

COMMITTEE OF THE WHOLE APRIL 30, 2007

**ZONING BY-LAW AMENDMENT FILE Z.06.048
DRAFT PLAN OF SUBDIVISION FILE 19T-06V08
MORENCI HOME BUILDERS INC.
REPORT #P.2006.58**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.06.048 (Morenci Home Builders Inc.) BE APPROVED, to rezone the subject lands from C4 Neighbourhood Commercial Zone to RV4 Residential Urban Village Zone Four as shown on Attachment #5, with the implementing zoning by-law to include the following exceptions:
 - a) a minimum lot depth of 29.4m rather than 30m for Lot 12;
 - b) the necessary exceptions to bring the westerly developed Red Birch commercial lands into compliance with the C4 Zone standards
2. THAT Draft Plan of Subdivision File 19T-06V08 (Morenci Home Builders Inc.) as shown on Attachment #4, BE APPROVED, subject to the conditions set out in Attachment #1.
3. THAT 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 capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System in accordance with the approved Servicing Capacity Distribution Protocol dated February 26, 2007:

"IT IS HEREBY RESOLVED THAT the proposed Draft Plan of Subdivision Application 19T-06V08 be allocated sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System for a total of 25 single-detached units."

Economic Impact

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

Communications Plan

N/A

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 from C4 Neighbourhood Commercial Zone to RV4 Residential Urban Village Zone Four to implement the proposed residential plan of subdivision shown on Attachment #4.

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 25 lots for single-detached dwelling units with lot frontages ranging from 11.0m to 15.7m and lot areas ranging from 348.7m² to 502.4m². The development details are as follows:

25 Single Detached Dwelling Units (Lots 1-25)	1.173 ha
<u>Road and 0.3m reserves (Blocks 26 and 27)</u>	<u>0.297 ha</u>
Total Site Area	1.470 ha

Background - Analysis and Options

The subject lands shown on Attachment #2 are located south of Summeridge Drive, between Sisley Crescent and Dufferin Street, in Planning Block 10, being Part of Lot 391 on Registered Plan 65M-3757, City of Vaughan.

The vacant 1.47 ha parcel has access from Summeridge Drive and was originally approved as residential, and then later rezoned to C4 Neighbourhood Commercial Zone to facilitate commercial development as part of the larger Red Birch commercial site plan application (File DA.04.060). The subject lands comprise the east half of the total commercial area for the Red Birch development. The west half of the Red Birch development is developed with two (2) multi-unit commercial buildings, two (2) single use buildings, and a gas bar with an associated carwash use. The subject lands are designated "Medium Density Residential/Commercial Area" by OPA No. 600, which permits the proposed residential land use, and zoned C4 Neighbourhood Commercial Zone by By-law 1-88, subject to site-specific Exception 9(1063), which requires the proposed rezoning to RV4 Residential Urban Village Zone Four to implement the proposed residential plan of subdivision. The surrounding land uses are:

- North - Summeridge Drive; existing residential (RV4 (WS) Residential Urban Village Zone Four-Wide Shallow)
- South - woodlot (OS4 Open Space Woodlot Zone)
- East - existing residential (RV4 (WS) Residential Urban Village Zone Four – Wide Shallow)
- West - existing commercial (C4 Neighbourhood Commercial Zone)

On August 11, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. To date, the Development Planning Department has received one objection to the proposed draft plan of subdivision 19T-06V08, stating that a retail grocery store would be more beneficial to the existing subdivisions within the area than would additional residential dwellings.

The recommendation of the Committee of the Whole to receive the Public Hearing report of September 5, 2006, and to forward a comprehensive report to a future Committee of the Whole Meeting was ratified by Council on September 11, 2006.

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 subject draft plan of subdivision (see Attachment #4) was originally planned for residential uses, and later rezoned for commercial purposes to be developed in conjunction with the existing commercial to the west.

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 Block Plan was originally approved showing Sisley Crescent as a U-shaped public road with blocks most likely for street townhouse development situated between Sisley Court and the Neighbourhood Commercial Block to the west. The Development Planning Department and Engineering Department have reviewed the change to the street layout, which proposes a cul-de-sac flanked on both sides with lots for single detached dwellings and can support the revision.

Official Plan

The "Medium Density Residential/Commercial Area" designation is generally located along major arterial roads and certain primary streets. The character of the "Medium Density Residential/Commercial area shall be primarily residential with limited commercial uses located at grade level along transit routes to encourage and facilitate pedestrian movement. This designation encourages a mix of lot sizes and building types.

Within the "Medium Density Residential/Commercial Area" designation, the minimum net residential density on any one site shall be 17 units per hectare and the maximum net residential density shall be 40 units per hectare. The average net density taken across all the medium Density Residential-Commercial areas of the block plan, shall be in the range of 25 to 35 units per hectare.

The net residential density for the subject development is 17 units per hectare, and therefore conforms to the density requirements of OPA #600.

Zoning

The subject lands are zoned C4 Neighbourhood Commercial Zone by By-law 1-88, subject to site-specific Exception 9(1063), as shown on Attachment #2.

A rezoning of the subject lands (see Attachment #5) is required to implement the proposed draft plan of subdivision, in accordance with the City of Vaughan's residential zone standards outlined in Schedule "A1" of By-law 1-88, as amended. Specifically the proposed draft plan of subdivision will be rezoned to RV4 Residential Urban Village Zone Four in keeping with the zoning categories used for all of Block 10.

The RV4 Zone requires lots to have a minimum lot frontage of 9.75m, lot depth of 30m, and lot area of 292m². Twenty-four of the proposed 25 lots comply to the minimum lot frontage, area and depth. Lot 12, however, has a lot depth of 29.4m and will require an exception to the minimum lot depth standard of 30m for the RV4 Zone, which can be supported by Development Planning Staff.

As a result of the proposed subdivision being located on a formerly approved but not constructed commercial development site, references to the front, side and rear yards have been impacted with respect to the constructed portion of the westerly Red Birch commercial development as shown on Attachment #6. The former front yard (along Dufferin Street) is now deemed to be the exterior side. The former exterior side along Summeridge Drive is now deemed to be the front yard. The interior side yard abuts the subject draft plan of subdivision, and the rear yard abuts the existing woodlot to the south of the Red Birch development. Should the proposed draft plan of subdivision 19T-06V08 be approved, it would create a non-compliance within the adjacent Red Birch commercial development to the immediate west. The following exceptions to the C4

Neighbourhood Commercial Zone under Exception 9(1063) will be required to address the existing commercial development to the west:

	<u>Required</u>	<u>Proposed</u>
Min. Setback from Residential Zone	19.0m	14.0m
Min. Number of Parking Spaces	441 spaces	264 spaces

Development Planning Staff can support the above-noted exceptions, as well as, the required changes to references respecting front, interior and exterior side and rear yard setbacks to specific buildings on site. The proposed exceptions will correct references which were impacted by Draft Plan 19T-06V08 and bring the existing remaining Red Birch commercial development into compliance. No construction changes to the on-site commercial development will be made.

It will be necessary for the Red Birch owner to amend Site Plan File DA.04.060 to reflect the changes to the westerly commercial plaza, including identifying the new landscaping to be provided along the easterly property limit, adjacent to the subject residential plan of subdivision.

Subdivision Design

The draft plan of subdivision shown on Attachment #4 will incorporate the use of alternative road design standards consistent with the other existing subdivisions in Block 10. The site has access to a primary road, Summeridge Drive, which was constructed in conjunction with draft plan of subdivision 19T-89037. The site contains one local road which will be constructed in conjunction with the development of the subject lands.

The draft plan proposes a total of 25 residential lots, 17 of which are fronting onto the proposed new local road, and 8 which will front onto Summeridge Drive. Lots 1-6 inclusive, 10-16 inclusive and 20-25 inclusive have minimum 12.0m frontage. The remainder of the lots all have minimum 11.0m frontages. The lot depths range between 29.4m and 44.7m.

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) Engineering Services

The municipal services for the development shall be in accordance with the functional servicing report prepared by Ander Engineering & Associates Limited dated October 1, 2006.

b) Allocation

In accordance with the City of Vaughan Servicing Capacity Distribution Protocol as adopted by Council on February 26, 2007, the subject lands have been assigned Priority 2 allocation. Formal allocation of servicing capacity will be required by Council in conjunction with the subject Draft Plan of Subdivision 19T-06V08 (Morenci Home Builders) approval. Should Council approve the draft plan, allocation will be made available for the proposed 25 residential single-detached lots.

c) Sanitary Servicing

The subject lands will be serviced through the Summeridge Drive sanitary sewer that discharges to the east, then south via the Firtree Trail sewer system. The draft plan of subdivision is a tributary to the Concord Sub-Trunk.

d) Storm Drainage

The subject site will be serviced through the Summeridge Drive 1200mm diameter storm sewer that discharges to the Storm Water Management Pond facility located to the west of Sagecrest Crescent

e) Water Supply

The subject lands are located within the service area of Pressure District No. 6 of the York Water Supply System. It is anticipated that the water supply will be provided by the existing 400 mm diameter watermain located on Summeridge Drive.

Archaeological Assessment

The Stages 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 notes that a tableland woodlot is located adjacent (to the south) to the subject lands as shown on Attachment #2. The limits of this natural feature were identified and delineated during the Block 10 Block Plan/Master Environmental Servicing Plan (MESP) process. A development setback limit along with a 10m municipal structural setback from the woodlot was applied through the Block Plan process. The TRCA is satisfied that the proposed draft plan of subdivision as shown on Attachment #4 respects the previously delineated limits of development. 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.

Canada Post

Conditions of approval for Canada Post 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".

Regional Implications

N/A

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-06V08 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 25 single detached residential units 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 10 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 10 Plan
4. Draft Plan of Subdivision 19T-06V08
5. Draft Plan of Subdivision 19T-06V08 with Proposed Zoning
6. Site Plan DA.04.060 - Remaining Existing Red Birch Development in relation to 19T-06V08

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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-06V08
MORENCI HOME BUILDERS INC.
PART OF BLOCK 391, REGISTERED PLAN 65M-3757, 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-06V08, 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 #06:01, dated January 29, 2007.
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:
 - RV4 Urban Village Residential Zone Four (Lots 1-25)
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 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 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.

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 public transit routes have not been determined for the area within the Plan, however, Summeridge Drive may be subject to public transit bus traffic, and that necessary bus stops and passenger amenities will be placed accordingly."
- (i) "Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the City and a conceptual location plan is included in the subdivision agreement. While every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete any boulevard tree without further notice.

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 purchasers for boulevard trees does not guarantee that a tree will be planted on the boulevard in front or on the side of the residential dwelling."

- (j) The following warning clauses shall be included in all Offers of Purchase and Sale or Lease for Lots 13 and 14 inclusive:

"Purchasers and/or tenants are advised that 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."

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 Functional Servicing Report.
24. 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 the City Standards and Specifications.
25. Prior to the transfer of any Lots or Blocks, the Owner shall construct a 1.8 metre high maintenance free acoustic barrier along the private side of the lot lines of the subject lots as required in the approved noise report and in compliance with the City's noise policy. The noise consultant shall certify that the acoustic barrier complies with the requirements of the noise report prior to transfer.
26. 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.
27. The Owner shall agree to remove any driveways and buildings on site, which are not approved to be maintained as part of the plan; any modification to off-site driveways required to accommodate this Plan shall be coordinated and completed at the cost of the Owner.
28. 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.
29. 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.
30. The Owner shall agree to design, purchase materials and install a street lighting system compatible with the existing and/or proposed systems in surrounding plans, all in accordance with City standards and specifications.
31. 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.
32. 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.
33. 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.
34. Prior to initiation of any grading, removal of any vegetation or topsoil, the Owner shall obtain a fill permit from the City.
35. 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 0.3metre reserves.
36. The road allowance included within this draft plan of subdivision shall be dedicated as a public highway without monetary consideration and free of all encumbrances.
37. Any dead end or open side of a road allowance within the Plan shall be terminated in a 0.3m reserve, to be conveyed to the City free of all charge and encumbrances, until required for a future road allowance or development of adjacent lands.
38. The Owner shall agree in the subdivision agreement that:
- a) All development shall proceed in accordance with the Council approved Block 10 architectural design guidelines;
 - b) The control architect for Block 10 shall be retained at the cost of the Owner to ensure compliance with the architectural design guidelines;
 - c) Prior to the submission of individual building permit applications, the control architect shall have stamped and signed drawings certifying compliance with the approved architectural guidelines;
 - d) The City may undertake periodic reviews to ensure compliance with the architectural design guidelines. Should inadequate enforcement be evident, the City may cease to accept drawings stamped by the control architect and retain another control architect, at the expense of the Owner.
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 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.
41. Prior to final approval of the plan, the Owner shall prepare a detailed edge management plan study for the perimeter of the tableland woodlot. 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 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.

Region of York

42. Prior to final approval, York Region shall confirm that adequate water supply and sewage servicing capacity are available and have been allocated by the local municipality for the development proposed within this draft plan of subdivision or any phase thereof.
43. 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.
44. 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.

Canada Post

45. The Consulting Engineers shall send Patrick Brown, Delivery Planner York Region, 2 copies of the Utility co-ordination plan/site plan, for use in identifying our Community Mailbox location.
46. The Owner/Developer shall agree to include on all offers of purchase/rental agreement (if applicable) and, sale, a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
47. The Owner/Developer shall be responsible for notifying the purchaser/renter of the exact Community Mailbox locations prior to the closing of any home sale.
48. The Owner/Developer shall consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailbox and to indicate these locations on the appropriate servicing plans.
49. The Owner/Developer shall provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:
 - (a) An appropriately sized sidewalk section (concrete pad) as per municipal standards, 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.
50. The Owner/Developer shall further agree 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)

51. The applicant shall submit detailed grading plans for the subject lands, to the satisfaction of the TRCA.
52. The applicant shall provide information detailing the proposed method for controlling or minimizing erosion and siltation on-site during and after construction, to the satisfaction of the TRCA.
53. The Owner shall agree in the subdivision agreement, in wording acceptable to the TRCA:
 - (a) to maintain all erosion and sediment control measures operating and in good repair during the construction period, in a manner satisfactory to the TRCA;
 - (b) to ensure that the permanent fence along the southerly limits of Lots 13 and 14 are maintained in its existing condition for the duration of construction.
54. The applicant shall submit a copy of the fully executed subdivision agreement to the TRCA, in order to expedite the clearance of the conditions of draft approval.

Clearances

55. Final approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees, provided that:
 - (a) phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services; and,
 - (b) all government agencies agree to registration by phases and provide clearances, as required in Conditions 56 to 59 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase to be sought to be registered.
56. The City shall advise that Conditions 1 to 41 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
57. The Region of York Shall advise that Conditions 42 to 44 inclusive, have been satisfied; the clearance letters shall include a brief statement detailing how each condition has been met.
58. The Canada Post shall advise that Conditions 45 to 50 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
59. The Toronto and Region Conservation Authority shall advise that Conditions 51 to 54 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



Legend

- C4 - NEIGHBOURHOOD COMMERCIAL ZONE
- C7 - SERVICE COMMERCIAL ZONE
- EM1 - PRESTIGE EMPLOYMENT AREA ZONE
- EM2 - GENERAL EMPLOYMENT AREA ZONE
- OS4 - OPEN SPACE PARK ZONE
- OS4 - OPEN SPACE WOODLOT ZONE
- RV3(W) - RESIDENTIAL URBAN VILLAGE ZONE THREE
- RV4(W) - RESIDENTIAL URBAN VILLAGE ZONE FOUR
- RVM1(W) - RESIDENTIAL URBAN VILLAGE MULTIPLE ZONE ONE
- RVM2 - RESIDENTIAL URBAN VILLAGE MULTIPLE ZONE TWO

Subject Lands

Not to Scale

Location Map

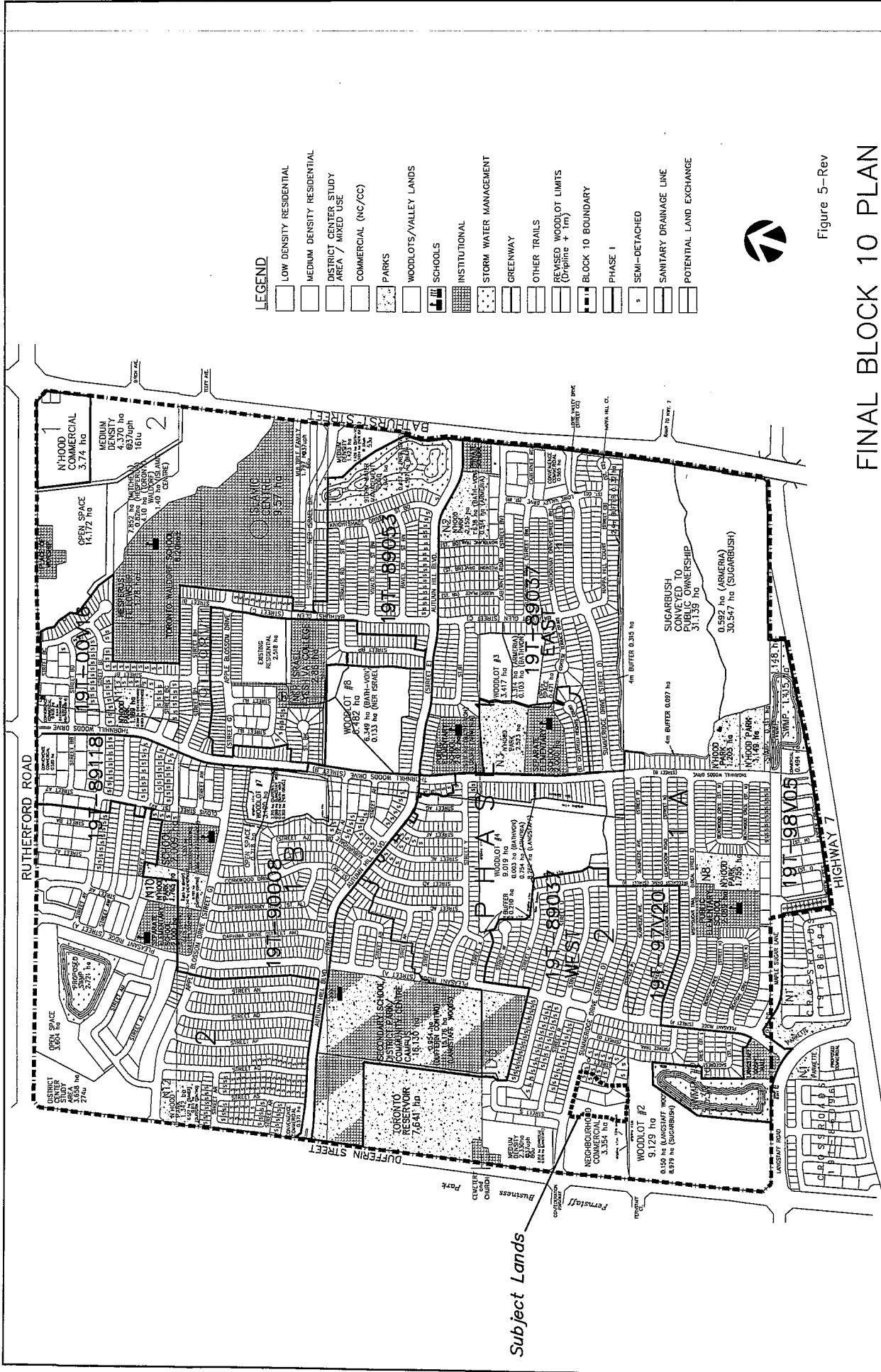
Part of Lot 12,
Concession 2
APPLICANT:
MORENCI HOME BUILDERS INC.
INFORM ATTACHMENTS\01\06-06-06-048.dwg



Development Planning Department

Attachment 2

FILE No.:
19T-06V08 &
Z.06.048
April 11, 2007



- LEGEND**
- LOW DENSITY RESIDENTIAL
 - MEDIUM DENSITY RESIDENTIAL
 - DISTRICT CENTER STUDY AREA / MIXED USE
 - COMMERCIAL (NC/CC)
 - PARKS
 - WOODLOTS/VALLEY LANDS
 - SCHOOLS
 - INSTITUTIONAL
 - STORM WATER MANAGEMENT
 - GREENWAY
 - OTHER TRAILS
 - REVERSED WOODLOT LIMITS (Outline + m)
 - BLOCK 10 BOUNDARY
 - PHASE 1
 - SEMI-DETACHED
 - SANITARY DRAINAGE LINE
 - POTENTIAL LAND EXCHANGE



Figure 5-Rev

FINAL BLOCK 10 PLAN

Approved Block 10 Plan

APPLICANT:
MORENCI HOME BUILDERS INC.

Part of Lot 12,
Concession 2



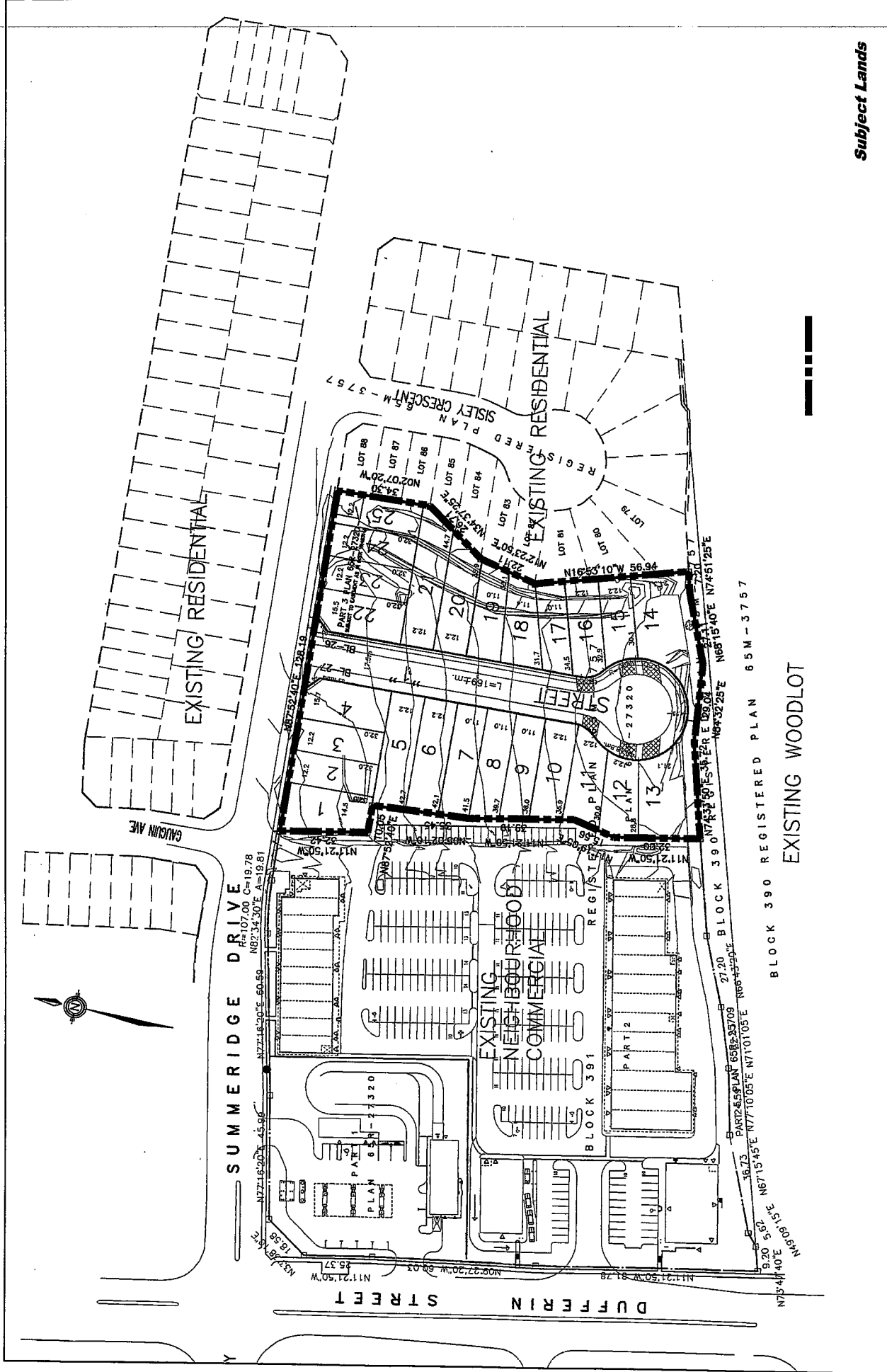
Development Planning Department

Attachment 3

FILE No.:
19T-06V08 &
Z.06.048

April 11, 2007

MOEPA ATTACHMENT 19T-06V08-06.048.dwg



Subject Lands

Attachment 4

FILE No.:
19T-06V08 &
Z.06.048
April 11, 2007



Development Planning Department

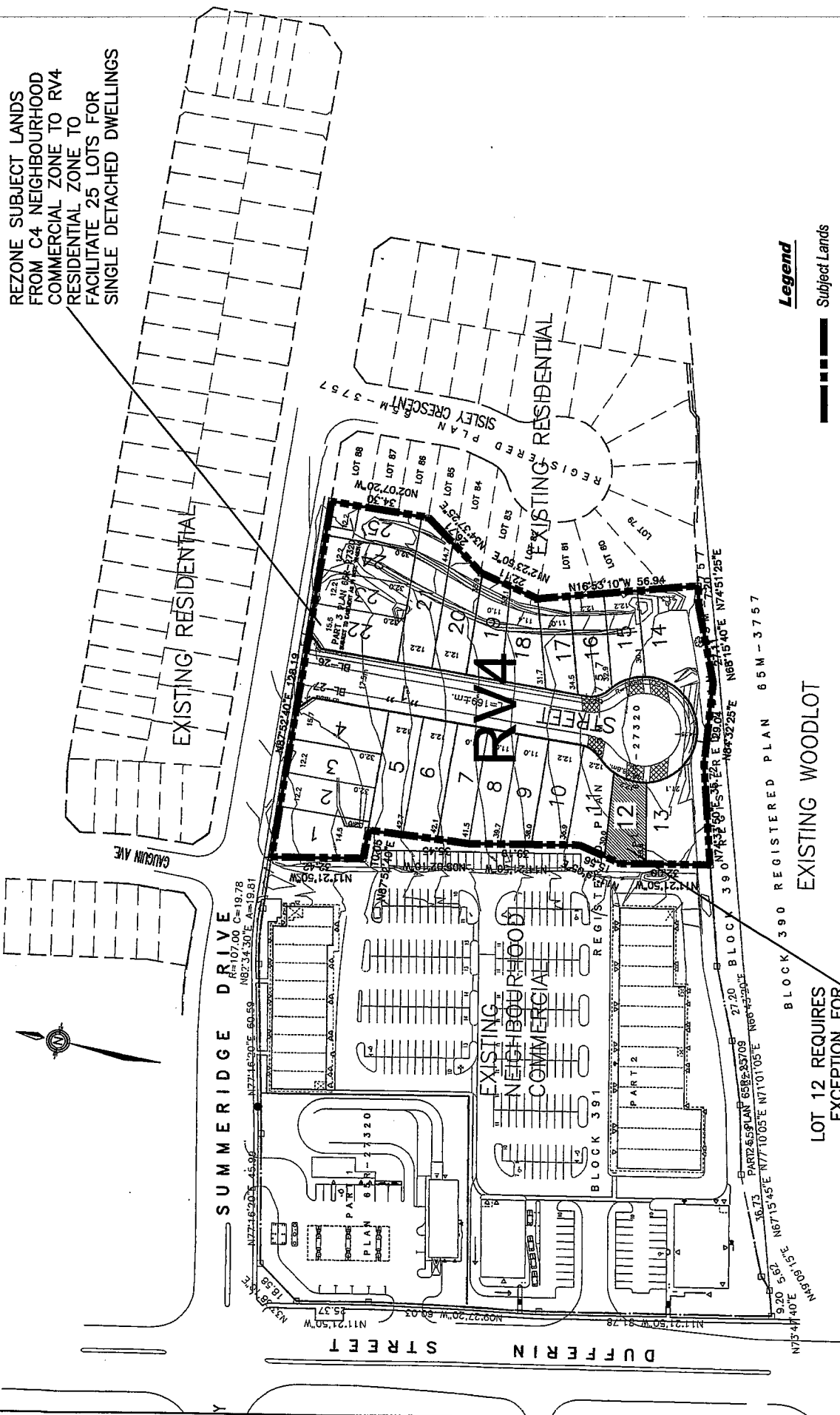
Draft Plan of Subdivision 19T-06V08

Part of Lot 12,
Concession 2

APPLICANT:
MORENCI HOME BUILDERS INC.

NORTH ATTACHMENTS/19T/06V08/06.048.dwg

REZONE SUBJECT LANDS FROM C4 NEIGHBOURHOOD COMMERCIAL ZONE TO RV4 RESIDENTIAL ZONE TO FACILITATE 25 LOTS FOR SINGLE DETACHED DWELLINGS



Legend

- Subject Lands
- RV4 Urban Village Residential Zone Four

LOT 12 REQUIRES EXCEPTION FOR LOT DEPTH FROM 30m TO 29.4m

BLOCK 390 REGISTERED PLAN 65M - 3757

Attachment 5

FILE No.: 19T-06V08 & Z.06.048
April 11, 2007

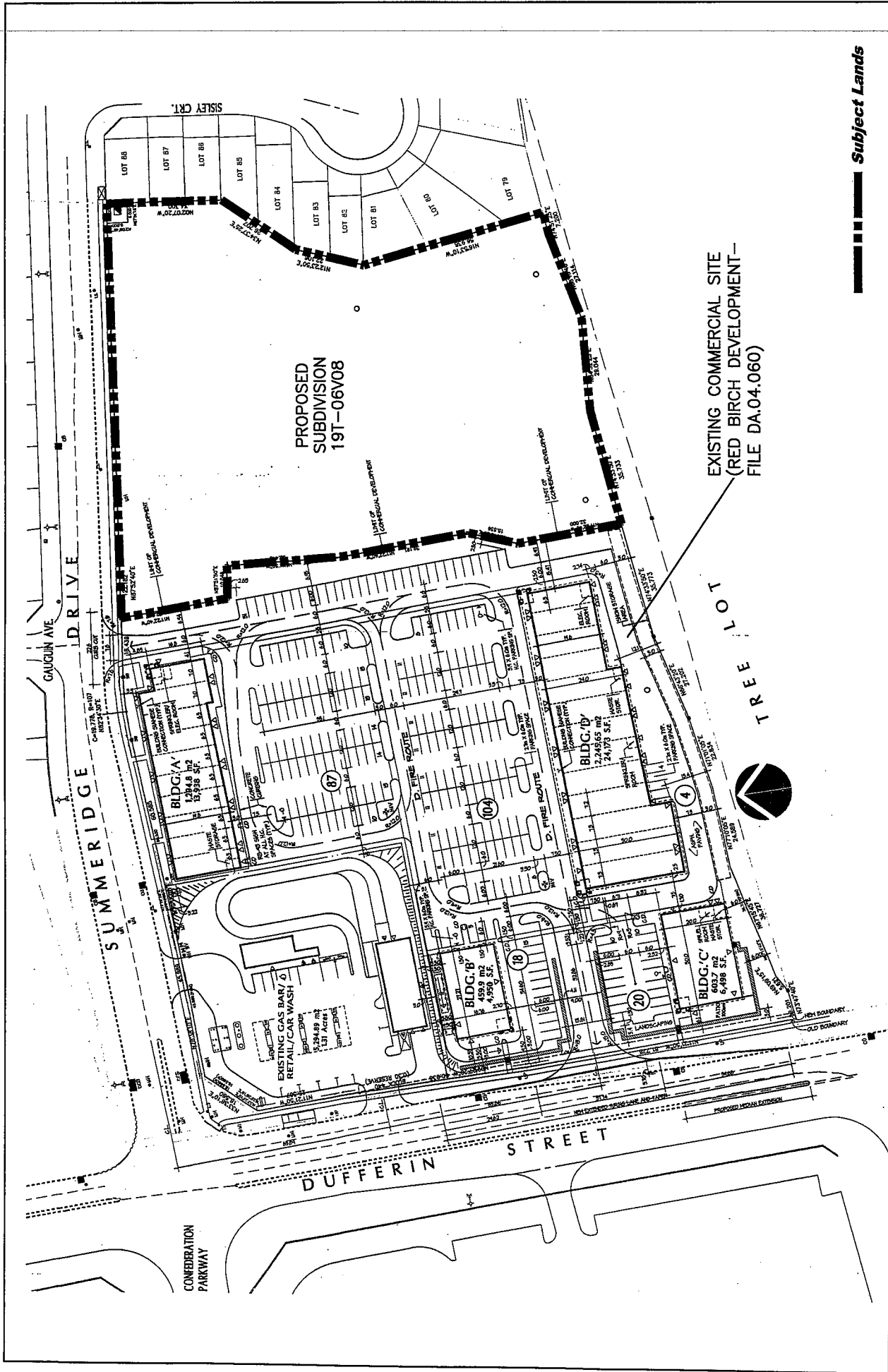


Development Planning Department

Draft Plan of Subdivision 19T-06V08 with Proposed Zoning

APPLICANT: MORENCI HOME BUILDERS INC.
Part of Lot 12, Concession 2

N:\DP\TY ATTACHMENTS\19T-06V08-06.048.dwg



Subject Lands

Attachment 6

FILE No.:
19T-06V08 &
Z.06.048
April 11, 2007



Development Planning Department

Site Plan DA.04.060 - Remaining Existing Red Birch Development in relation to 19T-06V08

Part of Lot 12,
Concession 2

APPLICANT:
MORENCI HOME BUILDERS INC.

NOT TO SCALE (ATTACHMENT 19T-06V08-06.048.AWG)