

**DRAFT PLAN OF SUBDIVISION FILE 19T-03V07
VITO AND MARIANNE PACIFICO
REPORT #P.2003.60**

Recommendation

The Commissioner of Planning recommends:

1. THAT Draft Plan of Subdivision File 19T-03V07 (Vito and Marianne Pacifico) as shown on Attachment #3, BE APPROVED, subject to the conditions set out in Attachment #1 of this report.
2. THAT for the purpose of notice, the implementing subdivision agreement for Draft Plan of Subdivision 19T-03V07 (Vito and Marianne Pacifico) 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.
3. THAT the following street name for Draft Plan of Subdivision 19T-03V07 (Vito and Marianne Pacifico), as shown on Attachment #3, BE APPROVED:

STREET

PROPOSED NAME

Street 'A'

Old Forest Lane

Economic Impact

There are no requirements for new funding associated with this report.

Purpose

The Owner has submitted an application on the subject lands shown on Attachment #2, for approval of a Draft Plan of Subdivision shown on Attachment #3, to permit a residential subdivision consisting of the following:

- four rural residential lots for single detached dwellings with lot frontages ranging from 45m to 47.6m, and lot areas ranging from 0.4ha and 0.62ha;
- 3 blocks for future residential development;
- a 0.301ha valleyland block;
- a 0.419ha block for road and 0.013 ha for associated reserve blocks.

Background - Analysis and Options

The subject lands shown on Attachment #2 are located on the east side of Kipling Avenue, north of Kirby Road, in Lot 31, Concession 7, City of Vaughan. The vacant 2.67ha site has approximately 107m frontage on Kipling Avenue, and is irregular in shape, consisting of trees and bushes. The lands are relatively flat in the westerly portion, and descends towards the southeast of the site. The surrounding land uses are:

- North - agricultural (A Agricultural Zone)
- South - existing residential and open space (RR Rural Residential Zone and OS1 Open Space Conservation Zone)
- East - open space (OS1 Open Space Conservation Zone)
- West - Kipling Avenue; agricultural (A Agricultural Zone)

Previous applications to amend the Official Plan and Zoning By-law (Files OP.28.82 and Z.91.84) were approved and implemented (OPA #193 and By-law 208-88) to redesignate and rezone the subject lands and including the lands to the south to Kirby Road for rural residential development. The related Draft Plan of Subdivision (File 19T-82059) was approved on December 29, 1987, however it was not finalized and the approval lapsed. Subsequently, the entire property was severed into four parcels, the subject lands being the most northerly parcel.

Public Hearing

On August 8, 2003, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and the Kleinburg and Area Ratepayers Association (KARA). A letter was received from KARA, expressing concern that the proposed subdivision is not in keeping with the surrounding area, and that the neighbouring lot to the south will have a street running adjacent to their property line.

At the Public Hearing on September 2, 2003, Council directed that the applicant meet with the Ward Councillor, and the two neighbouring property owners who had expressed concerns, in an attempt to resolve any outstanding issues, prior to this matter being brought forward to a Committee of the Whole meeting. The Development Planning Department was advised by the Ward Councillor's office that both neighbours had declined to attend the meeting.

A notice of this Committee of the Whole meeting was sent to those individuals on file having expressed interest in this application.

The recommendation of the Committee of the Whole to receive the Public Hearing report of September 2, 2003, and the forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on September 8, 2003.

Official Plan

i) Land Use Designation

The subject lands shown on Attachment #2 are designated "Estate Residential" by OPA #193. The "Estate Residential" designation permits detached dwellings on large lots. Each lot on the proposed draft plan of subdivision will 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.

OPA #193 states that the subdivision design shall be in conformity with the lot size and design provisions of OPA #57 to the Vaughan Official Plan, which sets out policies pertaining to rural residential development. The "Estate Residential" designation of OPA #57 permits a maximum density of two persons per acre (0.4 ha) and requires a minimum lot size of 2322.5m². The lot areas for the lots on the proposed draft plan of subdivision range from 4000m² to 6200m² (0.4ha to 0.62ha), thereby complying with this requirement. The proposed draft plan of subdivision conforms to the Official Plan.

ii) Greenbelt Plan

The subject lands are located within the "Protected Countryside", and "Natural Heritage System" as designated by the Greenbelt Plan. Notwithstanding its location within the Greenbelt, the *Greenbelt Act* provides that applications commenced on or after December 16, 2004 shall

conform with the Greenbelt Plan. The application for draft plan of subdivision was submitted on June 4, 2003, thereby exempting it from the provisions of the legislation. In addition, Official Plan Amendment #193 and Zoning By-law Amendment 208-88 were passed on July 20, 1989, and May 2, 1988, respectively, which established the Estate Residential/Open Space designations and zoning for this property. The Greenbelt Plan (Section 5.2.1) states that:

"Where an official plan was amended prior to December 16, 2004 to specifically designate land use(s), this approval may continue to be recognized through the conformity exercise addressed in Section 5.3 and any further applications required under the *Planning Act* or *Condominium Act*, 1998, to implement the official plan approval are not required to conform with this Plan."

Accordingly, the proposed draft plan of subdivision is not subject to the provisions of the Greenbelt Plan.

Zoning

The subject lands are zoned RR Rural Residential Zone and OS1 Open Space Conservation Zone, subject to Exception 9(640). The 4 lots on the proposed draft plan of subdivision comply with the requirements of By-law 1-88.

Subdivision Design

The proposed 2.67ha draft plan of subdivision shown on Attachment #3 consists of 4 residential lots with lot frontages and areas ranging between 45m to 47.64m, and 0.4ha to 0.62ha, respectively, to facilitate detached residential dwellings. The lots front onto a proposed street to be named "Old Forest Lane", which runs along the southern boundary of the site in an east-west direction, and terminates in a temporary turning circle. The road design facilitates the potential development of the lands to the immediate south. A minimum 10m development setback is established from the staked top-of-bank and the Regional Storm Flood Plain along the east limit adjacent to Lot 4. The 10m setback, and the lands in the flood plain and below top-of-bank are to be conveyed to the Toronto Region and Conservation Authority (TRCA) or the City. A permanent fence will be erected along this edge, to the satisfaction of the TRCA.

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

Estate Residential Lots (Lots 1-4)	1.888 ha
Local Road	0.419 ha
Future Residential Blocks (5-7)	0.053 ha
0.3 m Reserve (Blocks 8-12)	0.013 ha
Valley Land (Block 13)	<u>0.301 ha</u>
TOTAL	2.674 ha

Toronto and Region Conservation Authority (TRCA)

The TRCA has no objections to the proposed draft plan of subdivision, subject to the conditions of approval, as set out in Attachment #1.

Engineering Department

i) Environmental Site Assessment (ESA)

A Phase I Environmental Site Assessment was submitted in support of the proposed development and was approved by the City on March 03, 2006.

conform with the Greenbelt Plan. The application for draft plan of subdivision was submitted on June 4, 2003, thereby exempting it from the provisions of the legislation. In addition, Official Plan Amendment #193 and Zoning By-law Amendment 208-88 were passed on July 20, 1989, and May 2, 1988, respectively, which established the Estate Residential/Open Space designations and zoning for this property. The Greenbelt Plan (Section 5.2.1) states that:

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ii) Roads

A 20.0m right-of-way width with a 8.5m wide paved urban road is being proposed in accordance with City Standard Drawing "B-6". Construction access to the subject lands will be from Kipling Avenue.

iii) Sanitary Servicing

There are no municipal sanitary sewers in the vicinity of the subject site, therefore, the Owner will be required to design a private sewage disposal system for the proposed dwelling units.

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 setbacks on the proposed draft plan of subdivision, in accordance with the requirements of the 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 Ministry of the Environment (MOE).

A warning clause to perspective purchasers is required for Lot 1 on the proposed draft plan of subdivision indicating that Lot 1 includes a large open space and therefore, the on-site sewage system requires the use of tertiary treatment unit based on a maximum house size of 280m², with 4 bedrooms.

iv) Storm Drainage

Storm drainage is proposed to be conveyed on the surface over land to the westerly and easterly areas of the proposed draft plan of subdivision draining to the Kipling Avenue ditch and the East Humber River, respectively. A detailed stormwater management report will be required.

v) Water Supply

As there are no municipal watermain in the vicinity of the subject site, on-site drilled wells are proposed to service the dwellings.

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 objection to the approval of the proposed subdivision, subject to the conditions of approval set out in Attachment #1.

Region of York

The Region of York has no objection to proposed draft plan of subdivision, subject to conditions provided in Attachment #1. The Planning Department for the Region of York has also reviewed the street proposed name (Old Forest Lane) and has advised that it does not have any objections.

Agency Comments

Canada Post and PowerStream Inc. have advised that they have no objection to the proposed 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 "Old Forest Lane" and has no objections. The Region of York Planning has also reviewed the proposed street name and advised that it does not have any objections.

Relationship to Vaughan Vision 2007

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

Conclusion

The Development Planning Department has reviewed the proposed application for Draft Plan of Subdivision approval in accordance with the policies in the Official Plan and the requirements of the Zoning By-law. The proposed draft plan of subdivision consisting of 4 single detached lots with minimum 45m frontages and 4000m² lot areas is an appropriate form of development for the lands, and conforms to the Official Plan and Zoning By-law. On this basis, it is recommended that the proposed 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-03V07
VITO AND MARIANNE PACIFICO
PART OF LOT 31, CONCESSION 7, 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-03V07, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to the draft plan of subdivision, prepared by Humphries Planning Group, Drawing #B2, dated April 12, 2006 (Revised).
2. The Owner shall pay any and all outstanding application fees to the Development Planning Department, in accordance with Tariff of Fees By-law 89-2006.
3. The Owner shall enter into a subdivision agreement with the City to satisfy all financial and other conditions, with regard to such matters as the City may consider necessary, including payment of development levies and the woodlot development charge, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
4. 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.
5. The road allowances within this Plan shall be named to the satisfaction of the City, in consultation with the Regional Planning Department; proposed street names shall be submitted by the Owner for approval by Council and shall be included on the first engineering drawings.
6. The road allowances within the Plan shall be designed in accordance with the City's engineering standards and shall be dedicated to the City free of all charge and encumbrances. The streets, lots and blocks shall be designed to coincide with the development pattern on adjacent properties.
7. Any dead end or open side of a road allowance within the Plan shall be terminated in a 0.3m reserve, to be conveyed to the City free of all charge and encumbrances, until required for a future road allowance or development of adjacent lands.
8. Final engineering design(s) may result in minor variations to the Plan (eg., in the configuration of road allowances and lotting, number of lots, etc.), which may be reflected in the final plan to the satisfaction of the City.
9. The Owner shall agree to create easements for maintenance purposes for all lots providing less than 1.2m side yards or having roof encroachments, prior to transfer of land.
10. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunication provider to provide their services underground at the approved locations and to the satisfaction of the City.
 - a) The Owner shall provide a copy of the fully executed subdivision agreement to the appropriate telecommunication provider.

11. 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 and Lot frontages and depths in accordance with the approved Zoning By-law for all Lots and Blocks within the Plan.
12. The Owner shall pay cash-in-lieu of parkland dedication in accordance with Section 42 of the Planning Act and the to City's Cash-in-lieu of Parkland Policy.
13. Prior to final approval of the Plan or commencement of construction within the plan, whichever comes first, the Owner shall submit a detailed hydrogeological impact study that identifies any local wells that may be influenced by construction and, if necessary, outline a monitoring program to be undertaken before, during and after construction of the subdivision. The Owner shall agree in the subdivision agreement to reinstate a suitable potable water supply to any resident whose well is adversely impacted by development, to the satisfaction of the City.
14. Prior to final approval of the Plan, the City shall be satisfied that adequate arrangements have been made for the construction of the Kipling Avenue widening from the south limit of 'Old Forest Lane' to the north limit of the Plan.
15. Prior to final approval of the Plan, the Owner shall convey, Blocks 5 and 6 on the Plan to the City without charge and encumbrances to be used as temporary turning circle. When Street "A" is constructed and extended to the east, Blocks 5 and 6 shall be re-conveyed to the Owners of Lot 3 and Lot 4. All re-conveyances within this paragraph shall be without charge and free of encumbrances, but at the expense of the Owners of Lot 3 and Lot 4, and to the satisfaction of the City.
16. Prior to final approval of the Plan, the Owner shall provide a detailed composite plan for all lots to be approved by the City detailing the following items:
 - a) Existing and proposed grades;
 - b) Location of driveways;
 - c) Separate primary and reserve leaching bed areas;
 - d) Location of drainage swales;
 - e) Fencing, berming and retaining walls;
 - f) Location of drilled wells; and
 - g) Erosion and sedimentation control.
17. The Owner shall not apply for building permits and the City shall not issue building permits until the City is satisfied that adequate road access, water supply, sanitary, and storm drainage works are available to service the Plan or that arrangements have been made for their completion to the satisfaction of the City.
18. Notwithstanding the provisions of Subsection 5.1 of the subdivision agreements, the City may issue one (1) model home building permit provided that the land is zoned to the satisfaction of the City and the conditions of Subsection 5.18 of the subdivision agreement are fulfilled.
19. Prior to the issuance of a building permit for any lot, the Owner's consulting engineer shall certify, to the satisfaction of the Engineering Department and the Building Standards Department that 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 conforms in terms of location and geometry (i.e. width etc.) with the approved, or the amended and subsequently approved, Construction Drawings.

20. Prior to the transfer of a Lot in the Plan, the Owner shall provide the City with a certificate from a water testing laboratory that a drilled well located on the lot will provide a supply of potable water that is not less than 23 litres/min and meets the M.O.E.E requirements.
21. Prior to the initiation of construction within the Plan, the Owner shall provide construction access to the Plan to the satisfaction of the City. Construction access to the Plan shall be from Kipling Avenue.
 - a) No other access to the Plan shall be used for construction unless authorized in writing by the City. If another access is used without approval, the City may refuse to issue further building permits within the Plan or subsequent future phases until such use ceases.
 - b) The Owner shall remove the construction access when directed by the City to do so.
22. The Owner shall acknowledge that the engineering design(s) for alternative road design may result in variation to the road and lotting pattern to the satisfaction of the City.
23. The Owner shall agree in the subdivision agreement that:
 - a) The private sewage disposal systems shall be installed in accordance with the requirements of the City and regulations of the Ministry of the Environment and Energy (M.O.E.E.);
 - b) A detailed site plan showing the grades, location of all buildings and premises, wells, sewage disposal systems and other pertinent information shall be submitted with each application for a private sewage disposal system;
 - c) A consultant, such as a private sewage disposal contractor, who is familiar with the installation of private sewage disposal systems, shall be retained to submit the necessary site plan with each application for approval of a private disposal system; and
 - d) No structures including a swimming pool, accessory building, or automatic water sprinklers, shall be located within the primary reserve tile bed areas.
24. The Owner shall agree in the subdivision agreement that:
 - a) Individual drilled wells shall be installed on each Lot in accordance with the requirements of the City; and
 - b) No building permit shall be applied for or issued for any Lot until:
 - i) a hydrology consultant has certified that a drilled well has been constructed on the lot in accordance and grouting requirements, which meet or exceed current applicable regulations made under the Ontario Water Resources Act; and all applicable parameters stated in the current Ontario Drinking Water Objectives has been met; and,
 - ii) the well has been tested for all parameters as specified by the City and Region of York Health Services Department.
25. 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.

26. 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.
27. The Owner shall agree that all lots or blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing.
28. a) Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit environmental site assessment report(s) in accordance with the "Ministry of Environment and Energy's Guidelines for Use at Contaminated Sites in Ontario, June 1996", as amended, and shall reimburse the City for the cost of peer review of the reports.
- b) Should site remediation be required to meet the applicable soil and ground water criteria set out in the above Guidelines, the Owner shall submit to the City prior to final approval, a copy of the Record of Site Condition acknowledged by a Provincial Officer of the Ministry of the Environment.
- c) The Owner shall provide a certificate by a qualified professional that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City, meet the applicable soil and ground water criteria noted above.
29. Prior to final approval, the Owner shall pay the proportionate share of the cost of any external municipal services, temporary and/or permanent built or proposed, that have been designed and oversized by others to accommodate the subject plan.
30. a) Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of PowerStream 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. Prior to final approval, the Owner shall submit a noise and/or vibration study, prepared by a qualified consultant for approval by both the City and the Region of York. 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 implement the approved abatement measures.
32. The Owner shall convey the following lands to the City or the TRCA, where appropriate, free of all charge and encumbrances:
- Blocks 8, 10, 11 and 12 for 0.3m reserves;
 - Blocks 9 and 13 for open space purposes.
33. The Owner shall agree to design, purchase materials and install a street lighting system, compatible with the existing and/or proposed systems in surrounding plans, all in accordance with City standards and specifications.

34. The Owner shall agree to erect fencing in the locations and of the types as shown on the approved construction drawing and as required by the City.
35. The Owner shall agree to pay the City at the time of registration of the Plan, payment at the rate of \$1,000.00 per residential unit, plus \$500.00 per future unit on each part lot, as per Schedule "I", in accordance with the Special Area Woodlot Development Charge By-law.
36. 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 on both private and public lands, and proposed methods of tree preservation. The Owner shall not remove trees without written approval by the City.
37. Prior to final approval, the Owner shall not remove any vegetation or topsoil or start any grading of the lands, without a fill permit issued by the City, and a development agreement, if necessary.
38.
 - a) Prior to final approval and prior to commencement of any work on the site, the proponent shall carry out an archaeological assessment of the subject property to the satisfaction of the City and the Ministry of Culture; and the proponent shall agree to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.
 - b) Prior to final approval and prior to the commencement of any work on site, the proponent shall deliver to the City (Cultural Services Division) two copies of the Archeological Assessment.
 - c) Prior to the commencement of any archaeological fieldwork, a copy of the contract information sheet, which was submitted to the Ministry of Culture, shall have been forwarded to the City; licensed consultants are urged to review the Archaeological Master Plan Study for the City of Vaughan prior to commencing any fieldwork.
39. 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 despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the dwelling occupants."
 - "Purchasers and/or tenants are advised that the proposed finished lot and/or block grading may not meet City of Vaughan lot grading criteria in certain areas, to facilitate preservation of existing vegetation and to maintain existing adjacent topographical conditions."
 - "Purchasers and/or tenants are advised that traffic-calming measures may have been incorporated into the road allowances."
 - "Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the City and a conceptual location Plan is included in the subdivision agreement. While every

attempt will be made to plant trees as shown, the City reserves the right to relocate or delete any boulevard tree without further notice."

- Purchasers and/or tenants are advised that the City has not imposed a "tree fee", or any other fee, which may be charged as a condition of purchase, for the planting of trees. Any "tree fee" paid by a purchaser for boulevard trees does not guarantee that a tree will be planted on the boulevard adjacent to their residential dwelling."
- "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings."
- "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 no part of any noise attenuation feature or any other fence shall be constructed partly or entirely 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 the noise attenuation feature 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 of the noise attenuation feature or fencing shall be the sole responsibility of the lot Owner. Landscaping provided on 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."
- "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 the 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 driveway widths and curb cut widths are governed by City of Vaughan By-Law 1-88, as amended, as follows:

The maximum width of a driveway shall be 6.0 metres measured at the street curb, provided circular driveways shall have a maximum combined width of 9.0 metres measured at the street curb.

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 ¹	6.0m
12.0m and greater ²	9.0m

¹The 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.

²The 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 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 the security to ensure all fencing including, but not limited to privacy fencing, chain link fencing and acoustic fencing, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for fencing, is not a requirement of this subdivision agreement."

b) for Lots 3 and 4:

- "Purchases and/or tenants are advised that the proposed finished grading for Lot 4 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 the "Old Forest Lane" 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 of Lots 3 and 4 are advised that the dwellings may front onto a temporary vehicular turn-around. The vehicular turn-around will be removed upon the development of the adjacent lands and the extension of the road allowance. All re-conveyances within this paragraph shall be without charge and free of encumbrances but at the expense of the owners of Lot 3 and Lot 4 and to the satisfaction of the City."

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

- "Purchasers and/or tenants of Lot 4 are advised that the adjacent open space, woodlot or stormwater management facility may be left in a naturally vegetated condition and receive minimal maintenance."

- "Purchasers and/or tenants of Lot 4 are advised that the lands identified as Block 13 on the Draft Plan of Subdivision has been dedicated to the Toronto and Region Conservation Authority as open space and shall not be used for residential purposes."

d) for Proposed Lot 1:

- "Purchasers and/or tenants of Lot 1 are advised that this lot includes a large open space area and therefore, the on-site sewage system requires the use of a tertiary treatment unit based a maximum home size of 280m², with 4 bedrooms."

40. 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 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, L6A 1T1; (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.]

41. 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.

42. Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit a topsoil storage plan detailing the location, size, side slopes, stabilization methods and time period, for approval by the City. Topsoil storage shall be limited to the amount required for

final grading, with the excess removed from the site, and shall not occur on either park or school blocks.

43. 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.

Canada Post Conditions

44. The Owner agrees to:

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

Toronto and Region Conservation Authority (TRCA) Conditions

45. 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) proposed discharge rates and details from the end of the proposed cul-de-sac to the tributary;
 - vi) 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;
 - vii) overall grading plans for the subject lands; and

- b) The Owner shall agree to implement the recommendations set out in the aforementioned report(s) to the satisfaction of the City and TRCA.
- 46. That the lands within the 10 metre development setback, including those within the Regional Storm Flood Plain of the Humber River and below top of bank (eastern side of subject property) be set aside for acquisition or dedication to either the TRCA or the City of Vaughan, free of all charges and encumbrances.
- 47. That the applicant provide an easement in favour of either the TRCA or the City of Vaughan, appropriate in size for the purposes of periodic maintenance of the open space lands on the east side of Lot 4, to the satisfaction of the TRCA.
- 48. That the proposed valley crossing on Street 'A' be supported by the necessary detailed information to ensure that the design accounts for and incorporates the appropriate fluvial geomorphic criteria as determined by a meander-belt analysis, provides for unimpeded passage of fish and wildlife, maintains valley corridor connectivity, and provides for maintenance and aesthetic considerations of the bridge crossing structure to the satisfaction of the TRCA.
- 49. Prior to final approval, the Owner shall prepare a detailed naturalization/restoration plan for the 10 metre wide buffer zone to the satisfaction of the City and TRCA.
- 50. The Owner shall agree:
 - a) to obtain all necessary permits pursuant to Ontario Regulation 158 and the Lakes and Rivers Improvement Act from the Toronto and Region Conservation Authority;
 - b) to maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period;
 - c) to erect a permanent fence to the satisfaction of the TRCA for Lot 4 (eastern portion of the lot, abutting open space block);
 - d) to provide a copy of the executed subdivision agreement to The Toronto and Region Conservation Authority.

Region of York Conditions

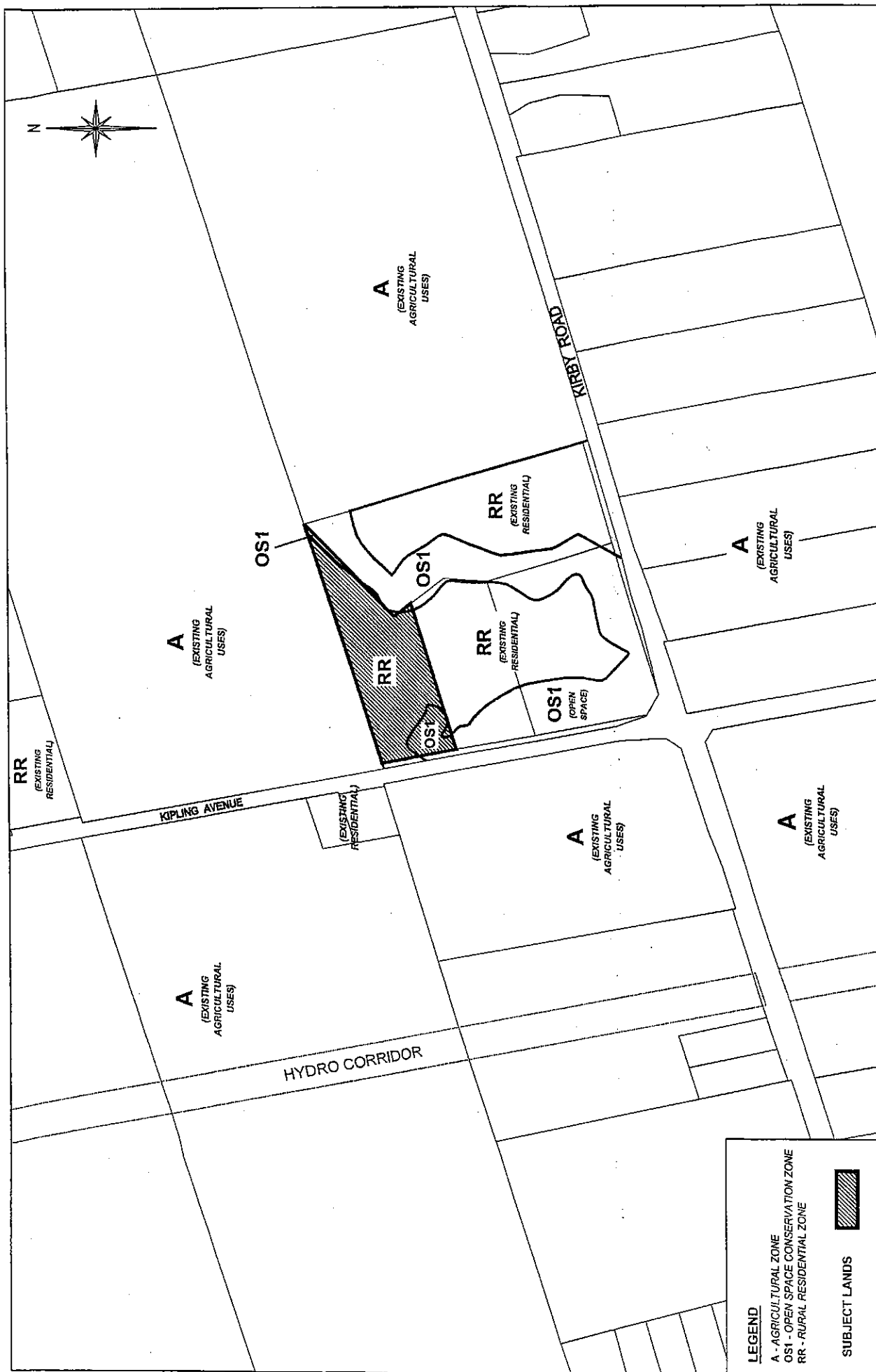
- 51. The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the area municipality and the Regional Planning and Development Services Department.
- 52. The Owner shall enter into an agreement with the Region of York, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law DC-98-77.

Clearances

- 53. 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 54 to 57 inclusive, for each phase proposed for registration;

furthermore, the required clearances may relate to lands not located within the phase sought to be registered.

54. The City shall advise that Conditions 1 to 43 and 53 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
55. Canada Post shall advise that Condition 44 has been satisfied; the clearance letter shall include a brief statement detailing how this condition has been met.
56. The TRCA shall advise that Conditions 45 to 50 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
57. The Region of York shall advise that Conditions 51 to 52 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



Location Map

Part of Lot 31,
Concession 7

APPLICANT:
VITO & MARIANNE PACIFICO

\\007\1\ATTACHMENTS\191-03\07.mxd

City of
Vaughan

Development Planning Department

Attachment

2

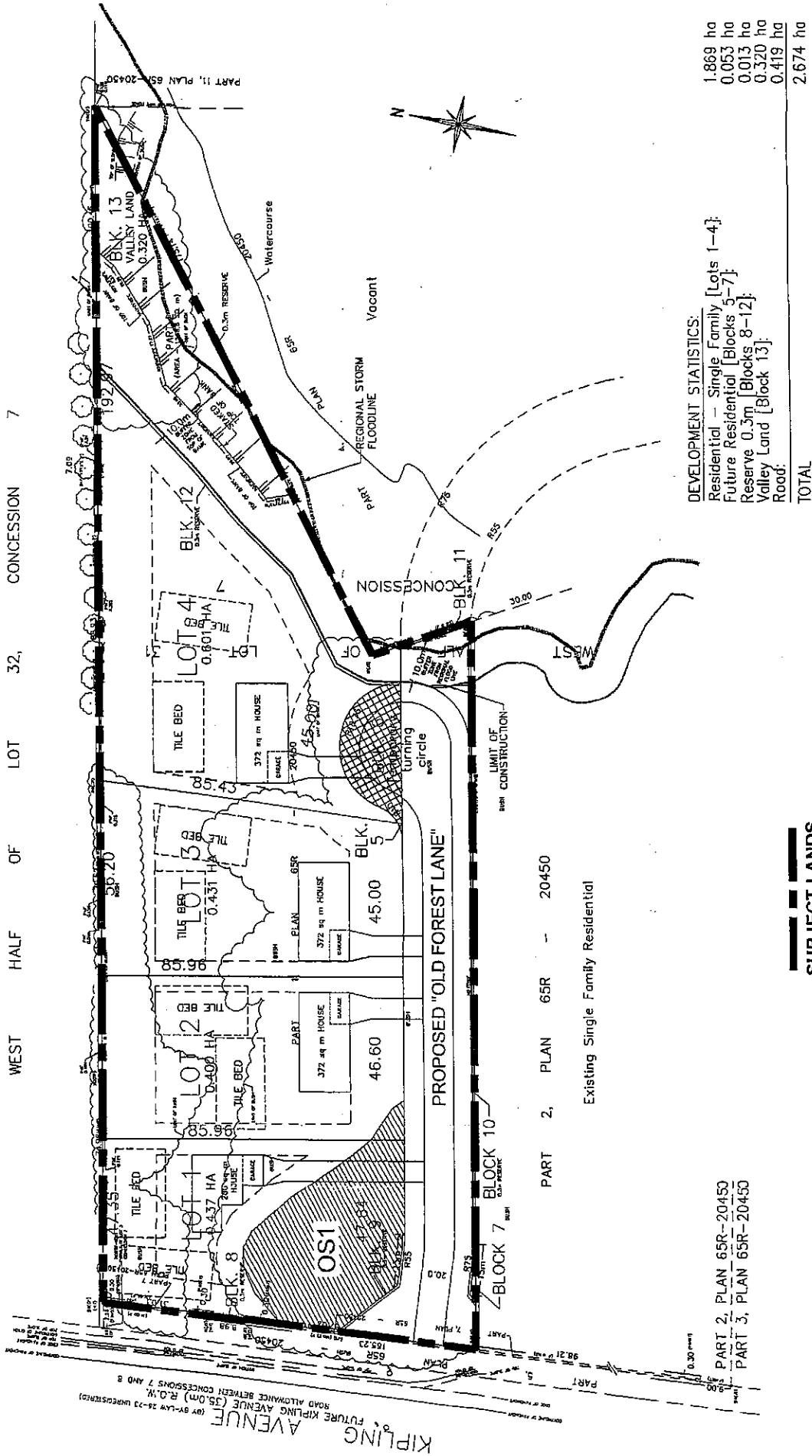
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191-03V07

Not to Scale

April 27, 2006

Agricultural

WEST HALF OF LOT 32, CONCESSION 7



DEVELOPMENT STATISTICS:

Residential - Single Family [Lots 1-4]:	1.869 ha
Future Residential [Blocks 5-7]:	0.053 ha
Reserve 0.3m [Blocks 8-12]:	0.015 ha
Valley Land [Block 13]:	0.320 ha
Road:	0.419 ha
TOTAL	2.674 ha

SUBJECT LANDS

Draft Plan of Subdivision 19T-03V07

APPLICANT:
VITO & MARIANNE PACIFICO

Part of Lot 31,
Concession 7

City of
Vaughan

Development Planning Department

Attachment 3

FILE No.:
19T-03V07

Not to Scale
April 28, 2006