

COMMITTEE OF THE WHOLE JUNE 19, 2006

**OFFICIAL PLAN AMENDMENT FILE OP.05.021
ZONING BY-LAW AMENDMENT FILE Z.05.043
DRAFT PLAN OF SUBDIVISION FILE 19T-05V08
PIANORA HOLDINGS CORP., C/O SOLMAR DEVELOPMENT CORPORATION
REPORT #P.2005.57**

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.05.021 (Pianora Holdings Corp., c/o Solmar Development Corporation) BE APPROVED, to redesignate the subject lands, as shown on Attachment #3 from "Planned Road Re-Alignment" and "Low Density Residential" to "Medium Density Residential/Commercial" with site-specific policies to permit a maximum residential density of 29.5 units per hectare and the following commercial uses: an automobile gas bar/service station, an eating establishment, a convenience eating establishment with or without a drive-through facility, and a take-out eating establishment, provided such uses are operated in conjunction with an automobile gas bar/service station;
2. THAT Zoning By-law Amendment File Z.05.043 (Pianora Holdings Corp., c/o Solmar Development Corporation) BE APPROVED, to rezone the subject lands shown on Attachment #4, as follows:
 - i) rezone Block 1 from A Agricultural Zone to RVM1(B)(H) Residential Urban Village Multiple Dwelling Zone One with the Holding Symbol "(H)", to permit 1 semi-detached dwelling, and require that prior to the removal of the Holding Symbol "(H)";
 - a) that water and sewage servicing capacity shall be allocated by the City; and
 - b) non-participating land owners in the Bathurst/Langstaff Servicing Area are subject to a future report to Council regarding a cost sharing agreement for contribution towards the construction of the Bathurst/Langstaff Trunk Sewer Works.
 - ii) rezone Blocks 2-11 from A Agricultural Zone to RVM1(A)(H) Residential Urban Village Multiple Dwelling Zone One with the Holding Symbol "(H)", with site-specific zoning exceptions to permit 50 street townhouse dwelling units, and require that prior to the removal of the Holding Symbol "(H)";
 - a) that water and sewage servicing capacity shall be allocated by the City; and
 - b) non-participating land owners in the Bathurst/Langstaff Servicing Area are subject to a future report to Council regarding a cost sharing agreement for contribution towards the construction of the Bathurst/Langstaff Trunk Sewer Works.
 - iii) rezone Block 12 from A Agricultural Zone to OS1 Open Space Conservation Zone for buffer purposes;
 - iv) rezone Block 13 from A Agricultural Zone to C3(H) Local Commercial Zone with the Holding Symbol "(H)" with a site-specific exception to permit the following commercial uses: an automobile gas bar/service station and eating

establishment, convenience eating establishment with or without a drive-through facility, and a take-out eating establishment, provided such uses are operated in conjunction with an automobile gas bar/service station. The Holding Symbol "(H)" shall be lifted when a site plan is approved by Council;

- v) rezone Block 43 on Plan 65M-3333 from RVM1(B) Residential Urban Village Multiple Zone One to RVM1(A) Residential Urban Village Multiple Zone One to be combined with part of Block 2 of the proposed draft plan of subdivision to facilitate the development of a townhouse block.
3. THAT Draft Plan of Subdivision File 19T-05V08 (Pianora Holdings Corp., c/o Solmar Development Corporation) as shown on Attachment #5, BE APPROVED, subject to the conditions set out in Attachment #1 to this report;
 4. For the purposes of notice, the Subdivision Agreement shall contain a provision that parkland shall be dedicated, and/or cash-in-lieu paid, within the plan at the rates stipulated in OPA #600 and conform to the approved "Cash-In-Lieu of Parkland Policy".

Economic Impact

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

Purpose

The Owner has submitted the following applications, on the subject lands shown on Attachment #2:

1. An application to amend the Official Plan, specifically OPA #600 to redesignate the subject lands shown on Attachment #3 from "Planned Road Re-Alignment" and "Low Density Residential" to "Medium Density Residential/Commercial" with site-specific policies to permit a maximum residential density of 29.5 units per hectare and the following commercial uses: an automobile gas bar/service station, an eating establishment, a convenience eating establishment with or without a drive-through facility, and a take-out eating establishment, provided such uses are operated in conjunction with an automobile gas bar/service station.
2. An application to amend the Zoning By-law, specifically By-law 1-88 to rezone the subject lands as shown on Attachment #4, as follows:
 - i) rezone Block 1 from A Agricultural Zone to RVM1(B)(H) Residential Urban Village Multiple Dwelling Zone One with the Holding Symbol "(H)", to permit 1 semi-detached dwelling, and require that prior to the removal of the Holding Symbol "(H)", that water and sewage servicing capacity shall be identified and allocated by the City;
 - ii) rezone Blocks 2-11 from A Agricultural Zone to RVM1(A)(H) Residential Urban Village Multiple Dwelling Zone One with the Holding Symbol "(H)", with site-specific exceptions to permit 50 street townhouse dwelling units, and require that prior to the removal of the Holding Symbol "(H)", that water and sewage servicing capacity shall be identified and allocated by the City;
 - iii) rezone Block 12 from A Agricultural Zone to OS1 Open Space Conservation Zone for buffer purposes;
 - iv) rezone Block 13 from A Agricultural Zone to C3(H) Local Commercial Zone with a Holding Symbol "(H)" and with site-specific exceptions to permit the following commercial uses; an automobile gas bar/service station, an eating establishment, a convenience eating establishment with or without a drive-

through facility, and a take-out eating establishment, provided such uses are operated in conjunction with an automobile gas bar/service station. The Holding Symbol "(H)" shall be lifted when a site plan is approved by Council; and

- v) rezone Block 43 on Plan 65M-3333 as shown on Attachment #4 from RVM1(B) Residential Urban Village Multiple Zone One to RVM1(A) Residential Urban Village Multiple Zone One to be combined with part of Block 2 of the proposed draft plan of subdivision to facilitate the development of a townhouse block.
3. An Application for approval of a Draft Plan of Subdivision as shown on Attachment #5 to facilitate the redevelopment of the residual lands (approx. 2.262ha) created by the realignment of Teston Road, consisting of the following:
- 10 blocks for 50 townhouse dwelling units with 3 to 7 units in each block having frontages of 6.0m;
 - 1 semi-detached unit that will be added to the existing semi-detached block (Block 42, Plan 65M-3333) located within the existing subdivision to the south;
 - a 0.5ha block for local commercial development consisting of a gas bar/service station and convenience eating establishment, with take-out located at the south-west corner of Teston Road and Jane Street; and,
 - a 0.037ha open space buffer block located at the west limit of the proposed draft plan of subdivision.

Background - Analysis and Options

The 2.26ha subject lands shown on Attachment #2 are located on the southwest corner of Jane Street and the realigned Teston Road, in Part of Lot 26, Concession 5, City of Vaughan.

The subject lands are designated "Planned Road Realignment" and "Low Density Residential" by OPA #600, and zoned A Agricultural Zone by By-law 1-88. The surrounding land uses are:

- North - Teston Road (realigned); vacant (A Agricultural Zone)
- South - existing residential, Nasir Street (RVM1(B) Residential Urban Village Multiple Zone One)
- East - Jane Street; residential (A Agricultural Zone)
- West - Teston Road; vacant (A Agricultural Zone)

Public Hearing

On September 16, 2005, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, those individuals requesting notification, and to the Columbus Trail Ratepayers Association. Comments were received from area residents, and people in attendance at the Public Hearing meeting, primarily stating their concerns that the proposed development is not consistent with the character of the area and will create noise, traffic, congestion and a devaluation of property values. In addition, many residents were concerned about the health hazard, pollution and noise related to a gas bar.

The recommendation of the Committee of the Whole on October 11, 2005, to receive the Public Hearing report and that the applicant be requested to meet with the Ward Councillor and the affected residents to address the issues identified, prior to this matter being brought forward to a Committee of the Whole meeting, was ratified by Council on October 17, 2005.

A meeting with the Ward Councillor was held on November 16, 2005, which was attended by twelve people. The residents stated their preference for the commercial block and commercial uses, including a residential condo, office buildings or a park instead of the proposed gas bar. The developer indicated that market studies demonstrate that only a gas bar would be economically feasible at this location. Discussions also included access from Teston Road and

an upgraded elevation for the gas bar and convenience store. The applicant has since provided an upgraded elevation concept plan that will be discussed later in this report.

History

The Owner originally submitted applications to amend the Official Plan (File OP.04.015) and Zoning By-law (File Z.04.040) to redesignate and rezone the subject lands to implement a proposed Draft Plan of Subdivision (File 19T-04V10) consisting of 30 semi-detached units, 6 townhouse units, and a local commercial block intended for a service station/gas bar with drive-through, car wash and a convenience eating establishment with take-out. A number of letters of objection and petitions were submitted from the neighbouring residents identifying concerns respecting incompatibility between the proposed gas station and the existing residential uses, and the increased residential density. Council considered and received the report from the Commissioner of Planning for the original applications at the Public Hearing held on September 13, 2004.

The Owner subsequently revised the plans to accommodate 1 semi-detached lot, 1 multiple unit block (stacked townhouse units with 150 below grade parking spaces), 5 street townhouse blocks and 2 buffer blocks. The revised application was scheduled to be considered at a Public Hearing on May 2, 2005, however prior to the meeting, the Owner directed the Development Planning Department to close these files.

Official Plan

i) Land Use Designation

The subject lands shown on Attachment #3 are designated "Low Density Residential" and "Planned Road Re-alignment" by OPA #600. The Official Plan permits semi-detached houses and street townhouses, however it does not permit the densities proposed and commercial uses. Accordingly, an Official Plan Amendment is required to redesignate the subject lands from "Low Density Residential" to "Medium Density Residential/Commercial" to implement the proposed development.

ii) Density

The "Low Density Residential" policies of OPA #600 permit a maximum net density of 22 units per hectare. Within each Block Plan area, the maximum average net density taken across all the Low Density Residential Areas shall be in the range of 16 to 18 units per hectare. The net residential density on the Pianora Holdings Corp. c/o Solmar Development Corporation owned land is 29.57 units per hectare and exceeds the requirement for the "Low Density Residential" designation, thus the requirement to redesignate the subject lands to "Medium Density Residential – Commercial".

The "Medium Density Residential – Commercial" policies of OPA #600 provides a minimum residential density of 17 units per hectare and the maximum net residential density of 60 units per hectare. OPA #600 also provides that in Block 33 East, within which the subject lands are located, the minimum average density shall be 25-30 units per hectare. The proposed development would conform to the density requirements of the "Medium Density Residential – Commercial" requirements of the Official Plan.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88. To facilitate the proposed plan of subdivision, as shown on Attachment #4, a Zoning By-law amendment is required to rezone the lands from A Agricultural Zone, to the following Zones, in accordance with the standard requirements of Schedules "A" and "A1" of By-law 1-88, as follows:

a) Residential Lands

- i) rezone Block 1 as shown on Attachment #4, from A Agricultural Zone to RVM1(B)(H) Residential Urban Village Multiple Zone One with the Holding Symbol "(H)" to facilitate the development of 1 semi-detached dwelling unit to be combined with the existing part Block (Block 42, Plan 65M-3333) in the subdivision to the south to form a complete lot;
- ii) Blocks 2-11 inclusive, as shown on Attachment #4, are proposed to be zoned RVM1(A)(H) Residential Urban Village Multiple Zone One with the Holding Symbol "(H)" to facilitate the development of 10 blocks and 50 street townhouse dwelling units;
- iii) rezone Block 12 from A Agricultural Zone to OS1 Open Space Zone to facilitate a landscaped buffer block;
- iv) rezone Block 43 on Plan 65M-3333 as shown on Attachment #4 from RVM1(B) Residential Urban Village Multiple Zone One to RVM1(A) Residential Urban Village Multiple Zone One to be combined with part of Block 2 of the proposed draft plan of subdivision to facilitate the development of a townhouse block.

The 50 townhouse dwelling units and one (1) semi-detached dwelling unit proposed within this application do not have water and sewage servicing allocation. A clause will be included in the implementing zoning by-law limiting the use of the lands zoned with the "(H)" Holding Zone to a use legally existing as of the date of enactment of the implementing by-law. The Holding Symbol "(H)" shall not be removed until the water and sewage servicing capacity has been allocated by the City and that the non-participating land owners in the Bathurst/Langstaff Servicing Area are subject to a further report to Council regarding a cost sharing agreement for construction towards the construction of the Bathurst/Langstaff Trunk Sewer Works.

b) Commercial Lands

The lands located immediately at the southwest corner of the realigned Teston Road and Jane Street as shown on Attachment #4, are proposed to be zoned C3 Local Commercial Zone to facilitate a future commercial development consisting of an automobile gas bar/service station, an eating establishment, a convenience eating establishment with or without a drive-through facility, and take-out eating establishment, provided such uses are operated in conjunction with an automobile gas bar/service station. The Owner has provided a conceptual site plan (Attachment #6) to demonstrate how the lands would be developed for the intended uses.

Exceptions to the By-law are required to the C3 Local Commercial Zone in order to permit the proposed uses and implement the conceptual site plan, as follows:

- permit a minimum front yard setback of 1.5m, whereas 11m is required;
- permit a minimum rear yard setback of 7.0m, whereas 9m is required;
- permit a minimum interior yard setback of 7.2m, whereas 11m is required;
- permit a minimum exterior yard setback of 1.5m, whereas 11m is required;
- permit a minimum setback from an "R" Residential Zone to any building or structure of 7.2m, whereas 9m is required; and,
- permit an aisle width of 8.5m whereas, a maximum of 6m is permitted.

A concept site plan is shown on Attachment #6 however, the final site layout will be confirmed through the Site Development Application approval process. In addition, the commercial proposal must conform with the approved Urban Design and Architectural Control Guidelines for the Block 33 East Community.

The proposed commercial development is considered appropriate for the subject lands. The proposed commercial uses are often and typically located at the intersection of two arterial roads, and will be separated from existing development with proposed residential units. The appropriate buffers including fencing and landscaping and the final site design/layout will be reviewed at the site plan stage to ensure that the commercial and residential uses are developed appropriately.

c) Open Space Block

Block 12, located at the west limit of the proposed Draft Plan of Subdivision, as shown on Attachment #4, is proposed to be zoned OS1 Open Space Conservation Zone, and used as a buffer block that will be conveyed to the City. Given its location and irregular shape, Block 12 can not be utilized for other purposes. In addition, it will facilitate pedestrian movement through the subdivision and community to Teston Road.

Subdivision Design

The 2.262 ha draft plan of subdivision shown on Attachment #5 is comprised of the following:

- 10 blocks for 50 townhouse dwelling units with 3 to 7 units in each block having frontages of 6.0m;
- 1 semi-detached unit that will be added to the existing semi-detached block (Block 42, Plan 65M-3333) located within the existing subdivision to the south;
- a 0.5ha block for local commercial development consisting of a gas bar/service station and convenience eating establishment with take-out located at the south-west corner of Teston Road and Jane Street; and,
- a 0.037ha open space buffer block located at the west limit of the proposed draft plan of subdivision.

The subject lands were created through the re-alignment of Teston Road and as such represent a logical extension of the existing community to the south as shown on Attachment #2. Abdus Salam Street would be extended north and east into the subject lands as a single loaded road abutting Teston Road to form a crescent that connects with Bashir Street. The Crescent would be developed with 3 townhouse blocks consisting of 11 units, a semi-detached unit and the open space Block.

Tahir Street would be extended northbound into the subject lands terminating in a cul-de-sac on which, four townhouse blocks consisting of 22 units will be developed. The balance of the units will front onto the north side of Nasir Street in the form of three townhouse blocks.

The commercial lands will have frontage and access onto Teston Road and Jane Street. Access is not available from the commercial lands to the internal residential subdivision.

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

Block 1 (1 semi-detached dwelling unit)	0.036 ha
Blocks 2-11 (50 townhouse dwelling units)	1.196 ha
Block 12 (Open Space)	0.037 ha
Block 13 (Commercial)	0.500 ha
Blocks 14 and 15 (Buffer Block)	0.085 ha
Blocks 16-20 (0.3m reserve)	0.006 ha
<u>Streets</u>	<u>0.402 ha</u>
Total Draft Plan Area	2.262 ha

All development in the Block 33 East Planning Area is subject to urban design guidelines and architectural control. Council approved the Block 33 East Community Architectural Design Guidelines prepared by John G. Williams Limited Architect and as such, the final site plan and

building elevations must be consistent with these documents and must be approved by the control architect. This will be reviewed in greater detail at the site plan stage.

The Development Planning Department is satisfied with the proposed subdivision design, subject to the comments in this report, and the conditions of approval in Attachment #1.

Site Plan Concept – Commercial Lands

The concept site plan for the commercial block (Block 13), as shown on Attachment #6, contains the proposed automobile gas bar/ service station and convenience eating establishment with take-out. The proposed convenience store associated with the automobile gas bar will be located at the north-east corner of the site, directly abutting the site triangle to encourage street-related activity. The canopy area that is connected to the convenience store is directly in front of the store covering the gas pump area.

The concept site plan shows the proposed eating establishment with drive-through that wraps around the west and south sides of a proposed building and abutting a landscape strip used to buffer the commercial uses from the residential development to the south and west.

The site plan is conceptual at this time and is meant to illustrate how the site could potentially be developed. The final site plan will be reviewed at the site plan stage.

Engineering Department

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

i) Environmental Site Assessment (ESA)

The Environmental Site Assessment report has been submitted and approved for the entire site and has cleared the draft plan of subdivision for approval.

ii) Water and Wastewater Servicing Allocation

In accordance with the City's Servicing Capacity Distribution Protocol as adopted by Council on November 14, 2005, the above noted development has been placed within the Priority 3 category for allocation of servicing capacity.

Future servicing allocation capacity for a total of 51 residential units (50 townhouses and 1 single) has been assigned to this development application for allocation. We note that the future allocation of this capacity is subject to the Region of York granting the City additional servicing capacity from the York-Durham Servicing Scheme and the York Water Supply System. It is currently anticipated that this additional capacity will be made available by the third quarter of 2007.

iii) Roads

The use of alternative road design standards is being proposed in this development. The roads on the Plan shall be designed in accordance with the City's standards and criteria. Construction access will be from Teston Road, subject to the Region of York and City's approval.

iv) Engineering Services

The municipal services for this development shall be in accordance with the approved servicing report.

v) Water Supply

The Plan is part of the Pressure District No. 7 of the York Water Supply System. The Plan can be serviced through the existing 150mm watermain on Tahir Street and on Bashir Street.

vi) Sanitary Servicing

The Plan can be serviced through the existing 200mm sanitary sewer on Tahir Street and Bashir Street.

vii) Storm Drainage

The Plan can be serviced through the existing storm sewer on Tahir Street and Bashir Street.

The minor and major flows will be conveyed primarily through the proposed road allowances and ultimately drain to the storm water management pond (more than one facility) located at John Deisman Boulevard and America Avenue in accordance with the approved servicing report.

Parkland/Cash-in-Lieu

The implementing Subdivision Agreement will contain a provision that parkland shall be dedicated, and/or cash-in-lieu paid at the rates stipulated in accordance with the City's approved Cash-In-Lieu of Parkland Policy in accordance with the provisions of the Planning Act.

Archaeological Assessment

The Cultural Services Department requires that prior to final approval of the subdivision the Owner, by way of development agreement, shall agree that no development or grading shall occur on the 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 Culture (Archaeology Unit) and the municipality. A condition of draft approval has been included in this respect.

The Region of York

The Region of York has no objections to the proposed draft plan of subdivision, subject to the conditions provided on Attachment #1 and that a precondition agreement be executed with the City of Vaughan and the Owners, committing the Owner not to enter into any agreements of purchase and sale with end users, for the subject lands until such time as:

- York Region has advised in writing that it is no earlier than twelve (12) months prior to the expected completion of the Bathurst Langstaff Truck Sewer; or,
- the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure; or,
- the Regional Commissioner of Transportation and Works confirms servicing allocation for this development by a suitable alternative method.

The Owner has entered into a precondition agreement, which has been executed and was registered on June 15, 2006.

School Boards

The York Region District School Board, York Catholic District School Board, and Conseil Scolaire de District Catholique Centre-Sud, have no objection to the proposed draft plan of subdivision.

Canada Post

Canada Post Corporation has no objection to the proposed plan of subdivision, subject to the conditions of draft approval provided in Attachment #1.

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 applications to amend the Official Plan and Zoning By-law and for Draft Plan of Subdivision and Zoning By-law Amendment to facilitate the development of the subject lands with 51 residential units and a local convenience commercial block in the context of the applicable Official Plan policies, By-law 1-88, and the existing and planned land uses in the surrounding neighbourhood. The Development Planning Department is satisfied that the proposed redesignation and rezoning of the subject lands and the proposed draft plan of subdivision, will result in development that is compatible with the surrounding existing and planned land uses.

The Development Planning Department can support the approval of the Official Plan and Zoning By-law Amendment Applications and the proposed Draft Plan of Subdivision, subject to the recommendations set out in this report and the conditions of approval outlined in Attachment #1.

Attachments

1. Conditions of Draft Approval
2. Location Map
3. Proposed Official Plan
4. Proposed Zoning
5. Draft Plan of Subdivision
6. Concept Site Plan

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/CM

ATTACHMENT NO. 1

CONDITIONS OF APPROVAL

**DRAFT PLAN OF SUBDIVISION 19T-05V08
PIANORA HOLDINGS CORPORATION C/O SOLMAR DEVELOPMENT CORPORATION
PART OF LOT 25, CONCESSION 5, 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-05V08, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to the draft plan of subdivision, prepared by KLM Planning Partners Inc., drawing #06:4, dated April 18, 2006.
2. The lands within this Plan shall be appropriately zoned by a site-specific zoning by-law (Zoning By-law Amendment Application Z.05.043), which shall come into effect in accordance with the provisions of The Planning Act. Particular zoning categories to be applied are as follows:
 - a) RVM1(B)(H) Residential Urban Village Multiple Dwelling Zone One with the Holding Symbol "(H)", to permit 1 semi-detached dwelling and require that prior to the removal of the Holding Symbol "(H)", that water and sewage servicing capacity shall be identified and allocated by the City;
 - b) RVM1(A)(H) Residential Urban Village Multiple Dwelling Zone One with the Holding Symbol "(H)", to permit 50 street townhouse dwelling units and require that prior to the removal of the Holding Symbol "(H)", that water and sewage servicing capacity shall be identified and allocated by the City;
 - c) OS1 Open Space Conservation Zone for buffer block;
 - d) C3(H) Local Commercial Zone with the Holding Symbol "(H)" including site-specific exceptions to permit an automobile gas bar/service station, an eating establishment, a convenience eating establishment with or without a drive-through facility, and a take-out eating establishment, provided such uses are operated in conjunction with an automobile gas bar/service station. The Holding Symbol "(H)" shall be lifted when a site plan is approved by Council.
3. 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.
4. Prior to application for building permit, site plan approval may be required for certain types of development under the City's Site Plan Control By-law, for draft approved Block 13.
5. 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.
6. The Owner shall agree that the location and design of the construction access shall be approved by the City and/or the appropriate authority.

7. 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.
8. The Owner shall agree that Blocks 1 and 2 shall only be developed in conjunction with the adjacent lands; in the interim, such blocks will be subject to an "H" Holding Zone provision.
9. The Owner shall agree that all lots or blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing.
10. The Owner shall agree that on lots with flankages on a collector or primary road, as identified by the Architectural Design Guidelines and the City, a front elevation featuring a main entrance or in some cases, an upgraded elevation, shall face the flankage. The flankage elevation for such lots shall be approved by the Control Architect, and the Director of Development Planning, prior to issuance of a building permit.
11.
 - 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.
 - d) Where lands are being conveyed to the municipality for parkland purposes, the Owner shall agree that prior to issuance of any building permits, the Owner shall submit a Phase 2 environmental site assessment report(s) addressing all park blocks in the plan, in accordance with the Ministry of Environment Guideline for Use at Contaminated Sites in Ontario (June 1996 as amended), to the satisfaction of the City. On-site sampling contained in the reports shall be conducted following completion and certification of the rough grading of the park block(s). Testing may include but not be limited to surface and subsurface soil, ground water, soil vapour, plant and aquatic species sampling and testing of building materials. The Owner shall reimburse the City for the cost of peer review of said report(s).
12.
 - a) Prior to final approval and prior to any works commencing on the site, the Owner shall submit for approval by the City and the Toronto and Region Conservation Authority (TRCA), a detailed engineering report(s) that describes the storm drainage system for the proposed development, which shall include:
 - i) plans illustrating how this drainage system will be tied into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, the design capacity of the receiving system and how external flows will be accommodated;
 - ii) the location and description of all outlets and other facilities;
 - iii) stormwater management techniques which may be required to control minor and major flows;

- iv) proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction;
 - v) overall grading plans for the subject lands; and
 - vi) stormwater management practices to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat.
- b) The Owner shall agree to implement the recommendations set out in the aforementioned report(s) to the satisfaction of the City and TRCA.
13. 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; and
 - c) to provide a copy of the executed subdivision agreement to The Toronto and Region Conservation Authority.
14. 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.
15. 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.
16. 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. 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 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 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 advised that the roads within the Plan may have been constructed using Alternative Development Standards. In April 1995, the Ministry of Housing and the Ministry of Municipal Affairs published the Alternative Development Standards as a guideline to municipalities. The Province of Ontario has been promoting the use of these guidelines, which provide for reduced pavement widths that are narrower than City standards. Traffic calming measures have also been incorporated in the road design."
- "Purchasers and/or tenants are advised that the City of Toronto owned and operated a landfill within 4 kilometres of the property and that the facility is now closed and will be redeveloped into a park."

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

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

- c) abutting a park block:
 - "Purchasers and/or tenants are advised that the lot abuts a "Neighbourhood Park", and that noise and lighting should be expected from the designed active use of the park."
- d) along a potential transit route:
 - "Purchasers and/or tenants are advised that the following streets may be used as transit routes in the future: Teston Road and Jane Street."
- e) Blocks 7, 9 to 11 inclusive
 - "Purchasers and/or tenants are advised due to the proximity of the adjacent proposed future commercial developments, sound levels from these facilities may at times be audible."

17. The Owner shall cause the following to be displayed on the interior wall of the sales office, information approved by the City of Vaughan, prior to offering any units for sale, to be monitored periodically by the City. No building permit shall be issued for a sales office or model home, or a residential unit until such information is approved by the City of Vaughan.

- the Block Plan for the broader area, showing surrounding land uses, arterials/highways, railways and hydro lines, etc.
- the location of street utilities, community mailboxes, entrance features, fencing and noise attenuation features, together with the sidewalk plan approved in conjunction with draft plan approval.
- the location of parks, open space, stormwater management facilities and trails.
- the location of institutional uses, including schools, places of worship, community facilities.
- the location and type of commercial sites.
- colour-coded residential for singles, semis, multiples, and apartment units.
- the following notes in BOLD CAPITAL TYPE on the map:

"For further information, on proposed and existing land uses, please call or visit the City of Vaughan, Development Planning Department, at 2141 Major Mackenzie Drive, 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.]

18. 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.
19. 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.
20. 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.
21. The Owner shall agree in the subdivision agreement that:
 - a) All development shall proceed in accordance with the Council approved architectural design guidelines prepared for the Block 33 East community by the firm John G. Williams Limited Architect;
 - b) A control architect be retained at the cost of the owner with concurrence of the City to ensure compliance with the architectural design guidelines;
 - c) Prior to the submission of individual building permit applications, the control architect shall have stamped and signed drawings certifying compliance with the approved architectural guidelines;
 - d) The City may undertake periodic reviews to ensure compliance with the architectural design guidelines. Should inadequate enforcement be evident, the City may cease to accept drawings stamped by the control architect and retain another control architect, at the expense of the owner.
22. Prior to final approval, the Owner shall pay to the City, a woodlot acquisition payment at the rate of \$1,000.00 per residential dwelling unit plus \$500.00 for each future residential dwelling unit contained on a part lot in the Plan which is to be combined with an abutting part lot in an adjacent plan to form a building lot, as per schedule "I", in accordance with the Special Area Woodlot Development Charge By-law.
23. The Owner shall agree in the subdivision agreement that all development shall conform with the approved Urban Design Guidelines for the Block 33 East Community. These guidelines shall address but not be limited to the following issues:
 - community structuring elements;
 - community character;
 - lotting fabric;
 - built form and public realm landscape architecture;
 - boulevard and sidewalk design;
 - community feature locations; and
 - urban design built form guidelines for commercial and townhouse development.

24. The Owner shall agree in the subdivision agreement that all streetscape works shall conform to the approved landscape master plan for the Block 33 East community that addresses but not be limited to the following issues:

- co-ordination of the urban design/streetscape elements as they relate to the approved Block 33 East urban design guidelines including entrance features, seating areas, arterial road sidewalk connections and fencing;
- community edge treatments along Teston Road and Jane Street;
- the pedestrian urban connections between streets and within the neighbourhood and commercial block;
- the appropriate location and high quality design for the telecommunications and hydro utility buildings and easements, if any are proposed; and,
- the treatment for both privacy and noise attenuation fencing.

The Owner agrees to prepare detailed landscape construction drawings and implement the Block 33 East Landscape Master Plan to the satisfaction of the City.

25. 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.

26. The Owner shall convey Blocks 12, 14 and 15 to the City free of all encumbrances for landscape purposes.

27. Prior to final approval the Owner shall make necessary arrangements with the Region of York to include a minimum 4.5 metre wide block from the existing road allowance along Jane Street, to be conveyed to the City free of all encumbrances for noise attenuation and landscape purposes. However, should this not be possible, the Owner shall revise the lotting fabric for Block 11, to include a minimum 4.5 metre wide landscape buffer for conveyance to the City.

28. The parties acknowledge and agree that with respect to the lots or blocks within the Owner's Draft Plan(s) of Subdivision relating to the Lands or any part thereof,

- (a) until such time as the Region has confirmed in writing to the Owner that the Water Capacity and the Sewer Capacity are available and that such water and sewer capacity has been allocated by resolution by the City, such lots or blocks within the Owner's Draft Plan(s) of Subdivision, or any part thereof, may not be sold or offered for sale if such sale includes the obligation of the Vendor to construct a residential building on the lot(s) or block(s) sold;
- (b) until such time as the Region has confirmed in writing to the City that the Water Capacity and the Sewer Capacity are available and that such water and sewer capacity has been allocated by resolution by the City, no building permit shall be issued by the City for any building to be constructed on such lots or blocks within the Owner's Draft Plan(s) of Subdivision, or any part thereof. The Owner acknowledges and agrees that this subparagraph 28(b) shall be conclusively deemed to be other applicable law for the purposes of subsection 8(l) of the *Building Code Act*;
- (c) until such time as the Region has confirmed in writing to the City that the Water Capacity and the Sewer Capacity are available and that such water and sewer capacity has been allocated by resolution by the City, the City shall not grant final approval for registration of such lots or blocks within the Owner's Draft Plan(s) of Subdivision, or any part thereof.

Cultural Services

29. The Ministry of Culture requires archaeological assessments for Draft Plans of Subdivision on undeveloped lands.
30. This property (referred to in 2004 as 19T-04V10 and Z.04.040) corresponds with a larger area that underwent Archaeological Assessment (Stage 1 only) in February 2000. The Stage 1 assessment recommended that Stage 2 assessment is required.
31. The archaeological assessment report must be carried out by a licensed archaeologist and prepared according to the Ministry of Culture approved Archaeological Assessment Technical Guidelines, dated 1993.
32. The archaeological assessment report should be submitted to both the City of Vaughan and the Ministry of Culture.
33. Prior to final approval of any development application, the Owner, by way of development 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 Culture (Archaeology Unit) and the municipality.
34.
 - 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 archeological 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 Archaeological 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.

Engineering Conditions City of Vaughan)

35. The Owner shall enter into a subdivision agreement with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payments of development levies, the provisions of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
36. The road allowances included within this draft plan of subdivision shall be dedicated as public highways without monetary consideration and free of all encumbrances.
37. 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.

38. The road allowances included in the Plan shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 metre reserves.

The pattern of streets and the layout of lots and blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.

39. 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.
40. Easements as may be required for utility, drainage or construction purposes shall be granted to the appropriate authority(ies), free of all charge and encumbrance.
41. 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.
42. The Owner shall agree in the subdivision agreement that no building permits will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed development.
43. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost any external municipal services that have been designed and oversized by others to accommodate the development of the plan.
44. The Owner shall agree in the subdivision agreement that the engineering design(s) of Alternative Design Standards for road design and traffic calming measures may result in variation to the road, lotting pattern and the number of lots, to the satisfaction of the City.
45. Prior to final approval of the Plan, the Owner shall covenant and certify to the City that they are not aware of any soil, groundwater or sediment contamination on or within lands to be conveyed to the municipality which could interfere with the intended use.
46. Prior to transfer of residential lots abutting commercial blocks, the Owner shall erect a permanent at least 1.8m high acoustic wood fence along the limits of residential lots where they abut to commercial blocks to the satisfaction of the City.
47. The Owner shall agree in the subdivision agreement 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.
48. The Owner shall agree in the subdivision agreement that construction access shall be provided only in a location approved by the City.
49. The Owner shall agree in the subdivision agreement that the sound barrier requirements may result in revisions to the lotting pattern and/or the number of lots, and buffer blocks abutting Teston Road to the satisfaction of the City.
50. The Owner shall agree in the subdivision agreement that the storm drainage works be carried out consistent with the concepts outlined within, and substantially in compliance with, the Servicing Report.

PowerStream Inc.

51. a) Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of PowerStream Inc., its successors and assign 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 Distribution Inc. and the City.

Region of York Conditions

52. Registration of the plan of subdivision shall occur in phases based on the availability of water supply and sewage servicing allocation.
53. Prior to registration, York Region shall confirm that adequate water supply and sewage servicing capacity are available and have been allocated by the City of Vaughan for the development proposed within this draft plan of subdivision or any phase thereof.
54. Prior to registration, the following shall occur:
- York Region has advised in writing that it is no earlier than six (6) months prior to the expected completion of the Bathurst Langstaff Trunk Sewer; or,
 - the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
 - the Regional Commissioner of Transportation and Works confirms servicing allocation for this development by a suitable alternative method.
55. The Owner shall agree in the subdivision agreement that he/she shall save harmless the area municipality and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
56. The Owner shall agree in the subdivision agreement that occupancy permits for any residential dwelling units shall not be applied for and the Owner shall acknowledge in the subdivision agreement that the City will not issue occupancy permits until such time as:
- York Region has advised in writing that the following pieces of infrastructure are completed and fully operational: the Bathurst Langstaff Trunk Sewer; or,
 - the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure; or,
 - the Regional Commissioner of Transportation and Works confirms some other way for this development to receive servicing allocation.
57. That all residentially zoned lands shall be placed under a Holding Symbol "(H)" pursuant to the provisions of Section 36 of the Ontario Planning Act, which shall prohibit the development of the lands until the Holding Symbol "(H)" has been lifted. The conditions for lifting the Holding Symbol "(H)" shall include:
- York Region advises in writing that it is no earlier than six (6) months prior to the expected completion of the Bathurst Langstaff Trunk Sewer; or,
 - the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure; or,

- the Regional Commissioner of Transportation and Works confirms servicing allocation for this development by a suitable alternative method.
58. Prior to registration, the area municipality shall confirm that the lands are zoned appropriately or a Section 34(5) municipal wide by-law has been enacted such that the City will issue building permits only once servicing capacity has been confirmed.
 59. The Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required Regional Municipality of York road improvements for this subdivision. The report/plan, submitted to The Regional Municipality of York Transportation and Works Department for review and approval, shall explain all transportation issues and shall recommend mitigative measures for these issues.
 60. The Owner shall agree in the subdivision agreement, in wording satisfactory to The Regional Municipality of York Transportation and Works Department, to implement the recommendations of the functional transportation report/plan as approved by The Regional Municipality of York Transportation and Works Department.
 61. The Owner shall submit detailed engineering drawings to The Regional Municipality of York Transportation and Works Department for review and approval, that incorporate the recommendations of the functional transportation report/plan as approved by The Regional Municipality of York Transportation and Works Department. Additionally, the engineering drawings shall include the subdivision storm drainage system, erosion and siltation control plans, site grading and servicing, plan and profile drawings, construction access and mud mat design, utility and underground servicing location plans, pavement markings, electrical drawings for intersection signalization and illumination design, traffic control/construction staging plans and landscape plans.
 62. The following lands shall be conveyed to the Regional Municipality of York for public highway purposes, free of all costs and encumbrances:
 - a) a widening across the full frontage of the site where it abuts Teston Side Road of sufficient width to provide a minimum of 18 metres from the centreline of construction of Teston Road; and,
 - b) a 0.3 metre reserve across the full frontage of the site where it abuts Teston Road.
 63. The Owner is required to submit a draft reference plan illustrating these property dedications and reserves, to the satisfaction of this Department.
 64. In order to determine the property dedications (if any) required to achieve the ultimate right-of-way width of Teston Road abutting the subject site, the applicant shall submit a recent plan of survey for the property that illustrates the existing centre line of Teston Road.
 65. Direct vehicle access to Teston Road from any development blocks, will not be permitted. Access must be obtained through the internal road network.
 66. Any existing driveway(s) along The Regional Municipality of York road frontage of this subdivision must be removed as part of the subdivision work, at no cost to The Regional Municipality of York.

67. The Owner shall agree in the subdivision agreement, in wording satisfactory to The Regional Municipality of York Transportation and Works Department, to provide for the installation of visual screening between Teston Road and Streets "1 and 2", consisting of either a screening fence or a combination of a berm and planting, to a maximum of 1.8 metres in height, to be located within the right-of-way of local streets. The Owner shall submit to The Regional Municipality of York Transportation and Works Department for review and approval, landscape plans showing the proposed planting for headlight screening purposes.
68. The Owner shall submit drawings depicting the following to the satisfaction of the Region of York:
- b) all existing woody vegetation within the Regional Road right of way;
 - b) tree protection measures to be implemented on and off the Regional Road right of way to protect right of way vegetation to be preserved;
 - c) Any woody vegetation within the Regional Road right of way that is proposed to be removed or relocated. However, it is to be noted that tree removal within Regional Road right's of way shall be avoided to the extent possible/practical. Financial or other compensation may be sought based on the value of trees proposed for removal; and,
 - d) a planting plan for all new and relocated vegetation to be planted within the Regional Road right of way, based on the following general guideline.

Tree planting shall be undertaken in accordance with York Region standards as articulated in Streetscaping Policy and using species from the Regional Street Tree Planting List. These documents may be obtained from the Forestry Section. If any landscaping or features other than tree planting (e.g. flower beds, shrubs) are proposed, they will require the approval of the local municipality and be supported by a maintenance agreement between the municipality and York Region for area municipal maintenance of these features. In addition, the agreement should indicate that where the area municipality does not maintain the feature to the Region's satisfaction, the area municipality will be responsible for the cost of maintenance or removal undertaken by the Region.

69. The Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of The Regional Municipality of York Transportation and Works Department recommending noise attenuation features and the Owner shall agree to implement these noise attenuation features to the satisfaction of The Regional Municipality of York's Transportation and Works Department.
70. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Regional Transportation and Works Department, that prior to the release of any security held by York Region in relation to this plan of subdivision, and where berm, noise wall, window and/or oversized forced air mechanical systems are required, these features shall be certified by a professional engineer to have been installed as specified by the approved Noise Study and in conformance with the Ministry of Environment guidelines.
71. The following warning clause shall be included in a registered portion of the subdivision agreement with respect to the lots or blocks affected:

"Purchasers are advised that despite the inclusion of noise attenuation features within the development area and within the individual building units, noise levels will continue to increase, occasionally interfering with some activities of the building's occupants".

72. Where noise attenuation features will abut a Regional right-of-way, the Owner shall agree in the subdivision agreement, in wording satisfactory to The Regional Municipality of York's Transportation and Works Department, as follows:
- a) that no part of any noise attenuation feature shall be constructed on or within the Regional right-of-way;
 - b) that noise fences adjacent to The Regional Municipality of York roads may be constructed on the private side of the 0.3 metre reserve and may be maximum 2.5 metres in height, subject to the area municipality's concurrence;
 - c) that maintenance of the noise barriers and fences bordering on The Regional Municipality of York right-of-ways shall not be the responsibility of The Regional Municipality of York; and
 - d) that any landscaping provided on The Regional Municipality of York right-of-way by the Owner or the area municipality for aesthetic purposes must be approved by The Regional Municipality of York Transportation and Works Department and shall be maintained by the area municipality with the exception of the usual grass maintenance.

73. The Owner shall agree in the subdivision agreement to submit to the Region a certificate from the Owner's qualified consultant, identifying the source of any fill material that will be used on and/or adjacent to the Region's existing and proposed right of way, including a soil testing certificate of analysis indicating that the fill material is free of any contamination and in accordance with all applicable Ontario standards, guidelines and regulations. If during the course of construction the source of fill is to be changed, then the Owner hereby agrees to ensure that the above certification is submitted to the Region for any new source of fill.

74. Subject to approval by the City of Vaughan and the Regional Municipality of York, the Owner shall agree in the subdivision agreement to construct sidewalks along the subject lands' frontage onto roadways that will have transit services. Such sidewalks shall be constructed on both sides of those roadways unless only one side of the street lies within the limits of the subject lands.

Existing core-level transit services currently operate on the following roadways in the vicinity of the subject lands:

- Teston Road
- Mosque Gate
- Jane Street

75. The transit roadways shall be designated and designed to accommodate transit vehicles to the satisfaction of the area municipality and York Region Transit. As such, YRT is to be consulted with respect to any traffic-calming features which may be considered for any of the transit roadways identified.

76. Further to the designation of the transit roadways (above), and subject to approval by York Region Transit, bus passenger standing areas/platforms are to be provided at no cost to the Regional Municipality of York concurrent with construction of necessary sidewalks. Required platform locations are as follows:

Eastbound "Proposed Teston Road" at the intersection of Jane Street (near-side placement, adjacent to "Commercial Block 13")

The Owner shall agree in the subdivision agreement that the bus passenger platforms identified above shall be designed and constructed to the satisfaction of the area municipality and York Region Transit.

77. Streets "1" and "2" will each require provision of an appropriate concrete pedestrian walkway to link them with "Proposed Teston Road", subject to design approval by the local municipality and the Regional Municipality of York, to facilitate pedestrians' access to/from transit services. The walkway is to be provided at no cost to the Regional Municipality of York concurrent with construction of necessary sidewalks.
78. The Owner shall agree in the subdivision agreement to advise all potential purchasers of the planned introduction of transit service in/around the subject lands, and that the placement of any necessary bus-stops and/or passenger amenities will be placed accordingly to the satisfaction of York Region Transit and the City of Vaughan, as applicable. This would include potential transit routes, bus stops and shelter locations, as necessary. Notification should be achieved through sales offices, marketing materials, and appropriate notification clauses in purchase agreements.
79. The Owner shall agree in the subdivision agreement that illumination must be installed, in accordance with York Region and Municipal design standards, along all streets which will have transit services, sidewalks, pedestrian access and bus stop locations.
80. 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.
81. 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.
82. Future development of the District Centre Block 254 shall be subject to site plan approval and approval of the Official Plan Amendment.

Canada Post

83. 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,
 - iii) any required curb depressions.
 - b) provide a suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s).
 - c) provide a copy of the executed agreement to Canada Post.
84. The Owner/developer agrees to include in all offers of purchase and sale a statement that advises the prospective purchaser that mail delivery will be from a designed Community Mailbox.
85. The Owner/developer will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the purchase offer on which the homeowners does a sign off.

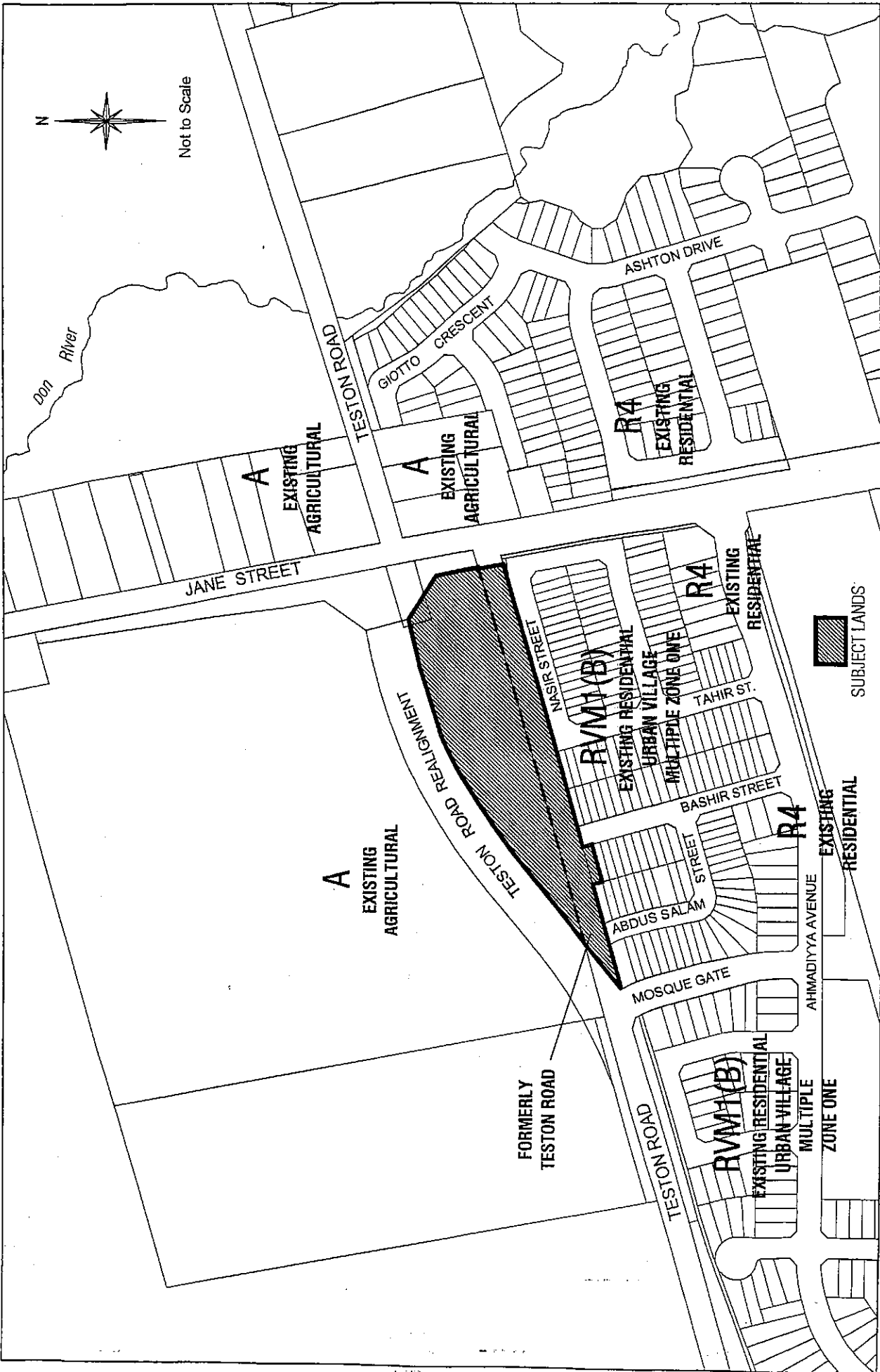
86. The Owner/developer will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
87. The developer agrees to ensure that all new homes buyers will be officially notified of the exact Community Mailbox locations prior to any home sales.

York Region School Boards

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

Other Conditions

89. 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 90 to 94 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
90. The City shall advise that Conditions 1 to 50 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
91. PowerStream Inc. shall advise that Condition 51 has been satisfied; the clearance letter shall include a brief statement detailing how it has been met.
92. The Region of York shall advise that Conditions 52 to 82 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
93. Canada Post shall advise that Conditions 83 to 87 inclusive have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
94. York Region School Board shall advise that Condition 88 has been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



Location Map

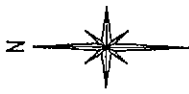
Part of Lot 26,
Concession 5
 APPLICANT: PIANORA HOLDINGS CORP.
 C/O SOLMAR DEVELOPMENT CORPORATION
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City of Vaughan

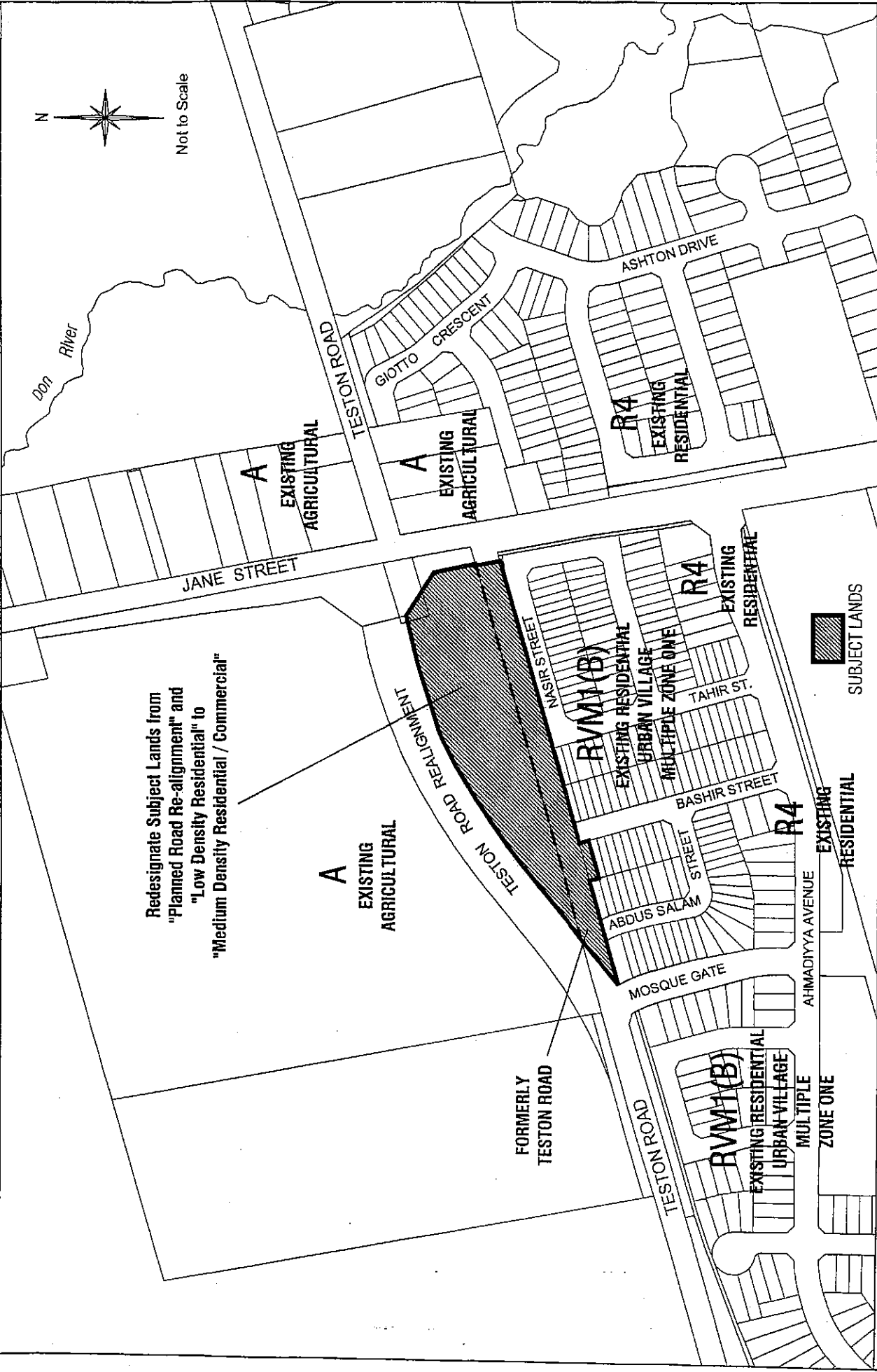
Development Planning Department

Attachment 2

FILE No.:
 OP_05_021,
 Z_05_043,
 & 19T-05V08
 June 15, 2006



Not to Scale



Redesignate Subject Lands from
 "Planned Road Re-alignment" and
 "Low Density Residential" to
 "Medium Density Residential / Commercial"

A
 EXISTING
 AGRICULTURAL

FORMERLY
 TESTON ROAD

 SUBJECT LANDS

Proposed Official Plan

Part of Lot 26,
 Concession 5
 APPLICANT: PIANORA HOLDINGS CORP.
 C/O SOLMAR DEVELOPMENT CORPORATION

MAP 05.021.05.043



Development Planning Department

Attachment 3

FILE No.:
 OP.05.021,
 Z.05.043,
 & 19T-05V08
 June 15, 2006

RVM1(A)

(Blocks 2 - 11)

RVM1(B)

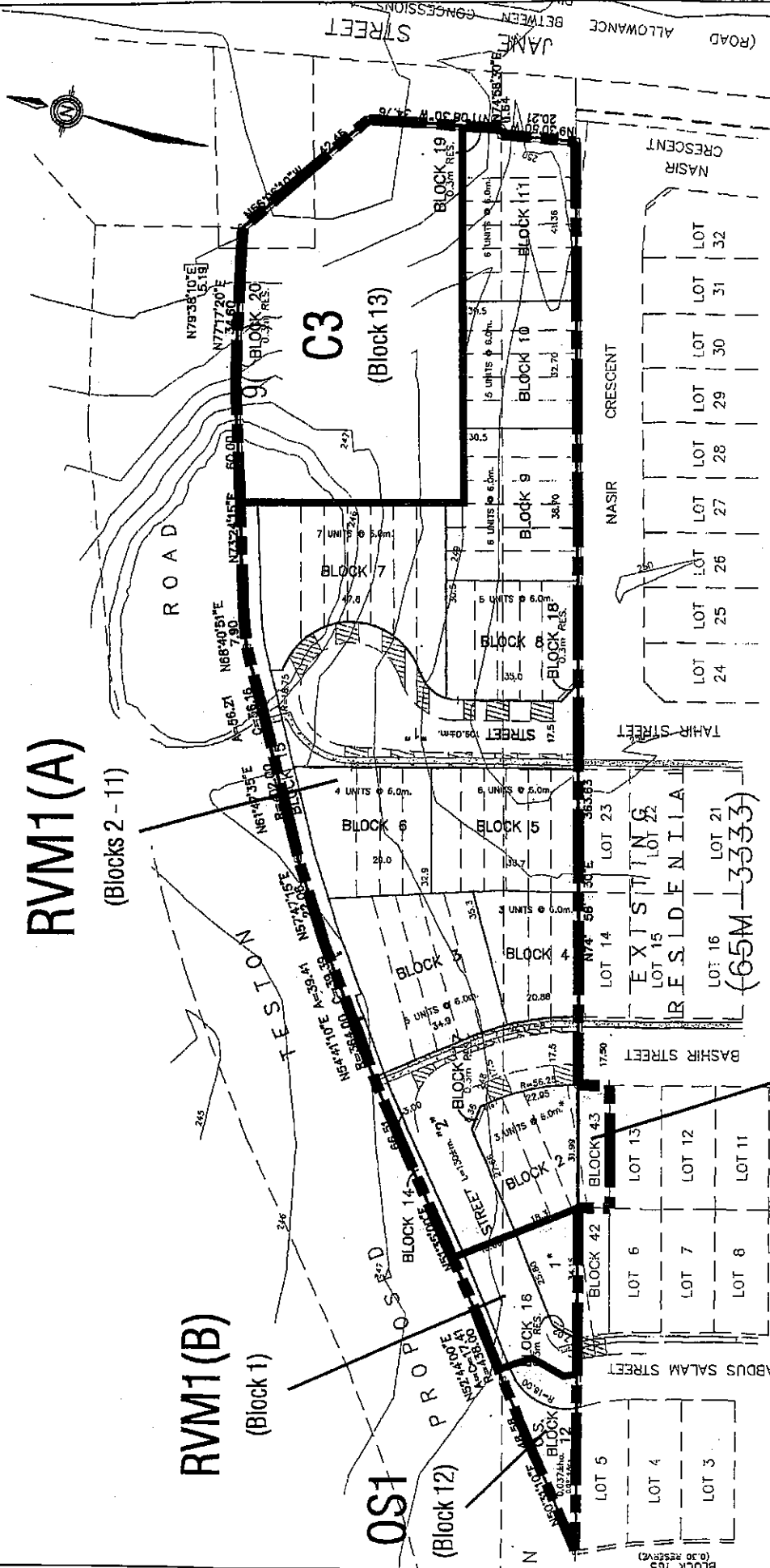
(Block 1)

OS1

(Block 12)

C3

(Block 13)



LEGEND

- C3 = Local Commercial
- RVM1(A) = Residential (Semi-Detached)
- OS1 = Open Space (Buffer)

SUBJECT LANDS



Not to Scale

Proposed Zoning Schedule

Part of Lot 26,
Concession 5
APPLICANT: PIANORA HOLDINGS CORP.
C/O SOLMAR DEVELOPMENT CORPORATION



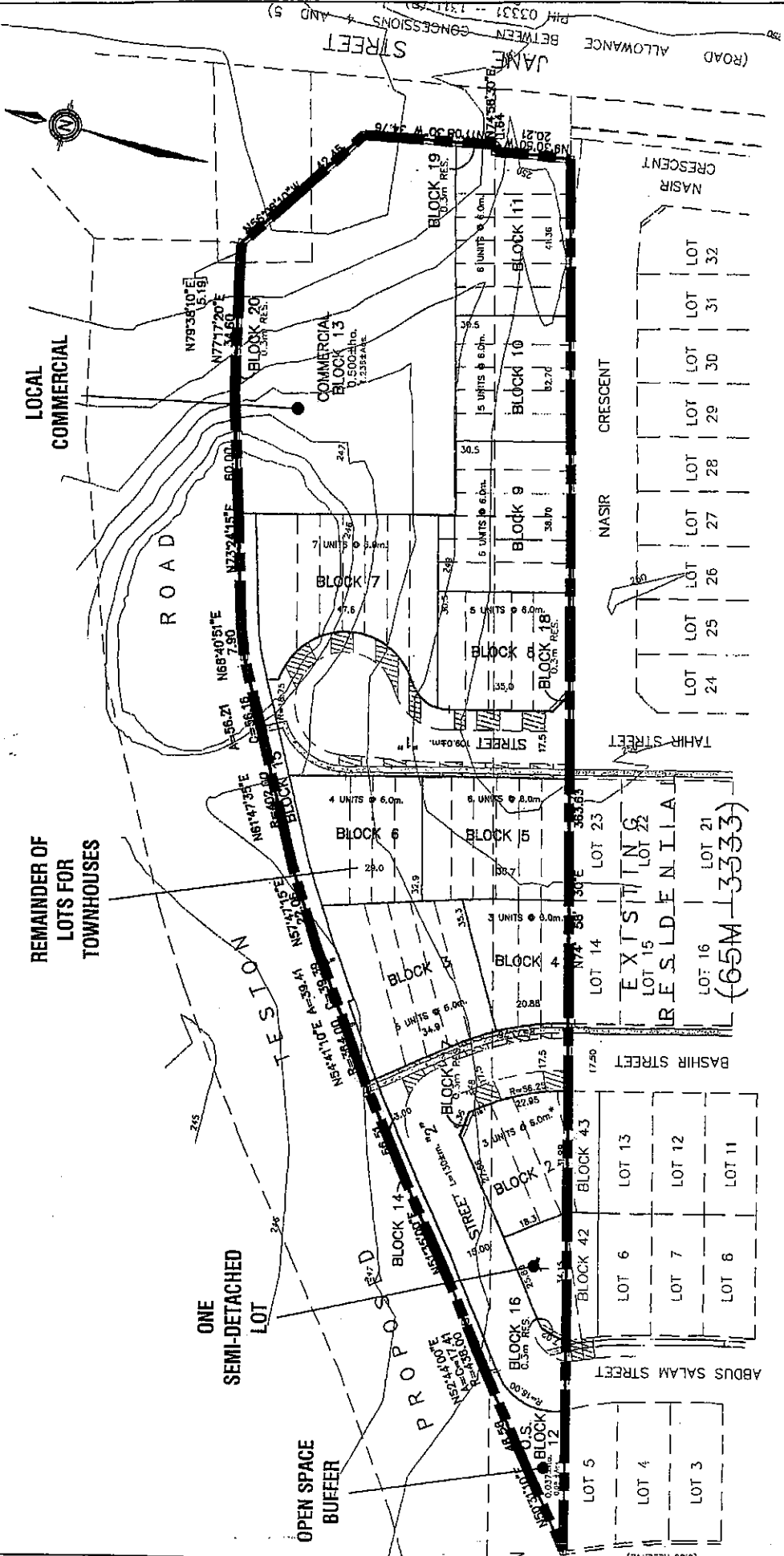
Development Planning Department

Attachment

4

FILE No.:
OP.05.02.1,
Z.05.04.3,
& 19T-05V/08
June 15, 2006

N:\DFT\1 ATTACHMENTS\OP.05.02.1z.05.04.3



Not to Scale

SUBJECT LANDS

Draft Plan of Subdivision

Part of Lot 26
Concession 5
APPLICANT: PIANORA HOLDINGS CORP.
C/O SOLMAR DEVELOPMENT CORPORATION

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Development Planning Department

Attachment 5

FILE No.:
OP.05.021,
Z.05.043,
& 19T-05V/08
June 15, 2006

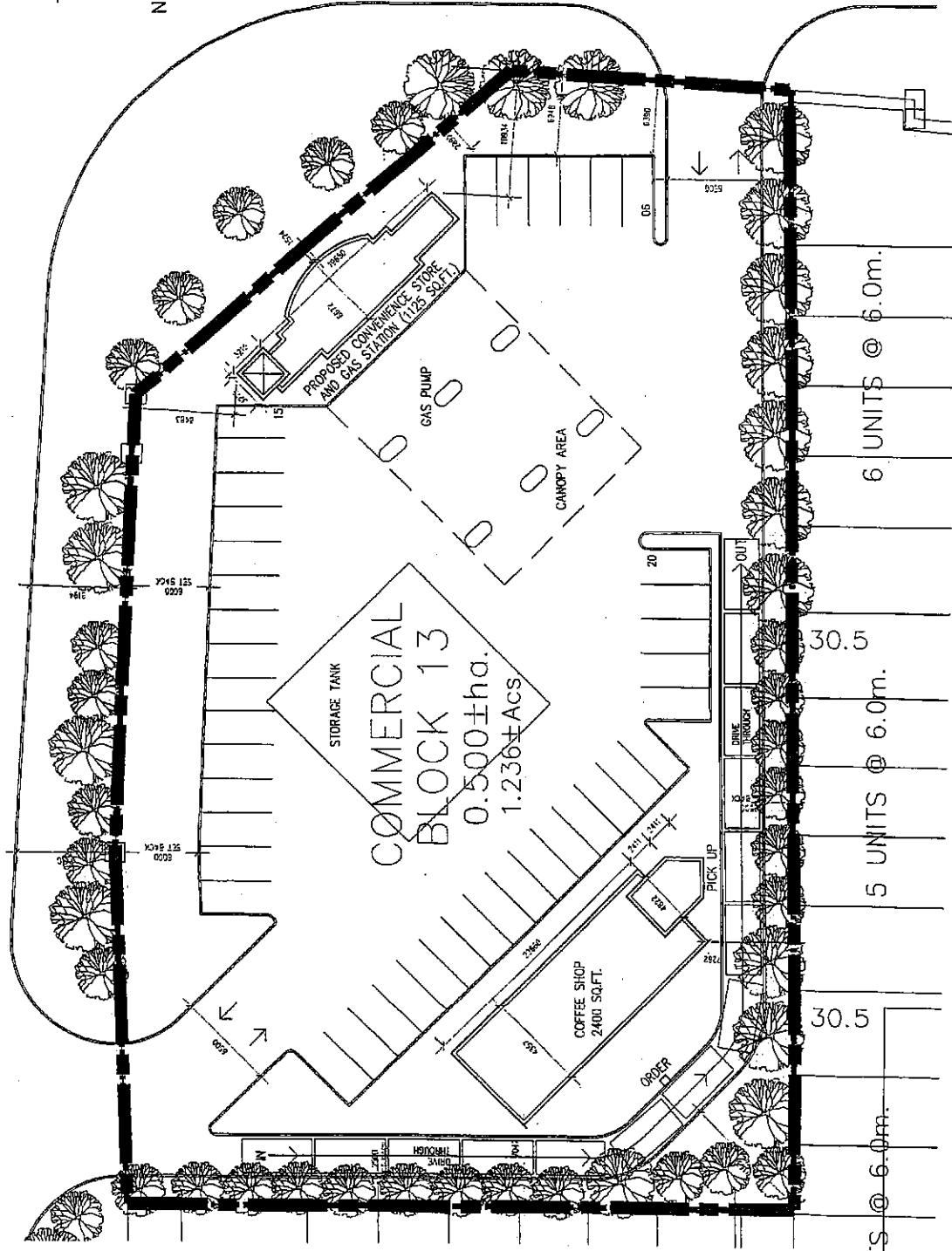
TESTON ROAD



Not to Scale

JANE STREET

Not to Scale



— — — — —
SUBJECT LANDS

Concept Site Plan

Part of Lot 26,
Concession 5
 APPLICANT: PIANORA HOLDINGS CORP.
 C/O SOLMAR DEVELOPMENT CORPORATION
 M:\DFT\1 ATTACHMENTS\OP\05.05.021.05.043



Development Planning Department

Attachment

6

FILE No.:
 OP.05.021,
 Z.05.043,
 & 19T-05V08
 June 15, 2006