

COMMITTEE OF THE WHOLE NOVEMBER 3, 2008

**ZONING BY-LAW AMENDMENT FILE Z.05.057
DRAFT PLAN OF SUBDIVISION FILE 19T-05V10
LAKE RIVERS INC.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.05.057 (Lake Rivers Inc.) BE APPROVED, specifically to amend By-law 1-88 for the subject lands shown on Attachment #3, as follows:
 - a) rezone Lots 228, 229, 233 and 234, Lots 237 to 252 inclusive, Lots 255 to 259 inclusive, Lots 273 and 277, Lots 287 to 289 inclusive, and Lots 308 to 311 inclusive, from A Agricultural Zone to RD1(H) Residential Detached Zone One with the Holding Symbol "H" to facilitate 34 lots with a minimum lot frontage of 18m, a minimum lot area of 540 m² and a minimum lot depth of 30 m, for detached dwelling units in Phase 1;
 - b) rezone Lots 1 to 3 inclusive, Lots 6 to 8 inclusive, Lots 12, 13, 30 and 31, Lots 38 to 40 inclusive, Lots 47 to 50 inclusive, Lots 56 to 58 inclusive, Lots 61 to 64 inclusive, Lot 72, Lots 78 to 83 inclusive, Lots 92 to 97 inclusive, Lots 104 to 112 inclusive, Lots 119, 128 and 129, Lots 136 to 139 inclusive, Lots 144 and 145, Lots 151 to 155 inclusive, Lots 163 to 165 inclusive, Lots 172 to 176 inclusive, Lots 201 to 205 inclusive, Lots 207 and 208, Lots 214 to 220 inclusive, and Lots 282 to 284 inclusive, from A Agricultural Zone to RD1(H) Residential Detached Zone One with the Holding Symbol "H" to facilitate 85 lots with a minimum lot frontage of 18 m, a minimum lot area of 540 m² and a minimum lot depth of 30 m, for detached dwelling units in Phase 2;
 - c) rezone Lots 221 to 227 inclusive, Lots 230 to 232 inclusive, Lots 235, 236, 253 and 254, Lots 260 to 263 inclusive, Lots 267 to 272 inclusive, Lots 274 to 276 inclusive, Lots 278 to 281 inclusive, Lots 285 and 286, and Lots 290 to 307 inclusive, from A Agricultural Zone to RD2(H) Residential Detached Zone Two with the Holding Symbol "H" to facilitate 85 lots with a minimum lot frontage of 15m, a minimum lot area of 450 m² and a minimum lot depth of 30 m, for detached dwelling units in Phase 1;
 - d) rezone Lots 4 and 5, Lots 9 to 11 inclusive, Lots 14 to 29 inclusive, Lots 32 to 37 inclusive, Lots 41 to 46 inclusive, Lots 51 to 55 inclusive, Lots 59 and 60, Lots 65 to 71 inclusive, Lots 73 to 77 inclusive, Lots 84 to 91 inclusive, Lots 98 to 103 inclusive, Lots 113 to 118 inclusive, Lots 120 to 127 inclusive, Lots 130 to 135 inclusive, Lots 140 to 143 inclusive, Lots 146 to 150 inclusive, Lots 156 to 162 inclusive, Lots 166 to 171 inclusive, Lots 177 to 200 inclusive, Lot 206, Lots 209 to 213 inclusive, and Lots 264 to 266 inclusive, from A Agricultural Zone to RD2(H) Residential Detached Zone Two with the Holding Symbol "H" to facilitate 141 lots with a minimum lot frontage of 15 m, a minimum lot area of 450 m² and a minimum lot depth of 30 m, for detached dwelling units in Phase 2;
 - e) rezone Block 312 from A Agricultural Zone to RD2(H) Residential Detached Zone Two with the Holding Symbol "H" to facilitate the 1.671 ha proposed elementary school site in Phase 2;

- f) rezone Block 316 from A Agricultural Zone to OS1 Open Space Conservation Zone to facilitate the 1.280 ha stormwater management pond facility in Phase 1;
- g) rezone Block 315 from A Agricultural Zone to OS1(H) Open Space Conservation Zone with the Holding Symbol "H" to facilitate the 1.037 ha stormwater management pond facility in Phase 2;
- h) rezone Blocks 317 and 318 from A Agricultural Zone to OS1 Open Space Conservation Zone for the existing 4.089 ha valleylands;
- i) rezone Block 319 from A Agricultural Zone to OS1(H) Open Space Conservation Zone with the Holding Symbol "H" to facilitate the 0.489 ha berm and multi-use pathway in Phase 2;
- j) rezone Block 313 from A Agricultural Zone to OS2(H) Open Space Park Zone with the Holding Symbol "H" to facilitate the 1.791 ha neighbourhood park in Phase 2;
- k) rezone Block 314 from A Agricultural Zone to OS2(H) Open Space Park Zone with the Holding Symbol "H" to facilitate the 0.0671ha parkette for protecting an existing oak tree in Phase 2;
- l) rezone Blocks 320 to 322 inclusive from A Agricultural Zone to OS2(H) Open Space Park Zone with the Holding Symbol "H" to facilitate the 0.258 ha entry gateway landscape buffers in Phase 1;
- m) require that prior to the removal of the Holding Symbol "H" from Lots 221 to 263 inclusive, Lots 267 to 281 inclusive, and Lots 285 to 311 inclusive in Phase 1, the following conditions shall be addressed:
 - i)
 - A. that York Region has advised, in writing, that it is no earlier than six (6) months prior to the expected completion of the Kleinburg Water Storage Facility, Additional Water Supply Works in Kleinburg and the Kleinburg Water Pressure Control Plant (WPCP) Expansion; or,
 - B. that the City approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
 - C. that the Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the Council of the City of Vaughan has allocated adequate water supply and sewage servicing capacity to the subject development; and,
 - ii) that the final configuration, sizing and location of Stormwater Management Facility Block 316 be approved to the satisfaction of the City and the Toronto and Region Conservation Authority;
- n) require that prior to the removal of the Holding Symbol "H" from Lots 1 to 220 inclusive, Lots 264 to 266 inclusive, Lots 282 to 284 inclusive, Blocks 312, 313, and 315, and Blocks 319 to 322 inclusive in Phase 2, the following conditions shall be addressed:
 - i)
 - A. that York Region has advised, in writing, that it is no earlier than six (6) months prior to the expected completion of the Kleinburg Water

Storage Facility, Additional Water Supply Works in Kleinburg and the Kleinburg WPCP Expansion; or,

- B. that the City approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
 - C. that the Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the Council of the City of Vaughan has allocated adequate water supply and sewage servicing capacity to the subject development;
- ii)
- A. that an Environmental Assessment has identified a preferred alignment for Major Mackenzie Drive and the associated grade separation of the CP Rail Line to the satisfaction of the City and York Region; and,
 - B. that York Region will consider a phased or partial release of the lots and blocks identified above, when the Environmental Assessment or a Feasibility Study (undertaken by the City and/or the Owner) has identified, to the satisfaction of York Region, that particular lots and blocks are no longer impacted by the proposed alignment and grade separation of Major Mackenzie Drive; and,
 - C. that the Owner shall agree to submit a revised draft plan which incorporates the preferred alignment for Major Mackenzie Drive and the grade separation of the CP Rail Line, including any associated changes to the configuration of the subject lots, blocks and local street network, and location of land uses to the satisfaction of the City and York Region;
- iii) that the final configuration, sizing and location of Stormwater Management Facility Block 315 be approved to the satisfaction of the City and the Toronto and Region Conservation Authority; and,
- o) include any necessary zoning exceptions required to implement the approved Draft Plan of Subdivision.
2. THAT Draft Plan of Subdivision 19T-05V10 (Lake Rivers Inc.), as red-lined (November 3, 2008), and shown on Attachment #3, BE APPROVED, subject to the pre-conditions and conditions set out in Attachment #1 to this report.
3. THAT for the purpose of notice, the implementing subdivision agreement for Draft Plan of Subdivision 19T-05V10 (Lake Rivers Inc.), shall contain a provision that parkland shall be dedicated and/or cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands be paid, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". The Owner shall submit an approved appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.
4. THAT the Owner shall enter into an agreement with the City to be registered on title, indicating that no Lots and/or Blocks, will be offered for sale by the Owner or purchasers

until water supply and sewage servicing capacity has been identified and allocated by the City.

5. THAT the Owner shall enter into an agreement with the City of Vaughan, which agreement shall be registered on title and applying to Lots 1 to 220 inclusive, Lots 264 to 266 inclusive, and Lots 282 to 284 inclusive Blocks 312, 313, and 315, and Blocks 319 to 322 inclusive, as identified on the attached red-lined plan, committing the Owner not to enter into any agreements of purchase and sale with end-users for the subject lands until such time as:
 - i) An Environmental Assessment has identified a preferred alignment for Major Mackenzie Drive and the associated grade separation of the CP Rail Line to the satisfaction of the City of Vaughan and York Region; and,
 - ii) York Region will consider a phased or partial release of the Lots and Blocks identified above, when the Environmental Assessment or a Feasibility Study (undertaken by the City and/or the Owner) has identified, to the satisfaction of York Region, that particular Lots and Blocks are no longer impacted by the proposed alignment and grade separation of Major Mackenzie Drive.
6. THAT the Traffic Management Plan for Draft Plan of Subdivision 19T-05V10 (Lake Rivers Inc.), shown on Attachment #4, BE APPROVED, subject to the conditions set out in Attachment #1 to this report.
7. THAT Council pass the following resolution with respect to the allocation of water and sewage servicing capacity:

"NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT Draft Approved Plan of Subdivision 19T-05V10 (Lake Rivers Inc.), be allocated sewage capacity from the Kleinburg Servicing Scheme and water supply from the York Water Supply System for a total of 145 residential units."

Economic Impact

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

Communications Plan

On January 13, 2006, a Notice of Public Hearing was circulated to all property owners within 120 metres of the subject lands, and to the Kleinburg and Area Ratepayers' Association. Through the circulation of this notice, no written comments were received. The recommendation of the Committee of the Whole to receive the Public Hearing report of February 6, 2006, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on February 13, 2006. As of October 29, 2008, no written comments have been received.

Purpose

The Owner has submitted the following applications to:

1. Amend the Zoning By-law, specifically By-law 1-88, to rezone the subject lands shown on Attachment #3 from A Agricultural Zone to:
 - RD1(H) Residential Detached Zone One with the Holding Symbol "H" for Lots 228, 229, 233 and 234, Lots 237 to 252 inclusive, Lots 255 to 259 inclusive, Lots 273 and 277, Lots 287 to 289 inclusive, and Lots 308 to 311 inclusive, for detached dwelling units in Phase 1;

- RD1(H) Residential Detached Zone One with the Holding Symbol “H” for Lots 1 to 3 inclusive, Lots 6 to 8 inclusive, Lots 12, 13, 30 and 31, Lots 38 to 40 inclusive, Lots 47 to 50 inclusive, Lots 56 to 58 inclusive, Lots 61 to 64 inclusive, Lot 72, Lots 78 to 83 inclusive, Lots 92 to 97 inclusive, Lots 104 to 112 inclusive, Lots 119, 128 and 129, Lots 136 to 139 inclusive, Lots 144 and 145, Lots 151 to 155 inclusive, Lots 163 to 165 inclusive, Lots 172 to 176 inclusive, Lots 201 to 205 inclusive, Lots 207 and 208, Lots 214 to 220 inclusive, and Lots 282 to 284 inclusive, for detached dwelling units in Phase 2;
- RD2(H) Residential Detached Zone Two with the Holding Symbol “H” for Lots 221 to 227 inclusive, Lots 230 to 232 inclusive, Lots 235, 236, 253 and 254, Lots 260 to 263 inclusive, Lots 267 to 272 inclusive, Lots 274 to 276 inclusive, Lots 278 to 281 inclusive, Lots 285 and 286, and Lots 290 to 307 inclusive, for detached dwelling units in Phase 1;
- RD2(H) Residential Detached Zone Two with the Holding Symbol “H” for Lots 4 and 5, Lots 9 to 11 inclusive, Lots 14 to 29 inclusive, Lots 32 to 37 inclusive, Lots 41 to 46 inclusive, Lots 51 to 55 inclusive, Lots 59 and 60, Lots 65 to 71 inclusive, Lots 73 to 77 inclusive, Lots 84 to 91 inclusive, Lots 98 to 103 inclusive, Lots 113 to 118 inclusive, Lots 120 to 127 inclusive, Lots 130 to 135 inclusive, Lots 140 to 143 inclusive, Lots 146 to 150 inclusive, Lots 156 to 162 inclusive, Lots 166 to 171 inclusive, Lots 177 to 200 inclusive, Lot 206, Lots 209 to 213 inclusive, and Lots 264 to 266 inclusive, for detached dwelling units in Phase 2;
- RD2(H) Residential Detached Zone Two with the Holding Symbol “H” for Block 312 for an elementary school site in Phase 2;
- OS1 Open Space Conservation Zone for Block 316 for a stormwater management pond facility;
- OS1(H) Open Space Conservation Zone with the Holding Symbol “H” for Block 315 for a stormwater management pond facility in Phase 2;
- OS1 Open Space Conservation Zone for Blocks 317 and 318 for the existing valleylands;
- OS1(H) Open Space Conservation Zone with the Holding Symbol “H” for Block 319 for the berm and multi-use pathway in Phase 2;
- OS2(H) Open Space Park Zone with the Holding Symbol “H” for Block 313 for a neighbourhood park in Phase 2;
- OS2(H) Open Space Park Zone with the Holding Symbol “H” for Block 314 for a parkette for protecting an existing oak tree in Phase 2; and,
- OS2(H) Open Space Park Zone with the Holding Symbol “H” for Blocks 320 to 322 inclusive for the entry gateway landscaping buffers.

2. Approve a Draft Plan of Subdivision with a total of 39.337 ha, shown on Attachment #3, consisting of the following:

- 120 lots for detached dwelling units with lot frontages of 18.3 m and lot areas of 585.6 m², and 191 lots for detached dwelling units with lot frontages of 15.3 m and lot areas of 489.6 m² for a total of 311 residential detached units on an area of 18.805 ha;
- 1 elementary school block of 1.671 ha;
- 1 neighbourhood park block of 1.791 ha;
- 1 parkette block of 0.067 ha to protect an existing oak tree;
- 2 stormwater management facility blocks of 2.317 ha;
- 2 existing valleyland blocks of 4.098 ha;
- berm and multi-use pathway block of 0.403 ha;
- buffer/gateway entry blocks of 0.258 ha;
- road widening block of 0.947 ha;
- 0.3 m reserves of 0.019 ha; and,
- streets of 8.970 ha.

Background - Analysis and Options

The subject lands shown on Attachment #2 are located on the north side of Major Mackenzie Drive, west of Highway 27, in Part of Lot 21, Concession 9, City of Vaughan. The subject lands have an area of 39.337 ha, with 1,042 m of frontage along Major Mackenzie Drive.

The subject lands are designated "Serviced Residential-Humber Trails Central", "Elementary School", "Neighbourhood Park" and "Valley Area" by OPA #601 (Kleinburg-Nashville Community Plan), as amended by OPA #686, as shown on Attachment #5. The lands are also identified in OPA #601 as being in a "Potential Groundwater Recharge Area/Potential Groundwater Discharge Area" (Schedule "B1"), "Highway 27 Humber Valley North Major Mackenzie (WL) Forest Block" (Schedule "B2"), and "Highway 27 Humber Valley Forest North Major Mackenzie (WL) with a Low Functional Rating" (Schedule "B4"), all in the location of the valley and woodlot in the southeast corner of the proposed subdivision plan (i.e., Blocks 317 and 318). The subject lands are zoned A Agricultural Zone by By-law 1-88 as shown on Attachment #2. The subject lands consist of vacant agricultural lands. The surrounding land uses are shown on Attachment #2.

The Owner had submitted an application to amend the Official Plan (File OP.05.026), specifically OPA #601 (Kleinburg-Nashville Community Plan), on the subject lands shown on Attachment #2, to increase the maximum permitted density for lands within the "Serviced Residential-Humber Trails" designation from 7.5 units per net residential hectare to not exceed 11.2 units per net residential hectare (i.e., from a maximum of 208 to 312 detached residential dwelling units, being an additional 104 units), as shown on Attachment #3. Council, at its April 14, 2008 meeting, approved the April 7, 2008 Committee of the Whole Report which recommended approval of the Official Plan Amendment. On May 12, 2008, Council passed By-law 112-2008 to adopt OPA #686. On September 3, 2008, OPA #686 was approved, with modifications, by the Region of York and came into effect.

The Owner, in support of the applications to amend the Zoning By-law and for approval of a Draft Plan of Subdivision, has submitted the following documents:

- i) Planning Justification Report, dated March 26, 2008, by KLM Planning Partners Inc.;
- ii) Functional Servicing Report, dated April 2008, by Condeland Engineering Ltd.;
- iii) Natural Heritage Evaluation, dated March 2008, by Tarandus Associates Ltd.;
- iv) Soil Investigation, dated March 2007, by Soil Engineers Ltd.;
- v) Hydrogeological Report, dated March 2007, by Goffco Ltd.;
- vi) Phase I Environmental Site Assessment, dated February 23, 2007, by Soil Engineers Ltd.;
- vii) Phase II Environmental Site Assessment, dated May 28, 2007, by Soil Engineers Ltd.;
- viii) Stage 3 Archaeological Assessment, dated September 2006 and revised to March 2007, by Archaeological Research Associates Ltd.; and,
- ix) Noise Control Feasibility Study, dated October 31, 2007, by SS Wilson Associates.

Official Plan

a) Land Use Designation

The subject lands are designated "Serviced Residential-Humber Trails Central", "Elementary School", "Neighbourhood Park" and "Valley Area" by OPA #601 (Kleinburg-Nashville Community Plan), as amended by OPA #686, as shown on Attachment #5. The lands are also identified in OPA #601 as being in a "Potential Groundwater Recharge Area/Potential Groundwater Discharge Area" (Schedule "B1"), "Highway 27 Humber Valley North Major Mackenzie (WL) Forest Block" (Schedule "B2"), and "Highway 27 Humber Valley Forest North Major Mackenzie (WL) with a Low Functional Rating" (Schedule "B4").

b) Residential Density/Uses

OPA #601, as amended by OPA #686 permits in the "Serviced Residential-Humber Trails Central" designation a permitted residential density not to exceed 11.2 units per net residential hectare and not to exceed 312 detached dwelling units within the "Serviced Residential-Humber Trails Central" designation. The subject lands have a net developable area of 27.775 ha, which is the area of the residential dwelling units and streets that is used in the calculation of residential density for the subject lands shown on Attachment #3. The proposed density is 11.2 units/ha. The uses and density proposed in the plan of subdivision for the subject lands conform to the Official Plan.

The housing form is appropriate for the community, which is predominantly detached dwelling units, while still meeting the objectives of the Official Plan to maintain a village character in the Kleinburg-Nashville Community. This proposal is providing development that is in accordance with the intensification policies in the *Provincial Policy Statement* and *Places To Grow-Growth Plan*.

c) Sustainability

The Official Plan requires the subject lands to coordinate development of the lands with Plan of Subdivision 19T-06V14 (Moïse Kleinburg Estates Inc.) to the north in order to establish an integrated neighbourhood design with the broader community that addresses sustainable development objectives such as transit, walking and bicycling opportunities, water and energy efficiencies, energy alternatives, and green building design and site development. One of the sustainability objectives of the Official Plan, encourages a central community focus within walking distance of the subject lands, and therefore would allow a local neighbourhood commercial use not to exceed a land area of 0.5 ha and a supportive small-scale institutional use, without further amendment to the Official Plan.

d) Valleylands/Open Space

The Official Plan designates the lands, which contain part of the Humber River Valley Corridor, along the eastern portion of the subject lands, as "Valley and Stream Corridor". The Official Plan requires that issues including, but not limited to, water resources and water related features (i.e., head water areas, groundwater recharge and discharge areas, etc.), flood and erosion control, aquatic habitat, appropriate buffers, and stormwater management facilities be addressed. The Toronto and Region Conservation Authority (TRCA) staked the lands to establish the 10 m environmental buffer between the valleylands and the rear of the residential lots. A stormwater management pond facility (Block 316) is proposed within the valleylands and inside the 10 m environmental buffer, as shown on Attachment #3. The Toronto and Region Conservation Authority has requested that the stormwater management facility be relocated outside the valleylands and the 10 m environmental buffer. Should the stormwater management facility remain within the valleylands, the Owner is required to submit a planning justification report to support the maintenance of the stormwater management pond facility within the valleylands and the 10 m environmental buffer. If it is determined through further review that the stormwater management facility is required to relocate from the valleylands, the configuration and location of the lots, street patterns and land uses, may be altered to accommodate the relocated stormwater management facility. Conditions of draft approval respecting the valleylands and stormwater management pond facilities have been included in Attachment #1.

e) Major Mackenzie Drive Re-alignment/Community Edge Buffer

The Region of York is currently undertaking the Western Vaughan Transportation Individual Environmental Assessment (IEA), which will be examining the realignment of the northerly and southerly Major Mackenzie Drives, which includes the interchange of the future north expansion of Highway 427 and Major Mackenzie Drive, and the widening of Major Mackenzie. The IEA was

approved by the Ministry of the Environment (MOE) in February 2006 and the IEA study findings are scheduled to be submitted to MOE in the Summer of 2010. The Ministry of Transportation has advised that the subject lands shown on Attachment #2 are not within the Highway 427 Transportation Corridor Environmental Assessment (EA) Route Alternatives Study but is impacted by the Study due to the Highway 427 interchange with Major Mackenzie Drive. The IEA will also consider the future CP Railway grade separation/crossing at Major Mackenzie Drive. Conditions of draft approval for the subject lands have been included in Attachment #1, which will indicate that the final configuration of the plan of subdivision is subject to any changes necessary to accommodate the final design of Major Mackenzie Drive, as well as the potential CP Railway grade separation/crossing, and that pre-sales of dwelling units will not be permitted prior to the determination of the final Major Mackenzie Drive alignment and CP Railway grade separation/crossing.

Subsection 4.7 of the Official Plan requires that a naturalized community edge buffer in the range of a minimum of 30 m to 50 m in width be provided on lands abutting Major Mackenzie Drive for maintaining a rural village character, as well as to address urban design issues. However, this buffer would apply to the southerly realignment of Major Mackenzie Drive (major arterial road), and not to the existing northerly Major Mackenzie Drive abutting the south end of the subject lands, which will function more as a primary or collector road through this new community. However, any portion of the realigned road that connects with the northerly Major Mackenzie Drive and abuts the subject subdivision will need to provide the buffer, and the subdivision plan will need to be amended, accordingly.

Zoning

The subject lands are currently zoned A Agricultural Zone by By-law 1-88. To facilitate the proposed plan of subdivision, as shown on Attachment #3, a by-law amendment is required to rezone the subject lands.

a) Residential Lands

The draft plan of subdivision will be developed in accordance with Schedule "A3" and the RD1 Residential Detached Zone One and RD2 Residential Detached Zone Two standards to By-law 1-88:

- i) Lots 228, 229, 233 and 234, Lots 237 to 252 inclusive, Lots 255 to 259 inclusive, Lots 273 and 277, Lots 287 to 289 inclusive, and Lots 308 to 311 inclusive, as shown on Attachment #3, are proposed to be zoned RD1(H) Residential Detached Zone One with the Holding Symbol "H" to facilitate the development of 34 lots for detached dwelling units in Phase 1;
- ii) Lots 1 to 3 inclusive, Lots 6 to 8 inclusive, Lots 12, 13, 30 and 31, Lots 38 to 40 inclusive, Lots 47 to 50 inclusive, Lots 56 to 58 inclusive, Lots 61 to 64 inclusive, Lot 72, Lots 78 to 83 inclusive, Lots 92 to 97 inclusive, Lots 104 to 112 inclusive, Lots 119, 128 and 129, Lots 136 to 139 inclusive, Lots 144 and 145, Lots 151 to 155 inclusive, Lots 163 to 165 inclusive, Lots 172 to 176 inclusive, Lots 201 to 205 inclusive, Lots 207 and 208, Lots 214 to 220 inclusive, and Lots 282 to 284 inclusive, as shown on Attachment #3, are proposed to be zoned RD1(H) Residential Detached Zone One with the Holding Symbol "H" to facilitate the development of 85 lots for detached dwelling units in Phase 2;
- iii) Lots 221 to 227 inclusive, Lots 230 to 232 inclusive, Lots 235, 236, 253 and 254, Lots 260 to 263 inclusive, Lots 267 to 272 inclusive, Lots 274 to 276 inclusive, Lots 278 to 281 inclusive, Lots 285 and 286, and Lots 290 to 307 inclusive, as shown on Attachment #3, are proposed to be zoned RD2(H) Residential Detached Zone Two with the Holding Symbol "H" to facilitate the development of 85 lots for detached dwelling units in Phase 1; and,

- iv) Lots 4 and 5, Lots 9 to 11 inclusive, Lots 14 to 29 inclusive, Lots 32 to 37 inclusive, Lots 41 to 46 inclusive, Lots 51 to 55 inclusive, Lots 59 and 60, Lots 65 to 71 inclusive, Lots 73 to 77 inclusive, Lots 84 to 91 inclusive, Lots 98 to 103 inclusive, Lots 113 to 118 inclusive, Lots 120 to 127 inclusive, Lots 130 to 135 inclusive, Lots 140 to 143 inclusive, Lots 146 to 150 inclusive, Lots 156 to 162 inclusive, Lots 166 to 171 inclusive, Lots 177 to 200 inclusive, Lot 206, Lots 209 to 213 inclusive, and Lots 264 to 266 inclusive, as shown on Attachment #3, are proposed to be zoned RD2(H) Residential Detached Zone Two with the Holding Symbol "H" to facilitate the development of 141 lots for detached dwelling units in Phase 2.

Lots 221 to 263 inclusive, Lots 267 to 281 inclusive, and Lots 285 to 311 inclusive, will be zoned with addition of the Holding Symbol "H", as shown on Attachment #3, as Phase 1 and the implementing Zoning By-law will require that prior to the removal of the Holding Symbol "H" from any Residential Zone that water supply and sewage servicing capacity shall be identified and allocated by the City, and that the final configuration, sizing and location of Stormwater Management Facility Block 316 be approved to the satisfaction of the City and the Toronto and Region Conservation Authority. These lots are identified as being within Phase 1 since the lots are not subject to the Western Vaughan Transportation Individual Environmental Assessment (IEA), which is considering the Major Mackenzie Drive realignment, and CP Railway grade separation/crossing.

Lots 1 to 220 inclusive, Lots 264 to 266 inclusive, and Lots 282 to 40 inclusive, will be will also be zoned with addition of the Holding Symbol "H", as shown on Attachment #3, as Phase 2, which can only be removed when the IEA has identified a preferred road alignment for Major Mackenzie Drive and preferred grade separation/crossing for the CP Railway to the satisfaction of the City and York Region, and when the Environmental Assessment or a Feasibility Study undertaken by the City or the Owner identifies the lots and/or blocks which are not affected by the preferred road alignment for Major Mackenzie Drive and preferred grade separation/crossing for the CP Railway to the satisfaction of York Region. Further, the Holding Symbol "H" cannot be removed until the water supply and sewage servicing capacity has been identified and allocated by the City, and that the final configuration, sizing and location of Stormwater Management Facility Block 315 be approved to the satisfaction of the City and the Toronto and Region Conservation Authority.

b) Non-Residential Lands

The draft plan of subdivision will be developed in accordance with Schedules "A1" and "A3" in By-law 1-88. The proposed draft plan, as shown on Attachment #3, provides for open space and elementary school uses, which will be zoned as follows:

- i) Block 312, as shown on Attachment #3, is proposed to be zoned to RD2(H) Residential Detached Zone Two with the Holding Symbol "H" to facilitate the 1.671 ha proposed elementary school site;
- ii) Block 316, as shown on Attachment #3, is proposed to be zoned to OS1 Open Space Conservation Zone to facilitate the 1.280 ha stormwater management pond facility;
- iii) Block 315 as shown on Attachment #3, is proposed to be zoned to OS1(H) Open Space Conservation Zone with the Holding Symbol "H" to facilitate the 1.037 ha stormwater management pond facility;
- iv) Blocks 317 and 318, as shown on Attachment #3, are proposed to be zoned to OS1 Open Space Conservation Zone for the existing 4.089 ha valleylands;
- v) Block 319, as shown on Attachment #3, is proposed to be zoned to OS1 Open Space Conservation Zone to facilitate the 0.489 ha berm and multi-use pathway;

- vi) Block 313, as shown on Attachment #3, is proposed to be zoned to OS2(H) Open Space Park Zone with the Holding Symbol "H" to facilitate the 1.791 ha neighbourhood park;
- vii) Block 314, as shown on Attachment #3, is proposed to be zoned to OS2(H) Open Space Park Zone with the Holding Symbol "H" to facilitate the 0.067 ha parkette to protect an existing oak tree; and,
- viii) Blocks 320 to 322 inclusive, as shown on Attachment #3, are proposed to be zoned to OS2(H) Open Space Park Zone with the Holding Symbol "H" to facilitate 3, 0.258 ha entry gateway landscape blocks.

Blocks 312 to 315 inclusive, and Blocks 319 to 322 inclusive will be zoned with the addition of the Holding Symbol "H", as shown on Attachment #3, as Phase 2, which can only be removed when the IEA has identified a preferred road alignment for Major Mackenzie Drive and preferred grade separation/crossing for the CP Railway to the satisfaction of the City and York Region, and when the Environmental Assessment or a Feasibility Study undertaken by the City or the Owner identifies the lots and/or blocks which are not affected by the preferred road alignment for Major Mackenzie Drive and preferred grade separation/crossing for the CP Railway to the satisfaction of York Region. Prior to the removal of the Holding Symbol "H", the final configuration, sizing and location of Stormwater Management Facility Block 315 shall be approved to the satisfaction of the City and the Toronto and Region Conservation Authority. The appropriate zoning provisions shall be provided, to address any required buffers for valleylands, stormwater management facilities and park/open space lands.

The implementing Zoning By-law will require that prior to the removal of the Holding Symbol "H" from any Residential Zone that water supply and sewage servicing capacity shall be identified and allocated by the City. The Holding Symbol "H" will also be placed on the elementary school site (Block 312) which will be zoned RD2(H) Residential Detached Zone Two with the Holding Symbol "H". The development of the elementary school site will require a Site Development Application, which will need to be approved by Council.

The Western Vaughan Transportation Individual Environmental Assessment (IEA), to consider the Major Mackenzie Drive realignment, and CP Railway grade separation/crossing, is currently in process. The location of the land uses, and the location and configuration of the lots, blocks and street patterns may be subject to change resulting in amendments to the implementing Zoning By-law as a result of the determination of the preferred road alignment for Major Mackenzie Drive and the grade separation/crossing for the railway.

Subdivision Design

The 39.337 ha draft plan of subdivision shown on Attachment #3 is comprised of the following:

- 120 lots for detached dwelling units with lot frontages of 18.3 m and lot areas of 585.6 m², and 191 lots for detached dwelling units with lot frontages of 15.3 m and lot areas of 489.6 m² for a total of 311 residential detached units on an area of 18.805 ha;
- 1 elementary school block of 1.671 ha;
- 1 neighbourhood park block of 1.791 ha;
- 1 parkette block of 0.067 ha to protect an existing oak tree;
- 2 stormwater management pond facility blocks of 2.317 ha;
- 2 existing valleyland blocks of 4.098 ha;
- berm and multi-use pathway blocks of 0.403 ha;
- buffer/gateway entry blocks of 0.258 ha;
- road widening block of 0.947 ha;
- 0.3 m reserves of 0.019 ha; and,
- streets of 8.970 ha.

The draft plan proposes 311 lots all for detached dwelling units. All 311 lots will be zoned with the Holding Symbol "H", which shall not be removed until the City has allocated adequate water supply and sewage servicing capacity. In addition, Lots 1 to 220 inclusive, Lots 264 to 266 inclusive, and Lots 282 to 284 inclusive, being the Phase 2 lands, cannot remove the Holding Symbol "H", until the IEA has identified a preferred road alignment for Major Mackenzie Drive and preferred grade separation/crossing for the CP Railway to the satisfaction of the City and York Region, and when the Environmental Assessment or a Feasibility Study undertaken by the City or the Owner identifies the lots and/or blocks which are not affected by the preferred road alignment for Major Mackenzie Drive and preferred grade separation/crossing for the CP Railway to the satisfaction of York Region. The preferred road alignment for Major Mackenzie Drive and preferred grade separation/crossing for the railway may result in modifications to the location and configuration of lots and blocks and the street pattern, as well as the location and configuration of land uses. The Owner shall provide a revised draft plan, with the schedule of the land uses, to the City for distribution to the departments and agencies with conditions and/or comments. Conditions of draft approval with respect to the submission of a revised draft plan have been included in Attachment #1.

The draft plan includes 2 north-south traversing 28 m wide primary roads which gradually taper to widths of 23 m identified as Streets "1", and "2" which intersect with Major Mackenzie Drive, as shown on Attachment #3. Street "1" at the easterly portion of the plan is to connect to the east-west traversing Street "3" to its north. The 23 m wide primary roads, being the north-south traversing Street "2" and the east-west traversing Street "3" in the draft plan will connect with the lands to the north. The Western Vaughan Transportation Individual Environmental Assessment (IEA), to consider the Major Mackenzie Drive realignment and CP Railway grade separation/crossing, is currently in process. As the preferred road alignment of Major Mackenzie Drive and grade separation/crossing of the railway have not been determined, the location of the streets cannot be finalized, and therefore, should Streets "1" and "2" be constructed prior to the completion of the IEA, Streets "1" and "2" shall be temporary streets and constructed at the Owner's risk and expense.

The draft plan proposes the development of 2 stormwater management pond facilities, with Block 315 along the western limits of the plan and Block 316 along the eastern limits of the plan. Block 315 is within the Phase 2 lands, which are subject to the completion of the IEA to determine the preferred road alignment of Major Mackenzie Drive and grade separation/crossing of the railway. The ultimate configuration and location of the Block 315 stormwater management facility is subject to the findings of the IEA, as well as to address TRCA concerns, which will be discussed later in this report. As discussed earlier in the report, the Block 316 stormwater management facility, is located within the valleylands and the 10 m environmental buffer. The configuration and location of the stormwater management facility is subject to addressing TRCA concerns.

An elementary school site (Block 312) of 1.671 ha is proposed in the draft plan for the York Catholic District School Board. The school site is to develop with the 0.772 ha school site (Block 458) in Plan of Subdivision 19T-06V14 (Molise Kleinburg Estates Inc.) to the north. The total school site is to be 2.443 ha, within the Phase 2 lands, which cannot develop until the completion of the IEA.

A neighbourhood park (Block 313) of 1.791 ha is proposed adjacent to the east limits of the proposed elementary school site to form a school/park campus site. A parkette (Block 314) of 0.067 ha is also proposed to protect an existing oak tree, which is also located in the 0.075 ha Block 459 in Plan of Subdivision 19T-06V14, to the north. A berm and multi-use pathway (Block 319) for buffer and noise attenuation purposes respecting the railway, a pedestrian walkway and access to the stormwater management pond facility are proposed adjacent to the CP Railway right-of-way. Entry gateway features (Blocks 320 to 322 inclusive) are proposed where Streets "1" and "2" intersect with Major Mackenzie Drive, and where Streets "4" and "8" abut Major Mackenzie Drive. All of these blocks are within the Phase 2 lands, which cannot be developed

until the completion of the IEA to determine preferred road alignment of Major Mackenzie Drive and grade separation/crossing of the railway.

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

311 Total Single Detached Dwelling Units	18.805 ha
1 Elementary School (Block 312)	1.671 ha
1 Neighbourhood Park (Blocks 313)	1.791 ha
1 Parkette (Blocks 314)	0.067 ha
2 Stormwater Management Facilities (Blocks 315 & 316)	2.317 ha
Valleylands/Woodlots (Blocks 317 & 318)	4.089 ha
Berm/Multi-Use Pathway (Block 319)	0.403 ha
Buffer/Entry Gateway (Blocks 320 - 322)	0.258 ha
Road Widening (Block 323)	0.947 ha
0.3m Reserves (Blocks 324 - 376)	0.019 ha
<u>Streets</u>	<u>8.974 ha</u>
Total Site Area	39.337 ha

All development within the draft plan is subject to architectural approval. Prior to final approval, the Owner is required to submit architectural guidelines, prepared in conjunction with Plan of Subdivision 19T-06V14 (Molise Kleinburg Estates Inc.) to the north. The architectural guidelines, which along with the control architect, are to be approved by Council. A condition in this respect is included in Attachment #1.

Prior to final approval, the Owner is required to submit urban design guidelines, and a streetscape and open space landscape master plan, prepared in conjunction with Plan of Subdivision 19T-06V14 (Molise Kleinburg Estates Inc.) to the north, in accordance with the Kleinburg-Nashville Community Plan (OPA #601) policies. The urban design guidelines, and streetscape and open space landscape master plan are to address items, including but not limited to, the urban design/streetscape elements including entrance features, parkettes, trail heads, medians and fencing, community edge treatment along CPR railway including a fence barrier and multi-use pedestrian trail, valleylands/woodlot edge management rehabilitation planting, trails, bridge crossings, erosion repair sites and pedestrian access points into the valley, appropriate pedestrian connection over the CPR railway lands to the future community centre to the west on Huntington Road, and a continuous pedestrian /bicycle route with urban connections between the streets and within the neighbourhood, as well as incorporate sustainability design elements into the overall urban fabric.

The Development Planning Department has reviewed the proposal and requires the following red-lined revisions to the proposed draft plan of subdivision, as shown on Attachment #3:

- i) Lots 221 to 263 inclusive, Lots 267 to 281 inclusive, and Lots 285 to 311 inclusive, shall be identified as the Phase 1 lands as these lands are subject to the Holding Symbol "H" as water supply and sewage servicing capacity needs to be identified and allocated by the City resulting in a "no pre-sale agreement", and that the final configuration, sizing and location of Stormwater Management Facility Block 316 be approved to the satisfaction of the City and the Toronto and Region Conservation Authority;
- ii) Lots 1 to 220 inclusive, Lots 264 to 266 inclusive, Lots 282 to 284 inclusive, Blocks 312, 313, and 315, and Blocks 319 to 322 inclusive shall be identified as the Phase 2 lands, which are subject to the Holding Symbol "H" as these lands require the completion of the Western Vaughan Transportation Individual Environmental Assessment to consider the Major Mackenzie Drive realignment and CP Railway grade separation/crossing, require water supply and sewage servicing capacity to be identified and allocated by the City resulting in a "no pre-sale agreement", and require that the final configuration, sizing and

location of Stormwater Management Facility Block 315 be approved to the satisfaction of the City and the Toronto and Region Conservation Authority;

- iii) Streets "1" and "2" shall be identified as temporary streets;
- iv) the interchange connections of Streets "1" and "2" to Major Mackenzie Drive should be reviewed in conjunction with the Western Vaughan Transportation Individual Environmental Assessment, and Streets "1" and "2" interchange with Major Mackenzie Drive require Region of York approval;
- v) the berm (Block 319) is to be a minimum of 11.5 m in width;
- vi) the typical detail for all angle bends are to be as per "City Standard C-4";
- vii) the radius for Street "11" is to be 18.5 m;
- viii) the sidewalk is to be removed from the north side of Street "6" between Streets "1" and "2", and located on the south side of Street "6" between Streets "1" and "2";
- ix) the Owner shall convey land external to the plan for the proposed sanitary pumping station, east of Highway 27, free of all costs and encumbrances, prior to final approval of the plan;
- x) the configuration, sizing and location of the stormwater management pond facilities (Blocks 315 and 316) needs to be determined;
- xi) the 10 m buffer from the rear lot lines adjacent to the valleylands (Block 317) shall be clearly identified;
- xii) the draft plan shall identify Block 314 as a "Parkette"; and,
- xiii) the telecommunication and hydro utility buildings/easements shall be identified on the draft plan.

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

City Engineering Department

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

a) Environmental Site Assessment (ESA)

The City requires a Record of Site Condition, which is to be registered with the Environmental Site Registry, prior to any zoning being enacted to implement the plan or final approval of any portion of the plan. The Environmental Site Assessment reports for the proposed residential development were accepted by the City in August 2008. Prior to final approval of the draft plan, the Owner is to submit documented proof of the satisfactory registration of the Record of Site Condition (RSC), for the valleylands and other sensitive lands (i.e., lands other than the tablelands), with the Environmental Site Registry (ESR) of the Ministry of Environment (MOE) to the City for review and approval.

b) Water Servicing

The draft plan is located within the Kleinburg-Nashville service area. In 2007, the Region of York conducted a Class Environmental Assessment to identify the preferred method of providing sewage and water servicing capacity for the growth in the Kleinburg-Nashville area identified by OPA #601. The approved Class EA Study concluded that growth would be serviced by expanding the existing Kleinburg Water Pollution Control Plant and the conversion of the communal water system from a well to a lake based supply through a connection to Pressure District No. 6 of the York Water System. This new system will require the construction of a new large diameter regional supply watermain along Huntington Road from Rutherford Road to a new elevated storage tank in Nashville together with system improvements. Sewage and water servicing capacity for the subject draft plan will not be available until the proposed water and wastewater system improvements have been constructed to the satisfaction of the Region of York.

The City is currently undertaking a supplementary Class EA to identify the necessary local water and sanitary sewer system improvements required to service the planned development under OPA #601, and the conclusions of the City-wide OP review and associated Focus Area Studies. This Class EA is scheduled to be completed in the fourth quarter of 2009 in conjunction with the Kleinburg-Nashville Focus Area Planning Study.

Accordingly, the servicing of this draft plan is dependant on the expansion of the Kleinburg Sewage Treatment Plan, the extension of Pressure District No.6 lake based water system to the Kleinburg-Nashville area and the local system improvements.

c) Sanitary Servicing

The Functional Servicing Report proposes that sanitary flows from the draft plan, including sanitary flows from the north portion of the Plan of Subdivision 19T-06V14 (Molise Kleinburg Residential Estates Inc.), can be accommodated by the construction of a 375 mm diameter sanitary sewer east on Major Mackenzie Drive and north along Highway 27 to a proposed sanitary pumping station located on the west side of Highway 27 and a proposed sanitary forcemain connection to the existing Kleinburg Sewage Treatment Plant.

d) Storm Drainage

The preliminary design of the western stormwater management pond facility (Block 315) provides both quantity and quality controls for post-development storm flows. The stormwater management pond is proposed to outlet to the Rainbow Creek watercourse at the southwest area of the draft plan. The final design of this stormwater management pond must accommodate the existing external drainage from the abutting Plan of Subdivision 19T-06V14 (Molise Kleinburg Residential Estates Inc.), to the north, the ultimate alignment of Major Mackenzie Drive, the proposed grade separation of the CP railway crossing, and the City's design criteria. Given the proximity of the pond's location to the proposed Major Mackenzie Drive grade separation, there will be a need to substantially alter the configuration and size of the pond than what is shown on the proposed draft plan.

The design concept for the eastern stormwater management pond facility (Block 316) only provides quality controls for post-development storm flows. This limited stormwater management control is being proposed due to its outlet proximity to the main branch of the Humber River and the consideration to avoid coinciding peak flows in the Humber River. The intervening lands between this stormwater management pond (Block 316) and its outfall to the Humber River are privately owned and there is a real concern for potential damage and flooding from the uncontrolled storm flows on these lands. In addition, the pond is proposed to be located on partly tableland and partly below the top-of-bank within the valley, identified as natural hazard limits by the TRCA. It is our understanding, that the TRCA wants the stormwater management pond

(Block 316) relocated outside the valley lands. Accordingly, the pond will need to be re-designed and moved outside the valley.

Both the design and the location of the stormwater management pond facilities (Blocks 315 and 316) will need to be resolved through detail engineering design and there is an expectation that the pond size, location and configuration will change and will necessitate revisions to the draft plan.

As part of the engineering design and prior to the initiation of any grading on the draft plan, the applicant shall provide an engineering report for the review and approval of the City that describes the proposed storm drainage system to develop the subject lands. The proposed stormwater management design for the site should incorporate the storm drainage information of proposed Plan of Subdivision 19T-06V14 (Molise Kleinburg Residential Estates Inc.). This report shall describe the proposed drainage system to develop the subject lands and include, but not be limited to, the following items:

- i) plans illustrating the proposed system and its connection into the existing storm system;
- ii) stormwater management techniques that may be required to control minor or major flows;
- iii) detail all external tributary lands, and include the existing residence(s); and,
- iv) proposed methods for controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction.

e) Sewage and Water Allocation

On May 20, 2008, the Region confirmed that water and sanitary servicing from the planned development under OPA #601 would be made available through the improvement of the existing water pollution control plant and planned watermain design works. The lands encompassing the subject draft plan was assigned a population of about 538 persons (145 units) under OPA #601. The draft plan can be allocated sewage capacity from the Kleinburg Servicing Scheme and water supply capacity from the York Water Supply System for a total of 145 residential units at this time. The allocation for 145 units is included as a recommendation in this report.

f) Environmental Noise/Vibration Impact

The City requires all dwelling units that abut or face an arterial road such as Major Mackenzie Drive and Railway line be constructed with mandatory central A/C. The preliminary noise report proposes additional measures to mitigate noise such as single loaded roads abutting the railway tracks, noise berm, fencing, air conditioning and potentially upgraded building components such as windows. All required acoustic barriers abutting public lands shall be constructed with all berming and/or fencing material, including foundations, completely on private lands and totally clear of any 0.3 m road reserve. Also, due to the proximity of the draft plan to CP Railway, the Owner is required to submit a vibration report for review and approval by the City as part of the detail engineering submission.

g) Road Network

The proposed roads within the draft plan are to be constructed as 20 m and 18.5 m right-of-ways as per the current City road design standards and requirement of OPA #601. A Traffic Management Plan (TMP) should be presented to Council for approval of all traffic calming measures prior to the approval of any Plan of Subdivision as per Council direction of June 25, 2007. The developer has submitted a preliminary Traffic Management Plan, which identifies typical City's traffic calming measures, proposed transit routes and bus stops, school/park zone treatments, sidewalks and proposed traffic control measures for the draft plan. A copy of this

TMP is included as Attachment #4 to this report. This TMP cannot be finalized until the Region's Western Vaughan Individual Environmental Assessment has satisfactorily progressed and requirements of Major Mackenzie Drive realignment are identified to the Region of York's satisfaction.

Conditions of draft approval with respect to the Engineering Department's requirements have been included in Attachment #1.

Parkland/Cash-in-Lieu

The parkland dedication for the draft plan of subdivision shall be dedicated and/or cash-in-lieu of the dedication of parkland paid, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". The draft plan proposes 1 park (Block 313) of 1.791 ha and 1 parkette (Block 314) of 0.067 ha. Therefore, parkland shall be dedicated and/or cash-in-lieu of the dedication of parkland will be required for the subject lands. The Parks Department has no objections to the approval of the draft plan, subject to the conditions of approval in Attachment #1.

Archaeological Assessment

The Cultural Services Department requires that prior to final approval of the subdivision or prior to the initiation of any grading, an archaeological evaluation is to be undertaken in accordance with the Ministry of Citizenship, Culture and Recreation's approved Archaeological Assessment Technical Guidelines, for approval by the City and Ministry. A condition of draft approval has been included in this respect.

York Catholic District School Board

The York Catholic District School Board has advised that the Board requires an elementary school site (Block 312), which is 1.671 ha in size, which is to develop with the 0.772 ha school site (Block 458) in Plan of Subdivision 19T-06V14 (Molise Kleinburg Estates Inc.) to the north for a total school site of 2.443 ha. The proposed school site is adjacent to a proposed neighbourhood park. The location of the proposed school site meets the School Board's requirements with respect to the lands abutting two street frontages and a site area of 2.4 ha. The York Catholic District School Board is satisfied with the proposed site, subject to the conditions of approval in Attachment #1.

The Region of York

The Region of York has reviewed the proposal and advised that the draft plan is impacted by the Western Vaughan Transportation Individual Environmental Assessment (IEA), which is to determine the preferred alignment for Major Mackenzie Drive, including the Major Mackenzie Drive and future Highway 427 interchange, and the CP Railway grade separation/crossing, which is currently in process. As such, a portion of the draft plan, being Lots 1 to 220 inclusive, Lots 264 to 266 inclusive, Lots 282 to 284 inclusive, Blocks 312, 313, and 315, and Blocks 319 to 322 inclusive, shall be subject the Holding Symbol "H" and a "no pre-sales agreement". The removal of the Holding Symbol "H" is dependent on the IEA identifying a preferred alignment for Major Mackenzie Drive and the grade separation/crossing for CP railway, and the IEA and/or a feasibility study identifying the lots and/or blocks that are no longer impacted by the Major Mackenzie Drive realignment and the CP railway grade separation/crossing. There is also the possibility that a future GO Transit station could be considered for the Major Mackenzie Drive and railway interchange.

The Region's Environmental Assessment (EA) for increasing Regional water supply and sanitary sewer services to the Kleinburg-Nashville Community was recently completed. The preferred option in the EA for water supply involves the City connecting to the York Water System. Regional Official Plan Amendment #57 was approved and came into effect on October 18, 2007,

which permits the connection for water supply. The preferred option in the EA for sanitary sewer supply requires an expansion to the existing sewage treatment plant. The EA accounted for 206 units (750 people) of the 311 units proposed for the draft plan. The water supply and sanitary sewer supply for the remaining 105 units in the draft plan will be required and will need to be accounted for in the servicing scheme. The City's Local Water and Wastewater Servicing Strategy Master Plan Class Environmental Assessment Study for the Kleinburg-Nashville Community to identify servicing infrastructure improvements (i.e., water supply and sanitary sewer services) required to support the build out of the planned and proposed developments within the Kleinburg-Nashville Community and access the Regional water supply system and expanded sewage treatment plant is currently in process.

Currently, the infrastructure to provide the water supply is not completed and/or constructed, and therefore, there is no water supply or sanitary sewer supply available for the draft plan. The estimated timing for the water supply infrastructure's development, which is subject to change, is as follows:

- i) Additional Water Supply Works in Kleinburg - Expected completion is the first quarter of 2010;
- ii) Kleinburg Water Storage Facility - Completion date is under review. Expected completion initially scheduled for 2010, however, to accommodate additional units, additional water storage may be required or further connections to the York Water System may be required; and,
- iii) Kleinburg WPCP Expansion - Expected completion date is the second quarter of 2010.

The draft plan may be serviced by the infrastructure identified in the current EA provided the City of Vaughan allocates to the subject lands. If the City does not allocate sufficient capacity for the entire draft plan, the development will need to be phased, based on the provision of additional water storage and possible additional connection to the York Water System. Additional infrastructure to service the revised build-out populations will be identified through the Regional Master Plan Update process and will complement the recommended infrastructure in the Class EA.

In accordance with the Region's servicing protocol, where draft plan approval is provided prior to servicing allocation being available, the Holding Symbol "H" shall be placed on all residential lands, which shall also be subject to a "no pre-sale agreement" in order to ensure that servicing allocation is available prior to occupancy. The Owner of the draft plan is required to enter into an indemnity agreement with the Region respecting servicing. The Region has advised that the draft plan is subject to pre-conditions and conditions of draft plan approval as set out in Attachment #1.

Toronto and Region Conservation Authority (TRCA)

The TRCA has reviewed the proposal, including the Planning Justification Report, dated March 26, 2008, by KLM Planning Partners Inc., Functional Servicing Report, dated April 2008, by Condeland Engineering Ltd., Natural Heritage Evaluation, dated March 2008, by Tarandus Associates Ltd., Soil Investigation, dated March 2007, by Soil Engineers Ltd., and Hydrogeological Report, dated March 2007, by Goffco Ltd., generally referred to as the Master Servicing Plan (MSP). The TRCA requires addendums/revisions to the MSP to address outstanding issues, which include, but are not limited to, the removal of the stormwater management pond facility (Block 316) from the valley or justification for it to remain within the valley, and an updated restoration plan for the deforested areas within the valley and the break-up of habitat areas within the valley, including the 10 m buffer for residential lots abutting the valleylands. The MSP is to also address, the water balance and groundwater analysis, hydraulic modeling, slope stability and stormwater management pond design details. The TRCA has provided conditions of draft plan approval in Attachment #1.

CP Railway

CP Railway has reviewed the proposal and advised the proposal is adjacent to the MacTier Subdivision, which is classified as a principle line. CP Railway has concerns with the proposal and requires that mitigation measures respecting the safety and the welfare of future residents, which are set out in Attachment #1 as conditions of approval, be addressed.

Ministry of Transportation

The Ministry has reviewed the proposal and advises that Major Mackenzie Drive will need to be realigned northerly in order to facilitate a future Highway 427 and Major Mackenzie Drive interchange, which could traverse through a portion of the proposal. The Ministry, which has been conducting the Highway 427 Transportation Corridor Environmental Assessment (EA) Route Alternatives Study, respecting the northerly expansion of Highway 427 presented the preferred alignment and terminus for Highway 427 in Spring 2008. Further, the Region's Western Vaughan Transportation Individual Environmental Assessment (IEA), which is reviewing the potential alignment and widening of Major Mackenzie Drive may also affect the subject lands. These initiatives need to be completed, prior to the related subdivision application being recommended for approval by the City.

Agency Comments

Canada Post, Power Stream, York Region District School Board and Le Conseil Scolaire De District Catholique Centre-Sud have advised that they have no objections to the draft plan of subdivision, subject to the conditions of approval, set out in Attachment #1.

Relationship to Vaughan Vision 2020

This staff report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan and Manage Growth and Economic Vitality".

Regional Implications

The Region has advised that there is no objection to the proposed subdivision subject to the red-lined revisions to the draft plan, pre-conditions and conditions, which have been included in Attachment #1.

Conclusion

The Development Planning Department has reviewed the proposed applications to amend By-law 1-88 and for approval of Draft Plan of Subdivision 19T-05V10 (Lake Rivers Inc.) in accordance with the applicable policies of the Official Plan and the requirements of the Zoning By-law, and the area context. The proposed draft plan of subdivision consisting of 311 residential units, an elementary school site and neighbourhood park site on approximately 39.3377 ha, as shown on Attachment #3 is an appropriate form of development for the subject lands and conforms to the policies of OPA #601, as amended.

However, the transportation road and railway infrastructure has to be determined through the Western Vaughan Transportation Individual Environmental Assessment, which is currently in process to determine the preferred alignment for Major Mackenzie Drive, including the Major Mackenzie Drive and future Highway 427 interchange, and the CP Railway grade separation/crossing, which is resulting in lots and blocks generally to the west of Street "1" being subject the Holding Symbol "H" and a "no pre-sales agreement". The preferred road alignment for Major Mackenzie Drive and preferred grade separation/crossing for the railway may result in modifications to the location and configuration of lots and blocks and the street pattern, as well as the location and configuration of land uses. The removal of the Holding Symbol "H" is dependent

on the IEA identifying a preferred alignment for Major Mackenzie Drive and the grade separation/crossing for CP railway, and the IEA and/or a feasibility study identifying the lots and/or blocks that are no longer impacted by the Major Mackenzie Drive realignment and the CP railway grade separation/crossing.

The Development Planning Department can support the approval of the Zoning By-law Amendment Application and the proposed draft plan of subdivision as red-lined, subject to the recommendations in this report, and the pre-conditions and conditions of approval as set out in Attachment #1.

Attachments

1. Pre-Conditions and Conditions of Approval
2. Location Map
3. Red-lined Draft Plan of Subdivision 19T-05V10
4. Transportation Management Plan
5. Kleinburg-Nashville Community Plan (OPA #601) - Land Use Schedule

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEVAMA
Director of Development Planning

/CM

ATTACHMENT NO. 1

PRE-CONDITIONS AND CONDITIONS OF APPROVAL

DRAFT PLAN OF SUBDIVISION 19T-05V10 LAKE RIVERS INC. PART OF LOT 21, CONCESSION 9, 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-05V10, ARE AS FOLLOWS:

PRE-CONDITIONS OF APPROVAL

City of Vaughan and Region of York Pre-Conditions

1. Pre-Conditions which are to be satisfied prior to or concurrent with draft plan approval:
 - a) Prior to or concurrent with draft plan approval, the Owner shall enter into an agreement with the City of Vaughan, which agreement shall be registered on title, committing the Owner to:
 - A. Not enter into any agreements of purchase and sale with end users (*) for the subject lands until such time as:
 - a) i. York Region has advised, in writing, that it is no earlier than twelve (12) months prior to the expected completion of the Kleinburg Water Storage Facility, Additional Water Supply Works in Kleinburg and the Kleinburg WPCP Expansion; and,
 - ii. The Council of the City of Vaughan has allocated adequate available water supply and sewage servicing capacity to the subject development; or,
 - b) the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure; or,
 - c) the Regional Commissioner of Environmental Services confirms servicing capacity for this development by a suitable alternative method and the City of Vaughan allocates the capacity to this development.
- AND
- B. Not enter into any agreements of purchase and sale with non end users for the subject lands unless the agreement of purchase and sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the City of Vaughan, which agreement shall be registered on title, committing the owner to the same terms as set out in item "A" above.
- b) Prior to draft plan approval, the Owner shall enter into an indemnity agreement with York Region, which agreement shall be registered on title, agreeing to save harmless York Region from any claim or action as a result of York Region releasing conditions and pre-conditions of draft approval as part of the draft approval of Plan of Subdivision 19T-05V10

by the City of Vaughan, including, but not limited to claims or actions resulting from, water or sanitary sewer service not being available when anticipated. The agreement shall include a provision that requires all subsequent purchasers of the subject lands, who are not end-users, to enter into a separate agreement with York Region as a condition of the agreement of purchase and sale, agreeing to indemnify York Region on the same terms and conditions as the Owner.

(*) the term 'end users' for the purpose of the above noted pre-conditions is defined as the eventual homeowner who is purchasing an individual lot containing a dwelling for the purpose of occupancy.

- c) Prior to or concurrent with draft plan approval, the Owner shall enter into an agreement with the City of Vaughan, which agreement shall be registered on title and applying to Lots 1 to 220 inclusive, 264 to 266 inclusive, and 282 to 284 inclusive, and Blocks 312, 313, 315, and 319, as identified on the attached red-lined plan, committing the Owner not to enter into any agreements of purchase and sale with end-users for the subject lands until such time as:
- i) an Environmental Assessment has identified a preferred alignment for Major Mackenzie Drive and the associated grade separation of the CP Rail Line to the satisfaction of the City of Vaughan and York Region; and,
 - ii) York Region will consider a phased or partial release of the lots and blocks identified above, when the Environmental Assessment or a Feasibility Study (undertaken by the City and/or the Owner) has identified, to the satisfaction of York Region, that particular lots and blocks are no longer impacted by the proposed alignment and grade separation of Major Mackenzie Drive.

CONDITONS OF APPROVAL

City of Vaughan Conditions

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by KLM Planning Partners Inc., dated October 15, 2008, incorporating red-line revisions as follows:
 - i) Lots 221 to 263 inclusive, Lots 267 to 281 inclusive, and Lots 285 to 311 inclusive, shall be identified as the Phase 1 lands as these lands are subject to the Holding Symbol "H" as water supply and sewage servicing capacity needs to be identified and allocated by the City resulting in a "no pre-sale agreement", and that the final configuration, sizing and location of Stormwater Management Facility Block 316 be approved to the satisfaction of the City and the Toronto and Region Conservation Authority;
 - ii) Lots 1 to 220 inclusive, Lots 264 to 266 inclusive, Lots 282 to 284 inclusive, Blocks 312, 313, and 315, and Blocks 319 to 322 inclusive shall be identified as the Phase 2 lands, which are subject to the Holding Symbol "H" as these lands require the completion of the Western Vaughan Transportation Individual Environmental Assessment to consider the Major Mackenzie Drive realignment and CP Railway grade separation/crossing, require water supply and sewage servicing capacity to be identified and allocated by the City resulting in a "no pre-sale agreement", and require that the final configuration, sizing and location of Stormwater Management Facility Block 315 be approved to the satisfaction of the City and the Toronto and Region Conservation Authority;
 - iii) Streets "1" and "2" shall be identified as temporary streets;
 - iv) the interchange connections of Streets "1" and "2" to Major Mackenzie Drive should be reviewed in conjunction with the Western Vaughan Transportation Individual

Environmental Assessment, and Streets "1" and "2" interchange with Major Mackenzie Drive will require Region of York approval;

- v) the berm (Block 319) is to be a minimum of 11.5 m in width;
- vi) the typical detail for all angle bends are to be as per "City Standard C-4";
- vii) the radius for Street "11" is to be 18.5 m;
- viii) the sidewalk is to be removed from the north side of Street "6" between Streets "1" and "2", and located on the south side of Street "6" between Streets "1" and "2";
- ix) the Owner shall convey land external to the Plan for the proposed sanitary pumping station, east of Highway 27, free of all costs and encumbrances, prior to final approval of the Plan;
- x) the configuration, sizing and location of the stormwater management pond facilities (Blocks 315 and 316) needs to be determined;
- xi) the 10 m buffer from the rear lot lines adjacent to the valleylands (Block 317) shall be clearly identified;
- xii) the draft plan shall identify Block 314 as a "Parkette"; and,
- xiii) the telecommunication and hydro utility buildings/easements shall be identified on the draft plan.

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 and that prior to final approval of the plan the Owner shall submit a Record of Site Condition acknowledged by an Officer of the Ministry of the Environment. The zoning categories to be applied are as follows:

- a) rezone Lots 228, 229, 233 and 234, Lots 237 to 252 inclusive, Lots 255 to 259 inclusive, Lots 273 and 277, Lots 287 to 289 inclusive, and Lots 308 to 311 inclusive, from A Agricultural Zone to RD1(H) Residential Detached Zone One with the Holding Symbol "H" to facilitate 34 lots with a minimum lot frontage of 18 m, a minimum lot area of 540 m² and a minimum lot depth of 30 m, for detached dwelling units in Phase 1;
- b) rezone Lots 1 to 3 inclusive, Lots 6 to 8 inclusive, Lots 12, 13, 30 and 31, Lots 38 to 40 inclusive, Lots 47 to 50 inclusive, Lots 56 to 58 inclusive, Lots 61 to 64 inclusive, Lot 72, Lots 78 to 83 inclusive, Lots 92 to 97 inclusive, Lots 104 to 112 inclusive, Lots 119, 128 and 129, Lots 136 to 139 inclusive, Lots 144 and 145, Lots 151 to 155 inclusive, Lots 163 to 165 inclusive, Lots 172 to 176 inclusive, Lots 201 to 205 inclusive, Lots 207 and 208, Lots 214 to 220 inclusive, and Lots 282 to 284 inclusive, from A Agricultural Zone to RD1(H) Residential Detached Zone One with the Holding Symbol "H" to facilitate 85 lots with a minimum lot frontage of 18 m, a minimum lot area of 540 m² and a minimum lot depth of 30 m, for detached dwelling units in Phase 2;
- c) rezone Lots 221 to 227 inclusive, Lots 230 to 232 inclusive, Lots 235, 236, 253 and 254, Lots 260 to 263 inclusive, Lots 267 to 272 inclusive, Lots 274 to 276 inclusive, Lots 278 to 281 inclusive, Lots 285 and 286, and Lots 290 to 307 inclusive, from A Agricultural Zone to RD2(H) Residential Detached Zone Two with the Holding Symbol "H" to facilitate 85 lots with a minimum lot frontage of 15 m, a minimum lot area of 450 m² and a minimum lot depth of 30 m, for detached dwelling units in Phase 1;

- d) rezone Lots 4 and 5, Lots 9 to 11 inclusive, Lots 14 to 29 inclusive, Lots 32 to 37 inclusive, Lots 41 to 46 inclusive, Lots 51 to 55 inclusive, Lots 59 and 60, Lots 65 to 71 inclusive, Lots 73 to 77 inclusive, Lots 84 to 91 inclusive, Lots 98 to 103 inclusive, Lots 113 to 118 inclusive, Lots 120 to 127 inclusive, Lots 130 to 135 inclusive, Lots 140 to 143 inclusive, Lots 146 to 150 inclusive, Lots 156 to 162 inclusive, Lots 166 to 171 inclusive, Lots 177 to 200 inclusive, Lot 206, Lots 209 to 213 inclusive, and Lots 264 to 266 inclusive, from A Agricultural Zone to RD2(H) Residential Detached Zone Two with the Holding Symbol "H" to facilitate 141 lots with a minimum lot frontage of 15 m, a minimum lot area of 450 m² and a minimum lot depth of 30 m, for detached dwelling units in Phase 2;
- e) rezone Block 312 from A Agricultural Zone to RD2(H) Residential Detached Zone Two with the Holding Symbol "H" to facilitate the 1.671 ha proposed elementary school site in Phase 2;
- f) rezone Block 316 from A Agricultural Zone to OS1 Open Space Conservation Zone to facilitate the 1.280 ha for stormwater management pond facility in Phase 1;
- g) rezone Block 315 from A Agricultural Zone to OS1(H) Open Space Conservation Zone with the Holding Symbol "H" to facilitate the 1.037 ha for stormwater management pond facility in Phase 2;
- h) rezone Blocks 317 and 318 from A Agricultural Zone to OS1 Open Space Conservation Zone for the existing 4.089 ha valleylands;
- i) rezone Block 319 from A Agricultural Zone to OS1(H) Open Space Conservation Zone with the Holding Symbol "H" to facilitate the 0.489 ha berm and multi-use pathway in Phase 2;
- j) rezone Block 313 from A Agricultural Zone to OS2(H) Open Space Park Zone with the Holding Symbol "H" to facilitate the 1.791 ha neighbourhood park in Phase 2;
- k) rezone Block 314 from A Agricultural Zone to OS2(H) Open Space Park Zone with the Holding Symbol "H" to facilitate the 0.067 ha parkette for protecting an existing oak tree in Phase 2;
- l) rezone Blocks 320 to 322 inclusive from A Agricultural Zone to OS2(H) Open Space Park Zone with the Holding Symbol "H" to facilitate the 0.258 ha entry gateway landscape buffers in Phase 1;
- m) require that prior to the removal of the Holding Symbol "H" from Lots 221 to 263 inclusive, Lots 267 to 281 inclusive, and Lots 285 to 311 inclusive in Phase 1, the following conditions shall be addressed:
 - i) A. that York Region has advised, in writing, that it is no earlier than six (6) months prior to the expected completion of the Kleinburg Water Storage Facility, Additional Water Supply Works in Kleinburg and the Kleinburg WPCP Expansion; or,
 - B. that the City approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
 - C. that the Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the Council of the City of Vaughan has allocated adequate water supply and sewage servicing capacity to the subject development; and,

- ii) that the final configuration, sizing and location of Stormwater Management Facility Block 316 be approved to the satisfaction of the City and the Toronto and Region Conservation Authority.
- n) require that prior to the removal of the Holding Symbol "H" from Lots 1 to 220 inclusive, Lots 264 to 266 inclusive, Lots 282 to 284 inclusive, Blocks 312, 313, and 315, and Blocks 319 to 322 inclusive in Phase 2, the following conditions shall be addressed:
 - i)
 - A. that York Region has advised, in writing, that it is no earlier than six (6) months prior to the expected completion of the Kleinburg Water Storage Facility, Additional Water Supply Works in Kleinburg and the Kleinburg WPCP Expansion; or,
 - B. that the City approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
 - C. that the Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the Council of the City of Vaughan has allocated adequate water supply and sewage servicing capacity to the subject development;
 - ii)
 - A. that an Environmental Assessment has identified a preferred alignment for Major Mackenzie Drive and the associated grade separation of the CP Rail Line to the satisfaction of the City and York Region; and,
 - B. that York Region will consider a phased or partial release of the lots and blocks identified above, when the Environmental Assessment or a Feasibility Study (undertaken by the City and/or the Owner) has identified, to the satisfaction of York Region, that particular lots and blocks are no longer impacted by the proposed alignment and grade separation of Major Mackenzie Drive; and,
 - C. that the Owner shall agree to submit a revised draft plan which incorporates the preferred alignment for Major Mackenzie Drive and the grade separation of the CP Rail Line, including any associated changes to the configuration of the subject lots, blocks and local street network, and location of land uses to the satisfaction of the City and York Region; and,
 - iii) that the final configuration, sizing and location of Stormwater Management Facility Block 315 be approved to the satisfaction of the City and the Toronto and Region Conservation Authority.
- 3. Lots 1 to 220 inclusive, Lots 264 to 266 inclusive, Lots 282 to 284 inclusive, Blocks 312, 313, and 315, and Blocks 319 to 322 inclusive, are subject to a separate agreement restricting the sale of said lots and blocks by the Owner or subsequent purchasers of all the lots and blocks pending the completion of the Western Vaughan Transportation Individual Environmental Assessment to determine the alignment for Major Mackenzie Drive and the grade separation/crossing for the CP railway and allocation of servicing capacity by the City.
- 4. Lots 221 to 263 inclusive, Lots 267 to 281 inclusive, and Lots 285 to 311 inclusive, are subject to a separate agreement restricting the sale of said lots and blocks by the Owner or subsequent purchasers of all the lots and blocks pending the allocation of servicing capacity by the City.

5. The Owner shall pay any and all outstanding application fees to the Development Planning Department, in accordance with Tariff of Fees By-law 135-2007.
6. The Owner shall enter into a subdivision agreement with the City to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payment of development levies, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
7. The road allowances included within this Plan shall be dedicated as public highways without monetary consideration and free of all encumbrances.
8. The road allowances within this Plan shall be named to the satisfaction of the City, in consultation with the Regional Planning and Development Services 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 road allowances included in the Plan shall be designed in accordance with City standards for road and intersection design, temporary turning circles, daylighting triangles and 0.3 m reserves. The pattern of streets, and the layout of lots and blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.
10. That collector and/or primary roads in the Plan are to be located so as to intersect and connect with the approved location of roads in abutting Blocks, to the satisfaction of the City.
11. The Owner agrees that all part blocks within the Plan shall only be developed in conjunction with abutting part blocks of adjacent draft plans.
12. Any dead end or open side of a road allowance within the Plan shall be terminated in a 0.3 m 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.
13. The Owner shall agree in the subdivision agreement that the final engineering design(s) may result in minor variations to the Plan (e.g., in the configuration of road allowances and lotting, number of lots etc.), which may be reflected in the final Plan to the satisfaction of the City.
14. The Owner shall agree in the subdivision agreement to design and construct the municipal services in the Plan in accordance with the recommendations and conclusions of the Kleinburg-Nashville Servicing Strategy Master Plan Class Environmental Assessment to the satisfaction of the City.
15. The Owner shall agree in the subdivision agreement to provide financial contribution towards the ultimate Kleinburg-Nashville Servicing Strategy to the satisfaction of the City.
16. The Owner shall agree in the subdivision agreement to provide financial contribution towards the "Nashville Watermain Local Improvement" to the satisfaction of the City.
17. Prior to final approval of the Plan, a Water Supply Analysis Report shall be submitted to the satisfaction of the City. It shall include a comprehensive water network analysis of the water distribution system, preferably based on the WaterCAD modeling software, and shall demonstrate that adequate water supply is available to service the proposed development, and identify the need and timing for system improvements.
18. Prior to final approval of the Plan, the Owner shall convey land external to the Plan, as redlined on the draft plan, for the proposed sanitary pumping station, free of all costs and encumbrances, to the satisfaction of the City.

19. Prior to final approval of the Plan, the Owner shall carryout a feasibility study for a pedestrian crossing of the CP Railway to the satisfaction of the City. The Owner shall agree in the subdivision agreement to carry out the recommendations of the approved feasibility study to the satisfaction of the City. The Owner shall also include a warning statement for all prospective buyers in the Plan detailing the potential construction of a pedestrian crossing of the CP Railway within the draft plan, to the satisfaction of the City.
20. Prior to final approval of the Plan, the Owner shall retain the services of a qualified Transportation Consultant to reevaluate, oversee and finalize the intersections design/roadway network. The Owner acknowledges that the engineering design(s) for alternative road network/design, traffic calming measures and designated transit route(s) as per the recommendations of the Traffic Management Plan/updated Traffic Study may result in variation to the road and lotting pattern to the satisfaction of the City.
21. Prior to final approval of the Plan, the Owner shall also prepare a comprehensive Traffic Management Plan (TMP) on the basis of an updated traffic study, once the realignment and widening of Major Mackenzie Drive is established by the Region of York. The TPM should include the details of future traffic signals location, traffic calming measures, future transit routes, pedestrian network, traffic controls, park/school treatment, phasing etc. that reflects the latest road network to the satisfaction of the City.
22. Prior to final approval of the Plan, the Owner shall carry out or cause to be carried out the design and construction of the traffic calming/management measures that are identified on the preliminary traffic management plan/updated TMP. In the event that these traffic calming measures are found to be insufficient and/or ineffective by the City prior to the assumption of the municipal services on the Plan, then the Owner shall design and construct additional traffic calming measures to the satisfaction of the City.
23. Prior to final approval of the Plan, the Owner shall convey to the City any required buffer blocks for Lots 11 and 73 for noise attenuation purposes, free of all costs and encumbrances to the satisfaction of the City.
24. Prior to final approval of the Plan, the Owner shall convey, free of all costs and encumbrances, the required stormwater management Blocks 315 and 316 based on the required SWM report to accommodate the required stormwater management controls, that may include additional lands and/or changes to the lotting pattern, including any required easements and/or additional lands for stormwater outlets purposes within and/or external to the draft plan, to the satisfaction of the City.
25. The Owner shall agree in the subdivision agreement to construct a 1.5 m high black vinyl chain link fence along the limits of the residential lots where they abut the open space, valleyland, woodlot, storm water management, and/or park blocks to the satisfaction of the City.
26. The Owner shall front-end finance and complete the construction of the Stevenson Road re-construction Development Charge Project.
27. Prior to final approval of the Plan, the Owner shall implement the recommendations of the Western Vaughan Transportation Individual Environmental Assessment (IEA) with respect to the realignment of Major Mackenzie Drive and the related grade separation at the CP railway crossing. The Owner acknowledges that the road realignment may affect the lotting pattern and road network within the draft plan, to satisfaction to the City and the Region of York.
28. The Owner shall agree in the subdivision agreement to inspect, evaluate and monitor all wells within the zone of influence prior to, during and after construction has been completed. Progress reports should be submitted to the City as follows:

- i) A base line well condition and monitoring report shall be submitted to the City prior to the pre-servicing or registration of the plan (whichever occurs first) and shall include as a minimum requirement the following tests:
 - a) Bacteriological Analysis - total coliform and E-coli counts;
 - b) Chemical Analysis - Nitrate Test; and,
 - c) Water level measurement below existing grade.
 - ii) In the event that the test results are not within the Ontario Drinking Water Standards, the Owner shall notify in writing, the Purchaser, the Regional Health Department and the City within twenty-four (24) hours of the test results.
 - iii) Well monitoring shall continue during construction and an interim report shall be submitted to the City for records purposes.
 - iv) Well monitoring shall continue for one year after the completion of construction and a summary report shall be submitted to the City prior to Completion Approval.
 - v) If the private well systems in the zone of influence deteriorate due to the servicing of the plan of subdivision, the Owner will provide temporary water supply to the affected residents upon notice by the City. If the quantity and quality of water in the existing wells is not restored to its original condition within a month after first identification of the problem, the Owner will engage the services of a recognized hydro geologist to evaluate the wells and recommend solutions including deepening the wells or providing a permanent water service connection from the municipal watermain system.
29. The Owner shall agree in the subdivision agreement to maintain adequate chlorine residuals in the watermains within the Plan, from the time the watermains are connected to the municipal system until such time as the City issues Completion Approval. In order to maintain adequate chlorine residuals, the Owner will be required to either install automatic flushing devices or retain City Staff or a qualified consultant to carry out manual flushing. City staff will conduct the monitoring and testing for chlorine residual. The Owner shall be responsible for the costs associated with the monitoring and flushing of the watermain system.
30. The Owner acknowledges that the final engineering design(s) may result in minor variations to the Plan (e.g. in the configuration of road allowances and lotting, number of lots etc.), which may be reflected in the final plan to the satisfaction of the City.
31. 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.
32. The Owner shall convey the following lands to the City or TRCA, where appropriate, free of all charge and encumbrances:
- i) Blocks 315 and 316 for stormwater management purposes;
 - ii) Blocks 317 and 318 for valleylands/open space purposes;
 - iii) Blocks 319 to 322 inclusive for streetscape landscape purposes; and,
 - iv) Blocks 313 and 314 for park purposes.
33. Prior to final approval, an environmental noise and/or vibration study, prepared by a qualified consultant, at the Owner's expense, shall be submitted to the City for review and approval. The preparation of the noise/vibration report shall include the ultimate traffic volumes associated with the surrounding road network and Canadian Pacific Railway line according to the Ministry of Environment and Energy Guidelines. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendation set out in the approved noise/vibration report, to the satisfaction of the City.

34. Prior to final approval, the Owner shall submit an updated Master Environmental Service Plan (MESP) and any other required study and/or documentation for review and approval, to address, but not limited to, lot and road grading, valleyland and environmental land protection, stormwater management pond block sizing/configuration, water supply, sanitary sewers and stormwater management, and shall implement the findings to the satisfaction of the City.
35. Prior to final approval, the Owner shall submit a transportation management plan and a traffic calming and control analysis, and an updated traffic study for review and approval, and shall implement the findings to the satisfaction of the City.
36. Prior to final approval of the Plan, the City and Region of York Environmental Services Department shall confirm that adequate water supply and sewage treatment capacity are available to accommodate the proposed development.
37. The Owner shall agree in a subdivision agreement that the location and design of the construction access shall be approved by the City and the Region of York.
38. The Owner shall ensure that the final Plan shall depict all telecommunication structure locations and hydro switch gear easements.
39. 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.
40. Prior to final approval of the Plan, the Owner shall make the necessary arrangements at the expense of the Owner for the relocation of any utilities required by the development of the Plan to the satisfaction of the City.
41. Prior to final approval, the Owner shall submit a soils report, and the Owner shall agree to implement the recommendations of such report, as approved by the City. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.
42. Prior to the initiation of grading, and prior to registration of this draft plan of subdivision or any phase thereof, the Owner shall submit to the City for approval the following:
 - a) a detailed engineering report that describes the storm drainage system for the proposed development within this draft plan of subdivision, which report shall include:
 - i) the manner in which stormwater will be conveyed from the site, including how this subdivision will be tied into existing development and how it conforms with the approved MESP;
 - ii) plans illustrating how this drainage system will tie into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
 - iii) the location and description of all outlets and other facilities;
 - iv) stormwater management techniques which may be required to control minor and major flows; and,
 - v) proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction.

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

43. The Owner shall agree to the ENERGY STAR® conditions as follows:
- a) The Owner agrees that wording will be included in the subdivision agreement requiring all residential units to be built to ENERGY STAR® for New Homes Technical Specifications (Version 2.0 or most current) standards, and agrees to comply with the ENERGY STAR® for New Homes Administrative Procedures (September 2006 or most current) process requirements for design, inspection and certification.
 - b) Prior to the issuance of a building permit, the Owner/builder shall have prepared, by a Certified Energy Evaluator, an ENERGY STAR® for New Homes “Building Option Package” or develop a custom package using EnerGuide for New Houses (EGNH) software with respect to housing design and construction techniques and implementation methods to ensure that all the residential units within the draft plan are ENERGY STAR® qualified. Such package shall be prepared at the Owner’s expense and submitted to the Chief Building Official for information.
 - c) Prior to the issuance of a building permit, the developer and/or builder and/or applicant for the building permit is to provide the Chief Building Official with verification that the proposed homes have been enrolled with *EnerQuality Corporation in the ENERGY STAR® for New Homes program, including signing an ENERGY STAR® Participant Administrative Agreement for Builders of ENERGY STAR® Qualified New Houses.*
 - d) Prior to the issuance of an occupancy permit (provisional occupancy certificate), the Owner shall provide testing verification for each dwelling unit to the City to ensure that all homes have been ENERGY STAR® qualified *at the completion of construction.* ENERGY STAR® labeling shall be affixed to the home.
44. The Owner shall agree in the subdivision agreement that no building permits will be applied for or issued for any lot or block, until the City is satisfied that adequate road access, municipal water supply, sanitary sewer and storm drainage, recycling pickup, garbage pickup, snow removal, fire service and emergency service inclusive, is provided for the proposed development to the satisfaction of the City.
45. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost of any external municipal services, temporary and/or permanent built or proposed that have been designed and oversized by others to accommodate the development of the Plan.
46. 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, frontages and depths in accordance with the approved Zoning By-law for all the lots and blocks within the Plan.
47. Notwithstanding the provisions (Subsection 5.1) generally included within the subdivision agreement, the City may issue model home building permits provided that the land is zoned to the satisfaction of the City and the relevant conditions (Subsection 5.18) of the subdivision agreement are fulfilled.
48. Prior to the issuance of a building permit for any lot or block, the Owner’s consulting engineer shall certify, to the satisfaction of the Engineering Department and the Building Standards Department that the lot grading complies with the City of Vaughan lot grading criteria and the driveway as shown on the plan submitted for the construction of the building on that particular lot or block conforms in terms of location and geometry (i.e., width, etc.) with the approved or amended and subsequently approved Construction Drawings.

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

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

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

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

50. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunications provider to provide their services underground at the approved locations and to the satisfaction of the City. The Owner shall provide a copy of the fully executed subdivision agreement to the appropriate telecommunication provider.

51. No building permit shall be issued until the Owner has provided proof that a restriction has been registered that prevents the transfer of the lot or block without the consent of the City where such transfer is to be restricted by any other provision of this agreement.

52. Prior to the issuance of a building permit for any lot or block within the Plan, the Owner shall submit for review and approval a Phase I Environmental Site Assessment in accordance with the Ministry of Environment's Ontario Regulation 153/04, "Soil, Ground Water and Sediment Standards" and the City's "Policy and Procedures for Contaminated or Potentially Contaminated Sites", and if necessary, a Phase II Environmental Site Assessment to the satisfaction of the City.

53. Prior to the issuance of a building permit, the Owner submit for review and approval for the park (Block 313), a Phase II Environmental Site Assessment in accordance with the Ministry of Environment's Ontario Regulation 153/04, "Soil, Ground Water and Sediment Standards" and the

City's Guideline, Phase II Environmental Assessment, Proposed Parkland, City of Vaughan for any parkland, greenway or walkway blocks located within the Plan to the satisfaction of the City. Required testing may include but not be limited to surface and subsurface soil, ground water, soil vapour, plant and aquatic species sampling and testing of building materials. The Owner shall carry out or cause to be carried out the recommendations contained in the report(s) and ensure that adequate field inspection is provided to validate the recommendations in the Phase II Environmental Site Assessment to the satisfaction of the City.

54. In the event that remediation is required, a Remediation Action Plan will be submitted for review and approval by the City.
55. The Owner shall reimburse the City for the cost of the City's peer review of any Environmental Site Assessment report(s).
56. Prior to final approval of the Plan, the Owner shall covenant and certify to the City that they are not aware of any soil, groundwater or sediment contamination on or within lands to be conveyed to the municipality, which could interfere with its intended use.
57. Prior to final approval, the Owner shall submit a Record of Site Condition acknowledged by an Officer of the Ministry of the Environment.
58. 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 the subdivision agreement have been included in the offers of purchase and sale or lease for such lot or block.
59. Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit an erosion and sedimentation control plan including 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 park, parkette, school or walkway blocks.
60. Prior to final approval of the plan, the Owner shall confirm that the necessary provisions of the Environmental Assessment Act and the Municipal Class Environmental Assessment for Municipal Roads, Water and Wastewater Projects as they may apply to the proposed primary roads and related infrastructure matters, have been met.
61. The Owner shall agree that if there is any phasing in the Plan, all disturbed lands within phases other than the first phase of the subject Plan left vacant (6) months following completion of overall grading shall be topsoiled to a minimum depth of 100 mm, seeded, maintained and signed to prohibit dumping and trespassing, to the satisfaction of the City.
62. The Owner shall agree to remove any driveways and buildings on site, which are not approved to be maintained as part of the Plan. Any modification to off-site driveways required to accommodate this Plan shall be co-ordinated and completed at the cost of the Owner.
63. No part of any noise attenuation feature or any other fence shall be constructed partly on or within any public highway, park or open space. Fences adjacent to public lands shall be constructed entirely on private lands. The maintenance of noise attenuation features 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 by the noise attenuation fence shall be the sole responsibility of the lot owner. Landscaping provided on the Regional Road right-of-ways by the Owner or the City for aesthetic purposes shall be approved by the Region and maintained by the City with the exception of the usual grass maintenance.
64. a) Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of PowerStream Inc. (formerly Hydro Vaughan Distribution Inc.), its

successors and assigns, regarding the design, installation, connection and/or expansion of electric distribution services, or any other related matters; the Owner shall enter into a development agreement with PowerStream Inc. which addresses the foregoing requirements.

- b) The Owner shall agree to design, purchase materials, and install a buried hydro distribution system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of PowerStream Inc. and the City.
65. The Owner shall agree in the subdivision agreement to design, purchase material and install a streetlighting system in the Plan in accordance with City Standards and specifications. This Plan shall be provided with decorative streetlighting to the satisfaction of the City.
66. The Owner shall cause the following warning clauses to be included in a schedule to all Offers of Purchase and Sale, or Lease for all lots/blocks:
- a) within the entire Subdivision Plan:
- "Purchasers and/or tenants are advised that 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."
 - "Purchasers and/or tenants are advised that traffic calming measures may have been incorporated into the road allowances."
 - "Purchasers and/or tenants are advised that public transit routes have not been determined for the area within the Plan, however, internal streets may be subject to public transit bus traffic."
 - "Purchaser and/or tenants are advised that the following streets may be used as transit routes in the future: Streets "1" and "2"."
 - "Purchasers and/or tenants are advised that the collector and primary roads within the development area are expected to support more traffic than local roads and, if demand warrants, transit routes in the future."
 - "Purchasers and/or tenants 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 conceptual locations for boulevard trees 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."
 - "Purchasers and/or tenants are advised that the City has not imposed a "tree fee", or any other fee, which may be charged as a condition of purchase, for the planting of trees. Any "tree fee" paid by a purchaser for boulevard trees does not guarantee that a tree will be planted on the boulevard adjacent to their residential dwelling."
 - "Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise

levels, including from construction activities, may be of concern and occasionally interfere with some activities of the dwelling occupants.”

- “Purchasers and/or tenants are advised that where the Canadian Pacific Railway (CPR) company, or its assigns or successors in interest, has a right-of-way within 300 metres from the subject lands, and there may be future alterations or expansions to the rail facilities or operations which may affect the living environment of the residents in the vicinity, notwithstanding any noise and vibration attenuating measures included in the development and individual dwelling(s); CPR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.”
- “Purchasers and/or tenants are advised that the future interchange and ramps to be located generally around the Major Mackenzie Drive and Huntington Road interchange, and Major Mackenzie Drive are expected to support more traffic, and if demand warrants, transit routes in the future.”
- “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:
 - a) The maximum width of a driveway shall be 6 m measured at the street curb, provided circular driveways shall have a maximum combined width of 9 m measured at the street curb.
 - b) Driveway in either front or exterior side yards shall be constructed in accordance with the following requirements:

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

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 12.0 m and greater shall be comprised of a Minimum of 50% Landscaped Front or Exterior side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior side yard shall be soft landscaping in accordance with Paragraph 4.1.2.”

- “Purchasers and/or tenants are advised that proper grading of all lots/blocks 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 security to ensure all municipal services including, but not limited to lot grading, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City

and/or Owner, for lot grading purposes, is not a requirement of this subdivision agreement.”

- “Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the CRTC authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs.”
- “Purchasers and/or tenants are advised that fencing and/or noise attenuation features along the lot lines of lots and blocks abutting public lands, including public highway, laneway, walkway or other 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 m reserve, as shown on the Construction Drawings.

The City has taken a Letter of Credit from the Owner for 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.”

- “Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings.”
- “Purchasers and/or tenants are advised that all of the residential units within this Plan will be built to ENERGY STAR® standards, and shall be ENERGY STAR® qualified prior to the issuance of an occupancy permit (provisional occupancy certificate). The design, inspection, and certification process for the ENERGY STAR® program is the responsibility of the developer and/or builder.”
- “Purchasers and/or tenants are advised that any roads ending in a dead end or cul-de-sac may be extended in the future to facilitate development of adjacent lands, without further notice.”

b) abutting or in proximity of either a primary roadway, collector roadway, arterial roadway or railway:

- “Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, may be of concern and occasionally interfere with some activities of the dwelling occupants.”

c) abutting or in proximity of any open space, valleylands, woodlots or stormwater facility:

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

d) abutting a park block:

- “Purchasers and/or tenants are advised that the lot abuts a "Neighbourhood

Park" or a "District Park", and that noise and lighting should be expected from the designed active use of the park."

- e) abutting a public highway, laneway, walkway, park, open space, valleylands, woodlots or stormwater facility other similar public space:
- "Purchasers and/or tenants are advised that fencing along the lot lines of lots and blocks abutting public lands is a requirement of this subdivision agreement and that all required fencing and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3 metre reserve, as shown on the Construction Drawings.

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

67. Prior to final approval, the Owner shall provide a detailed 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.
68. Prior to final approval, the Owner shall prepare a streetscape and open space landscape master plan, in conjunction with Plan of Subdivision 19T-06V14 (Molise Kleinburg Estates Inc.), in accordance with the Kleinburg-Nashville Community Plan (OPA #601) policies. The plan shall address, but not limited to, the following:
- a) co-ordination of the urban design/streetscape elements as they relate to the urban design policies for OPA #601, including entrance features, parkettes, trail heads, medians and fencing;
 - b) community edge treatments along the CP Railway, including a fence barrier and multi use pedestrian trail, to the satisfaction of the City;
 - c) the appropriate integration with the urban design policies outlined in the Kleinburg-Nashville Community Plan;
 - d) valleylands/woodlot edge management rehabilitation planting, trails, bridge crossings, erosion repair sites and pedestrian access points into the valley;
 - e) the appropriate pedestrian connection over the CP Railway property to provide future residents safe access to the future community centre through the adjacent Nashville West Community;
 - f) the appropriate configuration and landscape design for the stormwater management pond facilities Blocks 315 and 316;
 - g) a continuous pedestrian/bicycle route with urban connections between streets and within the neighbourhood, including throughout the community, in addition to complying with the Council approved Pedestrian Bicycle Master Plan;
 - h) the appropriate pedestrian access connections through Plan of Subdivision 19T-06V14 (Molise Kleinburg Estates Inc.) to Major Mackenzie Drive for access to public transit;

- i) the appropriate landscape/streetscape design for telecommunication and hydro easements.
 - j) a comprehensive pedestrian network through the entire plan.
 - k) incorporation of sustainability design elements into the overall urban fabric; and,
 - l) preparation of park block facility fits.
69. The Owner shall agree in the subdivision agreement that:
- a) prior to final approval, architectural design guidelines shall have been prepared, in conjunction with Plan of Subdivision 19T-06V14 (Molise Kleinburg Estates Inc.), 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 the drawings certifying compliance with the approved architectural guidelines; and,
 - 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.
70. Prior to final approval of any part of the Plan, the Owner shall prepare a detailed edge management plan study for the perimeter of the valleylands/open space lands and tableland woodlot with the study to include an inventory of all existing trees within an 8 m zone inside the staked edges and areas where the valleylands/open space lands and woodlot edges are disturbed, an assessment of significant trees to be preserved and proposed methods of edge management and/or remedial plantings to the satisfaction of the City. The Owner shall provide a report for the 20 m zone within all staked valleylands/open space lands and woodlot edges to the satisfaction of the City and Toronto and Region Conservation Authority, which identifies liability, and issues of public safety, recommends woodlot/forestry management practices and identifies removal of hazardous vegetation prior to assumption of the Plan. The Owner shall not remove any vegetation without written approval by the City.
71. The Owner shall agree in the subdivision agreement to erect a permanent 1.5 m high black vinyl chain link fence or approved equal along the limits of the residential lots that abut the woodlot, valleylands, stormwater management pond facilities, park, parkette and open space.
72. The Owner shall convey the park (Block 313) for parkland purposes, free of all cost and encumbrances, to the satisfaction of City.
73. The Owner shall convey the buffers (Blocks 320 to 322 inclusive) for landscaping purposes, free of all cost and encumbrances, to the City.
74. The Owner shall convey the valleylands (Blocks 315 and 316) and stormwater management pond facilities (Blocks 315 and 316), free of all cost and encumbrances, to the City and/or Toronto and Region Conservation Authority.

75. In the event that the Owner and the City agree that the Owner will develop the park (Block 313) or the parkette (Block 314), the Owner shall agree that the design, securities and construction for the park(s) will be addressed through an amending agreement in accordance with the "City Developer Build/Parks Development Policy".
76. That prior to final approval of a plan of subdivision, and prior to the initiation of any grading on 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 approved Archaeological Assessment Technical Guidelines, dated 1993. The archaeological assessment shall be submitted to the municipality and the said Ministry for review and approval.
77. 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.

Region of York Conditions

78. 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.
79. Prior to registration York Region shall confirm that adequate water supply and sewage servicing capacity are available and have been allocated by the City of Vaughan for the development proposed within this draft plan of subdivision or any phase thereof. Registration of the plan of subdivision shall occur in phases based on the availability of water supply and sewage servicing allocation.
80. Prior to the registration of any residential lands the following shall occur:
 - a) York Region has advised, in writing, that it is no earlier than six (6) months prior to the expected completion of the Kleinburg Water Storage Facility, Additional Water Supply Works in Kleinburg and the Kleinburg WPCP Expansion; or,
 - b) the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
 - c) the Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the Council of the City of Vaughan has allocated adequate water supply and sewage servicing capacity to the subject development.
81. That all residentially zoned lands shall be placed under a holding symbol "H" pursuant to the provisions of Section 36 of the Ontario Planning Act, which shall prohibit the development of the lands until the "H" symbol has been lifted. The conditions for lifting the "H" symbol shall include:
 - a) York Region advises, in writing, that it is no earlier than six (6) months prior to the expected completion of the Kleinburg Water Storage Facility, Additional Water Supply Works in Kleinburg and the Kleinburg WPCP Expansion; or,

- b) the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure; or,
 - c) the Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the Council of the City of Vaughan has allocated adequate water supply and sewage servicing capacity to the subject development.
82. The Owner shall agree in the subdivision agreement that the Owner shall save harmless the area municipality and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
83. The Owner shall agree in the subdivision agreement that all unused wells shall be decommissioned according to Ontario Regulation 903 prior to any construction works occurring on the site.
84. Prior to final approval, arrangements for conveyance of the water tower lands to the Region of York shall be established to the satisfaction of the Regional Infrastructure Planning Branch of the Planning and Development Services Department.
85. The Owner shall have prepared by a qualified professional transportation consultant for review and approval by the Transportation Services Department, a feasibility study that identifies the alignment for Major Mackenzie Drive and the related grade separation, and indicates the maximum possible impact on the Owner's lands. The intent is to allow development around the impacted lands, but not within the area of impact, until all the Environmental Assessments have been concluded.
86. The Owner acknowledges that revisions to the draft plan of subdivision may be required to incorporate the recommendations of the feasibility study, referred to in Condition 85, as approved by York Region including any associated changes to the configuration of lots, blocks and the local street network.
87. The Owner acknowledges that revisions to the draft plan of subdivision may be required by the City of Vaughan and/or the Region of York to incorporate the recommendations of the approved Environmental Assessment for Major Mackenzie Drive and associated grade separation of the CP Rail Line within the boundaries of the draft plan. These revisions must be in conformity with the recommendations of the Environmental Assessment.
88. The Owner acknowledges that the portion of the draft plan of subdivision comprising Street "2", Street "4", Street "5", Street "7", Street "8", Street "9", and portions of Street "3" and Street "6" west of Street "1", Lots 1 to 220 inclusive, 264 to 266 inclusive, and 282 to 284 inclusive, and Blocks 312, 313, 315, and 319, as identified on the attached red-lined plan, shall not be released for registration until:
- a) An Environmental Assessment has identified a preferred alignment for Major Mackenzie Drive and the associated grade separation of the CP Rail Line to the satisfaction of the City of Vaughan and York Region; and,
 - b) York Region will consider a phased or partial release of the Lots and Blocks identified above, when the Environmental Assessment or a Feasibility Study (undertaken by the City and/or the Owner) has identified, to the satisfaction of York Region, that particular Lots and Blocks are no longer impacted by the proposed alignment and grade separation of Major Mackenzie Drive; and,
 - c) The Owner shall agree to submit a revised draft plan, which incorporates the preferred alignment for Major Mackenzie Drive and the grade separation of the CP Rail Line

including any associated changes to the configuration of the subject lots, blocks and local street network to the satisfaction of the City of Vaughan and York Region.

89. The Holding (H) provisions of Section 36 of the Ontario Planning Act shall be used in conjunction with any zone category to be applied to Lots 1 to 220 inclusive, 264 to 266 inclusive, and 282 to 284 inclusive, and Blocks 312, 313, 315, and 319, as identified on the attached red-lined plan, in order to ensure that development of these blocks does not occur until such time as the Holding (H) symbol is removed in accordance with the provisions of the Ontario Planning Act. The Zoning By-law shall specify the terms under which Council may consider the removal of the Holding (H) symbol. Said terms shall include a minimum of the following:
 - a) An Environmental Assessment has identified a preferred alignment for Major Mackenzie Drive and the associated grade separation of the CP Rail Line to the satisfaction of the City of Vaughan and York Region; and,
 - b) York Region will consider a phased or partial release of the Lots and Blocks identified above, when the Environmental Assessment or a Feasibility Study (undertaken by the City and/or the Owner) has identified, to the satisfaction of York Region, that particular Lots and Blocks are no longer impacted by the proposed alignment and grade separation of Major Mackenzie Drive; and,
 - c) The Owner shall agree to submit a revised draft plan, which incorporates the preferred alignment for Major Mackenzie Drive and the grade separation of the CP Rail Line including any associated changes to the configuration of the subject lots, blocks and local street network to the satisfaction of the City of Vaughan and York Region.
90. The Owner acknowledges that if the construction of Street "1" and/or Street "2" proceeds prior to the completion of the Environmental Assessment for the realignment and widening of Major Mackenzie Drive and grade separation of the CP Rail line, in the interest of facilitating access to the development to the north, the road shall be considered temporary and constructed at the owners risk and expense.
91. The Owner agrees, that if proven necessary by the Environmental Assessment for the realignment and widening of Major Mackenzie Drive and grade separation of the CP Rail line, to make suitable arrangements to realign and reconstruct Street "1" and/or Street "2", subject to the Major Mackenzie Drive alignment and associated grade separation of the CP Rail line to the satisfaction of the City of Vaughan and/or the Region of York.
92. The Owner agrees, that if proven necessary by the Environmental Assessment for the realignment and widening of Major Mackenzie Drive and grade separation of the CP Rail line, to make suitable arrangements to dedicate and/or convey the lands required to accommodate the Major Mackenzie Drive alignment and associated grade separation of the CP Rail line.
93. The Owner agrees that this development shall be coordinated with the development to the north (19T-06V14). A phasing plan may be required depending on transportation capacity and improvements; if required the phasing plan shall be to the satisfaction of the Regional Infrastructure Planning Branch of the Planning and Development Services Department.
94. Prior to Final Approval, the Owner shall provide a copy of the duly executed local subdivision agreement to the Transportation Services Department outlining all Regional requirements.
95. Prior to Final Approval, the Owner shall provide a solicitor's certificate of title, in a form satisfactory to the Regional Solicitor and at no cost to York Region, regarding the conveyance of required lands to York Region.
96. The Owner shall enter into an agreement with the Region of York, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law DC-0007-2007-040.

Toronto and Region Conservation Authority Conditions

97. Prior to any finalization of the lotting fabric in this area, the Owner is required to prepare an assessment of the feature indicating how the form and function of the feature can be replicated consistent with TRCA's Evaluation, Classification and Management of Headwater Drainage Features: Interim Guidelines, for TRCA review.
98. The Owner is required to submit an updated FSR to address the matters noted above, as well as the ESC plan(s) for the development. Additionally, the draft plan should be updated showing the removal of the stormwater management pond (Block 316) from the valley.
99. The Owner is required to provide an updated restoration plan to address the improvements to the connectivity of the system, and to identify the requisite minimum 10 metre buffer.
100. The Owner is required to prepare a grading plan consistent with the proposal to the north, as well as submitting the location of tree protection fencing around the trees.
101. The Owner is required to provide a Geotechnical Addendum Brief, as well as a grading plan for TRCA review.
102. The Owner is required to revise the methodology used to determine the water balance calculations, as well as providing a mitigation strategy to the satisfaction of TRCA.
103. The Owner is required to provide a table in an appropriate location in section D.1 or in the Appendix, which summarizes the hydrologic modeling parameters for each of the catchment areas in the pre-development and post-development modeling. In particular, the table should indicate the drainage area, soil type, overland flow lengths for pervious and impervious areas (where applicable), time to peak (where applicable), percent total and directly connected impervious and curve numbers for each catchment.
104. The Owner is required to verify the calculations for the allowable release rates reported in Table 3 on Page 17 of the Master Servicing Study for the portion of the site draining to the Robinson Creek subwatershed and submit the necessary corrections to TRCA for review and concurrence.
105. The Owner is required to demonstrate that the unit flood flow release rates are achieved through the subject lands, as well as providing an additional post-development model confirming the criteria can be achieved. It must be demonstrated for the currently proposed Lake Rivers Inc. development that the unit flood flow release rates, erosion extended detention and water quality control criteria are achieved both with, and without the surface runoff from Catchments 401 and 402 being conveyed through the subject lands.
106. The Owner is required to update the modeling to reflect the matters identified such as the provision of swales on rear lots, permeable pavement, addition of top soil and downspouts discharging to grassed areas to mitigate the potential impacts to groundwater resources due to the proposed development.
107. a) That prior to the initiation of grading and prior to the registration of this plan, the Owner shall 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 Functional Servicing Study for this area. This 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;

- ii) stormwater management techniques, which may be required to control minor or major flows;
 - iii) appropriate Stormwater Management Practices (SWMP's) to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat;
 - iv) proposed method for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction;
 - v) location and description of all outlets and other facilities which may require a permit pursuant to Ontario Regulation 166/06, the TRCA's (*Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*) Regulation;
 - vi) overall grading plans for the subject lands; and,
 - vii) design features to maintain hydraulic, ecological and geomorphic function of the site.
- b) The Owner shall agree to implement the recommendations set out in the aforementioned report(s) to the satisfaction of the City and TRCA.
108. That the Owner submit details and calculations relating to proposed measures to promote infiltration and maintain a water balance for the draft plan area.
109. That the Owner prepare an evaluation to the satisfaction of the TRCA that addresses the need for groundwater dewatering during construction, including details for its disposal, potential impacts to natural features due to groundwater withdrawal, mitigation, and any permitting requirements.
110. That the Owner successfully obtain a permit and/or permits under Ontario Regulation 166/06 (*Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*) for any works proposed in the regulated area, and for the Stormwater Management Pond and outfall.
111. That the Owner submit base mapping, drafted to TRCA standards for the entire area of analysis.
112. That a planting plan be prepared by the Owner for the Stormwater Management Ponds (Blocks 315 and 316) subject to the resolution and acceptance of these blocks for stormwater management purposes, as per Sections A.1 and A.2 of the TRCA letter dated October 9, 2008.
113. That a comprehensive edge management plan be prepared by the Owner for the site to the satisfaction of the TRCA.
114. That a tree protection and preservation plan be prepared by the Owner for the site that looks at opportunities for the retention of larger trees (such as the bur oak in Parkette Block 314), means of protecting retained trees/forest edges from development activities, and opportunities for the salvage and re-use of trees throughout the site as buffer plantings to the satisfaction of the TRCA.
115. That a pre-consultation meeting be held with the Owner and staff from the TRCA and the City of Vaughan for any proposed trails within the draft plan area, and that any proposed trail plans and details for the Open Space Blocks and Valleyland Buffers Blocks be prepared to the satisfaction of the TRCA.

116. That the implementing zoning by-law recognize Open Space/Valley/Woodlot (Blocks 317 and 318), and the requisite minimum 10 m buffer in an open space, or other suitable zoning category, which has the effect of prohibiting development, to the satisfaction of the TRCA.
117. That the Owner submit a revised draft plan clearly denoting the limits of the requisite 10 m buffer adjacent to the Open Space Block 317.
118. The Owner submits a separate Erosion and Sediment Control (ESC) plan(s) for the proposed development. A copy of TRCA's Erosion and Sediment Control Guideline for Urban Construction (December 2006) can be found at www.sustainabletechnologies.ca.
119. The Owner submits overall grading plans to ensure compatibility with the Molise subdivision along the common property line.
120. That the Owner agrees 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 MESP, as amended, as well as all conditions above;
 - b) to maintain all stormwater management and erosion and sediment control structures operating and in good repair during the construction period, in a manner satisfactory to the TRCA;
 - c) to obtain all necessary permits pursuant to Ontario Regulation 166/06 from the TRCA; and,
 - d) to erect a permanent fence to the satisfaction of the TRCA for Lots adjacent to Blocks 316, 317 and 318.
121. Prior to the registration of the draft plan or any phase thereof, TRCA staff seeks to discuss energy efficiency and green building design.
122. That this draft plan of subdivision be subject to red-line revision(s) in order to meet the requirements of Conditions 97 to 121 inclusive.
123. That a copy of the fully executed subdivision agreement be provided to the TRCA when available, in order to expedite the clearance of conditions of draft approval.

CP Railway

124. Berm, or combination berm and noise attenuation fence, having extensions or returns at the ends, to be erected on adjoining property, parallel to the railway right-of-way with construction according to the following:
 - a) minimum total height 5.5 m above top-of-rail;
 - b) berm minimum height 2.5 m and side slopes not steeper than 2.5 to 1; and,
 - c) fence or wall to be constructed without openings and of a durable material weighing not less than 20 kg per sq.m of surface area.

No part of the berm/noise barrier is to be constructed on railway property.

A clause should be inserted in all offers of purchase and sale or lease, and to be registered on title or included in the lease for each dwelling affected by any noise and vibration attenuation

measures, advising that any berm, fencing, or vibration isolation features implemented are not to be tampered with or altered, and further, that the Owner shall have the sole responsibility for and shall maintain these features.

Dwellings must be constructed such that the interior noise levels meet the criteria of the appropriate Ministry. A noise study should be carried out by a professional noise consultant to determine what impact, if any, railway noise would have on residents of proposed subdivisions and to recommend mitigation measures, if required. The Railway may consider other measures recommended for the study.

125. Setback of dwellings from the railway right-of-way to be a minimum of 30 m. While no dwelling should be closer to the right-of-way than the specified setback, an unoccupied building such as a garage may be built closer. The 2.5 m high earth berm adjacent to the right-of-way must be provided in all instances.
126. Ground vibration transmission to be estimated through site tests. If in excess of the acceptable levels, all dwellings within 75 m of the nearest track should be protected. The measures employed may be:
 - a) support the building on rubber pads between the foundation and the occupied structure so that the maximum vertical natural frequency of the structure on the pads is 12 Hz;
 - b) insulate the building from the vibration originating at the railway tracks by an intervening discontinuity or by installing adequate insulation outside the building, protected from the compaction that would reduce its effectiveness so that vibration in the building became unacceptable; or
 - c) other suitable measures that will retain their effectiveness over time.
127. A clause should be inserted in all offers of purchase and sale or lease and in the title deed or lease of each dwelling within 300 m of the railway right-of-way, warning prospective purchasers or tenants of the existence of the Railway's operating right-of-way, the possibility of alterations including the possibility that the Railway may extend its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuation measures in the design of the subdivision and individual units, and that the Railway will not be responsible for complaints or claims arising from the use of its facilities and/or operations.
128. Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to be reviewed by the Railway.
129. A 1.83 m high chain link security fence be constructed and maintained along the common property line of the Railway and the development by the developer at his expense, and the developer is made aware of the necessity of including a covenant running with the lands, in all deeds, obliging the purchasers of the land to maintain the fence in a satisfactory condition at their expense.
130. Any proposed utilities under or over railway property to serve the development must be approved prior to their installation and be covered by the Railway's standard agreement.

Canada Post Conditions

131. The Owner shall agree to:
 - a) consult with Canada Post to determine the locations of the community mailboxes and

indicate the community mailbox locations on the appropriate servicing plans and provide Canada Post with 2 copies of the utility co-ordination plan for use in identifying the community mailbox location;

- b) provide the following for each community mailbox site, as shown on the servicing plans:
 - i) a sidewalk section (concrete pad), as per municipal and Canada Post standards, to support the mailboxes;
 - ii) any required walkway across the boulevard, as per municipal standards; and,
 - ii) any required curb depressions;
- c) provide a suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s);
- d) include in all offers of purchase and sale, or lease for all lots/blocks that mail delivery shall be from a designated community mailbox, and notify the purchasers and/or tenants of the exact community mailbox locations prior to the closings of any dwelling unit; and,
- e) provide a copy of the executed subdivision agreement to Canada Post.

York Catholic District School Board Conditions

- 132. Prior to final approval, the City shall be advised by the School Board(s) that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the Owner and the School Board(s).
- 133. That the Owner shall enter into an agreement satisfactory to the York Catholic District School Board for the transfer of Block 312 (1.671 ha.).
- 134. That the Owner shall agree in the subdivision agreement in wording satisfactory to the York Catholic District School Board that prior to final approval:
 - a) to grade the school site to conform to the overall grade plan of the subdivision and in doing so shall replace any topsoil disturbed in the grading process and at the same time sod/seed the same lands, and If, in compliance with this clause, the addition of fill, the removal of existing soil, or, in any way, the alteration of existing grading results in increased costs of construction to the Board, then, and in that event, the Owner shall, upon demand, reimburse the Board for such additional costs;
 - b) to remove all trees and structures on Block 312, as determined by the Board;
 - c) there shall be no stockpiling of topsoil on Block 312;
 - d) i) to construct and maintain temporary post and wire fence on all boundaries of the lands no later than the date of application of the base coat of asphalt on such roads on which the lands abut to the specifications outlined as per Schedule "B":

"Schedule "B"

Specifications for fencing pursuant to Paragraph 2d:

Posts: 15.24 cm [six (6) inch] diameter wooden posts installed at intervals of 3.098 m [ten (10) feet], to a minimum depth of 60.96 cm [twenty-four (24) inches] below ground level.

Fencing: Standard farm wire fencing securely fastened to posts.

Access: Standard farm wire gate.”

- ii) prior to the occupancy of adjacent residential lands, replace the temporary posts and wire fencing along the boundary between the lands and such adjacent residential lands with a 9 gauge galvanized chain link fence 1.8 m in height, the side of which fence facing such residential lands to be placed 5.08 cm [two (2) inches] inside the lands from the boundary thereof;
- iii) prior to completion, replace the temporary posts and wire fencing then remaining with a 9 gauge galvanized chain link fence 1.8 m in height on all other boundaries of the lands as the Board may, no less than 60 days prior to completion, direct;
- e) to erect on the school site at such time as the school access street is constructed a visible sign with the dimensions and containing the words in the order, form and configuration as duly required by the Board, which shall include:

“The York Catholic District School Board
Catholic Elementary School Site
A School In This Location Is Not Guaranteed
Students May Be Accommodated
In Facilities Elsewhere”
- f) to post “No Dumping” signs along the perimeter fence as required by the Board; and,
- g) to provide the foregoing at no cost to the Board.

135. That the Owner shall submit, at no cost to the Board, a report from a qualified consultant concerning:

- a) the suitability of Block 312 for construction purposes relating to soil bearing factors, surface drainage and topography and or grading plan; and there shall be a minimum of 12 boreholes on the school site, in locations as approved by the Board;
- b) both Phase 1 and Phase 2 Environmental Testing reports for the school site to ensure the site is clear and free of all contaminates and unfit soil; and,
- c) the availability of natural gas, electrical, water, storm sewer, sanitary sewer, telephone, fibre optic cable and cable television services in a location along the property line, as determined by the Board. All services must meet Board specifications and approval.

136. That the Owner shall submit, at no cost to the Board, a certificate from the City of Vaughan confirming the following as they relate to a new school facility:

- a) the availability of a satisfactory water supply (both domestic and fire);
- b) an acceptable method of sewage disposal;
- c) adequacy of electrical services;
- d) the availability of a satisfactory natural gas supply; and,

- e) that an adequate stormwater management facility has been designed to accommodate a school site and ensure that water retention will not be required on this site.
- 137. The Owner shall supply the Board a certificate, from the local hydro authority, confirming an adequate capacity for a new school and that the Board will not incur future upstream costs.
- 138. That the Owner shall agree in words acceptable to the York Catholic District School Board, that the services referred to in Condition 136 complete with inspection manholes shall be installed at the property line of said school site and positioned as designated by the Board, at no cost to the Board, allowing time for Board approval of the design of said services prior to the registration of the plan.
- 139. That the Owner confirms, prior to registration, that there are no easements, walkways or storm water management facilities existing, or planned for the school site.
- 140. That the Owner covenants and agrees to insert in every transfer of lands abutting the lands a Restrictive Covenant running with the lands, which prohibits the installation, and use of any gate or access point from such abutting lands to the Lands.
- 141. That the Owner covenants and agrees that a clause will be inserted in all Agreements of Purchase and Sale of residential lots and units within the subdivision, a clause providing as follows:

“The construction of a Catholic School on a designated site is not guaranteed. Purchasers are advised that sufficient accommodation may not be available for students residing in this area, and you are notified that students may be accommodated in temporary facilities and/or bussed to existing facilities outside the area. The Board will in its discretion designate pick-up points for students who qualify for transportation.”
- 142. That the Owner covenants and agrees that a clause will be inserted in all Agreements of Purchase and Sale for residential lots and units abutting the Lands stating that “temporary facilities/portables may be placed on the lands in order to accommodate students in excess of the capacity of the school building”.

York Region School Board Conditions

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

Clearances

- 144. 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 Pre-Condition 1, and Conditions 1 to 143 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
- 145. The City shall advise that Pre-Condition 1 and Conditions 1 to 77 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.

146. The Region of York shall advise that Pre-Condition 1 and Conditions 78 to 96 inclusive, have been, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
147. The Toronto and Region Conservation Authority shall advise that Conditions 97 to 123 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
148. CP Railway shall advise that Conditions 124 to 130 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
149. Canada Post shall advise that Condition 131 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.
150. The York Catholic District School Board shall advise that Conditions 132 to 142 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
151. The York Region School Board shall advise that Condition 143 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.

SITE DATA

- LOTS 1-311 (Residential) 18.805 Ha.
- BLOCK 312 (School) 1.871 Ha.
- BLKS. 313 & 314 (Park) 1.858 Ha.
- BLKS. 315 & 316 (Storm Water Management) 2.317 Ha.
- BLKS. 317 & 318 (Valley/Woodlot) 4.089 Ha.
- BLK. 319 (Berm) 0.403 Ha.
- BLK. 320-322 (Buffer) 0.258 Ha.
- BLK. 323 (Road Widening) 0.947 Ha.
- BLK. 324-378 (0.3m Reserve) 0.019 Ha.
- ALL STREETS 8.970 Ha.
- TOTAL: 39.337 Ha.

NOTE:
THE OWNER SHALL CONVEY LAND EXTERNAL TO THE PLAN FOR THE SANITARY PUMPING STATION EAST OF HIGHWAY 27, FREE OF ALL COST AND ENCUMBRANCES, PRIOR TO FINAL APPROVAL OF PLAN

NOTE:
THE TELECOMMUNICATION AND HYDRO UTILITY BUILDINGS/EASEMENTS ARE TO BE IDENTIFIED ON THE PLAN

NOTE:
THE TELECOMMUNICATION AND HYDRO UTILITY BUILDINGS/EASEMENTS ARE TO BE IDENTIFIED ON THE PLAN

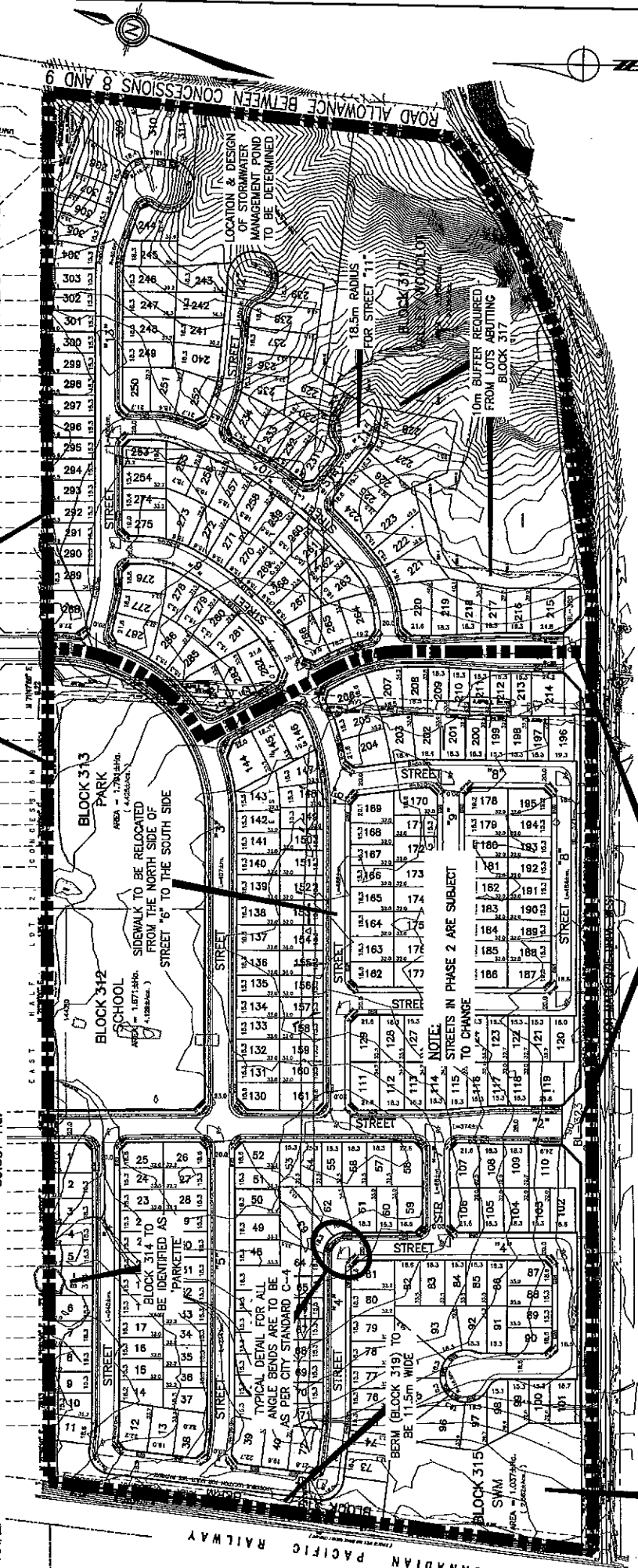
Phase 1

Phase 2

ZONING DESIGNATIONS 'ON HOLD' (H) PENDING REGION OF YORK SERVICE ALLOCATIONS & STORMWATER POND REQUIREMENTS

ZONING DESIGNATIONS 'ON HOLD' (H) PENDING COMPLETION OF THE WESTERN VAUGHAN TRANSPORTATION INDIVIDUAL ENVIRONMENTAL ASSESSMENT & REGION OF YORK REQUIREMENTS

19T-06V14-MOLISE KLINGBURG ESTATES INC.



MAJOR MACKENZIE DRIVE

STREET INTERSECTIONS TO BE REVIEWED IN CONJUNCTION WITH THE WESTERN VAUGHAN TRANSPORTATION INDIVIDUAL ENVIRONMENTAL ASSESSMENT & THE REGION OF YORK

EAST HALF LOT 20, CON

LOCATION & DESIGN OF STORMWATER MANAGEMENT POND TO BE DETERMINED

Red-Lined Revised Plan of Subdivision 19T-05V10

APPLICANT: LAKE RIVERS INC. Part Lot 21, Concession 9



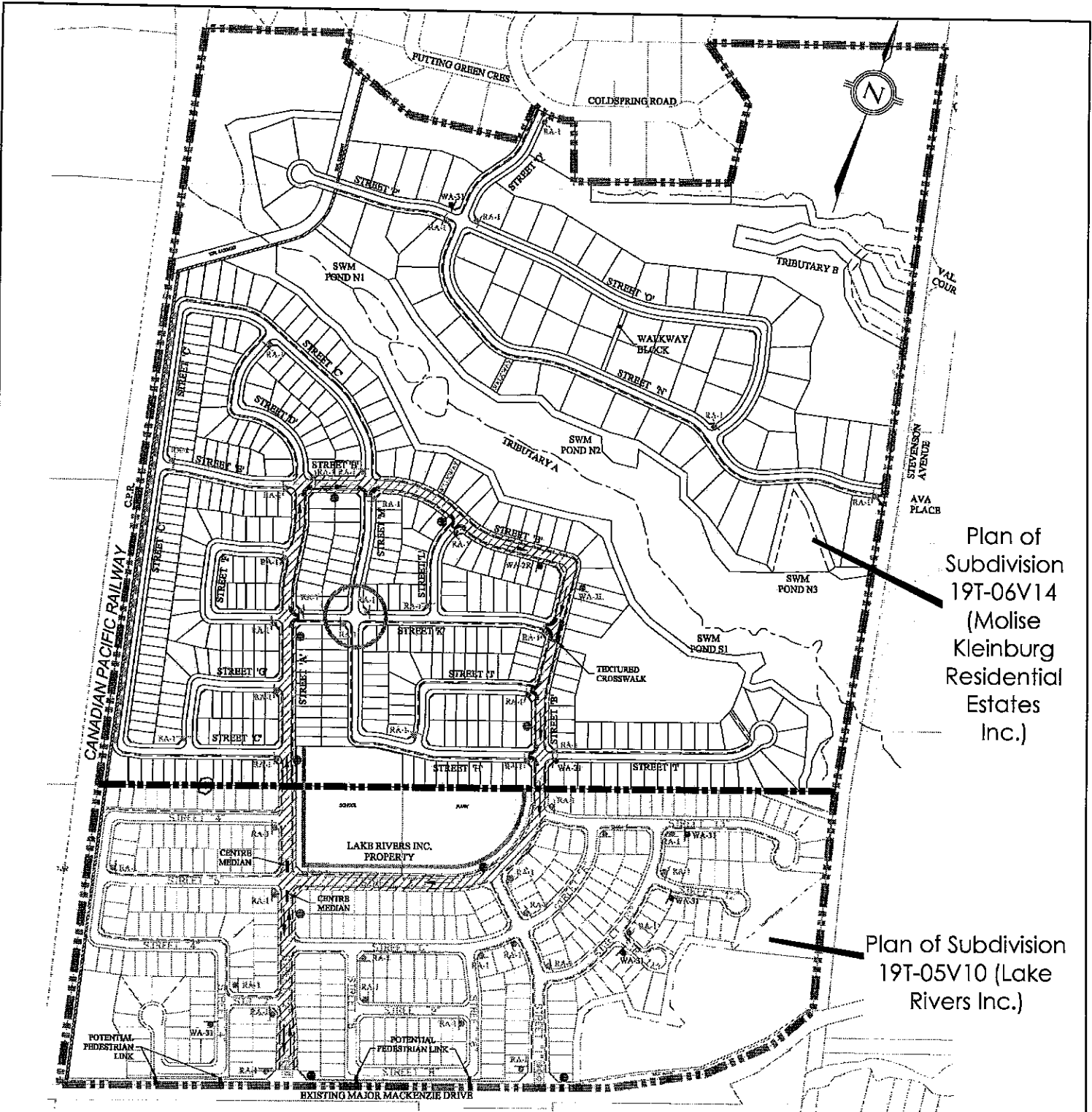
Development Planning Department

Attachment

3

FILE No.: Z.05.057 19T-05V10

October 24, 2008



Plan of Subdivision 19T-06V14 (Molise Kleinburg Residential Estates Inc.)

Plan of Subdivision 19T-05V10 (Lake Rivers Inc.)

LEGEND:

- | | | | | | | | | | |
|--|--|--|--|--|-----------|--|--------------------|--|--------------|
| | 23m MINOR COLLECTOR ROAD/POTENTIAL BUS ROUTE | | INTERSECTION CURB BUMP-OUT FOR PEDESTRIAN AND TRAFFIC CALMING | | STOP SIGN | | CURVE WARNING SIGN | | NO EXIT SIGN |
| | PROPOSED BUS STOP | | SUBJECT SITE | | STOP SIGN | | CURVE WARNING SIGN | | NO EXIT SIGN |
| | PROPOSED BUS TRAFFIC DIRECTION | | 3m PATHWAY | | STOP SIGN | | CURVE WARNING SIGN | | NO EXIT SIGN |
| | PROVISION FOR POTENTIAL FUTURE TRAFFIC SIGNALS | | SUGGESTED SIDEWALK ROUTING | | STOP SIGN | | CURVE WARNING SIGN | | NO EXIT SIGN |
| | | | LAY-BY-LANE | | STOP SIGN | | CURVE WARNING SIGN | | NO EXIT SIGN |
| | | | POTENTIAL LAY-BY-LANE (SUBJECT TO FEASIBILITY STUDY FOR VISITOR PARKING) | | STOP SIGN | | CURVE WARNING SIGN | | NO EXIT SIGN |
| | | | RAISED INTERSECTION | | STOP SIGN | | CURVE WARNING SIGN | | NO EXIT SIGN |

**Traffic Management Plan
Sidewalk Plan (Preliminary)**



Attachment

FILE No.: Z.05.057
19T-05V10

4

APPLICANT: LAKE RIVERS INC. Part Lot 21, Concession 9

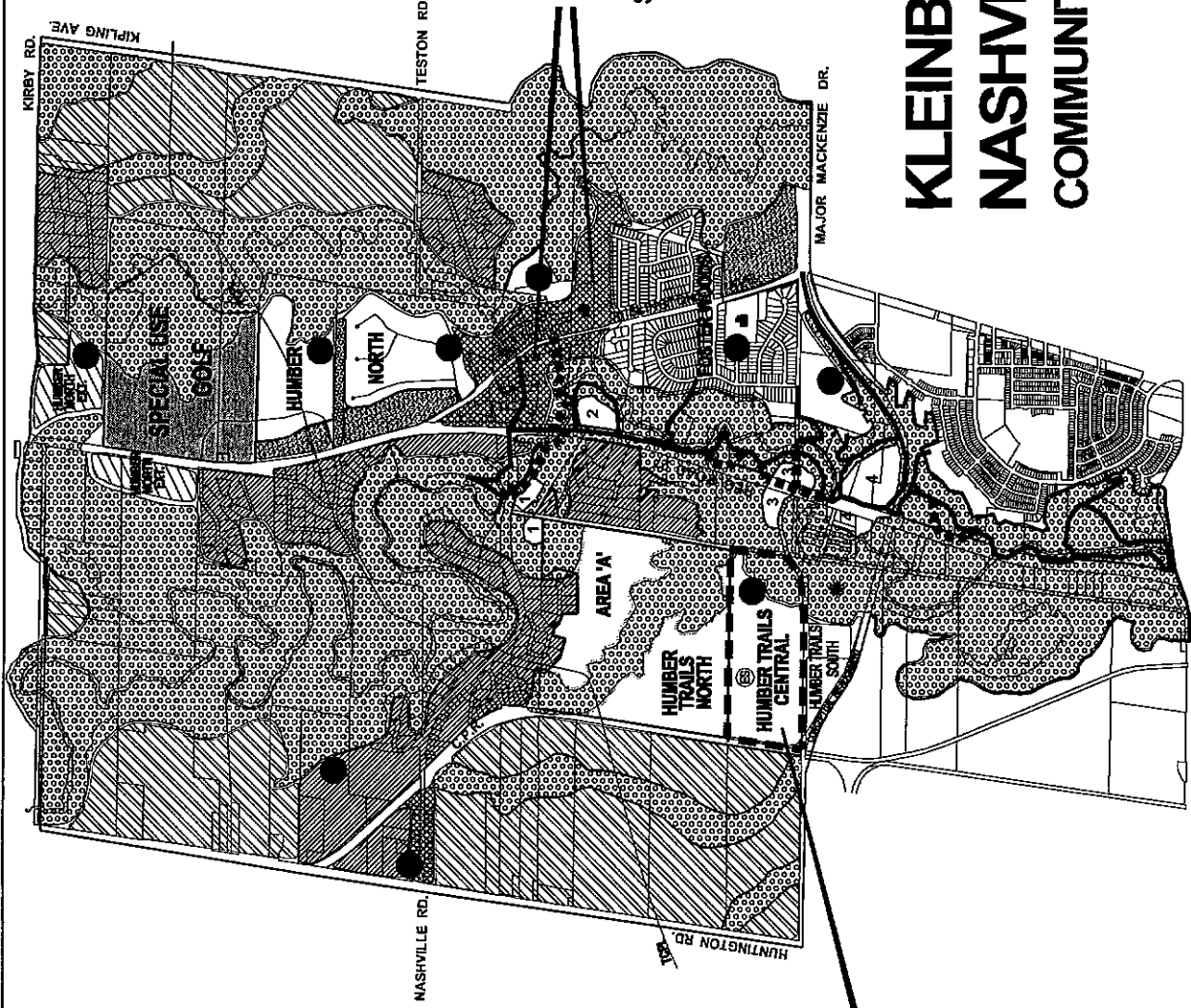
Development Planning Department

October 24, 2008

NRBFM ATTACHMENTSOPop 05/026_245.057_1905/10.dwg

SCHEDULE 'A' LAND USE

- LEGEND**
- SERVICED RESIDENTIAL
 - FUTURE RESIDENTIAL
 - SUBURBAN RESIDENTIAL
 - CORE AREA
 - SPECIAL USE - GOLF
 - RURAL AREA
 - VALLEY & STREAM CORRIDOR
 - OPEN SPACE
 - NEIGHBOURHOOD PARK
 - LINEAR PARK
 - INTER-REGIONAL TRAIL
 - WASTE DISPOSAL ASSESSMENT AREA
 - REGIONAL ROAD 27 TRAIL ROUTE (PREFERRED)
 - REGIONAL ROAD 27 TRAIL ROUTE (ALTERNATE)
 - ELEMENTARY SCHOOL
 - AMENDMENT AREA
 - VALLEY POLICY AREAS 1 TO 4



Kleinburg Core Area
& Main Street Commercial
See Further
SCHEDULE 'A1'

Subject Lands

KLEINBURG NASHVILLE COMMUNITY PLAN

Kleinburg/Nashville Community Plan (OPA 601) - Land Use Schedule

APPLICANT: LAKE RIVERS INC.
Part Lot 21, Concession 9

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Development Planning Department

Attachment 5
FILE No.: Z-05.057
19T-05V10
October 24, 2008