

COMMITTEE OF THE WHOLE JANUARY 22, 2007

**ZONING BY-LAW AMENDMENT FILE Z.05.060
DRAFT PLAN OF SUBDIVISION FILE 19T-05V11
ALICE SMITH
REPORT #P.2006.18**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.05.060 (Alice Smith) BE APPROVED, to rezone the subject lands from A Agricultural Zone and OS5 Open Space Environmental Protection Zone to RD3 Residential Detached Zone Three (tableland) and OS5 Open Space Environmental Protection Zone (valleylands) as shown on Attachment #5 to implement the approved draft plan of subdivision, and that Lots 8 and 9 (in Phase 1 – Stage 2) be placed in a Holding "H" Zone, pending availability of servicing capacity.
2. THAT Draft Plan of Subdivision File 19T-05V11 (Alice Smith) as shown on Attachment #4, BE APPROVED, subject to the conditions set out in Attachment #1.
3. For the purpose 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".
4. THAT Council pass the following resolution with respect to the allocation of sewage and water servicing capacity:

"IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision 19T-05V11 is allocated sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply system for a total of 15 residential units."
5. THAT the Owner enter into an agreement (to be registered on title) with the City of Vaughan, indicating that the lots included in Phase 1 – Stage 2 (Lots 8 and 9) will not be offered for sale by the Owner or purchasers until servicing has been identified and allocated by the City, and the Holding "H" provision has been removed.
6. THAT the following street name for Street "A" within Draft Plan of Subdivision 19T-05V11 (Alice Smith), as shown on Attachment #4, BE APPROVED: Valley Vista Drive (continuation of approved street name).

Economic Impact

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

Purpose

The Owner has submitted the following:

1. An application to amend the Zoning By-law, specifically By-law 1-88, to rezone the subject lands shown on Attachment #2 from A Agricultural Zone and OS5 Open Space Environmental Protection Zone to RD3 Residential Detached Zone Three (tableland – Lots 1-7, 10-17), RD3(H) Residential Detached Zone Three with Holding Provision (Lots 8 and 9), and OS5 Open Space Environmental Protection Zone (valleyland), in the manner shown on Attachment #5.

2. An application for Draft Plan of Subdivision approval for the subject lands shown on Attachment #4 to facilitate a residential plan of subdivision consisting of 17 lots for single-detached dwelling units with lot frontages ranging from 12.5m to 25.1m and lot areas ranging from 546.37m² to 670.74m². The development details are as follows:

17 Single Detached Dwelling Units (Lots 1-17)	1.040 ha
Valleylands (Block 18)	0.465 ha
Valleyland Buffer (5.0m wide)(Blocks 19 & 20)	0.158 ha
Greenway (3.0m wide) (Block 21)	0.059 ha
Future Development (Part Lot – Block 22)	0.024 ha
Road and 0.3m Reserve	0.456 ha
Total Site Area	2.202 ha

Background - Analysis and Options

The subject lands shown on Attachment #2 are located south of Major Mackenzie Drive, between Dufferin Street and Bathurst Street, in Planning Block 11, in Part of Lot 20, Concession 2, City of Vaughan.

The vacant 2.2 ha site will be accessed from the adjacent approved westerly subdivision (19T-95065), which will be developed as Phase 1 of the Block 11 Plan. The subject lands comprise the southern portion of a larger 8.19 ha parcel of land owned by the applicant. The subject lands are designated "Low Density Residential" and "Valley Lands" by OPA #600 and "Settlement Area" by OPA #604, and are zoned A Agricultural Zone and OS5 Open Space Environmental Protection Zone by By-law 1-88. The surrounding land uses are:

- North - valley lands (OS5 Open Space Environmental Protection Zone)
- South - valley lands (OS5 Open Space Environmental Protection Zone)
- East - valley lands (OS5 Open Space Environmental Protection Zone)
- West - vacant, future approved residential (RD3 and RD3(H) Residential Zones) and road

On February 10, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. The Town of Richmond Hill has previously expressed its concerns regarding the availability of servicing in this area through objections to other approved draft plans within Block 11. Concerns surrounding issues of service allocation have been resolved, and as a result, the previous appeals launched by the Town of Richmond Hill to the Ontario Municipal Board have been settled.

The recommendation of the Committee of the Whole to receive the Public Hearing report of March 6, 2006, and to forward a comprehensive report to a future Committee of the Whole Meeting was ratified by Council on March 20, 2006.

Block Plan

On August 25, 2003, Council adopted the Block 11 Plan, subject to conditions, which have since been addressed to the satisfaction of the City. Block 11 is located within the community of "Carrville Urban Village 2" and bounded by Rutherford Road to the south, Major Mackenzie Drive to the north, Dufferin Street to the west and Bathurst Street to the east.

The Block 11 Plan provides for primarily low density residential development, which is comprised of detached and semi-detached units. The Block also includes some medium density units in the form of townhouse development and initially high density development was restricted to the Carrville District Centre. However, in March and September of 2006, applications for high density development were approved at the southeast corner of Major Mackenzie Drive and Dufferin

Street (Files OP.05.009 and Z.03.070) and further east along Major Mackenzie Drive on the south side (files OP.05.019 and Z.05.040). The two respective proposals were approved by Council to permit "High Density Residential/Commercial Area" designations on lands previously designated low and medium density. The Block 11 Plan provides for three elementary schools and one high school, as well as, four neighbourhood parks, three of which are located adjacent to elementary school blocks. The Carrville District Centre located at the southwest corner of Block 11, and three convenience commercial sites are proposed throughout the Block. The Block includes eight stormwater management ponds and a significant amount of valley lands. A large parcel of land located centrally on the west side of the Block has been dedicated as a nature reserve, as shown on Attachment #3.

Oak Ridges Moraine Conservation Plan

The subject lands are located within the boundaries of the Oak Ridges Moraine and designated "Settlement Area" in the Oak Ridges Moraine Conservation Plan. The Applicant is required to conform to the Oak Ridges Moraine Conservation Plan as the lands are located within the Moraine. A conformity report was submitted and reviewed, and the Development Planning Department has no further concerns respecting conformity to the Plan.

Official Plan

The "Low Density Residential" designation permits detached dwellings at a maximum net density of 22 units/ha. The Draft Plan of Subdivision proposes 17 residential detached lots and 1 part lot intended for single-detached residential use. The low density residential component is at a density of 11.18 units/ha.

The southerly portion of the draft plan includes Block 18, which is designated "Valley Land" and will be maintained in a natural state and conveyed to public ownership.

Zoning

The lands are presently zoned A Agricultural Zone and OS5 Open Space Environmental Protection Zone by By-law 1-88, as shown on Attachment #2.

A rezoning of the subject lands (Attachment #5) is required to implement the proposed draft plan of subdivision, in accordance with the City of Vaughan's new residential zone standards, specifically the RD3 Residential Detached Zone Three, which requires a minimum lot frontage of 12m, a minimum lot depth of 27m, and minimum lot area of 324m². The proposed residential lots conform to the required standards for lot dimensions in the RD3 Zone.

The valleylands will maintain the present OS5 Zone, and the 5m wide valleyland ecological buffer will also be zoned OS5 Zone.

Lots 8 and 9 are within Phase 1 – Stage 2 of the Block 11 Plan development, and will be zoned RD3(H) Zone with a Holding "H" Provision, which can be lifted once water and sanitary sewage capacity becomes available and is formally allocated by Council.

Subdivision Design

The draft plan has been prepared in accordance with the approved Block 11 Plan. The proposed east-west road which bisects the subject lands will be named Valley Vista Drive, and will form part of the main east west collector road located in the northern half of Block 11.

Construction access to the subject lands will be via Valley Vista Drive, from the westerly approved plan subdivision 19T-95065 in Phase 1.

The use of alternative road design standards is being proposed in this development within the Block 11 Plan.

The draft plan provides for 17 single-detached residential lots with frontages ranging between 12.5m and 25.1m in width, and lot depths ranging from 31.8m to 48.85m.

Block 18 within the Draft Plan is designated valley land and has a total area of 0.465ha.

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

Vaughan Engineering Department

The Vaughan Engineering Department has provided the following comments:

a) Environmental Site Assessment (ESA)

On June 2005, Soil Engineers Ltd. submitted the Phase 1 ESA report and the City has since approved the report. A record of Site Condition (RSC) must be registered with the Environmental Site Registry (ESR) of the Ministry of Environment.

b) Engineering Services

The municipal services for this development have been constructed under the spine works agreement prepared for Block 11. The work has been carried out in accordance with the approved Master Environmental Servicing Plan (M.E.S.P).

c) Allocation

Council has previously approved allocation for water and sanitary for the Phase 1 lands only consisting of 15 units. Lots 8 and 9 in Phase 1-Stage 2 may only be developed upon confirmation by the Region of York of the additional capacity.

Draft Plan of Subdivision 19T-05V11 is within the Proposed Bathurst Collector drainage area of the York Durham Sewage System. Ultimately this subdivision will be serviced by the proposed Bathurst Collector Trunk Sewer, however, in the interim a portion of it will be serviced by the existing North Don Sewer. The Region entered into a Development Charge Credit Agreement (DCCA) with the Block 11 Developers Group and the City of Vaughan in December 2003 for the up-front financing of the Bathurst Collector Trunk Sewer to accommodate growth in Vaughan. The applicant, Alice Smith, is a member of the participating Developers Group.

Currently, with the execution of the up-front financing agreement, Phase I sewer capacity is available to service 17,000 persons in addition to the 11,764 persons capacity previously assigned to the City of Vaughan. As stipulated in the DCCA, the City will allocate from the Phase I sewage capacity to the Block 11 developers group for a total of 4,500 persons

A key infrastructure requirement for the Phase I capacity remains to be the construction of the second part of the Bathurst Trunk Sewer. The second part of the Bathurst Trunk Sewer is now under construction and substantially completed.

d) Phase 1 - Stage 2

Vaughan has indicated that 600 units have been reserved for Phase 1 – Stage 2 development for Block 11. It is anticipated that the 2 units currently without allocation within the subject lands being Lots 8 and 9 will receive allocation from this reserve when it becomes available.

The subject lands will be serviced from Pressure District No. 7. Under the up-front financing agreement, developments that receive Phase I sewage allocation will also receive matching water allocation from the City.

No restrictions have been placed on lots serviced by the Phase I water and sewer capacity. Restrictions should however be imposed on developments that require Phase I – Stage 2 water and sewer capacity to ensure that water and sewer capacity is available to service projected demands. Restrictions will be included within the implementing zoning by-law in the form of a Holding "H" provision on the subject phases without allocation (Lots 8 and 9), together with the restriction of pre-selling lots and blocks until the availability of water and sewer capacity is confirmed by the Region.

Archaeological Assessment

Stage 1 and 2 Archaeological Assessments have been conducted and submitted to the Ministry of Culture for approval.

Toronto and Region Conservation Authority (TRCA)

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

Region of York

The Region of York Transportation and Works Department has no objections to the proposed applications, subject to the conditions of approval in Attachment #1.

Street Name Approval

Street "A" as shown on Attachment #4 is proposed to be named "Valley Vista Drive", which will form a continuation of the approved street name for this primary east/west road between Dufferin Street and Bathurst Street. The respective Planning Departments for the City and Region of York do not have any objection to the proposed street name, which is recommended for approval.

Other Agencies

Conditions of approval for Canada Post and Bell Canada are 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 proposed applications to amend the Zoning By-law and for approval of Draft Plan of Subdivision 19T-05V11 in accordance with the

applicable policies of the Official Plan and the requirements of the Zoning By-law, the Block 11 Plan and the area context. The proposed Draft Plan of Subdivision consisting of 17 single detached residential units and valleylands as shown on Attachment #4 is an appropriate form of development for the subject lands and conforms to OPA #600. Furthermore, the proposed plan is consistent with the overall pattern of development established in the Block 11 Plan.

The Development Planning Department can support the approval of the Zoning By-law Amendment application and the proposed Draft Plan of Subdivision, subject to the conditions of approval as set out in Attachment #1.

Attachments

1. Conditions of Approval
2. Location Map
3. Approved Block 11 Community Plan
4. Draft Plan of Subdivision 19T-05V11
5. Draft Plan of Subdivision 19T-05V11 with 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-05V11
ALICE SMITH
PART OF LOT 20, 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-05V11, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to the draft plan of subdivision, prepared by Alcorn & Associates Limited, Drawing #108DDP-1, dated October 13, 2005:
2. The lands within this Plan shall be appropriately zoned by a zoning by-law, which has come into effect in accordance with the provisions of The Planning Act. Particular zoning categories to be applied are as follows:
 - a) The implementing by-law shall zone the subject lands utilizing the following zone categories:

RD3 Residential Detached Zone Three (Lots 1-7, 10-17)
OS5 Open Space Environmental Protection Zone (Blocks 18-20);
 - b) Lots 8 and 9 to be zoned RD3(H) Zone, subject to an "H" Holding Provision, to be lifted upon 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 Development Charge Credit Agreement.
3. The Owner shall pay any and all outstanding application fees to the Development Planning Department, in accordance with Tariff of Fees By-law 86-2006.
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 sideyards, 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 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.
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 of any lands included in the plan of subdivision, a preliminary archaeological evaluation of the entire area within the proposed plan of subdivision shall be carried out at the Owner's expense, and the same report shall identify any significant archaeological sites found as a result of the assessment. The archaeological assessment report shall be carried out by a licensed archaeologist and prepared according to the Ministry of Citizenship, Culture and Recreation (Heritage Operations Unit) approved Archaeological Assessment Technical Guidelines, dated 1993. The archaeological assessment shall be submitted to the municipality and the Ministry for review and approval.

Prior to final approval or registration of the development application or plan of subdivision, the Owner by way of development application or subdivision agreement, shall agree that no development or grading shall occur on any site identified as being archaeologically significant as a result of the archaeological evaluation carried out on the property, until such time as a protective and mitigative measures of all significant archaeological sites have been fulfilled to the satisfaction of the Ministry of Citizenship, Culture and Recreation (Archaeological Unit) and the municipality.

Warning Clauses

11. 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:

Within the entire subdivision plan:

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

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

- (b) "Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the CRTC authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs."

- (c) "Purchasers and/or tenants are advised that driveway widths and curb cut widths are governed by City of Vaughan By-Law 1-88, as amended, as follows:

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

A driveway in either the front or exterior side yard shall be constructed in accordance with the following requirements:

Lot Frontage	Maximum Width of Driveway
6.0 - 6.99m	3.5m
7.0 - 8.99m	3.75m
9.0 - 11.99m ¹	6.0m
12.0m and greater ²	9.0m

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

²The Lot Frontage for Lots 12.0m and greater shall be comprised of a Minimum of 50% Landscaped Front or Exterior Side Yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior Side Yard shall be soft landscaping in accordance with Paragraph 4.1.2.”

- (d) “Purchasers and/or tenants are advised that fencing along the lot lines of Lots and Blocks that may abut a public highway, laneway, walkway, park, open space or similar public space is a requirement of this subdivision agreement and that all required fencing and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3 metre reserve, as shown on the Construction Drawings.

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

The maintenance of the noise attenuation feature or fencing shall not be the responsibility of the City, or the Region of York and shall be maintained by the Owner until assumption of the services in the Plan. Thereafter, the maintenance of the noise attenuation feature or fencing shall be the sole responsibility of the lot owner.”

- (e) “Purchasers and/or tenants are advised that this plan of subdivision is designed to include rear lot catchbasins. The rear lot catchbasin is designed to receive and carry only clean stormwater. It is the homeowner’s responsibility to maintain the rear lot catchbasin in proper working condition by ensuring that the grate is kept clear of ice, leaves and other debris that would prevent stormwater from entering the catchbasin. The rear lot catchbasins are shown on the Construction Drawings and the location is subject to change without notice.”
- (f) “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 and traffic calming measures into the road allowances.”
- (g) “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.”
- (h) “Purchasers and/or tenants are advised that the plan lies within the boundary of the Oak Ridges Moraine as defined through the Oak Ridges Moraine Conservation Plan, April 22, 2002.”
- (i) “Purchasers and/or tenants are advised that the City of Toronto owned and operated a landfill within 4 kilometres of the property and the facility is now closed and will be redeveloped into a passive park.”

The following warning clauses shall be included in all Offers of Purchase and Sale or Lease for Lots 1 to 17 inclusive:

- (j) "Purchasers and/or tenants are advised that the adjacent open space, woodlot or stormwater management facility are designed for renaturalization and therefore shall receive minimal maintenance."
- (k) "Purchasers and/or tenants are advised that their home may have been designed to incorporate a Clean Water Collector system. It is the responsibility of the homeowner to maintain the Clean Water Collector system in a good operating condition, which includes periodic repair and cleaning of the roof gutter guards as well as the downspout filter."
- (l) "Purchasers and/or tenants are advised that Valley Vista Drive shall be extending across the valley completing a continuous road from Dufferin Street to Bathurst Street."

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

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

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

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

[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."

13. 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.

14. 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.
15. 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.
16. 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.
17. The Owner shall pay its proportionate share of the cost of any external municipal services that have been designed and oversized by others to accommodate the development of the Plan, if required to the satisfaction of the City.
18. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunication provider to provide their services underground at the approved locations and to the satisfaction of the City.
 - (a) The Owner shall provide a copy of the fully executed subdivision agreement to the appropriate telecommunication provider.
19. Prior to final approval of the plan or 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. The report 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 and how it conforms with the approved MESP;
 - ii) appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to ensure no negative impact on the quality and quantity of ground and surface water resources as it relates to fish and their habitat;
 - iii) proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction;
 - iv) stormwater management techniques which may be required to control minor or major flows; and
 - v) the location and description of all outlets and other facilities.
 - (b) Overall grading and landscaping plans for the subject lands.

- (c) The Owner shall implement the recommendations of the items in (a) above to the satisfaction of the City.
20. Prior to final approval, the Owner shall submit an environmental noise impact study, prepared by a qualified consultant at the Owner's cost for approval by the City. 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 carryout or cause to carryout the recommendation set out in the approved noise study report to the satisfaction of the City.
21. Prior to final approval of the Plan, the Owner shall submit, to the satisfaction of the City, a listing prepared by an Ontario Land Surveyor of all the Lot and Block areas and Lot frontages and depths in accordance with the approved Zoning By-law for all Lots and Blocks within the Plan.
22. Prior to final approval of the Plan, the City shall confirm that adequate water supply and sewage treatment capacity are available to accommodate the proposed development.
23. The Owner shall agree in the subdivision agreement that the servicing works to be carried out are consistent with the concepts outlined in the Master Environmental Servicing Plan Report.
24. Prior to final approval of the Plan, the Owner shall:
- (a) enter into a Developers' Group Agreement with the other participating landowners within Block 11 to the satisfaction of the City. The agreement shall be regarding but not limited to all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services within Block 11. This agreement shall also include a provision for additional developers to participate within the Developers' Group Agreement when they wish to develop their lands;
 - (b) the Trustee for Block 11 shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 11 Landowners Cost Sharing Agreement.
25. The Owner shall acknowledge that parkland shall be dedicated and/or cash-in-lieu paid in accordance with Section 42 of the Planning Act and conform to the City's "Cash-in-lieu of Parkland Policy". If required, non-participating Owners shall be required, to pay additional cash-in lieu to the City.
26. All lands shall be subject to an "H" Holding Provision, to be lifted once the Regional Transportation and Works Department confirms that adequate water supply and sewage treatment capacity are available and the City has allocated same.
27. It is anticipated that additional Phase 2 capacity for Block 11 (600 units) will be made available by the Region of York by the 3rd quarter of 2007. Upon confirmation by the Region of York of this additional capacity, the City will require written confirmation, from the Block 11 Developers Group, as to the breakdown by landowner/development application for the Phase 2, 600 units that may include the two remaining units (Lots 8 and 9). Allocation can only be distributed through the Block 11 Developers Group.
28. Prior to final approval of the Plan, a Record of Site Condition (RSC) must be properly registered with the Environmental Site Registry (ESR) of the Ministry of Environment.
29. Prior to final approval of the Plan, the Owner shall submit a detailed engineering report that describes the limits and the implementation of the Clean Water Collector System (CWCS) for the proposed development within a draft plan or site plan. The report shall include a maintenance and monitoring program for the CWCS to the satisfaction of the Engineering and Public Works Departments.

30. Prior to final approval of the Plan, the Owner shall submit a detailed water balance analysis for review and approval of the Engineering Department. The report shall include an assessment as to whether areas, which do not meet the feasibility criteria should contribute clean water to areas which do meet the criteria. The Owner shall implement the recommendations of the report.
31. The Owner shall not apply for building permits and the City shall not issue building permits until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage works are available to service the Plan or that arrangements have been made for their completion to the satisfaction of the City.
32. Prior to the issuance of a building permit for any lot, the Owner's consulting engineer shall certify, to the satisfaction of the Engineering Department and the Building Standards Department that lot grading complies with City of Vaughan lot grading criteria and the driveway as shown on the plan submitted for the construction of the building on that particular lot, conforms in terms of location and geometry (i.e. width etc.) with the approved, or the amended and subsequently approved, Construction Drawings.
33. The Owner agrees that all part Blocks within the Plan should only be developed in conjunction with abutting part Blocks of adjacent draft plans.
34. Prior to the transfer of any Lot or Block on the Plan, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses required by this agreement have been included in the Offer of Purchase and Sale or Lease for such Lot or Block.
35. Prior to the transfer of Lots/Blocks, the Owner shall erect a permanent 1.5 metre high black vinyl chain link fence along the limits of the Lots and Blocks that abut a park, an open space block, school and/or a woodlot. The Owner's consulting engineer shall certify to the Building Standards Department that the above-noted fences are constructed in accordance with this requirement, all to the satisfaction of the Engineering Department.
36. Prior to the initiation of construction within the Plan, the Owner shall provide construction access to the Plan to the satisfaction of the City and the Regional Transportation and Works Department, and the following:
 - (a) No other access to the Plan shall be used for construction unless authorized in writing by the City. If another access is used without approval, the City may refuse to issue further building permits within the Plan or subsequent future phases until such use ceases;
 - (b) The Owner shall remove the construction access when directed by the City to do so.
37. Prior to initiation of any grading, removal of any vegetation or topsoil, the Owner shall obtain a fill permit from the City.
38. 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 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.
39. 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.
40. Prior to final approval, the Owner shall prepare Urban Design Guidelines for the Block 11 Community to the satisfaction of the City. 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;
 - Urban design built form guidelines for commercial, institutional and townhouse development.
41. Prior to final approval, the Owner shall prepare a streetscape and open space landscape master plan in accordance with the approved Block 11 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, parkettes, trail heads, medians and fencing;
 - Valleylands edge management rehabilitation planting, trails, bridge crossings, erosion repair sites and pedestrian access points into the valley;
 - The pedestrian urban connections between streets and within the neighbourhood;
 - The appropriate location and high quality design for the telecommunications and hydro utility buildings and easements.

The Owner agrees to prepare detailed landscape construction drawings and implement the Streetscape and Open Space Landscape Master Plan to the satisfaction of the City.

42. 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.
43. 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 blocks. 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.

44. The warning clause Council approved on September 29, 1997 with respect to "Tree Fees" shall be included in the subdivision agreement:

"Purchasers are advised that the planting of trees on City boulevards in front of residential units is a requirement of the subdivision agreement. A drawing depicting the conceptual location for a boulevard tree is included as a schedule in this subdivision agreement. This is a conceptual plan only and while every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete the boulevard tree without further notice."

The City has not imposed an amount of a "Tree Fee" or any other fee which may be charged as a condition of purchase for the planting of trees. Any "Tree Fee" paid by the purchasers for boulevard trees does not guarantee that a tree will be planted on the boulevard in front or on the side of a residential dwelling.

45. The Owner shall agree in the subdivision agreement to erect a permanent 1.5 metre high black vinyl chain link fence or approved equal along the limits of the residential lots that abut the valleyland buffer blocks 19 and 20.

Region of York

46. 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.
47. The subdivision proponents within Blocks 11 and 12 will retain a professional engineer to provide assurances that the sanitary drainage area in Blocks 11 and 12 relying on interim (Phase I) servicing to the North Don Sewer does not exceed 8,000 persons.
48. That all residentially zoned lands beyond Phase 1 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 Trunk Sewer (Phase I); 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.
49. Prior to the registration of any lands beyond Phase 1, the Region shall confirm the following:
- York Region has advised in writing that it is no earlier than six (6) months prior to the Bathurst Trunk Sewer (Phase I); 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.

50. The Owner shall agree in the subdivision agreement that he/she shall save harmless the area municipality and Regional Municipality of York from any claim or action as a result of water or sewer service not being available when anticipated.
51. Prior to registration, the Region shall confirm that adequate water supply capacity and sewage treatment 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. Also, the registration of the proposed plan of subdivision shall occur in phases with allocation provided within the appropriate capacity assigned by the Region, as approved by the area municipality, in consultation with the Regional Municipality of York.
52. The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law DC-0005-2003-050.

Canada Post

53. 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 designated Community Mailbox.
54. 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 sign off.
55. The Owner/Developer will consult Canada Post Corporation to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
56. The Owner/Developer will provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans:
 - (a) an appropriately sized sidewalk section (concrete pad), as per municipal and Canada Post standards, to place the Community Mailboxes on (a copy of the Standards will be provided upon request). The Developer further agrees to provide these cement pads during sidewalk pouring and will notify Canada Post in writing of the locations as they are completed.
 - (b) Any required walkway across the boulevard, as per municipal standards and requirements.
 - (c) Any required curb depressions for wheelchair access.
57. The Builder/Developer agrees to ensure that all new home buyers will be officially notified of the exact Community Mail Box locations prior to any house sales. Also that the builder will post in clear sight, a copy of the plan indicating the Community Mail Box sites at the sales office. This plan is requested to be completed prior to the start of the House sales for the subdivision.
58. The Owner/Developer further agrees to determine and provide and fit up a suitable temporary Community Mailbox Location(s) that may be utilized by Canada Post until the permanent mailbox pads, curbs, sidewalks and final grading have been completed at the permanent CMB locations, and to consist of a gravel area with a single row of patio stones – spec to be provided. The developer further agrees to fit up the temporary area 30 to 60 days prior to the first occupancy and notify Canada Post of the first occupancies at this time. The developer is to provide evidence of how they intend to co-ordinate the activity in a timely manner to a safe and clean usable area.

Toronto and Region Conservation Authority (TRCA)

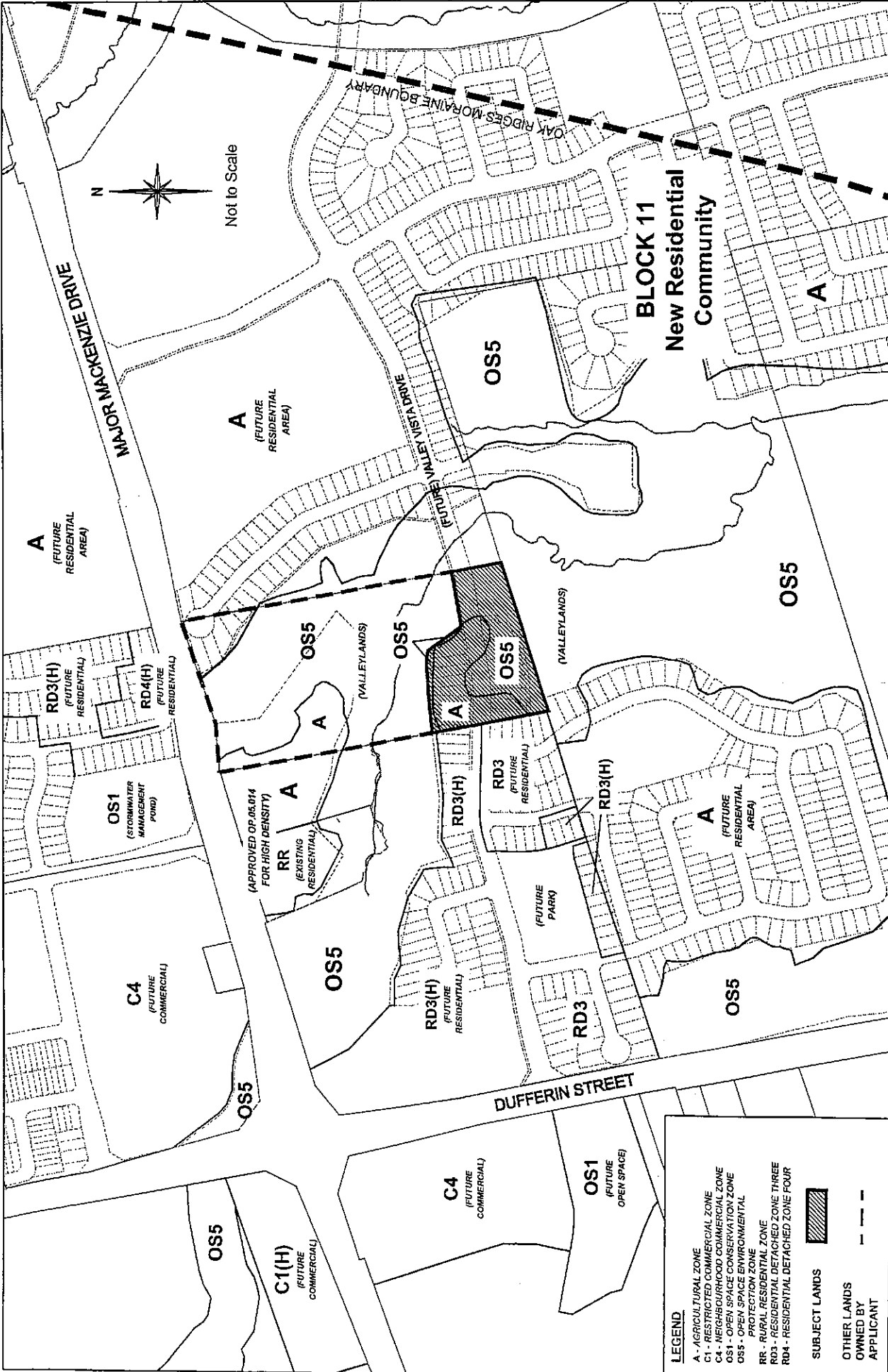
59. That prior to the initiation of grading and prior to the registration of this plan or any phase thereof, the applicant submit a detailed engineering report for the review and approval of the TRCA that describes the storm drainage system (quantity and quality), in accordance with the MESP for this area (Block 11). This report shall include:
- (a) 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.
 - (b) Stormwater management techniques which may be required to control minor or major flows;
 - (c) Appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to mitigate the impacts of development on the quality of ground and surface water resources as it relates to fish and their habitat;
 - (d) Proposed method for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction;
 - (e) Location and description of all outlets and other facilities which may require a permit pursuant to Ontario Regulation 166/06, the Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourse Regulation;
 - (f) Overall grading plans for the subject lands.
60. That this draft plan of subdivision be subject to red-line revision in order to meet the requirements of Condition 59, if necessary.
61. That the valley and stream corridor (Block 18) and associated buffer blocks (Blocks 19 and 20) be set aside for acquisition or dedication to either the TRCA or the City of Vaughan, free of all charges and encumbrances.
62. That the implementing zoning by-law recognize Open Space Blocks 18, 19 and 20, in an open space, or other suitable zoning category, which has the effect of prohibiting development, to the satisfaction of the TRCA.
63. That the applicant submit a detailed Edge Management Plan and/or detailed restoration planting plans for Valleyland Block 18 and Open Space Buffer Blocks 19 and 20, incorporating comprehensive plantings of native, non-invasive species, to the satisfaction of the TRCA.
64. 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 59;
 - (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 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourse) from the TRCA;
 - (d) to erect a permanent fence to the satisfaction of the TRCA for lots abutting the open space blocks (Lots 1 to 8 inclusive and Lots 9 to 17 inclusive).
65. That the applicant submit a copy of the fully executed subdivision agreement to the TRCA, in order to expedite the clearance of conditions of draft approval.

Bell Canada

66. The Owner shall agree in the Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the Owner/Developer shall be responsible for the relocation of such facilities or easements.
67. The Owner shall be required to enter into an agreement (Letter of Understanding) with Bell Canada complying with any underground servicing conditions imposed by the municipality, and if no such conditions are imposed, the Owner shall advise the municipality of the arrangement made for such servicing.
68. Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduit from the room(s) in which the telecommunication facilities are located to the street line.

Clearances

69. Final approval for registration shall be issued in phases in accordance with the Phasing Plan prepared by Alcorn & Associates Limited, dated October 13, 2005 and 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;
 - (b) All government agencies agree to registration by phases and provide clearances, as required in Conditions 70 to 74 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered; and,
 - (c) Allocation being provided within the appropriate capacity assigned by the Region, as approved by the City, in consultation with the Region of York.
70. The City shall advise that Conditions 1 to 45 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
71. The Region of York Shall advise that Conditions 46 to 52 inclusive, have been satisfied; the clearance letters shall include a brief statement detailing how each condition has been met.
72. The Canada Post shall advise that Conditions 53 to 58 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
73. The Toronto and Region Conservation Authority shall advise that Conditions 59 to 65 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
74. Bell Canada shall advise that Conditions 66 to 68 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



LEGEND

- A - AGRICULTURAL ZONE
- C1 - RESTRICTED COMMERCIAL ZONE
- C4 - NEIGHBOURHOOD COMMERCIAL ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- OS5 - OPEN SPACE ENVIRONMENTAL PROTECTION ZONE
- RR - RURAL RESIDENTIAL ZONE
- RD3 - RURAL RESIDENTIAL ZONE THREE
- RD4 - RESIDENTIAL DETACHED ZONE FOUR

SUBJECT LANDS [Hatched Box]

OTHER LANDS OWNED BY APPLICANT [Dashed Line]

Location Map

Part of Lot 20,
Concession 2
APPLICANT:
ALICE SMITH



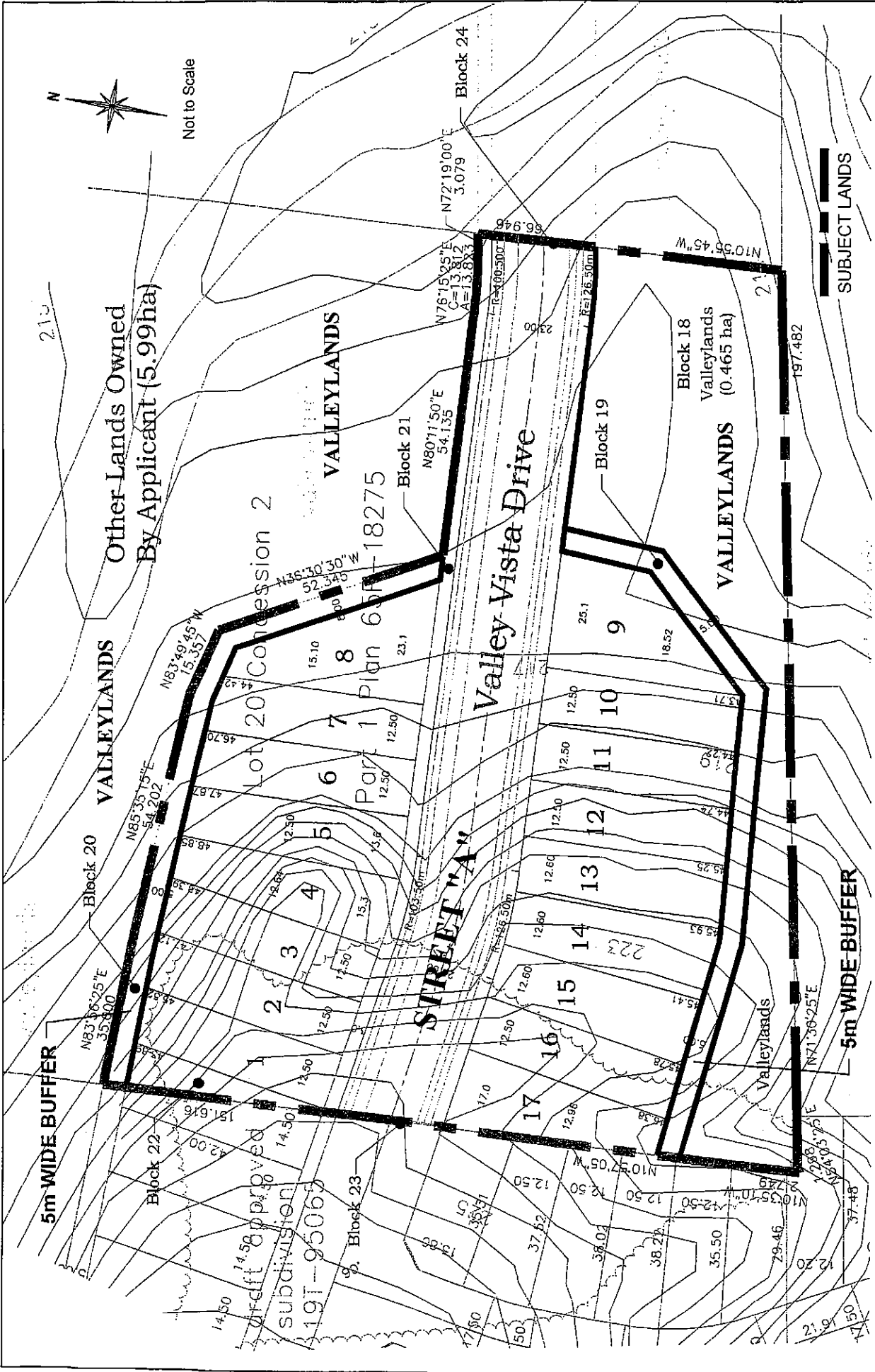
Development Planning Department

Attachment 2

FILE NO'S:
19T-05V11 &
Z.05.060

December 21, 2006

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**Draft Plan of
Subdivision 19T-05V11**

APPLICANT:
ALICE SMITH
Part of Lot 20,
Concession 2
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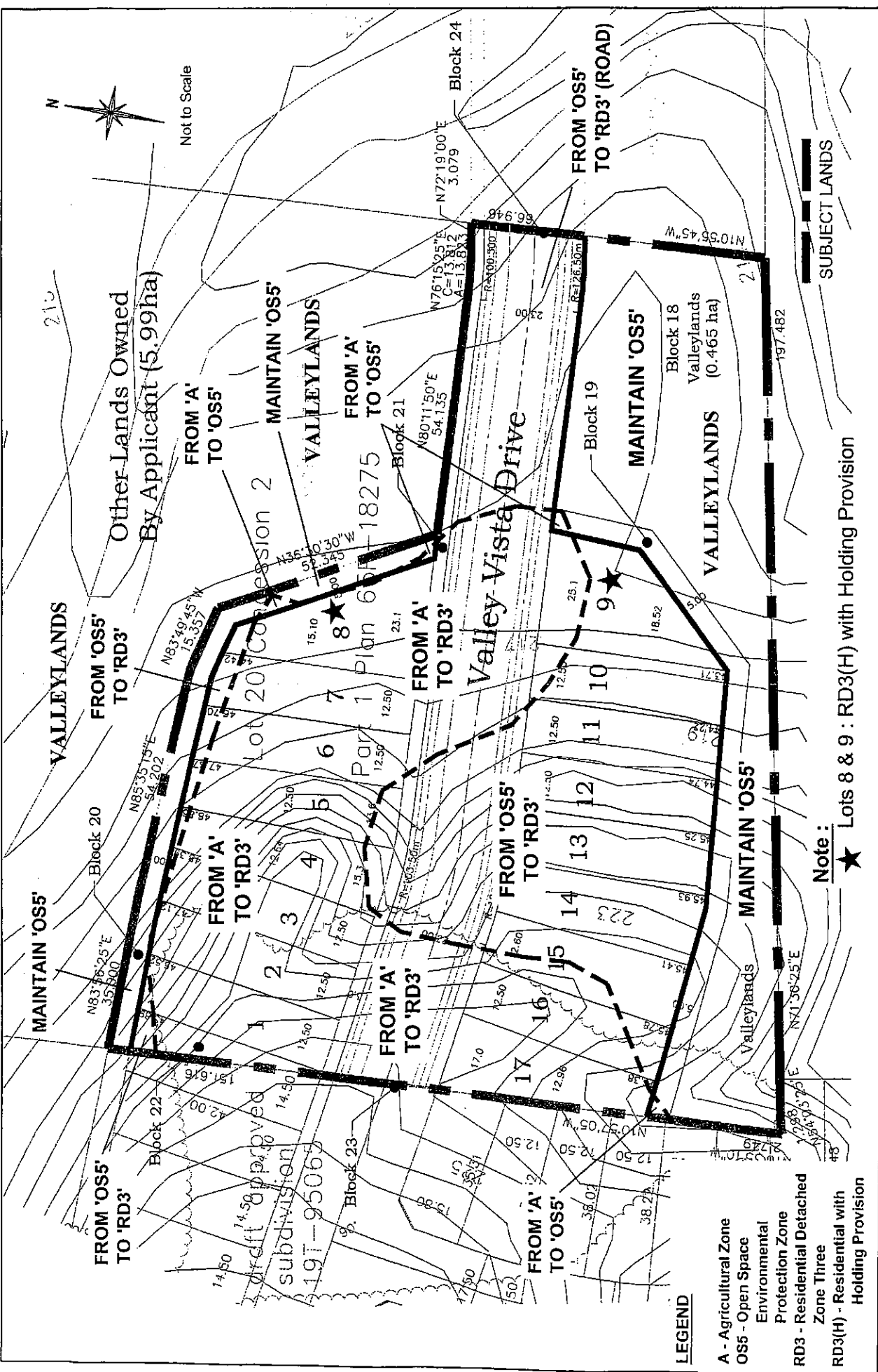


Development Planning Department

**Attachment
4**

FILE NO'S:
19T-05V11 &
Z.05.060

January 2, 2007



**Draft Plan of Subdivision
19T-05V11 with Proposed
Zoning**

APPLICANT:
ALICE SMITH
Part of Lot 20,
Concession 2
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Development Planning Department

Attachment 5

FILE NOs.:
19T-05V11 &
Z.05.060

January 2, 2007