43. 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. 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.

44. The Owner shall submit additional detailed calculations addressing the sizing of proposed oil-grit separators, to the satisfaction of the TRCA.
45. The Owner shall provide additional details regarding erosion protection and additional treatment of runoff at the north storm sewer outlet to the north-west wetland, to the satisfaction of the TRCA.
46. The Owner shall submit details regarding erosion protection and diffusion of flows from the proposed stormwater management pond, to the satisfaction of the TRCA.
47. The Owner shall provide a detailed water budget analysis for the north-west wetland, and address all outstanding issues regarding the surface water balance for the north-west wetland, to the satisfaction of the TRCA.
48. The Owner shall implement a wetland monitoring program, which will monitor water levels for several seasons, to the satisfaction of the TRCA.
49. That this draft plan of subdivision shall be subject to red-line revision in order to meet the requirements of the TRCA, if necessary.
50. The Owner shall provide restoration planting plans for the interface between the residential lots and setback area, to the satisfaction of the TRCA.
51. The Owner shall 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 43;
  - b) to maintain all stormwater management and erosion and sediment control structures operating and in good repair during the construction period, in a manner satisfactory to the TRCA;
  - c) to obtain all necessary permits pursuant to Ontario Regulation 158 from the TRCA;
  - d) to erect a series of 4" x 4" posts, painted in a visible colour, situated at an interval of a minimum of 20 metres, to clearly demarcate the property lines and setback area.
52. That prior to registration of the final Plan, the Owner shall, at their expense, make arrangements satisfactory to the TRCA, to prepare and distribute information, as part of a Public Information Program for the residents of this subdivision, concerning the natural features of the Oak Ridges Moraine on, and adjacent to, this subdivision.

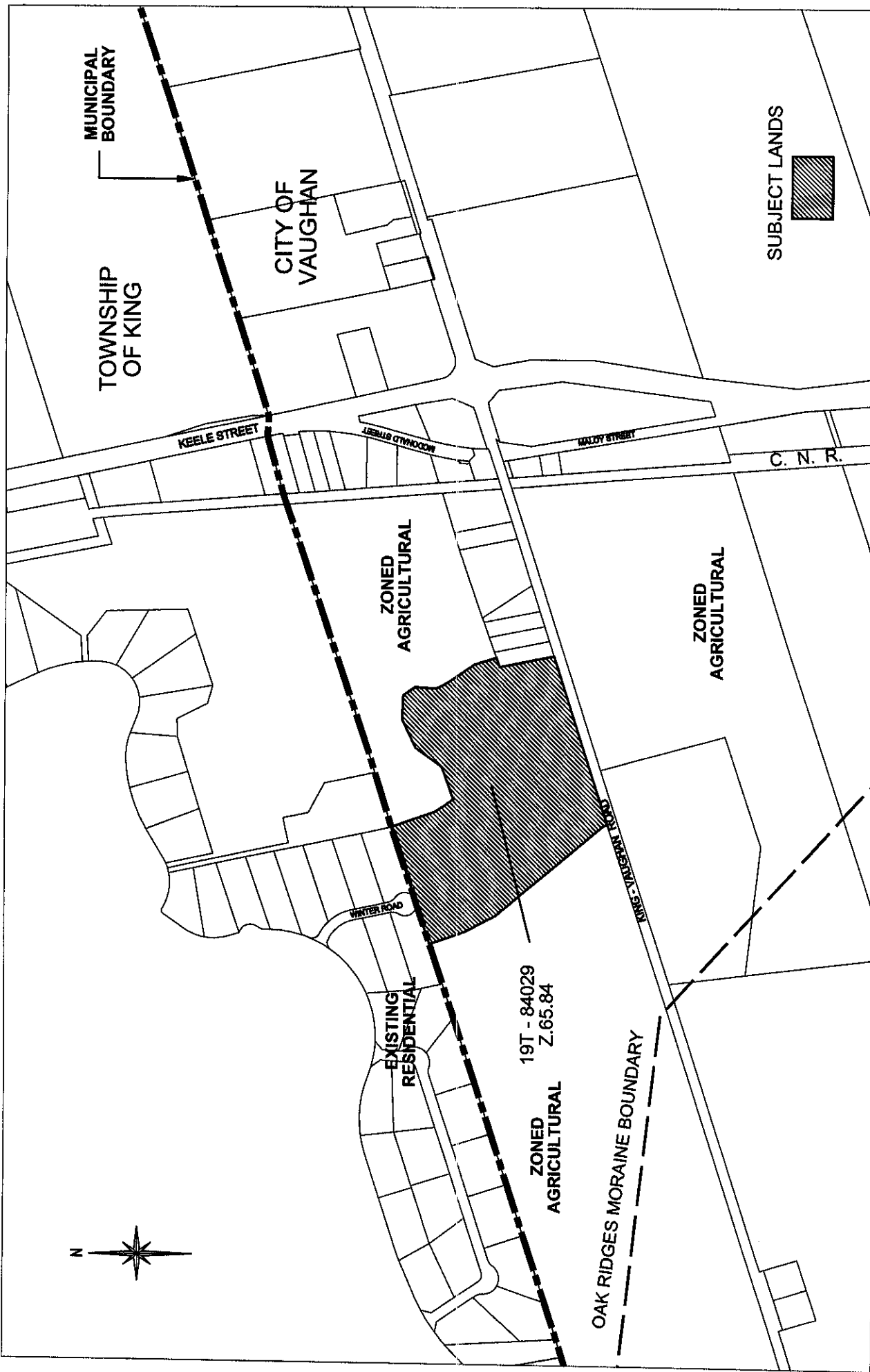
#### Canada Post

53. The Owner shall agree to ensure that all new home buyers will be officially notified of the exact Community Mail Box locations prior to any house sales. Also, that the builder will post in clear sight, a copy of the plan indicating the Community Mail Box sites at the sales office. This plan is requested to be completed and approved prior to the start of the house sales for the subdivision.

54. The Owner shall agree 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.
55. The Owner shall 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.
56. The Owner shall consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
57. The Owner shall provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans:
  - An appropriately sized sidewalk section (concrete pad), as per municipal and Canada Post standards, to place the Community Mailboxes on (a copy if the Standards will be provided upon Request). The Owner further agrees to provide these cement pads during sidewalk pouring and will notify Canada Post of the locations as they are completed.
  - Any required walkway across the boulevard, as per municipal standards (1 to 1.5 metres wide).
  - Any required curb depressions for wheelchair access.
  - 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 Owner.
58. The Owner shall further agree to determine, provide and fit up a suitable temporary Community Mailbox (CMB) 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 Owner 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.

#### Clearances

59. The City shall advise that Conditions 1 to 32 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
60. The Regional Municipality of York shall advise that Conditions 33 to 42 inclusive, have been satisfied; the clearance letter shall include statements detailing how each condition has been met.
61. The Toronto and Region Conservation Authority (TRCA) shall advise that Conditions 43 to 52 inclusive, have been satisfied; the clearance letter shall include statements detailing how each condition has been met.
62. Canada Post shall advise that Conditions 53 to 58 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



# Location Map

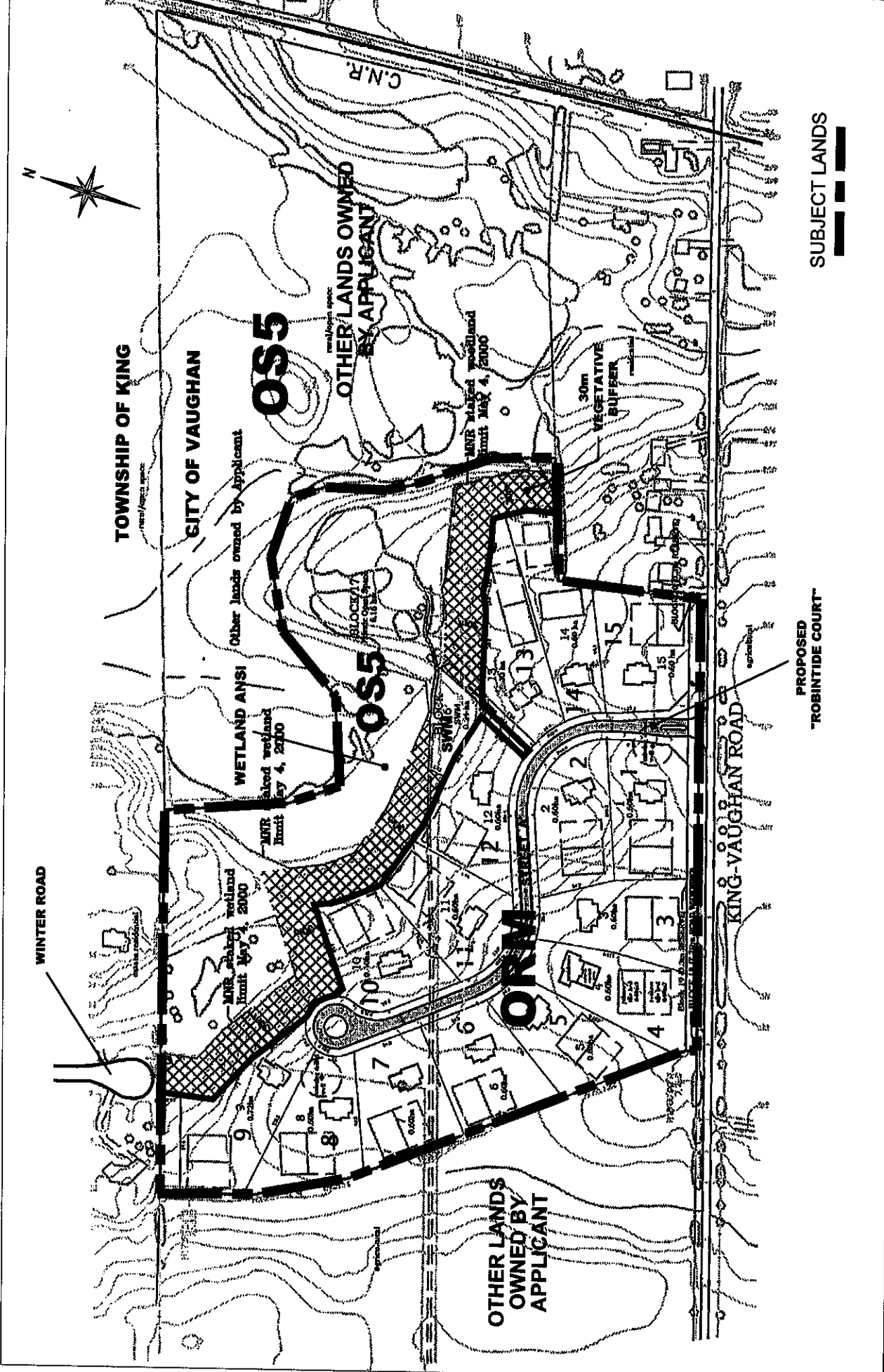
Part of Lot 1,  
Concession 4  
**APPLICANT:**  
**ROBINTIDE FARMS LIMITED**  
N:\D\F\1 ATTACHMENTS\Z.65.84\_19T-84029



Development Planning Department

# Attachment 2

FILE No.:  
 Z.65.84 &  
 19T-84029  
 Not to Scale  
 June 16, 2005



**Draft Plan of Subdivision**



Development Planning Department

**Attachment 3**

FILE No.:  
Z.65.84 &  
19T-84029  
Not to Scale  
June 16, 2005

Part of Lot 1,  
Concession 4  
APPLICANT:  
ROBINTIDE FARMS LIMITED  
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