

COMMITTEE OF THE WHOLE JUNE 19, 2006

**ZONING BY-LAW AMENDMENT FILE Z.05.041
DRAFT PLAN OF SUBDIVISION FILE 19T-05V06
RUTHERFORD CONTWO INVESTMENTS LTD.
REPORT #P.2005.52**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.05.041 (Rutherford Contwo Investments Ltd.) BE APPROVED, to rezone the subject lands shown on Attachment #5, from A Agricultural Zone to the following zone categories in order to implement the draft plan of subdivision 19T-05V06:
 - a) Lots 1-3 inclusive; 5-43 inclusive; 52-55 inclusive; 60-170 inclusive and 204-220 inclusive; 236 and 237 will be zoned RVM1 (B) Residential Urban Village Multiple Zone One, with the addition of the Holding Symbol (H);
 - i) Blocks 228-239 inclusive will be zoned to RVM1 (A) Residential Urban Village Multiple Zone One, with the addition of the Holding Symbol (H);
 - ii) Lot 4; Lots 44-51 inclusive; Lots 56-59 inclusive; Lots 27-32 inclusive; 171-203 inclusive will be zoned to RVM1(WS-B) Residential Urban Village Multiple Zone One (Wide/Shallow Lots), with the addition of the Holding Symbol (H);
 - iii) Blocks 243-252 inclusive; and Block 255 will be zoned to RV4 Residential Urban Village Zone Four, with the addition of the Holding Symbol (H);
 - iv) Lots 221-227 inclusive will be zoned to RV4(WS) Residential Urban Village Zone Four (Wide/Shallow Lots), with the addition of the Holding Symbol (H);
 - v) Blocks 256 and 257 will be zoned OS2 Open Space Park Zone;
 - vi) Block 258 will be zoned OS1 Open Space Conservation Zone; and
 - vii) Part of Block 259 will be zoned OS5 Open Space Environmental Protection Zone.
 - b) Prior to the removal of the Holding Symbol "(H)", the 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.
2. THAT the Owner enter into an agreement (to be registered on title) with the City of Vaughan indicating that the lots and blocks to be developed with residential uses will not be offered for sale to an end user by the Owner or purchasers until servicing capacity has been allocated to the satisfaction of the City.
3. THAT Draft Plan of Subdivision File 19T-05V04 (Rutherford Contwo Investments Ltd.) as shown on Attachment #4, BE APPROVED, as red-lined, subject to the conditions set out in Attachment #1 to this report.

4. THAT for the purpose of notice, the implementing subdivision agreement for Draft Plan of Subdivision 19T-05V06 (Rutherford Contwo Investments Ltd.) shall contain a provision that the Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% 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.
5. THAT the following street names for Draft Plan of Subdivision File 19T-05V06 (Rutherford Contwo Investments Limited), as shown on Attachment #4, BE APPROVED:

<u>STREET</u>	<u>PROPOSED NAME</u>
Street '1'	Apple Blossom Drive (existing)
Street '2'	Pleasant Ridge Avenue (existing)
Street '3'	Mary Ellen Baker Court
Street '4'	Mintwood Road (existing)
Street '5'	Foxwood Road (existing)
Street '6'	Balsamwood Road (existing)
Street '7'	Santa Amato Crescent
Street '8'	D'Eva Drive
Street '9'	Borjana Boulevard
Street '10'	Spring Arbour Road (previously approved, 19T-90008)
Street '11'	Redmond Drive (previously approved, 19T-90008)

Economic Impact

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

Purpose

The Owner has submitted the following applications to:

1. Amend Zoning By-law 1-88 to rezone the subject lands shown on Attachment #1 from A Agricultural Zone and OS5 Open Space Environmental Protection Zone to RV4 Residential Urban Village Zone Four, RV4(WS) Residential Urban Village Zone Four (Wide/Shallow Lots), RVM1(A) Residential Urban Village Multiple Dwelling Zone One (Street Townhouses), RVM1(B) Residential Urban Village Multiple Dwelling Zone One (Semi-Detached), RVM1(WS-B) Residential Urban Village Multiple Dwelling Zone One (Wide/ Shallow Lots), OS1 Open Space Conservation Zone, OS2 Open Space Park Zone, and OS5 Open Space Environmental Protection Zone.
2. Approval of a Draft Plan of Subdivision for the Rutherford Contwo Investments Ltd. lands shown on Attachment #4, consisting of the following:
 - 194 detached units, 70 semi-detached units, 48 townhouse units, 13 part blocks (for use as detached units)
 - 0.066ha for use as a historic burial ground
 - 2.614ha for use as the Carrville District Centre
 - 1.324ha for a school/institutional use
 - 1.069 ha for use as a park
 - 2.235 ha for use as a stormwater management pond
 - 3.764 ha for valley lands

Background - Analysis and Options

The subject lands as shown on Attachment #2 are located on the south and east sides of Rutherford Road and Dufferin Street, respectively, in Block 10, being Part of Lot 15, Concession 2, in the City of Vaughan. The 21.445ha site has 374.3m frontage along Rutherford Road, and a depth of 397m.

The site is designated "Low Density Residential", "Medium Density Residential/Commercial" and "Valley Lands" by OPA #600. The northwest quadrant of the subject lands as shown on Attachment #1 is also designated "Settlement Area" by OPA No. 604 (Oak Ridges Moraine Conservation Plan). The Block 10 Plan as shown on Attachment #3 further defines the land uses as low and medium density residential, open space, stormwater management pond facility, neighbourhood park and separate school. The subject lands are zoned A Agricultural Zone and OS5 Open Space Environmental Protection Zone by By-law 1-88. The surrounding land uses are:

- North - Rutherford Road; approved draft plan of subdivision 19T-95066 (Nine-Ten West Limited), single detached dwelling (A Agricultural Zone)
- South - vacant/future park (OS2 Open Space Park Zone), and future residential (RV4 Residential Urban Village Zone Four, RVM1(WS-B) Zone)
- East - residential (RV3(WS) Residential Urban Village Zone Three (Wide/Shallow Lots), RV4 Residential Urban Village Zone Four, RVM1 (A) Residential Urban Village Multiple Zone One)
- West - other lands owned by the applicant (Carrville District Centre), (A Agricultural Zone, OS5 Open Space Environmental Protection Zone), Dufferin Street; residential (RVM1 (A) Residential Urban Village Multiple Zone One); vacant/future commercial (presently A Agricultural Zone)

Public Hearing

On August 26, 2005, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. Written comments were received from local residents. The following issues were raised in the written submissions:

- opposition to the proposed 475 residential apartment units within the Carrville District Centre;
- multiple storey residential apartments is out of scale with the existing developments in the area and is esthetically unpleasing;
- both Rutherford Road and Dufferin Street require 3 lanes per direction and turning lanes. A condition of approval should be the dedication of lands and funds to be used for a road widening; and
- opposition to the location of the school site as it would impact the existing residents quality of life.

The recommendation of the Committee of the Whole, to receive the Public Hearing report of September 19, 2005, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on September 25, 2005.

The applicant has requested that the draft plan of subdivision be red-lined as shown on Attachment #4, to exclude the "District Centre" lands at the northwest corner of the Plan, which will be addressed separately in the future.

Block 10 Plan

On July 12, 1999, Council adopted the July 5, 1999 Committee of the Whole report approving the Block 10 Plan, subject to 9 conditions to be addressed through the draft plan process. The conditions were addressed to the satisfaction of Council through the approval process for draft plans of subdivision applications made by the participating landowners. All draft plans within Block 10 have been approved and registered.

Block 10 is located within the community of "Carrville Urban Village 2" and bounded by Rutherford Road to the north, Regional Road No.7 to the south, Dufferin Street to the west and Bathurst Street to the east as shown on Attachment #3.

The Block 10 Plan provides primarily low and medium density residential development for most of the Block, which is comprised of single and semi detached units and townhouse units. The Block 10 Plan was approved with a total of 5,360 units. High Density development in the Carrville District Centre forms the high density housing stock in the area. The Block 10 plan provides for four elementary schools and one high school, as well as 7 neighbourhood parks, 3 of which are located adjacent to the elementary schools. Neighbourhood Commercial sites are located at the end of the primary roads along the major arterials bounding the block.

The Carrville District Centre is located at the northwest corner of Block 10 as shown on Attachments #3 and #4. These lands were initially part of Draft Plan of Subdivision 19T-05V06, but through the application process Blocks 254 and 259 (as shown on Attachment #4) were excluded and will be dealt with in the future through a separate application process. The subject draft plan of subdivision (see Attachment #4) was not one of the original participating landowners. However, notwithstanding the incomplete participation of the landowners, the non-participating landowners were kept informed during the course of the Block Plan development process and any comments received were incorporated into the final block plan where possible.

The Block Plan (Attachment #3) differs slightly with the proposed draft plan of subdivision as shown on Attachment #4 to reflect a change in the road pattern. The change is located in the northeast corner of the draft plan. Due to the existence of a burial ground (Block 253 on Attachment #4), Street #3 has been reconfigured to delete the laneway as shown on Attachment #3 and replace it with an "L" shaped public road ending in a cul-de-sac (see Attachment #4). The Development Planning Department and Engineering Department has reviewed this change to the Block Plan layout, which plans around the burial site, which will be respectfully marked and landscaped.

Oak Ridges Moraine

The subject lands are partially located within the Oak Ridges Moraine Conservation Plan (ORMCP) as shown on Attachment #2 and are designated "Settlement Area". The subject application (File 19T-05V06) was submitted July 29, 2005 after the November 17, 2001, enactment date of the Act, and therefore is required to demonstrate conformity to the ORMCP. The draft plan of subdivision and the related zoning by-law amendment application (File Z.05.041) are both subject to the provisions of the Act and are required to demonstrate conformity.

An Oak Ridges Moraine Report was submitted and reviewed by the Development Planning Department and was found to conform to the policy requirements of the Oak Ridges Moraine Conservation Plan.

Official Plan

i) Land Use Designation

The subject lands shown on Attachment #4 are designated "Low Density Residential", "Medium Density Residential/Commercial" and "Valley Lands" by OPA No. 600. The northwest quadrant of the subject lands as shown on Attachment #2 is also designated "Settlement Area" by OPA No. 604 (Oak Ridges Moraine Conservation Plan). The approved Block 10 (see Attachment #3) Plan further defines the land uses as low and medium density residential, open space, stormwater management pond facility, neighbourhood park, and separate school.

ii) Density

The residential development permitted in the "Low Density Residential" designation includes detached and semi-detached dwellings. Street townhouses limited to 3-storeys are also permitted provide they do not exceed the permitted density for the designation. The maximum permitted net density for the "Low Density Residential" designation shall be 22 units per hectare, with a net density for all low density residential development in Block 10 Plan being 16 to 18 units per hectare. The proposed low density residential component is at a density of 20 units per hectare and in conformity with the Official Plan.

The "Medium Density Residential/Commercial" designation is generally located along major arterial roads and certain primary streets in order to enhance the transit supportiveness of the Plan. The character of the "Medium Density Residential/Commercial" areas shall be primarily residential with limited commercial uses located at grade level along transit routes to encourage and facilitate pedestrian movement. The minimum net residential density on any one site for medium density residential/commercial areas shall be 17 units per hectare with an average for the entire block in the range of 25 to 35 units per hectare. The medium density component is at a net density of 23.9 units per hectare and also conforms to the Official Plan.

iii) Carrville District Centre Plan (OPA No. 651)

The Carrville District Centre is intended to be the focus of the highest intensity land use within the Carrville Community. The Carrville District Centre is generally located at the intersection of Rutherford Road and Dufferin Street, in order to be accessible to pedestrians, private vehicles and public transit services from the neighbourhoods in the surrounding Carrville Community.

The applicant's 4.94 ha component of the District Centre is located adjacent to the proposed Draft Plan of Subdivision 19T-05V06 in the southeast quadrant of the Carrville District Centre. OPA No. 651 (Carrville District Centre Plan) was adopted by Council on May 23, 2006 and amends OPA No. 600 and established appropriate planning policy for the Carrville District Centre. OPA No. 651 redesignates the Carrville District Area of the subject lands from "Carrville District Centre" under OPA No. 600 to "High Density Residential", "Parks", "Valleylands/Woodlots" and "Mixed Use 2" by OPA No. 651.

As discussed earlier, the proposed plan of subdivision has been red-lined to exclude the "District Centre" lands as shown on Attachment #4, and to be addressed separately in the future.

Zoning

The lands are presently zoned A Agricultural Zone and OS5 Open Space Environmental Protection Zone. An amendment to the current zoning is required to implement the proposed draft plan of subdivision. The subject lands will be rezoned in accordance with the City of Vaughan's Urban Zone Standards set out in Schedule A1 of By-law 1-88, including RVM1(A) Residential Urban Village Multiple Zone One (Street Townhouse), RVM1(B) Residential Urban Village Multiple Zone One (Semi-Detached), RVM1(W-S-B) Residential Urban Village Multiple

Zone One (Wide/Shallow Lots), RV4 Residential Urban Village Zone Four, OS1 Open Space Conservation Zone, OS2 Open Space Park Zone and OS5 Open Space Environmental Protection Zone. All residential development within the Draft Plan will be zoned within the appropriate category and with an "H" Holding provision. The proposed zoning is shown on Attachment #5.

The "H" will be lifted pending the availability of servicing capacity and allocation. The proposed Draft Plan of Subdivision is presently within the Priority 3 category for allocation of servicing capacity.

Site-specific exceptions will be required for townhouse Blocks 233-235 inclusive and townhouse Blocks 238 and 239 as shown on Attachment #4. These townhouse blocks have frontage on two public streets. Exceptions will be required depending on the siting and orientation of the dwelling units and detached garages. The same situation occurs for Lots 236 and 237 due to both the front and rear of the semi-detached lots abutting public streets. In both situations, the dwellings will face Street 2 and Rutherford Road, with the garages facing Street 3.

The proposed elementary school block will be rezoned to RV4 Urban Village Zone Four, reflecting the zoning of the Block to the south in registered Plan 65M-3906. The two part blocks will be merged to create a single property.

The natural features and buffers, including tableland woodlots located within the draft plan on the Oak Ridges Moraine will be rezoned to OS5 Open Space Environmental Protection Zone. The proposed stormwater management pond Block 258 will be rezoned OS1 Open Space Conservation Zone. Blocks 256 and 257 will be rezoned OS2 Open Space Park Zone.

Subdivision Design

The draft plan has been prepared generally in accordance with the approved Block 10 Plan. The road pattern is designed to align with the road patterns of the adjacent registered plan, to the east and south being Plans 65M-3686 and 65M-3906 respectively as shown on Attachment #2.

The use of alternative road design standards is being proposed in this development within the Planning Block 10. The roads in the Plan shall be designed in accordance with the City's standards and criteria. Road access to the Plan is sufficient, and the construction access will be from Dufferin Street and/or Rutherford Road, subject to the Region of York and City's approval. Street "2", the extension of Pleasant Ridge Drive within the Block is to be aligned with Street 'B' in the draft Plan of Subdivision to the north (File 19T-95066) in Block 11. Streets "4", "5" and "6" are the extension of Mintwood Road, Foxwood Road and Balsamwood Road respectively, located in the adjacent subdivision (Registered Plan 65M-3686, Heatherwood Properties).

The Draft Plan provides for 194 single detached residential lots, with frontages ranging between 9.75m and 12.8m. Thirty-five semi-detached lots with a total of 70 units have been proposed with frontages ranging from 13.7m to 18.3m. Ten residential blocks have been sub-divided for a total of 48 residential street townhouse units with minimum lot frontage of 6m per unit. Proposed lot depths for the single detached lots range from a minimum 26.0m to 40.7m depth. The semi-detached lots range in depth from a minimum 30.5m to 43.1m. With respect to the proposed townhouse blocks the lot depths range from a minimum 30.5m to 36.2m.

The draft plan provides for 1 of the Block 10 Plan's four stormwater management ponds having an area of the 2.235 hectares and is situated between the valleylands and residential development.

As shown on Attachments #3 and #4, Blocks 256 and 257 are to be combined with the respective blocks to the south to create neighbourhood parks.

The existing Reaman Family burial ground is located on Block 253 as shown on Attachment #4. The Block will remain a landscaped undeveloped area parkette within the Draft Plan of Subdivision.

Block 255 will also be combined with the lands to the south to create a single block for an institutional (elementary school) use (see Attachments #3 and 4).

Block 254 comprises the District Centre and the abutting Block 259 is valleyland.

Vaughan Engineering Department

The Engineering Department has completed its review of the Draft Plan of Subdivision File 19T-05V06 and advises of the following:

i) Environmental Site Assessment

An Environmental Site Assessment was required and provided by the applicant for review with respect to the subject lands. The City's Environmental Engineer has reviewed and approved the Remediation Action Plan that is required for the entire site and has cleared the plan of subdivision for draft approval.

ii) Engineering Services

The municipal services for this development shall be in accordance with the approved M.E.S.P. for Block 10.

iii) Water Supply

Draft Plan of Subdivision 19T-05V06 is part of the Pressure District No. 6 of the York Water Supply System. The Plan can be serviced through the existing 150mm watermain on Spring Arbour Road, 400mm watermain on Pleasant Ridge Avenue, 150mm watermain on Mintwood Road, 150mm watermain on Foxwood Road, 150mm watermain on Balsamwood Road and the proposed 600mm watermain on south side of Rutherford Drive that to be constructed as part of Block 11 spine services.

iv) Sanitary Servicing

The Plan is tributary to Bathurst Collector System. The Plan can be serviced through the existing 250mm sanitary sewer on Apple Blossom Road, 200mm sanitary sewer on Mintwood Road, 200mm sanitary sewer on Foxwood Road and 200mm sanitary sewer on Balsamwood Road Storm Drainage.

v) Storm Drainage

The Plan contains a Stormwater Management (SWM) facility that will control stormwater runoff from the Plan and the external lands to the south (19T-90008, Phase 2 – Dufferin Contwo Subdivision). The external lands to the south are controlled by an interim temporary SWM facility that is located in the District Centre within the Plan. The interim temporary SWM facility will be removed after the permanent SWM facility is constructed.

The minor and major flows will be conveyed primarily through the proposed road allowances and ultimately drain into the SWM facility.

vi) 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 322 residential units has been assigned to this development application for allocation. 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.

Urban Design

The Development Planning Department is satisfied with the proposed Draft Plan subject to the conditions of draft plan approval set forth in Attachment #1.

The Block 10 Master Landscape Plan, Urban Design Guidelines and Architectural Control Guidelines have all been approved prior to the submission of Draft Plan of Subdivision 19T-05V06.

Archaeological Assessment

The Ministry of Culture, Heritage Unit has reviewed and approved the Archaeological Assessment conducted for the subject lands. To date, a partial clearance of the archeological concerns has been provided in all parts of the subject lands with the exception of a buffer area established around the Reaman Family Burial Ground, which is controlled by provisions of the Cemeteries Act.

Region of York

The Region of York has no objections to the approval of the proposed subdivision, subject to the conditions of approval set forth in Attachment #1.

In accordance with York Region's new servicing protocol, all residential lands shall be subject to restrictions including the placing of an "H" Holding Provision on the lands to ensure that the water and sewer servicing are available and allocated prior to occupancy. The restrictions required as conditions of the new servicing protocol are outlined in the required pre-condition agreement to be entered into by the Applicant and the City.

Prior to or concurrent with the draft plan approval, the Owner shall enter into an agreement with the City of Vaughan, which shall be registered on title, 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 at least 12 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 or infrastructure; or,
- The Regional Commissioner of Transportation and Works confirms servicing allocation for this development by a suitable alternative method.

Other Comments

Canada Post, PowerStream, the York Catholic District School Board, and the Toronto and Region Conservation Authority have advised that they have no objections to Draft Plan of Subdivision 19T-05V06, subject to conditions of approval set out 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 proposed applications to amend the Zoning By-law and for approval of Draft Plan of Subdivision 19T-05V06 in accordance with the applicable policies of the Official Plan and the requirements of the Zoning By-law, the Block 10 Plan and the area context. The proposed Draft Plan of Subdivision consisting of 194 single detached units, 70 semi-detached units, 48 townhouse units and 13 part blocks, as well as 1 stormwater management pond, 2 park blocks and a school block, as shown on Attachment #4 is an appropriate form of development for the subject lands and conforms to the policies set forth in OPA No. 600. Furthermore, the proposed plan is consistent with the overall pattern of development established in Block 10.

The Development Planning Department can support the approval of the Zoning By-law Amendment Application and the proposed Draft Plan of Subdivision as red-lined, to exclude the Carrville District Centre, subject to the conditions of approval set out in Attachment #1.

Attachments

1. Conditions of Draft Approval
2. Location Map
3. Approved Block 10 Plan
4. Draft Plan of Subdivision 19T-05V06, as red-lined
5. Proposed Zoning

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-05V06
RUTHERFORD CONTWO INVESTMENTS LIMITED
LOT 15, CONCESSION 2, CITY OF VAUGHAN**

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION 19T-05V06, 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 #-06:05, dated June 2, 2006, and redlined by the City of Vaughan, dated June 19, 2006, in the following manner:
 - exclude the District Centre lands.
2. The lands within this Plan shall be appropriately zoned by a zoning by-law which has come into effect in accordance with the provisions of The Planning Act. Particular zoning categories to be applied are as follows:
 - a) Lots 1-227 inclusive, 236 and 237; Part Blocks 243-252 inclusive; Blocks 228-235 inclusive; 238 and 239 are subject to an "H" Holding provision, to be removed upon satisfaction of the conditions of the Holding provision, including confirmation from the Region of York that water and sanitary servicing capacity is available to service these lots, or part therefore, in accordance with the Vaughan Development Charge Credit Agreement.
 - b) The implementing by-law shall zone the remainder of the subject lands utilizing the following zone categories:
 - RVM1 (WS-B) Residential Urban Village Multiple Zone One (Wide Shallow Lots);
 - RVM1 (A) Residential Urban Village Multiple Zone One (Townhouse);
 - RVM1 (B) Residential Urban Village Multiple Zone One;
 - RV4 Residential Urban Village Zone Four;
 - OS1 Open Space Conservation Zone;
 - OS2 Open Space Park Zone; and
 - OS5 Open Space Environmental Protection Zone
3. The Owner shall pay any and all outstanding application fees to the Development Planning Department, in accordance with Tariff of Fees By-law 89-2006.
4. Prior to final approval of any part of the Plan, the Owner shall submit a revised Block Plan, if required, to reflect any significant alterations caused from this draft plan approval.

5. The Owner shall enter into a subdivision agreement with the City to satisfy all financial and other conditions, with regard to such matters as the City may consider necessary, including payment of development levies and the woodlot development charge, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
6. The Owner shall agree to create easements for maintenance purposes for all lots providing less than 1.2 m side yards, or having roof encroachments, prior to transfer of land.
7. Prior to final approval, easements required for utility, drainage and construction purposes shall be created and granted to the appropriate authority(ies), free of all charge and encumbrances.
8. The Owner shall agree that on lots with flankages on the collector or primary roads, as identified by the Architectural Design Guidelines and the City, a front elevation featuring a main entrance or in some cases an upgraded elevation shall face the flankage. The flankage elevation for such lots shall be approved by the Control Architect and the Development Planning Department, prior to issuance of a building permit.
9. The Owner shall agree that all lots or blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing.
10. Prior to final approval of the plan of subdivision, and prior to the initiation of any grading to any lands included in the plan of subdivision, a preliminary archeological evaluation of the entire area within the proposed plan of subdivision shall be carried out at the Owner's expense, and the same report shall identify any significant archeological sites found as a result of the assessment. The archeological assessment report shall be carried out by a licenced archeologist and prepared according to the Ministry of Citizenship, Culture and Recreation's (Heritage Operations Unit) approved Archeological Assessment Technical Guidelines, dated 1993. The archeological assessment shall be submitted to the municipality and the Ministry for review and approval.
11. Prior to final approval, or registration of a development application or plan of subdivision, the Owner by way of development application or subdivision agreement, shall agree that no development or grading shall occur on any site identified as being archeologically significant as a result of the archeological evaluation carried out on the property, until such time as a protective and mitigative measure of all significant archeological sites have been fulfilled to the satisfaction of the Ministry of Citizenship, Culture and Recreation (Archeological Unit) and the municipality.
12. Prior to final approval, the Owner shall complete a Cultural Heritage Resources Impact Assessment and the Owner shall discuss with the Cultural Services Department how they propose to address the recommendations and mitigative options in the assessment.

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

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

a) within the entire subdivision plan;

- "Purchasers and/or tenants are advised that the proposed finished lot and/or block grading may not meet City of Vaughan lot grading criteria in certain areas, to facilitate preservation of existing vegetation and to maintain existing adjacent topographical conditions."
- "Purchasers and/or tenants are advised that traffic-calming measures may have been incorporated into the road allowance."
- "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 landscape 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 a 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."

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

- "Purchasers and/or tenants are advised that the adjacent open space, woodlot or stormwater management pond 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 lots abutting "Neighbourhood Park", and that noise and lighting should be expected from the designed active use of the park."

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

- The block plan for the broader area, showing surrounding land uses, arterials/highways railways and hydro lines etc.
- The location of street utilities, community mailboxes, entrance features, fencing and noise attenuation features, together with the sidewalk plan approved in conjunction with draft plan approval.
- The location of parks, open space, stormwater management facilities and trails.

- The location of institutional uses, including schools, places of worship, community facilities.
- The location and type of commercial sites
- Colour-coded residential for singles, semis, multiples, and apartment units.
- The following notes in BOLD CAPITAL TYPE on the map:

“For further information, on proposed and existing land uses, please call or visit the City of Vaughan Development Planning Department, at 2141 Major Mackenzie Drive, (905)832-8585.”

“For detailed grading and berming information, please call the developer’s engineering consultant, (name) at _____.”

(In such circumstances, the Owner is responsible for updating the map and forwarding it to the City for verification.)

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

15. When the Owner and the City determine that the Owner will develop the park block(s), the Owner shall agree that the design, securities and construction for the park(s) will be addressed through an agreement in accordance with the City’s “Developer Build/Parks Development Policy, OPA No. 600 and future lands.”
16. When 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 condition, and shall fulfill relevant conditions of that prior to issuance of a building permit.
17. Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit a topsoil storage plan detailing the locations, size, side slopes, stabilization methods and time period, for approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either park or school blocks.
18. The Owner shall permit any telephone or telecommunications service provider to locate its plant in a common trench within the proposed Plan of Subdivision prior to release of the plan for registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its plant so as to permit connection to individual dwelling units within the subdivision as and when each dwelling unit is constructed.
19. 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 lots(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 (b) shall be conclusively deemed to be other applicable law for the purposes of Subsection 8(1) 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.
20. 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.
 21. The road allowances included within this draft plan of subdivision shall be dedicated as public highways without monetary consideration and free of all encumbrances.
 22. The road allowances included within this draft plan of subdivision shall be named to the satisfaction of the City and the Regional Planning Department.
 23. 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.
 24. 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.
 25. The Owner shall agree in the subdivision agreement that construction access shall be provided only in a location approved by the City.
 26. 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.

27. 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.
28. Prior to the initiation of grading, and prior to the registration of this draft plan of subdivision or any phase thereof, the Owner shall submit to the City for review and approval the following:
 - a) a detailed engineering report that describes the storm drainage system for the proposed development within this draft plan, which report shall include:
 - a) plans illustrating how this drainage system will tie into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
 - b) the location and description of all outlets and other facilities;
 - c) stormwater management techniques which may be required to control minor or major flows; and
 - d) proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction.

The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned reports to the satisfaction of the City.

29. 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.
30. 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.
31. Prior to final approval, an environmental noise impact study, prepared at the Owner's expense, shall be submitted to the City for review and approval. The preparation of the noise report shall include the ultimate traffic volumes associated with the surrounding road network. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in the approved noise report to the satisfaction of the City.
32. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots and/or Blocks within the Plan:

"Purchasers and/or tenants are advised that despite the inclusion of noise control features within the development area and within individual units, noise levels from construction activity may continue to be of concern occasionally interfering with some activities of the building occupants."

33. 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.
34. Prior to final approval of the Plan, the approved Remediation Action Plan shall be implemented and the site shall be remedied in accordance with the appropriate standards and to the satisfaction of the City.
35. 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.
36. Prior to final approval of the Plan, the Owner's Consultant shall certify that the internal roads within this plan have been designed to coincide and correspond with the pattern and layout of the existing and/or proposed adjacent plans of subdivision.
37. Prior to final approval of the Plan, the Owner shall prepare an overall Traffic Management Plan for Block 10 that reflects the latest road network and includes traffic calming measures, traffic control and transit routes to the satisfaction of the City.
38. Prior to final approval of the Plan, all appropriate revisions to the Block Plan and reports for Block 10, if required, shall be completed to the satisfaction of the City.
39. Prior to final approval of the Plan, the Owner shall enter into a Developers' Group Agreement with the other participating landowners within Block 10 to the satisfaction of the City. The agreement shall have regard, but not be limited to all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services within Block 10. This agreement shall also provide a provision for additional developers to participate with the Developers Group Agreement when they wish to develop their lands.
40. Prior to final approval of the Plan, the Trustee for Block 10 shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of Block 10 Developers Group Agreement.
41. Prior to the issuance of a building permit for a site plan on any block within the plan, the Owner shall submit for review and approval a Phase II Environmental Site Assessment Report in accordance with the Ontario Regulation 153/04 (formally known as Ministry of Environment's Guidelines for Use at Contaminated Sites in Ontario), and the City's Guideline, Phase II Environmental Assessment, Proposed Parkland, City of Vaughan for the park block located within the plan, to the satisfaction of the City. Required 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.

In the event that remediation is required, a Remediation Action Plan will be submitted for review and approval by the City and an acknowledged Record of Site Condition shall be received from the Owner prior to issuance of a building permit.

The Owner shall carry out or cause to be carried out the recommendations contained in the report(s) and ensure that adequate field inspection is provided to validate the recommendations in the Phase II Environmental Site Assessment to the satisfaction of the City.

The Owner shall reimburse the City for the cost of the City's peer review of the environmental site assessment report(s).

42. Prior to transfer of any Lot and Block on the Plan or after the construction of the permanent stormwater management facility, whichever comes first, the Owner shall remove the temporary interim stormwater management facility on Block 254 to the satisfaction of the City.
43. Prior to transfer of residential lots abutting open space lands, park and public walkway, the Owner shall erect a permanent 1.5m high black vinyl chain link fence along the limits of residential lots where they abut open space lands, park and public walkway to the satisfaction of the City.
44. Prior to transfer of residential lots abutting a school, the Owner shall erect a permanent 1.5m high galvanized chain link fence along the limits of residential lots where they abut a school to the satisfaction of the City.
45. 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.
46. 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.
47. The Owner shall agree in the subdivision agreement that all part Blocks and Lots within the Plan shall only be developed in conjunction with abutting part Blocks and Lots of adjacent draft plans of subdivision.
48. 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 Rutherford Road to the satisfaction of the City.
49. 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 Master Environmental Servicing Plan for Planning Block 10.
50. The Owner shall agree in the subdivision agreement to include the following warning clause in all Offers of Purchase and Sale or Lease for all Lots, Blocks and/or Dwelling Units within the Plan:

"Purchasers and/or Tenants are advised that the roads within the Plan may have been constructed using Alternative Development Standards. In April 1995, the Ministry of Housing and 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."

51. The Owner shall agree in the subdivision agreement to include the following warning clause in all Offers of Purchase and Sale or Lease for all Lots, Blocks and /or Dwelling Units within the Plan that front onto a primary road:

"Purchasers and/or Tenants are advised that Streets "1" and "2" are the primary roads in the development area, and are expected to support excess traffic, and transit routes in the future, if demand warrants."

52. The Owner shall agree in the subdivision agreement to include the following warning clause in all Offers of Purchase and Sale or Lease for Lots 30 to 32 inclusive and Lot 181 within the Plan in proximity of the Neighbourhood Park:

"Purchasers and/or tenants are hereby advised that the Lot abuts a Neighbourhood Park of which noise and lighting may be of a concern due to the nature of the Park for active recreation."

53. The Owner shall agree in the subdivision agreement to include the following warning clause in all Offers of Purchase of Sale or Lease for all Lots, Blocks and/or Dwelling Units within the Plan abutting any open space, woodlot or stormwater management facility:

"Purchasers and/or Tenants are advised that the adjacent open space, woodlot or stormwater management facility is designed for re-naturalization and therefore shall receive minimal maintenance."

54. The Owner shall agree in the subdivision agreement that:

- (a) Prior to final approval, architectural guidelines shall have been prepared in accordance with Council Policy and approved by Council;
- (b) All development shall proceed in accordance with the Council approved architectural design guidelines;
- (c) A control architect be retained at the cost of the Owner with concurrence of the City to ensure compliance with the architectural design guidelines;
- (d) Prior to the submission of individual building permit applications, the control architect shall have stamped and signed drawings certifying compliance with the approved architectural guidelines;
- (e) The City may undertake periodic reviews to ensure compliance with the architectural design guidelines. Should inadequate enforcements 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.

55. 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.
56. Prior to final approval, the Owner shall prepare a streetscape and open space landscape master plan in accordance with the approved Block 10 Urban Design Guidelines and OPA 600 policies, and the plan shall address but not be limited to the following issues:
 - Co-ordination of the urban design/streetscape elements as they relate to the approved urban design guidelines including entrance features, trail heads, medians and fencing;
 - Community edge treatments along Rutherford Road;
 - The appropriate configuration and landscape treatment of the stormwater management pond being Block 258;
 - Valleylands edge management rehabilitation planting, trails, bridge crossings, erosion repair sites and pedestrian access points into the valley;
 - The appropriate integration with the approved Block 10 Streetscape and Open Space Masterplan; and
 - The pedestrian urban connections between streets and within the neighbourhood.
57. 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.
58. The Owner shall convey Park Blocks 256 and 257 to the City free of all encumbrances for parkland purposes.
59. The Owner shall agree in the subdivision agreement, to include the following warning clause in all offers of lease, purchase or sale of lots that abut park blocks 256 and 257.

"Purchasers and/or tenants are advised that the lot abuts a Neighbourhood Park and noise and lighting may be of concern due to the nature of the park for active recreation".
60. Prior to final approval of the plan the Owner shall prepare a detailed edge management plan study for the perimeter of the valley/open space block 259. The study shall include an inventory of all existing trees within an 8 metre zone inside the staked edges, and areas where the woodlot/open space edges are disturbed, assessment of significant trees to be preserved and proposed methods of edge management and/or remedial

planting shall be included. The Owner shall not remove any vegetation without written approval by the City.

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

61. The Owner shall convey buffer Block 262 to the City free of all cost and encumbrances for landscaping purposes.
62. In the event that the Owner and the City agree that the Owner will develop Park Blocks 256 and 257, the Owner shall agree that the design, securities and construction for the Park will be addressed through an amending agreement in accordance with the "City Developer Build/Parks Development Policy."

Toronto and Region Conservation Authority (TRCA)

63. That the Owner submit a detailed engineering report for the review and approval of the TRCA that describes the storm drainage system (quantity and quality) for the proposed development of the subject lands. This report shall include:
 - plans illustrating how this drainage system will tie into surrounding drainage systems, *i.e.*, is it part of an overall drainage scheme? How will external flows be accommodated? What is the design capacity of the receiving system?;
 - stormwater management techniques which may be required to control minor or major flows;
 - appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat;
 - proposed method for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction;
 - location and description of all outlets and other facilities which may require a permit pursuant to Ontario Regulation 166/06 Development, Interference with Wetlands and Alterations to Shorelines and Watercourses;
 - overall grading plans for the subject lands.
64. That this draft plan of subdivision be subject to red-line revision in order to meet the requirements of Condition 63, if necessary.
65. That the valley and stream corridor and associated buffer blocks (Block 259, 264) be set aside for acquisition or dedication to either the TRCA or the City of Vaughan, free of all charges and encumbrances.

66. That the implementing zoning by-law recognize Open Space Blocks 259 and 264, in an open space, or other suitable zoning category, which has the effect of prohibiting development, to the satisfaction of the TRCA.
67. That the Owner fully implement the recommendations and design as outlined in the report entitled 'Functional Wetland Design Concept for the Rutherford Contwo Property', as prepared by Gartner Lee Limited, revised May 24, 2006, which will create a new functioning wetland (approximately 679 square metres) in lieu of the enclosure of the wetland adjacent to Dufferin Street (approximately 676 square metres), to the satisfaction of the TRCA.
68. That the Owner successfully obtain a permit under Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) and other regulatory approvals (i.e., Fisheries and Oceans Canada), in order to fulfill the requirements of Condition No. 67.
69. That prior to the final approval of the plan, the Owner shall prepare a detailed edge management/rehabilitation plan study for valley/open space blocks 259 and 264 (10 m development setback area), to the satisfaction of the TRCA and the City of Vaughan.
70. That the Owner submit a Water Balance for the subject lands, indicating how post-development infiltration rates are balanced against pre-development infiltration rates, to the satisfaction of the TRCA.
71. That the Owner agree in the subdivision agreement, in wording acceptable to the TRCA:
 - (a) to carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the technical report referenced in Condition 63;
 - (b) to maintain all stormwater management and erosion and sediment control structures operating and in good repair during the construction period, in a manner satisfactory to the TRCA;
 - (c) to obtain all necessary permits pursuant to Ontario Regulation 166/06 from the TRCA;
 - (d) to erect a permanent 1.8 m high black-vinyl chain link fence at the rear lot lines for Lots 39 - 59 inclusive and for the District Centre block (Block 254), to the satisfaction of the TRCA.

Region of York

72. 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-laws DC-0005-2003-050 and DC-0005(a)-2005-060.
73. 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.

74. Registration of the plan of subdivision shall occur in phases based on the availability of water supply and sewage servicing allocation.
75. 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.
76. 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.
77. 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.
78. In addition to Condition #75, it is required that both the Owner and City of Vaughan shall agree in the subdivision agreement that occupancy permits for any residential dwelling units shall not be applied for nor issued 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.
79. 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 'H' symbol has been lifted. The conditions for lifting the 'H' symbol 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.
80. The Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required The 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.

81. 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.
82. 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, siltation control plans, site grading and servicing, plan and profile drawings for the proposed intersections, construction access and mud mat design, utility location plans, pavement markings, electrical drawings for intersection signalization and illumination design, traffic control/construction staging plans and landscape plans.
83. Prior to final approval, the Owner shall provide a set of engineering drawings, approved by the area municipality, which indicates the storm drainage system, the overall grading plans and all proposed accesses onto Regional roads, for all lands within this plan of subdivision, to The Regional Municipality of York Transportation and Works Department for verification that all of York Region's concerns have been satisfied.
84. Prior to final approval and concurrent with the submission of the subdivision servicing application (MOE) to the area municipality, the Owner shall provide a set of engineering drawings, for any works to be constructed on or adjacent to the Regional road, to the Roads Branch, Attention: Manager, Development Approvals, that includes the following drawings:
 - (a) Plan and Profile for the Regional road and intersections;
 - (b) Grading and Servicing;
 - (c) Intersection/Road Improvements, including the recommendations of the Traffic Report;
 - (d) Construction Access Design;
 - (e) Utility Location Plans;
 - (f) Signalization and Illumination Designs;
 - (g) Line Painting;
 - (h) Traffic Control/Management Plans;
 - (i) Landscaping Plans, including tree preservation, relocation and removals.

85. The Owner shall provide drawings for the proposed servicing of the site to be reviewed by the Engineering Department of the area municipality. Three (3) sets of engineering drawings (stamped and signed by a professional engineer), and MOE forms together with any supporting information, shall be submitted to The Regional Municipality of York Transportation and Works Department, Attention: Mrs. Eva Pulnicki, P.Eng.
86. The location and design of the construction access for the subdivision work shall be completed to the satisfaction of The Regional Municipality of York Transportation and Works Department and illustrated on the Engineering Drawings.
87. 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.
88. Elevations along the streetline shall be 0.3 metres above the centreline elevations of the Regional roadway.
89. The Owner shall submit drawings depicting the following to the satisfaction of York Region staff:
 - a) All existing woody vegetation within the Regional Road right of way,
 - b) Tree protection measures to be implemented on and off the Regional Road right of way to protect right of way vegetation to be preserved,
 - c) Any woody vegetation within the Regional Road right of way that is proposed to be removed or relocated. However, it is to be noted that tree removal within Regional Road right's of way shall be avoided to the extent possible/practical. Financial or other compensation may be sought based on the value of trees proposed for removal.
 - 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.
90. 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.

91. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Regional Transportation and Works Department, that prior to the release of any security held by York Region in relation to this plan of subdivision, and where noise wall, window and/or oversized forced air mechanical systems are required, these features shall be certified by a professional engineer to have been installed as specified by the approved Noise Study and in conformance with the Ministry of Environment guidelines.
92. 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".
93. 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;
 - b) 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.
94. 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 Dufferin Street of sufficient width to provide a minimum of 18 metres from the centreline of construction of Dufferin Street, and
 - b) a 15.0 metre by 15.0 metre daylight triangle at the north and south corners of Dufferin Street and Street 1, and
 - c) an additional 2.0 metre widening, 40.0 metres in length, together with a 60.0 metre taper for the purpose of a northbound right turn lane at the intersection of Dufferin Street and Street 1,

- d) a widening across the full frontage of the site where it abuts Rutherford Road of sufficient width to provide a minimum of 18 metres from the centreline of construction of Rutherford Road, and
 - e) a 15.0 metre by 15.0 metre daylight triangle at the east and west corners of Rutherford Road and Street 2, and
 - f) an additional 2.0 metre widening, 40.0 metres in length, together with a 60.0 metre taper for the purpose of a eastbound right turn lane at the intersection of Rutherford Road and Street 2.
95. The Owner shall convey to The Regional Municipality of York a 0.3 metre reserve along the entire frontage of the site except at the approved access location, adjacent to the above noted widening, free of all costs and encumbrances, to the satisfaction of The Regional Municipality of York Solicitor.
96. In order to determine the property dedications (if any) required to achieve the ultimate right-of-way width 36.0 m abutting the subject site, the applicant shall submit a recent plan of survey for the property that illustrates the existing centre line of Rutherford Road and Dufferin Street.
97. The Regional Municipality of York requires the Owner of the site to conduct an environmental audit of the lands by a qualified professional in the field. The audit will contain the requirements of the Phase 1 Environmental Site Assessment, as per applicable Ontario standards, guidelines and regulations. Based on the findings of this assessment, The Regional Municipality of York may require further study to determine the remedial action required to remove the contaminants. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Regional Transportation and Works Department, to certify that all lands to be conveyed to The Regional Municipality of York are free of all noxious, deleterious materials on or under the surface. This certification shall be done at no cost to The Regional Municipality of York.
98. Direct vehicle access from lots to Rutherford Road and Dufferin Street will not be permitted. Access must be obtained through the internal road network.
99. Street 1 shall be designed to intersect Dufferin Street at a right angle and shall be located directly opposite Dufferin Hill Drive.
100. Street 2 shall be designed to intersect Rutherford Road at a right angle and shall be located directly opposite the proposed road in application D19-05.018V.
101. The intersection of Street 1 and Dufferin Street shall be designed to the satisfaction of The Regional Municipality of York Transportation and Works Department with any interim or permanent intersection works including turning lanes, profile adjustments, illumination and/or signalization as deemed necessary by The Regional Municipality of York Transportation and Works Department.
102. The intersection of Street 2 and Rutherford Road shall be designed to the satisfaction of The Regional Municipality of York Transportation and Works Department with any interim or permanent intersection works including turning lanes, profile adjustments,

illumination and/or signalization as deemed necessary by The Regional Municipality of York Transportation and Works Department.

103. The Owner shall agree in the subdivision agreement to construct a sidewalk along the subject land's "District Centre" frontage on Dufferin Street and Rutherford Road, as well as on the Rutherford Road frontage east of Street "2", to allow easy pedestrian access to existing and planned transit services. Sidewalks shall be constructed on both sides of the street unless only one side of the street lies within the limits of the subject lands.

Existing YRT/Viva transit services operate on the following roadway(s) in the vicinity of the subject lands:

- Dufferin Street
- Rutherford Road

104. Subject to approval by YRT, passenger standing area(s) and shelter pad(s) shall be provided at the following location(s):

ON Street	AT Street	Location	Standard	Traffic Signal Request
Rutherford Rd. (eastbound)	Street 2	SW	YRT-1.02 or YRT-1.03	Y
Dufferin St. (northbound)	Street 1	SE	YRT-1.02 or YRT-1.03	Y
Dufferin St. (northbound)	Rutherford Rd.	SE	YRT-1.02 or YRT-1.03	No – existing

The passenger standing area(s)/shelter pad(s) shall be provided at no cost to York Region and concurrent with construction of necessary sidewalks.

105. The Owner shall agree in the subdivision agreement that the passenger standing area(s) and/or shelter pad(s) shall be installed to the satisfaction of the area municipality and York Region Transit. Landscaping should not interfere with the bus stops, passenger standing areas, shelters or corner sightlines. Bus stops located in front of the employment areas shall be incorporated into the landscape design.

The bus stop location(s) determined during the design phase are subject to change. Prior to construction of the passenger standing area(s)/shelter pad(s), the consultant needs to confirm with YRT the final bus stop locations/requirements. The consultant shall contact YRT Facilities Supervisor - Ann Marie Carroll at (905)762-1282 ext. 5677 to confirm final details.

106. Prior to plan execution, the Owner shall submit drawings showing the sidewalk location(s), concrete pedestrian access, passenger standing area(s) and shelter pad(s), as applicable, for York Region Development Approval department's review and comments. The Owner shall agree in the subdivision agreement that the passenger standing area(s) and/or shelter pad(s) identified in Condition 2 shall be installed to the satisfaction of the area municipality and York Region Transit. Landscaping should not interfere with the bus stops, passenger standing areas, shelters or corner sightlines. Bus stops located in front of the employment areas shall be incorporated into the landscape design.

107. 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.
108. 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.
109. 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.
110. Future development of the District Centre Block 254 shall be subject to site plan approval and approval of the Official Plan Amendment.
111. The Owner shall agree in the Subdivision Agreement to affix a Holding (H) symbol on the District Centre Block 254 until such time as servicing allocation has been granted by the City and confirmed by the Region.

Canada Post

112. The Owner/Developer agrees to include in all offers of purchase and sale, a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
113. The Owner/Developer will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any home sale.
114. 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 and provide Canada Post with 2 copies of the utility co-ordination plan/site plan, for use in identifying our Community Mailbox location.
115. The Owner/Developer will provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:
 - (a) An appropriate sized sidewalk section (concrete pad) as per municipal standards and to Canada Post specifications to place the Community Mailboxes on.
 - (b) Any required walkway across the boulevard, as per municipal standards.
 - (c) Any required curb depressions for wheelchair access (to Canada Post Specifications).
116. The Owner/Developer further agrees to determine and provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail delivery to new residences as soon as the homes are occupied.

York Catholic District School Board

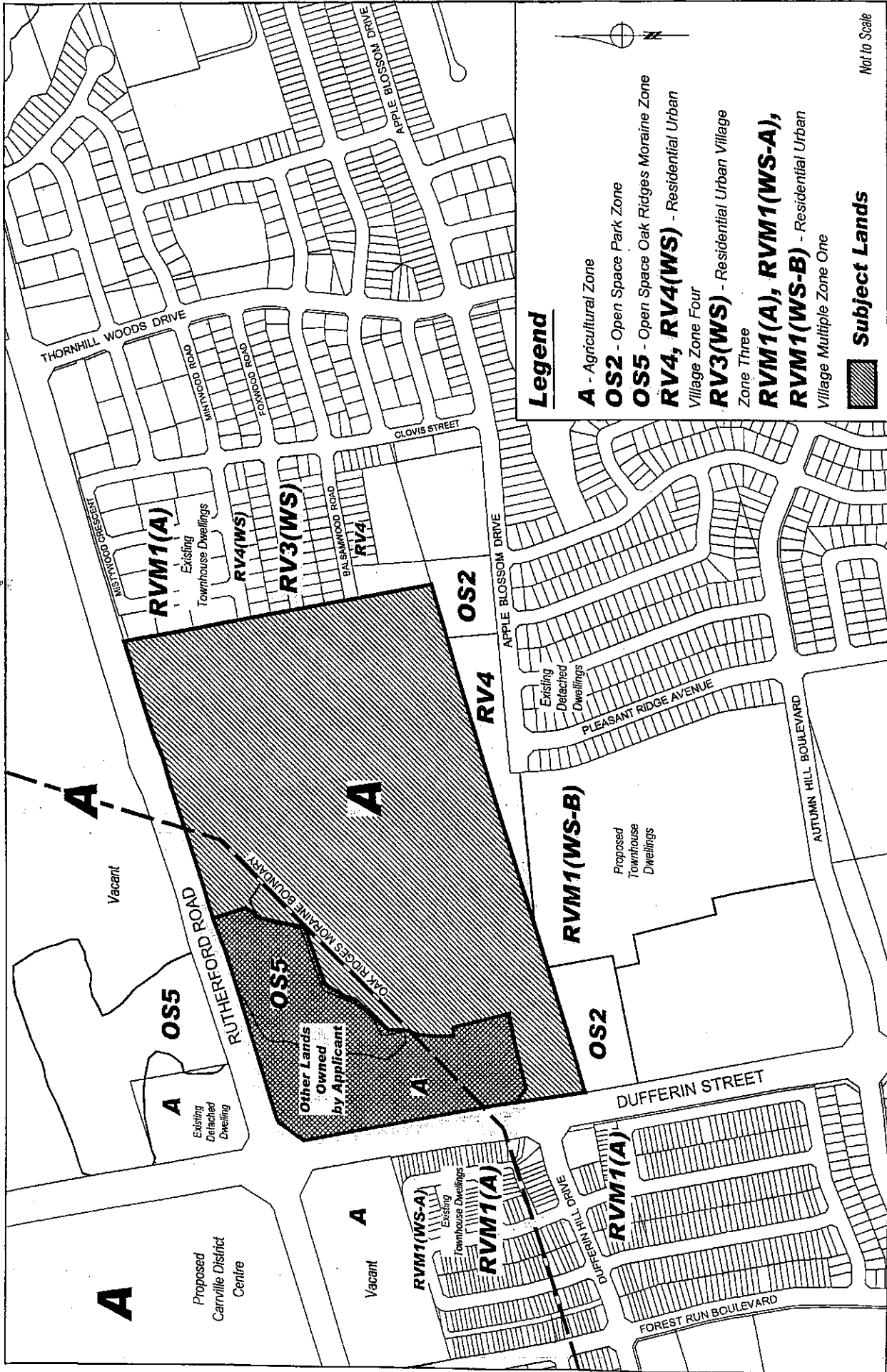
117. That the Owner shall enter into an agreement satisfactory to the York Catholic District School Board for the transfer of Block 255 (1.324 ha).
118. That the Owner shall agree in the subdivision agreement in wording satisfactory to the York Catholic District School Board, that prior to final approval:
- (a) To grade the school site to conform to the overall grade plan of the subdivision and in doing so shall replace any topsoil disturbed in the grading process and at the same time sod/seed the same lands. If, in compliance with this clause, the addition of fill, the removal of existing soil, or, in any way, the alteration of existing grading results in increased costs of construction to the Board, then, and in that event, the Owner shall, upon demand, reimburse the Board for such additional costs.
 - (b) To remove all trees and structures on Block 255, as determined by the Board.
 - (c) There shall be no stockpiling of topsoil on Block 255.
 - (d) To construct and maintain a galvanized chain link fence, 1.8 metres in height along all boundaries of the school that adjoin/about adjacent land uses (walkway entrances exempted) as determined by the Board. All other boundaries shall have a temporary post and wire fence.
 - to construct the temporary post and wire fence in locations as determined by the Board prior to the issuance of building permits for Phase 1 of the subdivision.
 - To construct the galvanized chain link fence 1.8 metres in height in locations as determined by the Board; the fence will be constructed prior to the occupancy of the adjoining units.
 - (e) To erect on the school site at such time as the school access street is constructed a visible sign with the dimensions and containing the words in the order, form and configuration as duly required.
 - (f) To post "No Dumping" signs along the perimeter fence as required by the Board.
 - (g) To provide the foregoing at no cost to the Board.
119. That the Owner shall submit, at no cost to the Board, a report from a qualified consultant concerning:
- (a) The suitability of Block 255 for construction purposes relating to soil bearing factors, surface drainage and topography and or grading plan. There shall be a minimum of 12 boreholes on the school site, in location as approved by the Board.

- (b) both Phase 1 and Phase 2 Environmental Testing reports for the school site to ensure the site is clear and free of all contaminants and unfit soil.
 - (c) The availability of natural gas, electrical, water, storm sewer, sanitary sewer, telephone, fibre optic cable and cable television services in a location along the property line, as determined by the Board. All services must meet Board specifications and approval.
120. That the Owner shall submit, at no cost to the Board, a certificate from the City of Vaughan confirming the following as they relate to a new school facility:
- (a) The availability of a satisfactory water supply (both domestic and fire).
 - (b) An acceptable method of sewage disposal.
 - (c) Adequacy of electrical services.
 - (d) The availability of a satisfactory natural gas supply.
 - (e) That an adequate storm water management facility has been designed to accommodate a school site and ensure that water retention will not be required on this site.
121. The Owner shall supply the Board a certificate, from the local hydro authority, confirming an adequate capacity for a new school and that the Board will not incur future upstream costs.
122. That the Owner shall agree in words acceptable to the York Catholic District School Board, that the service referred to in Condition 119, complete with inspection manholes shall be installed at the property line of said school site and positioned as designed by the Board, allowing time for Board approval of the design of said services prior to the registration of the plan.
123. That the Owner confirms, prior to registration, that there are no easements, walkways or stormwater management facilities existing, or planned for the school site.
124. That the Owner covenants and agrees to insert in every Transfer of lands abutting the Lands a Restrictive Covenant running with the lands which prohibits the installation and use of any gate or access point such abutting lands to the Lands.
125. That the Owner covenants and agrees that a clause will be inserted in all Agreements of Purchase and Sale of residential lots and units within the Subdivision, a clause providing as follows: "The construction of a Catholic School on a designed site is not guaranteed. Purchasers are advised that sufficient accommodation may not be available for students residing in this area, and you are notified that students may be accommodated in temporary facilities and/or bussed to existing facilities outside the area. The Board will in its discretion designate pick-up points for students who qualify for transportation".
126. That the Owner covenants and agrees that a clause will be inserted in all Agreements of Purchase and Sale for residential lots and units abutting the Lands stating that

"Temporary facilities/portables may be placed on the Lands in order to accommodate students in excess of the capacity of the school building".

Other Conditions

127. Final approval for registration shall be issued in accordance with the draft plan of subdivision prepared by KLM Planning Partners Inc., Drawing 06:05 dated June 2, 2006 and red-lined June 12, 2006, to the satisfaction of the City, subject to all applicable fees provided that:
 - (a) All government agencies agree to registration and provide clearances, as required in Conditions 128 to 132 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
 - (b) Allocation being provided within the appropriate capacity assigned by the Region, as approved by the City, in consultation with the Region of York.
128. The City shall advise that Conditions 1 to 62 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
129. The Toronto and Region Conservation Authority shall advise that Conditions 63 to 71 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
130. The Region York shall advise that Conditions 72 to 111 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
131. Canada Post shall advise that Conditions 112 to 116 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
132. The York Catholic District School Board shall advise that Conditions 117 to 126 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



Legend

- A** - Agricultural Zone
- OS2** - Open Space Park Zone
- OS5** - Open Space Oak Ridges Moraine Zone
- RV4, RV4(WS)** - Residential Urban Village Zone Four
- RV3(WS)** - Residential Urban Village Zone Three
- RVM1(A), RVM1(WS-A), RVM1(WS-B)** - Residential Urban Village Multiple Zone One

Subject Lands



Not to Scale

Location Map

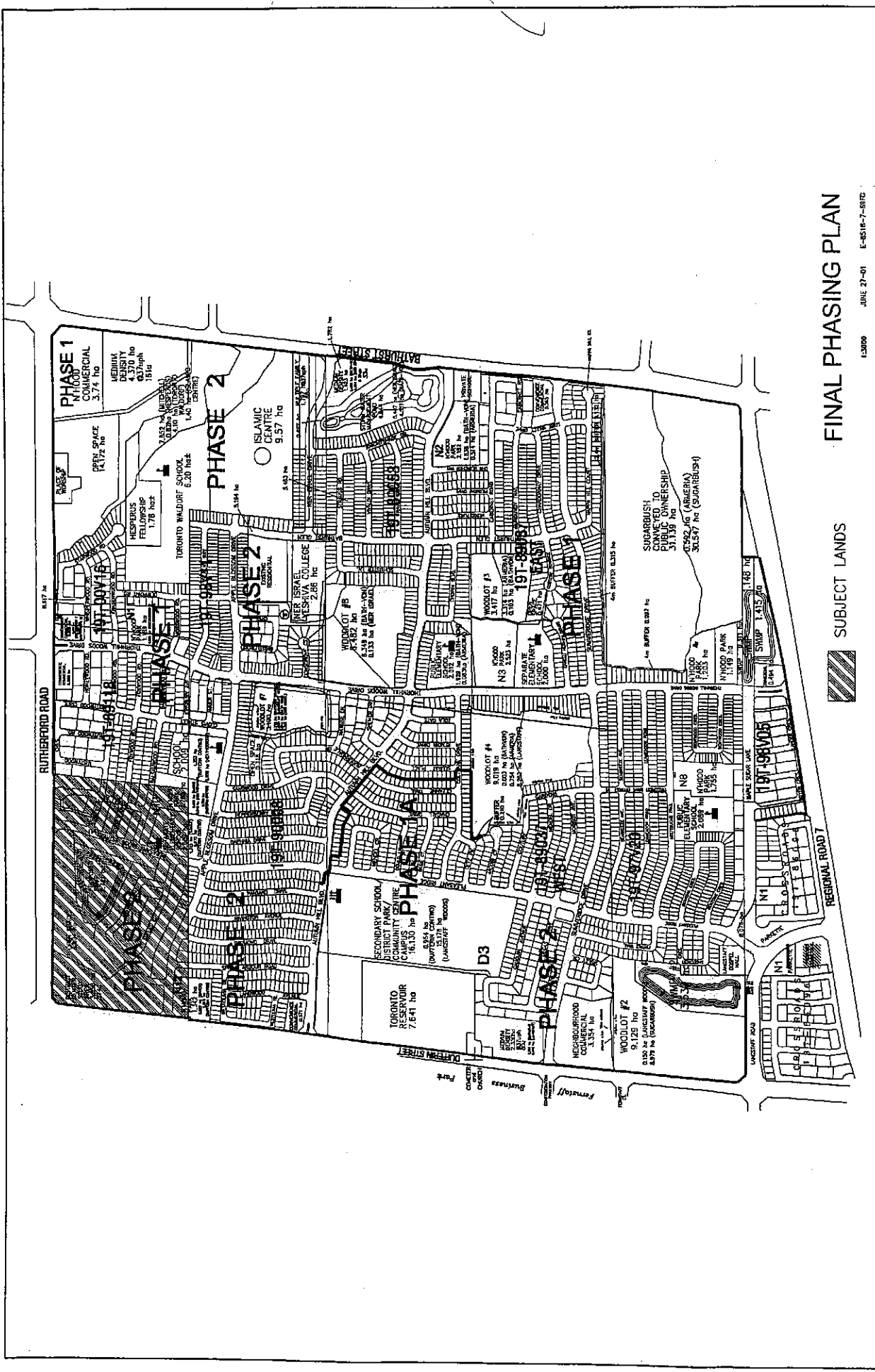
Part of Lot 15,
Concession 2
APPLICANT:
RUTHERFORD CONTWO INVESTMENTS LIMITED
RUTHERFORD ATTACHMENT 2 (041) 49



Development Planning Department

Attachment 2

FILE No.:
Z.05.041 & 19T-05V06
Not to Scale
June 14, 2006



FINAL PHASING PLAN

SUBJECT LANDS

JUNE 27-01 E-4511-7-817C
13000

Attachment 3

FILE No.:
Z.05.041 & 19T-05V06
Not to Scale
June 14, 2006

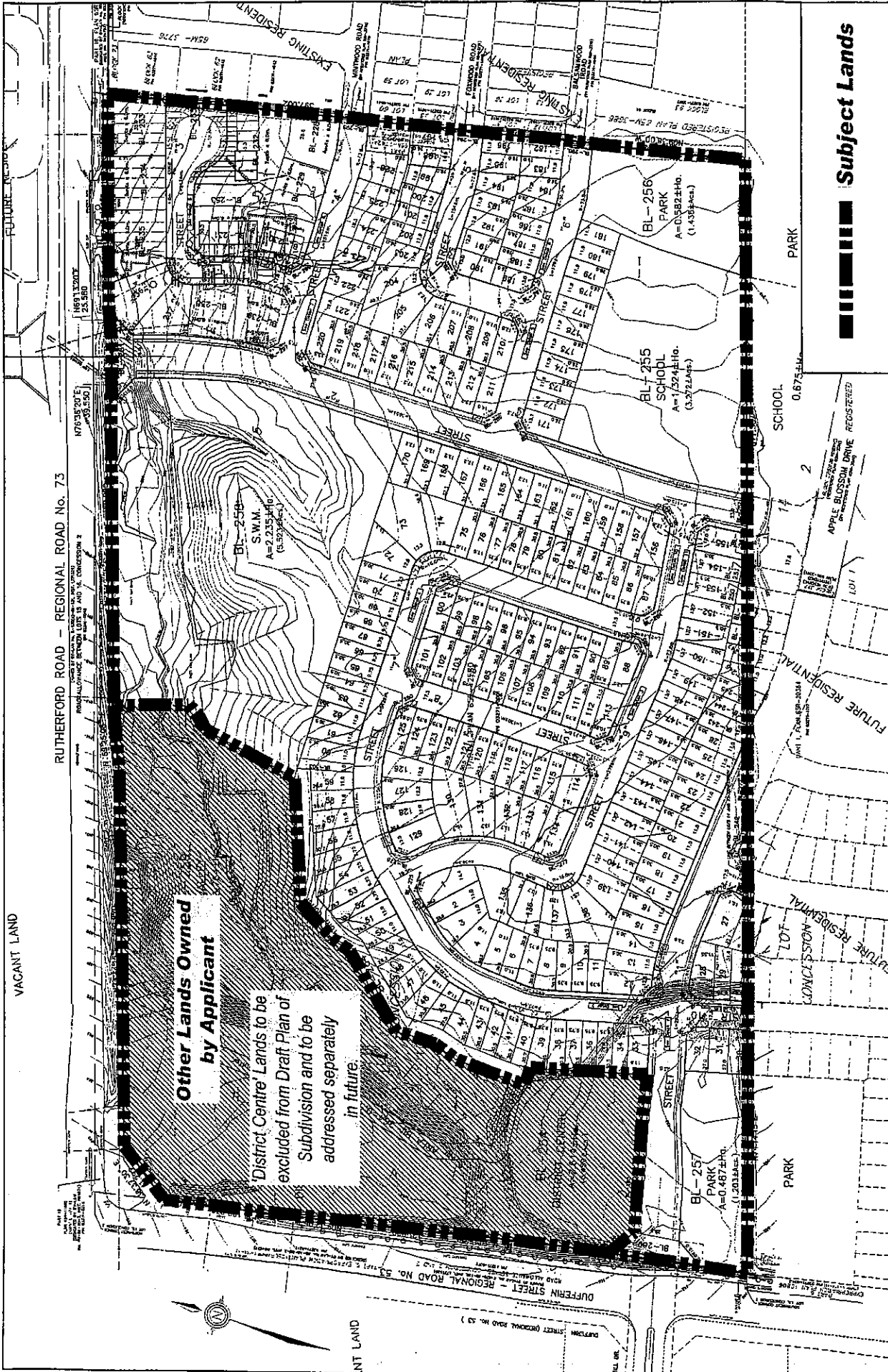
Block 10 Block Plan

Part of Lot 15,
Concession 2

APPLICANT:
RUTHERFORD CONTWO INVESTMENTS LIMITED
RUTHERFORDCONTWOINVESTMENTS01.dwg



Development Planning Department



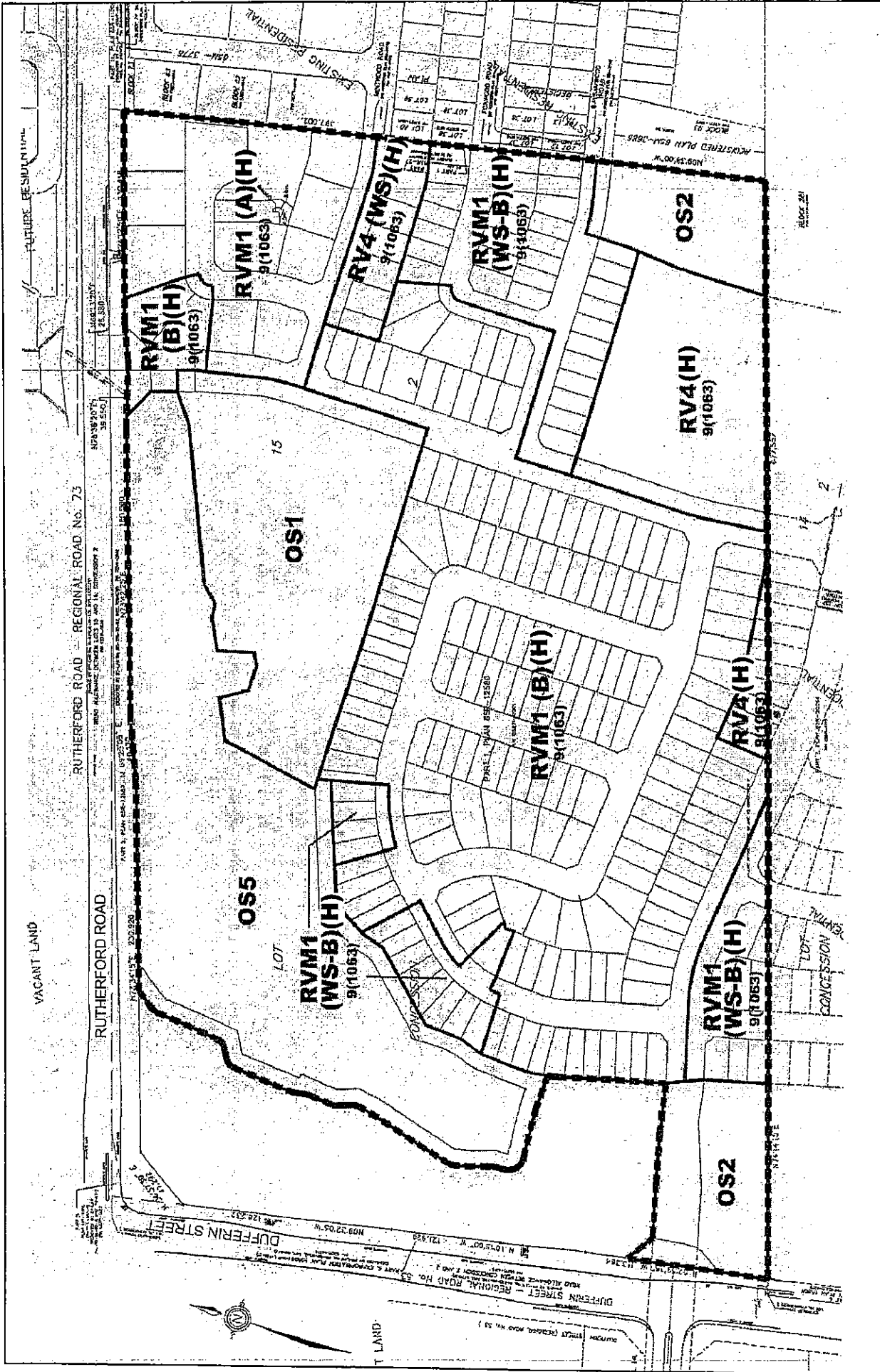
Subject Lands

Draft Plan of Subdivision 19T-05V06 City of Vaughan Red-Lined June 12, 2006

Attachment 4
FILE No.: Z.05.041 & 19T-05V06
Not to Scale
June 14, 2006

City of Vaughan
Development Planning
Department

APPLICANT: RUTHERFORD
CONTWO INVESTMENTS LIMITED
Part of Lot 15,
Concession 2
RUTHERFORD\ATTACHMENT\19T05V06.dwg



Proposed Zoning

Part of Lot 15,
Concession 2

APPLICANT:
RUTHERFORD CONTWO INVESTMENTS LIMITED

IN PLAN AT REGISTRATION NO. 05/0149



Development Planning Department

Attachment

5

FILE No.:
/Z.05.041 & 19T-05V06

Not to Scale

June 14, 2006