

COMMITTEE OF THE WHOLE NOVEMBER 3, 2008

**ZONING BY-LAW AMENDMENT FILE Z.06.068
DRAFT PLAN OF SUBDIVISION FILE 19T-06V14
MOLISE KLEINBURG ESTATES INC.
REPORT #P.2007.4**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.06.068 (Molise Kleinburg Estates Inc.) BE APPROVED, specifically to amend By-law 1-88 for the subject lands shown on Attachment #3, as follows:
 - i) rezone Lots 56,57, 69, 70, Lots 86-89 inclusive, Lots 162-167 inclusive, Lots 173-183 inclusive, Lots 186-189 inclusive, Lot 199, Lots 204-206 inclusive, Lots 209, 210, Lots 214-232 inclusive, Lots 280-282 inclusive, Lots 293-295 inclusive, Lots 305-328 inclusive, and Lots 329-449 inclusive from OS2 Open Space Park Zone to RD1(H) Residential Detached Zone One with the addition of the Holding Symbol "(H)" to provide for 96 lots for single detached dwelling units with 18.2 m frontages, 41 lots for single detached units with 21.3 m frontages and to provide for 68 lots for single detached dwelling units with minimum lot area of 0.21 ha;
 - ii) rezone Lots 1-3 inclusive, Lots 7-12 inclusive, Lots 58-68 inclusive, Lots 71-85 inclusive, Lots 90-107 inclusive, Lots 113-131 inclusive, Lots 133-142 inclusive, Lots 149-161 inclusive, Lots 168 to 172 inclusive, Lots 184, 185, Lots 190-198 inclusive, Lots 200-203 inclusive, Lots 207, 208, Lots 211-213 inclusive, Lots 233-251 inclusive, Lots 255-260 inclusive, Lots 265-279 inclusive, Lots 283-292 inclusive and Lots 296-304 inclusive from OS2 Open Space Park Zone to RD2 (H) Residential Detached Zone Two with the addition of the Holding Symbol "(H)", to provide for 179 lots for single detached dwelling units with minimum 15.3m frontages;
 - iii) rezone Lots 4-6 inclusive, Lots 13-55 inclusive, Lots 108-112 inclusive Lot 132, Lots 143-158 inclusive, Lots 252-254 inclusive, and Lots 261-264 inclusive, from OS2 Open Space Park Zone to RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "(H)", to provide for 65 lots for single detached dwelling units with minimum 12.8m frontages;
 - iv) require that prior to the removal of the Holding Symbol "(H)" from Lots 1-449 inclusive, the following conditions shall be addressed:
 - 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;

- v) rezone school Block 458 from OS2 Open Space Park Zone to RD2(H) Residential Detached Zone Two, with the addition of the Holding Symbol "(H)";
 - vi) rezone stormwater management Blocks 454-457 inclusive, open space Blocks 463-467 inclusive and valleyland buffer Blocks 468-471 inclusive, from OS2 Open Space Park Zone and OS1 Open Space Conservation Zone to OS1 Open Space Conservation Zone;
 - vii) walkway Blocks 450-453 inclusive, landscape buffer Block 472 and park & parkettes Blocks 459-462 inclusive, from OS2 Open Space Park Zone and OS1 Open Space Conservation Zone to OS2 Open Space Park Zone;
 - viii) include any necessary zoning exceptions required to implement the approved Draft Plan of Subdivision.
2. THAT Draft Plan of Subdivision File 19T-06V14 (Molise Kleinburg Estates 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 purposes of notice, the implementing subdivision agreement for Draft Plan of Subdivision File 19T-06V14 (Molise Kleinburg Estates Inc.) shall contain a provision that the 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 Traffic Management Plan for Draft Plan of Subdivision 19T-06V14 (Molise Kleinburg Estates Inc.), shown on Attachment #4, BE APPROVED, subject to the conditions set out in Attachment #1 to this report.
 6. 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-06V14 (Molise Kleinburg Estates 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 December 15, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Kleinburg and Area Ratepayers Association. Through the circulation of this Notice, the Development Planning Department received a letter of concern regarding access, safety, traffic volumes on Nashville Road, and mail delivery. The applicant's traffic consultant has addressed these issues in a letter that was forwarded to the Kleinburg and Area Ratepayers Association (KARA), and to concerned residents. A subsequent meeting was held in July, 2008 to address these and further questions regarding the development applications. A summary of that meeting is included in the Background section of this report. The recommendation of the Committee of the Whole to receive the Public Hearing report of January 22, 2007, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on January 29, 2007.

Purpose

The Owners have submitted applications to:

1. Amend the Zoning By-law, specifically By-law 1-88, to rezone the subject lands shown on Attachment #3, from OS1 Open Space Conservation Zone and OS2 Open Space Park Zone to:
 - RD1(H) Residential Detached Zone One with the addition of the Holding Symbol "(H)" for 205 lots;
 - RD2(H) Residential Detached Zone Two with the addition of the Holding Symbol "(H)" for 179 lots and Elementary School Block 458;
 - RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "(H)" for 65 lots;
 - OS2 Open Space Park Zone for Blocks 459 to 462 inclusive, Blocks 450 to 453 inclusive and Block 472;
 - OS1 Open Space Conservation Zone for Blocks 454-457 inclusive, and Blocks 463-471 inclusive;

2. Draft Plan of Subdivision approval (Attachment #3) consisting of the following:
 - 449 lots for single detached dwelling units with minimum frontages ranging from 12.8 m to 21.3 m
 - 1 elementary school block to be combined with the school block within the residential subdivision to the south of the subject lands
 - 4 neighbourhood park/parkette blocks, 4 walkway blocks, and 1 landscape buffer block
 - 5 open space blocks and 4 valley/open space buffer blocks
 - 4 stormwater management blocks

Background - Analysis and Options

The subject lands shown on Attachment #1 are located south of Nashville Road, west of Regional Road #27, municipally known as 115 Putting Green Crescent, in Part of Lots 22, 23 and 24, Concession 9, City of Vaughan. The subject lands are designated "Serviced Residential", "Valley & Stream Corridor", "Open Space" and "Neighbourhood Park" by site specific OPA #683, as shown on Attachment #5, and are zoned OS1 Open Space Conservation Zone and OS2 Open Space Park Zone by By-law 1-88, as shown on Attachment #2.

The subject lands are currently developed with the Kleinburg Golf Club that includes a club house and a 27-hole public course. The lands include naturalized areas along portions of the tributary of the Humber River that drains generally southeasterly through the site. The current access to the subject lands is via Coldspring Road, a local

residential road. The TransCanada Pipeline traverses through the northwest corner of the property. The surrounding land uses are shown on Attachment #1.

On April 7, 2008 a technical report was forwarded to the Committee of the Whole on the related Official Plan Amendment Application File OP.06.027 with the following recommendation:

“The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.06.027 (Molise Kleinburg Estates Inc.) BE APPROVED, specifically to amend Official Plan Amendment #601 (Kleinburg-Nashville Community Plan) for the subject lands shown on Attachment #3, as follows:
 - a) redesignate the subject lands from “Special Use Golf” and “Valley Area” to “Serviced Residential”, “Valley Area”, and “Open Space”, as shown on Attachment #2;
 - b) increase the maximum permitted residential density from 7.5 units per net residential hectare for lands within the “Serviced Residential” designation to a maximum of 8.0 units per net residential hectare (ie. from a maximum of 430 to 458 detached residential dwelling units, being an additional 28 units); and,
 - c) amend “Table A – Kleinburg-Nashville Community Plan Population Estimates” by increasing the Fully Serviced Population Estimate for Residential Phase 2A respecting the golf course lands by an additional 1,400 people, from “325” people to 1,725 people.
2. THAT the implementing Official Plan Amendment include the following policies:
 - a) require that the ultimate limits of the development for the subject lands be established and refined through the finalization of the zoning by-law amendment and subdivision process to the satisfaction of the City and the Toronto and Region Conservation Authority;
 - b) require the co-ordination of the proposed developments of both Official Plan Amendment Files OP.06.027 (Molise Kleinburg Estates Inc.) and OP.05.026 (Lake Rivers Inc.), to establish an integrated neighbourhood design that addresses transportation, transit, land use and sustainable community features, through the processing of the respective draft plan of subdivision applications; and,
 - c) require a minimum residential lot size of 0.2 ha for the lots located north of the open space block (identified on Attachment #2 as Block 462).”

The above noted recommendation was ratified by Council on April 14, 2008. OPA #683 was approved, with modifications, by the Region of York on July 23, 2008.

Meeting held July 13, 2008

In order to address questions/concerns by the public on the subject applications, a public meeting was held on July 13, 2008 with the applicant, traffic and planning consultants, area residents, as well as the local Councillor. The Molise and Lake Rivers combined plan were presented. Some of the questions posed pertained to, but not limited to, the

following issues: density; phasing of the development; servicing and allocation impact on the Kleinburg Village Core; types of parks proposed; sustainable initiatives; services being extended to Coldspring Road; traffic concerns and Stevenson Road access.

The applicant responded to these concerns and advised the residents of, but not limited to, the following information:

- density remains unchanged since OPA #683 was approved by Council, and the applicant will not be seeking additional density for this plan
- the timing of the development would follow the York Region sewage plant and watermain improvements
- phasing of development will occur to accommodate sewage and water capacity
- the proposed development will have no impact on the allocation available to the Kleinburg Village Core
- expansion of the sewage plant will provide partial capacity to the areas as originally defined under OPA 601, future additional capacity will be available to future trunk sewers and trunk watermains
- the parks will be owned and maintained by the City
- the sustainable initiatives provided by this development include: Energy Star Homes; Porous driveways; Roadside Infiltration Swales, and planting of valley lands
- sanitary and water services will be extended to ColdSpring and plugged, thereby providing an opportunity for those residents to connect to the services
- to address concerns raised by Stevenson Road residents regarding an additional access to the development, the applicant will further investigate if there are any benefits to having both Stevenson and Coldspring access points opened for the development
- Stevenson Road will not be extended to Major Mackenzie Drive

Official Plan

The subject lands shown on Attachment #5 are designated "Serviced Residential", "Valley & Stream Corridor", "Neighbourhood Park" and "Open Space" by OPA #601, as amended by OPA #683 which was adopted by Council on May 12, 2008, and approved by the Region of York on July 23, 2008. The Official Plan permits single-detached dwellings, a neighbourhood park, valley and open spaces. The uses proposed in the subdivision plan conform to the Official Plan.

OPA #683 permits a residential density on the subject lands to a maximum of 8.0 units per net residential hectare, and not to exceed a total of 458 detached residential dwelling units. The proposed draft plan of subdivision proposes 449 single detached residential units and a density of 7.67 units/ha which conforms to the density permitted by OPA #683.

OPA #683 requires that the residential lots lying north of the "Valley & Stream Corridor" designation shall have a minimum lot area of 0.2 ha. There are a total of 68 lots within the northern community, identified as Lots 322-328 inclusive, Lots 437-363 inclusive, and Lots 365-381 inclusive. These lots have a minimum area of 0.21 ha, and conform to this policy of OPA #683.

OPA #683 requires the coordination of development of the subject lands with the lands immediately to the south (Lake Rivers subdivision) in order to establish an integrated neighbourhood design with the broader community in order to address sustainable development objectives such as transit, walking and bicycling opportunities, water and energy efficiencies, and building design. One of the sustainability objectives of OPA #683 encourages a central community focus within walking distance of the subject lands, and would therefore 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.

Zoning

The subject lands shown on Attachment #3 are currently zoned OS2 Open Space Park Zone and OS1 Open Space Conservation 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 lands to the following residential zones in accordance with the standard requirements of Schedule "A3" in By-law 1-88:

- i) rezone Lots 56,57, 69, 70, Lots 86-89 inclusive, Lots 162-167 inclusive, Lots 173-183 inclusive, Lots 186-189 inclusive, Lot 199, Lots 204-206 inclusive, Lots 209, 210, Lots 214-232 inclusive, Lots 280-282 inclusive, Lots 293-295 inclusive, Lots 305-328 inclusive, and Lots 329-449 inclusive from OS2 Open Space Park Zone to RD1(H) Residential Detached Zone One with the addition of the Holding Symbol "(H)" to provide for 96 lots for single detached dwelling units with 18.2 m frontages, 41 lots for single detached units with 21.3 m frontages and to provide for 68 lots for single detached dwelling units with minimum lot area of 0.21 ha;
- ii) rezone Lots 1-3 inclusive, Lots 7-12 inclusive, Lots 58-68 inclusive, Lots 71-85 inclusive, Lots 90-107 inclusive, Lots 113-131 inclusive, Lots 133-142 inclusive, Lots 149-161 inclusive, Lots 168 to 172 inclusive, Lots 184, 185, Lots 190-198 inclusive, Lots 200-203 inclusive, Lots 207, 208, Lots 211-213 inclusive, Lots 233-251 inclusive, Lots 255-260 inclusive, Lots 265-279 inclusive, Lots 283-292 inclusive and Lots 296-304 inclusive from OS2 Open Space Park Zone to RD2(H) Residential Detached Zone Two with the addition of the Holding Symbol "(H)", to provide for 179 lots for single detached dwelling units with minimum 15.3m frontages;
- iii) rezone Lots 4-6 inclusive, Lots 13-55 inclusive, Lots 108-112 inclusive Lot 132, Lots 143-158 inclusive, Lots 252-254 inclusive, and Lots 261-264 inclusive, from OS2 Open Space Park Zone to RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "(H)", to provide for 65 lots for single detached dwelling units with minimum 12.8 m frontages;

These residential lands will be zoned with the Holding Symbol "(H)" as the residential dwelling units do not have water and sewage servicing allocation. A clause will be included in the implementing zoning by-law limiting the use of the lands zoned with the Holding Zone "(H)" to a use legally existing as of the date of enactment of the implementing by-law. The Holding Symbol "(H)" shall not be removed until the water and sewage servicing capacity has been identified and allocated by the City.

Non-Residential Lands

The draft plan, as shown on Attachment #3, provides for uses which will be zoned as follows:

- i) rezone school Block 458 from OS2 Open Space Park Zone to RD2(H) Residential Detached Zone Two with the addition of the Holding Symbol "(H)";
- ii) rezone stormwater management Blocks 454-457 inclusive, open space Blocks 463-467 inclusive and valleyland buffer Blocks 468-471 inclusive from OS2 Open Space Park Zone and OS1 Open Space Conservation Zone to OS1 Open Space Conservation Zone;
- iii) rezone walkway Blocks 450-453 inclusive, landscape buffer Block 472 and park & parkette Blocks 459-462 inclusive, to OS2 Open Space Park Zone.

Subdivision Design

The proposed plan of subdivision integrates the redevelopment of the Kleinburg Golf Course as an infill development into the existing and planned development pattern, characterized by large estate residential lots with a minimum size of 0.21ha, as well as residential lots ranging from 12.8 m frontages to 21.3m frontages. The plan of subdivision proposes a total of 449 single detached lots. For the purpose of description, the subdivision can be divided into two parts, Part A and Part B, as shown on Attachment #3, which are naturally divided by an open space/valley block (Block 467). The design concept for the plan utilizes the creek valley (Block 467) as a natural boundary between Part A, a rural residential and parkland development on the north side of the creek abutting the existing residences on Coldspring Road and Putting Green Crescent, and Part B, a more urban residential area to the south forming part of the Humber Trails neighbourhood.

In Part A, 68 lots with a minimum lot size of 0.21 ha (0.51 acres) are proposed north of the open space block, to serve as a transition with the existing rural residential lots to the north. Two access points to these lots are proposed: the current access to the subject lands via Coldspring Road, a local residential road and access from Stevenson Avenue located at the east side of the lands. These access points are labeled on the plan as Street "Q" and Street "N". Two large open space blocks and 2 park blocks are proposed adjacent to the existing residential development to the north.

In Part B, a residential subdivision south of the open space feature contains 381 lots, with frontages ranging in size from 12.2 m to 21.3 m, and is proposed to be integrated with the planned Humber Trails community. Access to Part B of the plan will be achieved via Major Mackenzie Drive, through the proposed development that abuts the subject lands to the south (Lake Rivers Inc 19T-05V10). Part B of the plan includes a stormwater management pond and a school block that is to be combined with the Lake Rivers subdivision to create an elementary school site for the planned Humber Trails neighbourhood. The proposed lot sizes are in keeping with the adjoining proposed subdivision development to the south. A 11.5 m landscape buffer (Block 472) as well as a local road, run parallel in a north to south direction are proposed adjacent to the existing CP Railway to the west of the subject lands. The residential units within the draft plan will be accessed by a series of local streets.

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

449 single detached units	16.525ha
Elementary School Block 458	0.769 ha
Park & Parkette Blocks 459-462	6.464 ha
SWM Ponds Blocks 454-457	3.945 ha
Open Space & Valleyland Buffers Blocks 463-467	26.711ha
Landscape Buffer Block 472	0.956 ha
Walkway Blocks 450-453	0.178 ha
0.3m Reserves (Block 473-536)	0.046 ha
<u>Roads</u>	<u>13.530 ha</u>
Total Draft Plan Area	94.739 ha

Prior to final approval, the Owner is required to submit architectural guidelines which are required to have been prepared in conjunction with the lands to the south File 19T-05V10 (Lake Rivers Inc.). These guidelines along with the control architect, are to be approved by Council. A condition respecting this has been included in Attachment #1.

Prior to final approval, the Owner shall prepare urban design guidelines and a streetscape and open space landscape master plan for this plan of subdivision in conjunction with the lands to the south File 19T-05V10 (Lake Rivers Inc.) in accordance with the approved

Kleinburg-Nashville Community Plan OPA 601 policies. The plan shall address but not be limited to the following issues:

- Co-ordination of the urban design/streetscape elements as they relate to the urban design policies for OPA 601 including entrance features, parkettes, trail heads, medians and fencing;
- Community edge treatments along the CPR including a fence barrier and multi use pedestrian trail to the satisfaction of the City;
- The appropriate landscaping with a multi-use pedestrian trail for along the TransCanada Pipeline open space blocks 465 and 466
- The appropriate integration with the urban design policies outlined in the Kleinburg-Nashville Community Plan;
- Valleylands/Woodlot edge management rehabilitation planting, trails, bridge crossings, erosion repair sites and pedestrian access points into the valley;
- The appropriate pedestrian connection over the CPR property to provide future residents safe access to the future community centre through the adjacent Nashville West Community;
- The appropriate configuration and landscape design for storm pond blocks 454, 455, 456 and 457;
- A continuous pedestrian/bicycle route with urban connections between streets and within the neighbourhood including throughout the community, in addition to comply with the Council approved Pedestrian Bicycle Master Plan;
- The appropriate pedestrian access connections through the lands to the south (Lake Rivers Inc.) to Major Mackenzie Drive for access to public transit;
- The appropriate landscape/streetscape design for telecommunication and hydro easements;
- A comprehensive pedestrian network through the entire plan;
- Incorporate sustainability design elements in the overall urban fabric; and
- Park block facility fits.

Phase II Environmental Site Assessment

Prior to building permit issuance, the Owner shall prepare for review and approval on Park Blocks 460, 461 and 462, a Phase II Environmental Site Assessment report in accordance with the Ministry of Environment's Guidelines for use at contaminated sites in Ontario (June 1996, as amended), to the satisfaction of the City. Testing may include but not be limited to surface and subsurface soil, groundwater, soil vapour, plant and aquatic species sampling and testing of building materials. The Owner shall incorporate the recommendations contained in the report and ensure adequate field inspection is provided to validate the recommendation in the Phase II E.S.A. to the satisfaction of the City.

The Owner shall reimburse the City for the cost of the City's peer review of the Phase II E.S.A. Conditions respecting these issues have been included in Attachment #1.

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

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 required parkland dedication for the proposed development is 3.531ha. The applicant is proposing a total of 6.571 ha in parkland dedication, which results in an over dedication of parkland of 3.033 ha. The owner has agreed to convey the additional parkland to the City at no cost. The Parks Department has no objections to the approval of the draft plan, subject to the conditions of approval in Attachment #1.

Red-lined Draft Plan of Subdivision

The draft plan has been red-lined, as shown on Attachment #3, to incorporate the following changes:

- The addition of Block 537 at the northeast corner of the subject lands for the purpose of a Sanitary Pumping Station
- Block 453 shall be shown on the plan as 9m wide
- Provide a 5m x 5m daylight triangle and associated 0.3m reserve at the intersection of Street "Q" and Coldspring Road as per City Standard, Drawing D-1
- Remove 3m wide multi-use pathway along Park Block 460
- Minimum Curb Radius on the 2 cul-de-sacs on the plan shall be R=15
- Typical detail for all angle bends should be as per City Standard - C4

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

City Engineering Department

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

a) 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 the 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 Q4 2009 in conjunction with the Kleinburg/Nashville Focus Area Planning Study.

The applicant submitted a Functional Servicing Report (FSR) in support of the draft plan that proposes the servicing of the north half of the draft plan by the extension of the existing watermain system on Coldspring Road, together with a loop watermain connection from the existing 300 mm diameter watermain on Stevenson Avenue. The south half of the draft plan (Part 2 on Attachment #3) is dependant on the construction of the proposed regional trunk watermain on Huntington Road together with a new watermain on Major Mackenzie Drive and the extension of the proposed watermain system from the Lake River Inc. 19T-05V10 draft plan of subdivision abutting the proposed subdivision to the south.

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

b) Sanitary Servicing

The Functional Servicing Report (FSR) proposes that sanitary service to the north half of the draft plan can be provided by gravity sanitary sewers that leads to a proposed sanitary pumping station located on west side of Stevenson Avenue near Cedar Valley Crescent and a forcemain proposed north along Stevenson Ave., east along Nashville Road and south along Highway No. 27, to connect to the existing Kleinburg Sanitary Treatment Plant.

For the south half of the draft plan the FSR proposes 2 possible alternative connections to provide sanitary service as follows:

- i) the construction of a sanitary pumping station located on the Lake River Inc. 19T-05V10 draft plan of subdivision and a forcemain that will be connected to either the existing Kleinburg Sewage Treatment Plant or to a proposed Trunk Sewer on Huntington Road; or
- ii) the construction of 375 mm diameter sanitary sewer east along Major Mackenzie Drive and north along Highway No. 27 to a proposed sanitary pumping station located on east side of Highway No. 27, which would direct the flows to the existing Kleinburg Sewage Treatment Plant.

These sanitary servicing proposals will be evaluated as alternatives in the City's Class EA study for the local servicing in the Kleinburg/Nashville Community. The ultimate servicing of this plan must conform to the recommendations of the Region and City water and wastewater Class EA's to the satisfaction of the City.

c) Storm Drainage

The proposed draft plan is located east of CPR Railway, south of Nashville Road, west of Stevenson Road and north of Lake Rivers Inc. 19T-05V10 property. The site is currently occupied by the Kleinburg Golf Course and is proposed to be developed with large lot residential housing north of Tributary "A" of Humber River and single family housing that also includes a school and park block south of Tributary "A". The majority of the site (approximately 75ha) currently drains to the Humber River Watershed and the remaining (19.7 ha) drains to the Rainbow Creek Watershed.

According to the Functional Servicing Report (FSR), the existing drainage patterns on the lands will generally be maintained under a post-development condition with the exception of 19.7 hectares that will drain southerly to the Lake Rivers Inc. 19T-05V10 draft plan.

The large lot residential area north of Humber River tributary "A" is proposed to be serviced by three dry SWM ponds providing the water quantity controls together with innovative solution for water quality and erosion controls, such as infiltration trenches within the road right-of-way.

Information contained in the preliminary storm water management report suggests that the SWM facilities cannot provide enough quantity control to attain the target unit flow rates due to uncontrolled clean rooftop and rear yard runoff from the lots backing onto Tributary "A". To offset this shortfall, and to provide a certain level of water quality control, the SWM report proposes the use of infiltration trench within road right-of-way. The infiltration trench design allows the infiltration of untreated storm water from the road catch basin into the ground. It is expected that this proposed system design will require increased maintenance for the City to maintain the effectiveness of the infiltration system.

Accordingly, the proposed infiltration trenches may not be the best practice for this subdivision. Through the detailed design process, the developer will be required to investigate other feasible alternatives in order to provide the required storm water management controls (example: Wet ponds can be proposed or a combination of oil grit separators for water quality control and dry ponds for water quantity controls, etc.).

The single family housing and a school block area south of Tributary "A" are proposed to be serviced by a wet storm water management facility. The proposed facility will provide the required water quality, water quantity and erosion control. Based on information in the preliminary storm water management report, there may be a need to increase the size of the SWMP block in order to provide sufficient quantity storage to attain the target unit flow rates.

Under post-development conditions, all the minor flows are accommodated within the facility with an exception of major flows from an area of approximately 9.73 ha draining southerly towards the proposed Lake River Inc. 19T-05V10 draft plan. This proposed drainage system must be coordinated between the two developments through the detailed design process.

The FSR also identifies a number of water balance mitigation measures for the site that will be further evaluation during the detailed design stage including:

- Planting of valley land buffers and preservation of select tableland trees through relocation to proposed park blocks;
- Increased topsoil depth on all residential lots within the plan;
- Use of interlocking pavers for driveways on residential lots south of Tributary A;
- Construction of proposed amphibian ponds with associated infiltration trenches (where feasible).

It is important to note that the feasible alternative for storm water management controls may affect the size, location and confirmation of the SWM blocks in the draft plan which may also change the pattern, layout and number of lots in the proposed subdivision. The ultimate location, size and configuration of the SWM blocks will be subject to the conclusions of the final SWM Report and engineering design to the satisfaction of the City.

As part of the engineering design and prior to final approval of the plan, the Owner 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. 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) Storm water management techniques that may be required to control minor or major flows;
- (iii) Ground water balance;
- (iv) Detail all external tributary lands, include the existing residence(s); and
- (v) Proposed methods for controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction.

d) 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.

e) Environmental Site Assessment

The Environmental Site Assessments submitted in support of the proposed development are acceptable, subject to the following condition of draft plan approval included in Attachment #1 to this report:

“Prior to final approval of the Plan the Owner shall provide 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), which includes a hard copy/copies of the RSC signed by a Qualified Person and the Acknowledgement(s) from the MOE, has to be submitted to the Development/Transportation Engineering Department for review and approval.”

f) Environmental Noise Impact

The Owner is required to submit a noise report for review and approval by the City as part of the detailed engineering submission. The City requires all dwelling units that abut or face a railway be constructed with mandatory central air-conditioning. 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 0.3m 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 metre and 18.5 metre ROW as per the current City road design standards. The developer will be required to carry out improvements to Stevenson Ave and Coldspring Road to the satisfaction of the City.

A Traffic Management Plan 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 TMP 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 can not be finalized until the Region's Western Vaughan Individual Environmental Assessment has satisfactorily progressed and requirements of Major Mackenzie Drive realignment are identified to Region of York's satisfaction.

h) Street-lighting

The street-lighting shall meet the City criteria within the draft plan including at the intersection of Street 'N' and Stevenson Road.

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

Archaeological Assessment

The Cultural Services Department has reviewed the proposal and advised that prior to final approval of a plan of 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.

Cultural Services Department also advises that a portion of the plan (Block 463) in the proposed draft plan of subdivision is located within the Kleinburg-Nashville Heritage Conservation District, and therefore any proposed changes and or construction on this portion of the subject property will require the approval of a Heritage Permit application in addition to any other approvals.

Toronto and Region Conservation Authority (TRCA)

The TRCA has reviewed the Revised *Summary of Environmental Studies*, dated July 2008, submitted by the Owner in support of the applications, and have provided comments to the City. TRCA advises that their comments can be addressed in an addendum to the above noted report, and have issued conditions of draft plan approval. The TRCA's conditions of draft plan approval are included in Attachment #1 of this report.

York Catholic District School Board

The proposed draft plan of subdivision proposes an Elementary School site with an area of 0.769 ha in size (Block 458), which is to be combined with a school block within the proposed subdivision to the south (Lake Rivers Inc.), for a combined area of approximately 2.44 ha. The York Catholic District School Board has provided conditions of approval requiring that the School Boards provide clearance prior to final approval of the plan. These conditions are included in Attachment #1.

Canadian Pacific Railway

Canadian Pacific Railway (CPR) has been circulated the development proposal and has no objection to the approval of the applications. CPR has issued conditions of subdivision approval, which are included in Attachment #1 of this report.

TransCanada Pipeline

The TransCanada Pipeline traverses the subject lands at the northwest corner of the site and is identified as Blocks 465 and 466 on Attachment #3. The draft plan does not include any residential lots within these blocks as per TransCanada's requirements. TransCanada Pipeline has issued conditions of draft plan approval for the subdivision application, and are included in Attachment #1 of this report.

Agency Comments

Canada Post, and PowerStream 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 report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

Regional Implications

The Region of York provides the following comments:

a) Water and Wastewater

This development will be serviced by municipal water supply and wastewater collection. However, there is currently no additional municipal water supply or wastewater treatment capacity available for this development. Environmental Assessments for increasing Regional water and wastewater servicing capacity in Kleinburg were recently completed. In order for developments in Kleinburg to use any of this future capacity, it is anticipated that all of the following Regional infrastructure may be required.

- Additional Water Supply Works in Kleinburg – Q1 2010 expected completion
- Kleinburg Water Storage Facility – Completion date under review. 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
- Kleinburg WPCP Expansion – Q2 2010 expected completion

The timing of the above infrastructure is the current estimate and may change as each infrastructure project progresses and is provided for information purposes only. Prior to the registration of this development or any phase thereof, the Region will confirm that the required infrastructure has been completed to a satisfactory point that ensures servicing will be online upon occupancy and that sufficient water and wastewater servicing capacity has been allocated by the City of Vaughan.

b) Water Supply

The Environmental Assessment (EA) for increasing the Regional water servicing capacity in Kleinburg was recently completed to service a planned community population up to approximately 7,700 people including those hooked up to the current system.

The preferred solution in the EA for water involves connecting to the York Water System. Regional Official Plan Amendment No. 57 was approved and came into effect on October 18, 2007 which permits this connection. The City of Vaughan is currently undertaking a master servicing plan for the community to determine how the subject lands and others can access the expanded Regional water supply system. Approximately 325 people (89 units), were accounted for within the recently approved EA for water supply for the subject lands. The proposed plan of subdivision comprises a total of 449 units, which is consistent with the Kleinburg-Nashville Community Plan (OPA 601), as amended by OPA 683. However, additional servicing capacity will be required to service the increase in residential units.

This site 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 plan, the development will have 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.

c) Sanitary Servicing

The Environmental Assessment (EA) for increasing the Regional wastewater servicing capacity in Kleinburg was recently completed to service a planned community population up to approximately 7,500 people, including those hooked up to the current system. The preferred solution in the EA for wastewater is an expanded treatment plant. The City of Vaughan is currently undertaking a master servicing plan for the community to determine how the subject lands and others can access the expanded sewage treatment plant.

Approximately 325 people (89 units), were accounted for within the recently approved EA for wastewater servicing for the subject lands. The proposed plan of subdivision comprises a total of 449 units, which is consistent with the Kleinburg-Nashville Community Plan (OPA 601), as amended by OPA 683. However, additional servicing capacity will be required to service the increase in residential units. This site 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 plan, the development will have to be phased, based on further expansion to the sewage treatment plant, or connection to the YDSS. 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 York Region's servicing protocol respecting draft plans receiving approval prior to servicing allocation being available, staff are requesting that all residential lands be subject to various restrictions (i.e., Holding 'H' zone) to ensure that water and sewer servicing are available prior to occupancy. In addition, York Region requests that the City of Vaughan apply a lapsing provision to the draft plan, pursuant to Section 51(32) of the Ontario Planning Act, and that York Region be provided an opportunity to comment on any proposed extensions of approval.

The Region of York has no objection to the approval of the proposed plan subject to the Owner satisfying the Region's Pre-conditions and Conditions set out in Attachment #1.

Conclusion

The Development Planning Department has reviewed the proposed applications to amend the Zoning By-law and for approval of Draft Plan of Subdivision 19T-06V14 (Molise Kleinburg Estates 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 449 detached residential units, school block, parks, and open space areas on 94.739 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.

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 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-06V14
4. Traffic Management Plan
5. OPA #601 Schedule "A"

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEVAMA
Director of Development Planning

/LG

ATTACHMENT NO. 1

PRE-CONDITIONS & CONDITIONS OF APPROVAL

**DRAFT PLAN OF SUBDIVISION 19T-06V14
MOLISE KLEINBURG ESTATES INC.
PART OF LOTS 22, 23, 24, 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-06V14, ARE AS FOLLOWS:

PRE-CONDITIONS OF APPROVAL

City of Vaughan and Region of York Pre-Conditions

1. 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.
2. 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-06V14 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.

3. Prior to or concurrent with draft plan approval, satisfactory arrangements for conveyance of the water tower lands to the Region of York shall be established.

CONDITIONS OF APPROVAL

City of Vaughan Conditions

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by Matthews Planning & Management Ltd., dated September 29, 2008, as red-lined on November 3, 2008, to incorporate the following revisions:
 - The addition of Block 537 at the northeast corner of the subject lands for the purpose of a Sanitary Pumping Station
 - Block 453 shall be shown on the plan as 9m wide
 - Provide a 5m x 5m daylight triangle and associated 0.3m reserve at the intersection of Street "Q" and Coldspring Road as per City Standard, Drawing D-1
 - Remove 3m wide multi-use pathway along Park Block 460
 - Minimum Curb Radius on the 2 cul-de-sacs on the plan shall be R=15
 - Typical detail for all angle bends should be as per City Standard - C4
2. The lands within this Plan shall be appropriately zoned by a zoning by-law which has come into effect in accordance with the provisions of the Planning Act. Particular zoning categories to be applied are as follows:
 - i) rezone Lots 56, 57, 69, 70, Lots 86-89 inclusive, Lots 162-167 inclusive, Lots 173-183 inclusive, Lots 186-189 inclusive, Lot 199, Lots 204-206 inclusive, Lots 209, 210, Lots 214-232 inclusive, Lots 280-282 inclusive, Lots 293-295 inclusive, Lots 305-328 inclusive, and Lots 329-449 inclusive from OS2 Open Space Park Zone to RD1(H) Residential Detached Zone One with the addition of the Holding Symbol "(H)" to provide for 96 lots for single detached dwelling units with 18.2 m frontages, 41 lots for single detached units with 21.3 m frontages and 68 lots for single detached dwelling units with minimum lot area of 0.21 ha;
 - ii) rezone Lots 1-3 inclusive, Lots 7-12 inclusive, Lots 58-68 inclusive, Lots 71-85 inclusive, Lots 90-107 inclusive, Lots 113-131 inclusive, Lots 133-142 inclusive, Lots 149-161 inclusive, Lots 168 to 172 inclusive, Lots 184, 185, Lots 190-198 inclusive, Lots 200-203 inclusive, Lots 207, 208, Lots 211-213 inclusive, Lots 233-251 inclusive, Lots 255-260 inclusive, Lots 265-279 inclusive, Lots 283-292 inclusive and Lots 296-304 inclusive from OS2 Open Space Park Zone to RD2(H) Residential Detached Zone Two with the addition of the Holding Symbol "(H)", to provide for 179 lots for single detached dwelling units with minimum 15.3m frontages;
 - iii) rezone Lots 4-6 inclusive, Lots 13-55 inclusive, Lots 1-8-112 inclusive Lot 132, Lots 143-158 inclusive, Lots 252-254 inclusive, and Lots 261-264 inclusive, from OS2 Open Space Park Zone to RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "(H)", to provide for 65 lots for single detached dwelling units with minimum 12.8 m frontages;
 - iv) require that prior to the removal of the Holding Symbol "(H)" from Lots 1-449 inclusive, that water supply and sewage servicing capacity shall be identified and allocated by the City;

- v) rezone part school Block 458 from OS2 Open Space Park Zone to RD2(H) Residential Detached Zone Two with the addition of the Holding Symbol "(H)";
 - vi) rezone stormwater management Blocks 454-457 inclusive, open space Blocks 463-467 inclusive and valleyland buffer Blocks 468-471 inclusive, from OS2 Open Space Park Zone and OS1 Open Space Conservation Zone to OS1 Open Space Conservation Zone;
 - vii) walkway Blocks 450-453 inclusive, landscape buffer Block 472 and park and parkette Blocks 459-462 inclusive, shall be zoned OS2 Open Space Park Zone;
 - viii) include any necessary zoning exceptions required to implement the approved Draft Plan of Subdivision.
3. Lots 1 to 449 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 allocation of servicing capacity by the City.
 4. 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.
 5. 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.
 6. The road allowances included within this Plan shall be dedicated as public highways without monetary consideration and free of all encumbrances.
 7. The road allowances within this Plan shall be named to the satisfaction of the City, in consultation with the Regional Planning Department; proposed street names shall be submitted by the Owner for approval by Council and shall be included on the first engineering drawings.
 8. 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 that includes the construction of road access at the south end of both Streets "A" and "B".
 9. Any dead ends or open sides of road allowances within this Plan shall be terminated in a 0.3m reserve, to be conveyed to the City free of all charge and encumbrances, until required for a future road allowance or development of adjacent lands.
 10. The Owner shall agree in a subdivision agreement that construction access shall be approved only in a location approved by the City.
 11. 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.
 12. 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.

13. 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) 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;
 - ii) the location and description of all outlets and other facilities;
 - iii) stormwater management techniques which may be required to control minor and major flows; and,
 - iv) 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.

14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. The Owner shall agree in the subdivision agreement to provide a financial contribution towards the ultimate Kleinburg-Nashville Servicing Strategy to the satisfaction of the City.
20. The Owner shall agree in the subdivision agreement to provide financial contribution towards the "Nashville Watermain Local Improvement" to the satisfaction of the City.
21. Prior to final approval of Plan, a Water Supply Analysis Report shall be submitted to the satisfaction of the City. The Report 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.

22. The Owner shall agree in the subdivision agreement to design and construct improvements to Stevenson Road and Coldspring Road to the satisfaction of the City.
23. Prior to final approval of Plan, the Owner shall convey to the City any required buffer blocks for Lots 12, 378 to 381 both inclusive and Lots 400 to 403 both inclusive for noise barrier purposes, free of all costs and encumbrances to the satisfaction of the City.
24. Prior to final approval of Plan, the Owner shall convey Block 453 as a 9.0 metre wide maintenance access road to the SWM Pond Block 457, free of all costs and encumbrances, to the satisfaction of the City.
25. Prior to final approval of Plan, the Owner shall convey to the City a parcel of land at the north east corner of Block 463 (red-lined as Block 537) in the draft plan for sanitary pumping station purposes, free of all costs and encumbrances, to the satisfaction of the City.
26. Prior to final approval of the Plan, the Owner shall convey a 5m x 5m daylighting triangle and associated 0.3m road reserves free of all costs and encumbrances, external to the draft plan at northwest corner of Street 'Q' and Coldspring Road to the satisfaction of the City.
27. Prior to final approval of the Plan, the Owner shall carry-out 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.
28. Prior to final approval of the Plan, the Owner shall retain the services of a qualified Transportation Consultant to evaluate, 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.
29. Prior to final approval of the Plan, the Owner shall also prepare a comprehensive Traffic Management Plan (TMP) on the basis of updated traffic study, once realignment and widening of Major Mackenzie Drive established by the Region of York. The TPM shall include the details of the future traffic signal locations, 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.
30. 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.
31. Prior to final approval of the Plan, the Owner shall convey to the City or TRCA, free of all costs and encumbrances, the required stormwater management Blocks 454, 455, 456 and 457 based on the updated/revised SWM report to accommodate the required stormwater management controls, that may include additional lands and/or changes to the lotting pattern, to the satisfaction of the City.
32. The Owner shall agree in the subdivision agreement to construct a 1.5 metre high black vinyl chain link fence along the limits of the residential lots where they abut the open space, valley/woodlot, storm water management, and/or park blocks to the satisfaction of the City.

33. The Owner acknowledges that the final engineering design(s) may result in amendments to the Plan (e.g., in the configuration of road allowances and lotting, number of lots, Block configuration and size, etc.), which may be reflected in the final plan to the satisfaction of the City.
34. 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
 - 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.
35. 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.
36. 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.
37. The Owner shall convey the following lands to the City or TRCA, where appropriate, free of all charge and encumbrances:
 - (i) Block(s) 454, 455, 456 and 457 for stormwater management purposes
 - (ii) Block(s) 463-467 both inclusive for open space purposes
 - (iii) Block(s) 468-472 both inclusive for streetscape landscape purposes
 - (iv) Block(s) 459-462 both inclusive for park purposes

38. Prior to the initiation of the grading or striping of topsoil and final approval, the Owner shall submit a top soil storage plan detailing the location, size, 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 the park or school Blocks.
39. 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.
40. The Owner shall agree in the subdivision agreement that:
 - a) prior to final approval, architectural guidelines shall have been prepared in conjunction with plan 19T-05V10 (Lake Rivers 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 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.
41. Prior to final approval of the Plan the Owner shall provide 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), which includes a hard copy/copies of the RSC signed by a Qualified Person and the Acknowledgement(s) from the MOE, has to be submitted to the Development/Transportation Engineering Department for review and approval.
42. Prior to final approval, the Owner shall prepare urban design guidelines and a streetscape and open space landscape master plan for this plan of subdivision in conjunction with plan 19T-05V10 (Lake Rivers Inc.), in accordance with the approved Kleinburg-Nashville Community Plan OPA 601 policies, the plan and report shall address but not be limited to the following issues:
 - 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;
 - community edge treatments along the CPR rail line including a fence barrier and multi use pedestrian trail to the satisfaction of the City;
 - the appropriate landscaping with a multi-use pedestrian trail for along the TransCanada Pipeline (TCPL) open space Blocks 465 and 466;

- the appropriate integration with the urban design policies outlined in the Kleinburg-Nashville Community Plan;
- valleylands/woodlot edge management rehabilitation planting, trails, bridge crossings, erosion repair sites and pedestrian access points into the valley;
- the appropriate pedestrian connection over the CPR property to provide future residents safe access to the future community centre through the adjacent Nashville West Community;
- the appropriate configuration and landscape design for storm pond Blocks 454, 455, 456 and 457;
- a continuous pedestrian/bicycle route with urban connections between streets and within the neighbourhood including throughout the community, in addition to comply with the Council approved Pedestrian Bicycle Master Plan;
- the appropriate pedestrian access connections through plan 19T-05V10 (Lake River Inc.) to Major Mackenzie Drive for access to public transit;
- the appropriate landscape/streetscape design for telecommunication and hydro easements;
- a comprehensive pedestrian network through the entire plan;
- incorporate sustainability design elements into the overall urban fabric; and,
- park block facility fits.

43. 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.

44. The Owner shall convey park Blocks 459, 460, 461 and 462 to the City free of all encumbrances for parkland purposes. Furthermore the Owner agrees to design and construct parkette Block 459 free of all cost, to the satisfaction of the City.

45. The Owner shall convey open space Blocks 463 to 467 inclusive, and valley buffer Blocks 468 to 471 inclusive to the TRCA or City.

46. Prior to final approval of the plan the owner shall prepare a detailed edge management plan study for the perimeter of the valley/open space blocks and tableland woodlot. The study shall include an inventory of all existing trees within an 8 metre zone inside the staked edges, and areas where the woodlot/open space edges are disturbed, assessment of significant trees to be preserved and proposed methods of edge management and/or remedial planting shall be included. The owner shall not remove any vegetation without written approval by the City.

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

47. The Owner shall agree in the subdivision agreement to erect a permanent 1.5 metre high black vinyl chain link fence or approved equal along the limits of the residential lots that abut storm pond blocks 454, 455, 456 and 457 or valley / buffer blocks 463 to 471 inclusive.

48. The Owner shall convey buffer Block 472 to the City free of all cost and encumbrance for landscaping purposes.
49. In the event that the Owner and the City agree that the owner will develop Park Blocks 460, 461 and 462, the Owner shall agree that the design, securities and construction for the Park will be addressed through an amending agreement in accordance with the "City Developer Build/Parks Development Policy."
50. Prior to building permit issuance, the Owner shall prepare for review and approval on Park Blocks 460, 461 and 462, a Phase II Environmental Site Assessment report in accordance with the Ministry of Environment's Guidelines for use at contaminated sites in Ontario (June 1996, as amended), to the satisfaction of the City. Testing may include but not be limited to surface and subsurface soil, groundwater, soil vapour, plant and aquatic species sampling and testing of building materials.

The Owner shall incorporate the recommendations contained in the report and ensure adequate field inspection is provided to validate the recommendation in the Phase II E.S.A. to the satisfaction

The Owner shall reimburse the City for the cost of the City's peer review of the Phase II E.S.A.

51. 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.
52. The Owner shall ensure that the final Plan shall depict all telecommunication structure locations and hydro switch gear easements.
53. 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.
54. 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.

55. Prior to the issuance of a building permit for any Lot or Block, the Owner's consulting engineering 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.

56. 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.]

57. 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.

58. 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.

59. In the event that remediation is required, a Remediation Action Plan will be submitted for review and approval by the City and an acknowledged Record of Site Condition shall be received from the Owner prior to issuance of a building permit.
60. 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.
61. Prior to final approval, the Owner shall submit a Record of Site Condition acknowledged by an Officer of the Ministry of the Environment.
62. Prior to final approval of the Plan, the Lots and/or Blocks, if any, to be serviced by improvements beyond the interim allocation capacity shall remain in a Holding Zone and identified as such on the Plan.
63. 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.
64. 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.
65. 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 walkway blocks.
66. 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.
67. 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 100mm, seeded, maintained and signed to prohibit dumping and trespassing, to the satisfaction of the City.
68. 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.
69. 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.
70. 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.

71. 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."
 - "Purchaser and/or tenants are advised that the following streets may be used as transit routes in the future: Street 'A' and 'B'"
 - "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 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 6m measured at the street curb, provided circular driveways shall have a maximum combined width of 9m 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 – 6.99m	3.5m
7.0 – 8.99m	3.75m
9.0 – 11.99m ¹	6.0m
12.0 m and greater ²	9.0m

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

²The Lot Frontage for Lots 12.0 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 0.3m 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 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.”
- “Canadian Pacific Railway Company or its assigns or successors in interest has or have a Railway Intermodal Terminal within 1000 m from the land the subject hereof. There may be expansions of the rail facilities at or leading to and from the Terminal in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may effect the living environment of the residents in the vicinity, notwithstanding the inclusion

of any noise and vibration attenuation measures in the design of 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 facility and right-of-way”

- b) abutting or in proximity of either a primary roadway, collector roadway, arterial roadway or commercial block:
 - i. “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:
 - ii. “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 or in proximity of any parkland or walkway:
 - iii. “Purchasers and/or tenants are advised that the lot abuts a “Neighbourhood Park” of which noise and lighting may be of concern due to the nature of the park for active recreation.”
- e) abutting the TransCanada Pipeline:

the Owner shall include notice of the following in all offers of purchase and sale with respect to Lots 378 – 381 inclusive, Lots 399, 400, 403 and 404:

- i) Notice of the easement agreement registered against the property (or near the property) which may affect development activities on the property;
- ii) Notice of the 30m safety zone (Section 112 of the National Energy Board Act) as regulated by the National Energy Board;
- iii) The number of high pressure natural gas pipelines within the easement and the location of the easement in relation to the development;
- iv) The setback for all permanent structures and excavations from the limits of the right-of-way; and
- v) The regional office contact number (1-800-827-5094).

72. That prior to final approval of a plan of subdivision, and prior to the initiation of any grading to 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.

73. 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

74. 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.
75. Prior to registration York Region shall confirm that adequate water supply and sewage servicing capacity are available and have been allocated by the City of Vaughan for the development proposed within this draft plan of subdivision or any phase thereof. Registration of the plan of subdivision shall occur in phases based on the availability of water supply and sewage servicing allocation.
76. Prior to the registration of any residential lands the following shall occur:
 - a)
 - i) 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,
 - ii) the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
 - iii) 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.
 - b) 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:
 - i) 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,
 - ii) the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure; or,
 - iii) 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.
77. 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.
78. 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.
79. 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 Infrastructure Planning Branch.

80. Prior to final approval, the Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required Regional road improvements for this subdivision. The report/plan, submitted to the Transportation Services Department for review and approval, shall explain all transportation issues and shall recommend mitigative measures for these issues.
81. Prior to final approval, the Owner shall provide a written undertaking, to the satisfaction of the Transportation Services Department that the Owner agrees to implement the recommendations of the functional transportation report/plan as approved by the Transportation Services Department.
82. Prior to final approval, the Owner shall submit detailed engineering drawings, to the Transportation Services Department for review and approval, that incorporate the recommendations of the functional transportation report/plan as approved by the Transportation Services Department. Additionally, the engineering drawings shall include the subdivision storm drainage system, erosion and siltation control plans, site grading and servicing, plan and profile drawings for the proposed intersections, construction access and mud mat design, utility and underground servicing location plans, pavement markings, electrical drawings for intersection signalization and illumination design, traffic control/construction staging plans and landscape plans.
83. Prior to final approval, the Owner shall provide drawings for the proposed servicing of the site to be reviewed by the Engineering Department of the area municipality. Three (3) sets of engineering drawings (stamped and signed by a professional engineer), and MOE forms together with any supporting information shall be submitted to the Transportation Services Department, Attention: Mrs. Eva Pulnicki, P. Eng.
84. Prior to final approval, the Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of the Transportation Services Department recommending noise attenuation features.
85. The Owner shall agree in the subdivision agreement in wording satisfactory to the Transportation Services Department, to implement the noise attenuation features as recommended by the noise study and to the satisfaction of the Transportation Services Department.

The following warning clause shall be included in a registered portion of the subdivision agreement with respect to the lots or blocks affected:

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

86. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Transportation Services Department that the Owner will be responsible for determining the location of all utility plants within York Region right-of-way and for the cost of relocating, replacing, repairing and restoring any appurtenances damaged during construction of the proposed site works. The Owner must review, or ensure that any consultants retained by the Owner, review, at an early stage, the applicable authority's minimum vertical clearances for aerial cable systems and their minimum spacing and cover requirements. The Owner shall be entirely responsible for making any adjustments or relocations, if necessary, prior to the commencement of any construction.
87. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Transportation Services Department, that development of the southerly neighbourhood of this draft plan of subdivision shall be coordinated with the lands to the south in the Lake Rivers development (19T-05V10).
88. Prior to final approval, the Owner shall satisfy the Transportation Services Department that the services to be installed within or in conjunction with the Plan will provide for sidewalks on both sides

of the roadways listed below, unless only one side of the street lies within the limits of the subject lands. The sidewalks shall meet the local municipality's standards, and be provided by the Owner along the subject lands' frontage onto roadways that have/will have transit services.

89. Future YRT transit services are planned for the following roadways or sections of:
- Street A
Street B
90. Prior to final approval, the Owner shall submit drawings showing the sidewalk locations to the satisfaction of York Region.
91. Street A and Street B shall be designed to accommodate transit vehicles to the satisfaction of the area municipality and York Region Transit. The minimum pavement width for transit vehicles is 3.5m. The minimum curb radius for transit vehicles is 15 m. These standards are according to the Canadian Transit Handbook and the Ontario Urban Transit Association.
92. The Owner shall agree in the Subdivision Agreement to advise all potential purchasers of the future introduction of transit services in this development as identified in the condition above. This includes potential transit routes, bus stops and shelter locations. This shall be achieved through distribution of information/marketing materials (YRT route maps, Future Plan maps & providing YRT website contact information) at sales offices and appropriate notification clauses in purchase agreements. The YRT route maps and the Future Plan maps are available from YRT upon request.
93. The Owner shall satisfy the Transportation Services Department that the services to be installed within or in conjunction with the Plan will include illumination in accordance with the local municipality's design standards along all streets which have or will have transit services, sidewalks, pedestrian access and bus stop locations.
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. 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

96. That the owner submit an addendum to the *Revised Summary of Environmental Studies*, dated July 2008, which addresses Comments A through G provided by the Toronto and Region Conservation Authority (TRCA) in its letter dated October 7, 2008 to the satisfaction of the TRCA and the City of Vaughan.
97. That Open Space Block 463 be enlarged to include a 10-metre buffer from the dripline staked January 15, 2008.
98. That prior to the initiation of grading and prior to the registration of this plan or any phase thereof, the owner shall submit for the review and approval of the TRCA a detailed engineering report that describes the storm drainage system (quantity and quality) for the proposed development of the subject lands, in accordance with the *Revised Summary of Environmental Studies*, dated July 2008, as amended per Condition 96. This report should include:
- plans illustrating how this drainage system will tie into surrounding drainage systems, i.e., Is it part of an overall drainage scheme? How will external flows be accommodated? What is the design capacity of the receiving system?;

- appropriate stormwater management techniques which may be required to control minor or major flows;
 - appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat;
 - proposed measures to promote infiltration and maintain water balance for the draft plan area;
 - the location and description of all outlets and other facilities which may require permits from the TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06);
 - grading plans for the subject lands;
 - erosion and sediment control plans for the subject lands, prepared in accordance with the *Erosion and Sediment Control Guidelines for Urban Construction* (December 2006), that include proposed measures for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction.
99. That the owner provide further plans and details to the satisfaction of the TRCA regarding areas where grading is proposed in the Open Space areas (Blocks 463, 464, 465, 466 and 467) and the Valleyland Buffers (Blocks 468, 469, 470 and 471), including but not limited to, how the works will be conducted to limit any impacts to the adjacent natural features, enhanced planting and stabilization of the slopes, tree protection, and sediment and erosion controls.
100. That an evaluation be prepared 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.
101. That a planting plan be prepared for the Stormwater Management Ponds (Blocks 454, 455, 456 and 457) to the satisfaction of the TRCA.
102. That a comprehensive edge management plan be prepared for the Open Space areas (Blocks 463, 464, 465, 466 and 467) and the Valleyland Buffers (Blocks 468, 469, 470 and 471) where these blocks interface with the development areas to the satisfaction of the TRCA.
103. That a plan be prepared for the site that addresses the restoration of the Open Space areas (Blocks 463, 464, 465, 466 and 467) and the Valleyland Buffers (Blocks 468, 469, 470 and 471), which will include the removal of golf course facilities (e.g. cart paths, tees, greens, buildings, etc.) and the restoration of these areas, and the restoration of the incised drainage channel in Open Space Block 463.
104. That a tree protection and preservation plan be prepared for the site that looks at opportunities for the retention of larger trees (such as the bur oak in Parkette Block 459), 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.
105. That the owner assesses the technical and practical implications of removing or modifying the existing on-line ponds within Open Space Block 467. This study will be completed in consultation with the TRCA and to the satisfaction of the TRCA. Study recommendations shall be implemented by the owner to the satisfaction of the TRCA.
106. That detailed fisheries inventories be conducted by a qualified aquatic biologist to verify the presence of aquatic life in the Tributary A on-line ponds, the two southwest dug irrigation ponds,

and the northern Ponds A1 and A2 to the satisfaction of the TRCA. This information will aid in the development of a wildlife salvage plan (including fish, turtles and amphibians), which will be prepared to the satisfaction of the TRCA. The recommendations of the wildlife salvage plan shall be implemented by the owner to the satisfaction of the TRCA prior to any proposed removal/modification of these features.

107. That an amphibian pond creation report be prepared to the satisfaction of the TRCA. The report will speak to the provision of two off-line amphibian ponds, which will be provided by the owner to mitigate for the loss of the two productive amphibian breeding ponds (Ponds 1 and 2) currently on the site. The report should address, at a minimum, location, design, hydrology, salvage, timing and upland habitat restoration. The recommendations of the amphibian pond creation report shall be implemented by the owner to the satisfaction of the TRCA.
108. That a pre-consultation meeting be held with 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.
109. That the Open Space areas (Blocks 463, 464, 465, 466 and 467) and the Valleyland Buffers (Blocks 468, 469, 470 and 471) be set aside for acquisition or dedication to either the TRCA or the City of Vaughan, free of all charges and encumbrances.
110. That the implementing zoning by-law recognize the Open Space areas (Blocks 463, 464, 465, 466 and 467) and the Valleyland Buffers (Blocks 468, 469, 470 and 471) in an open space, or other suitable zoning category, which has the effect of prohibiting development, to the satisfaction of the TRCA.
111. That the implementing zoning by-law prohibit grading and structures within Park Block 461 to the satisfaction of the TRCA in order to protect the root zones of the trees located on the adjacent Cold Spring Road properties.
112. 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 reports referenced in Conditions 98, 100, 104, 106, 107 and 108;
 - b) to install and maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period, in a manner satisfactory to the TRCA;
 - c) to obtain all necessary permits from the TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06);
 - d) to erect a permanent fence along all residential lots that abut the Open Space areas (Blocks 463, 464, 465, 466 and 467) and the Valleyland Buffers (Blocks 468, 469, 470 and 471) to the satisfaction of the TRCA.
 - e) to erect a permanent fence along the park blocks that abut the Open Space areas (Blocks 463, 464, 465, 466 and 467) to the satisfaction of the TRCA;
 - f) to *not* erect retaining walls in or adjacent to the Open Space areas (Blocks 463, 464, 465, 466 and 467) and the Valleyland Buffers (Blocks 468, 469, 470 and 471) to the satisfaction of the TRCA.
113. That this draft plan of subdivision be subject to red-line revision(s) in order to meet the requirements of TRCA conditions, if necessary.

114. 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.

TransCanada Pipelines Conditions

115. The conditions, restrictions or covenants specified by TransCanada PipeLines (TransCanada) shall be registered against title (by agreement between TransCanada and Owner) in relation to the "Lands" by way of application to register conditions, restrictions or covenants as applicable, pursuant to the Land Titles Act, or any amendments thereto.
116. The conditions of draft approval specified by TransCanada shall be included in the subdivision agreement between the Municipality and the Owner.
117. TransCanada's right-of-way shall be seeded and dedicated to the Town as passive open space or parkland subject to TransCanada's easement rights, TransCanada's right-of-way shall be identified on all municipal plans and schedules as a pipeline/utility corridor.
118. TransCanada will be performing an engineering assessment on this site to determine whether or not a pipe replacement will be necessary. TransCanada is regulated by the National Energy Board Act and CSA Code Z662. If this development increases the population density in the area, TransCanada may be required to replace its pipeline to comply with Code Z662. Therefore, a development or site plan must be submitted to TransCanada at the applicant's earliest convenience to enable TransCanada to determine whether a pipe replacement is required and to allow TransCanada enough time to make the necessary arrangements with the Owner, the National Energy Board and any other interested parties.
119. If a pipe replacement is necessary because of the subdivision proposal, temporary work room shall be granted to TransCanada on the terms and conditions to be (or as) negotiated. This work room will be adjacent to the existing easement and may be 15m wide. No grading or landscaping of the work room should be undertaken until the replacement has been completed.
120. All permanent structures and excavations shall be located at least 7m from the limits of TransCanada's right-of-way. Accessory structures and lots with sideyards abutting the right-of-way shall have a minimum setback of at least 3m from the limit of the right-of-way.
121. All crossings of TransCanada's right-of-way by roads, access ramps, trails or pathways, and above or below ground services and utilities must have TransCanada's prior authorization. The crossing agreement that will be binding upon all subsequent owners of the crossing. Furthermore, in accordance with the National Energy Board Act, an applicant is required to obtain crossing approval before final registration of the subdivision and before the start of any work within the subdivision. This agreement can be obtained from Scott Land & Lease in Calgary at 1-800-661-1618. The Owner agrees to meet all clearances and design requirements outlined in the crossing agreement and the NEB Pipeline Crossing Regulations.
122. Vehicle barriers, of a design acceptable to TransCanada or as may be required by law, shall be installed across the width of the right-of-way, where public roads cross the right-of-way. The location of these barriers must be approved by TransCanada.
123. Any grading not otherwise permitted by the NEB Act or Crossing Regulations Part 1, that will affect the right-of-way or drainage onto it, regardless of whether or not the grading is conducted on the right-of-way, must receive TransCanada's prior written approval. Grading activities on the right-of-way only be permitted when a TransCanada representative is present to inspect and supervise them.

124. The Owner shall contact TransCanada for written approval prior to commencement of construction works for any blasting undertaken within 300m of the right-of-way. Prior to any blasting being undertaken within 60m of the right-of-way, a report on the methods and charges to be used must be prepared, at the owner's expense, by a qualified blasting engineer and submitted for TransCanada's written approval. Blasting within 30m of a federally regulated pipeline is prohibited by the NEB (National Energy Board).
125. Section 112 of the National Energy Board Act requires that anyone excavating with power-operated equipment or explosives within 30m of the pipeline must obtain leave from the National Energy Board before starting any work. To satisfy this NEB requirement, you may send your request for leave directly to TransCanada with supporting information explaining how the work will be carried out. Once you obtain written approval for your excavation request, you must notify TransCanada at 1-800-827-5094 three business days before the start of any excavation using power-operated equipment and seven business days before the use of explosives within 30m of the pipeline right-of-way limits.
126. During construction of the site, temporary fencing must be erected and maintained along the limits of the right-of-way by the Owner(s) to prevent unauthorized access by heavy machinery. The fence erected must meet TransCanada's specifications concerning type, height and location. Please note that Section 112 of the NEB Act states that "...no person shall operate a vehicle or mobile equipment across a pipeline unless leave is first obtained from the company..." The Owner is responsible for ensuring proper maintenance of the temporary fencing for the duration of construction.
127. Permanent fencing shall be erected and maintained by the land Owner on Lots 378 - 381 inclusive, 399, 400, 403 and 404, and Blocks 460 and 464 at the edge of TransCanada's right-of-way. The fence erected must meet TransCanada's and the Municipality's specifications concerning type, location, and height. The Owner shall notify TransCanada 3 business days prior to any excavation for fence posts located on or within 30m of the pipeline right-of-way.
128. Notice must be given to TransCanada directly (1-800-827-5094) or through Ontario One Call (1-800-400-2255) a minimum of three business days before the start of any construction on or within 30m of the pipeline right-of-way and 7 business days minimum advance notice for any work involving explosives.
129. TransCanada's prior approval must be obtained for the Site Plans for the permanent structures to be erected on Lots 378-381 inclusive, 399, 400, 403 and 404, Blocks 460 and 464, which are adjacent to TransCanada's right-of-way.
130. The Owner shall include notice of the following in all offers of purchase and sale with respect to Lots 378 – 381 inclusive, 399, 400, 403 and 404:
 - i) Notice of the easement agreement registered against the property (or near the property) which may affect development activities on the property;
 - ii) Notice of the 30m safety zone (Section 112 of the National Energy Board Act) as regulated by the National Energy Board;
 - iii) The number of high pressure natural gas pipelines within the easement and the location of the easement in relation to the development;
 - iv) The setback for all permanent structures and excavations from the limits of the right-of-way; and
 - v) The regional office contact number (1-800-827-5094).

131. All display plans in the lot/home sales office shall identify the TransCanada pipeline right-of-way corridor within the proposed linear park block(s).
132. Three copies of any registered plans for this subdivision and a registered copy of the subdivision agreement must be sent to TransCanada.
133. The Owner shall ensure through all contracts entered into, that all contractors and subcontractors are aware of and observe the foregoing conditions.
134. The developer or Owner must invite TransCanada to a pre-job meeting prior to any construction at this site. At this meeting, TransCanada must be given the opportunity to make a presentation to all job supervisors responsible for construction on this project. This presentation will be a maximum of 30 minutes in length.
135. The Owner shall pursue, in good faith, an amendment to the by-law for the subject property which includes the following clause: "All permanent structures and excavations must be located at least 7m from the limits of TransCanada's right-of-way."

Canada Post Condition

136. The Owner shall agree to:
 - a) provide the following for each community mailbox site, as shown on the servicing plans:
 - i) a sidewalk section (concrete pad), as per municipal and Canada Post standards, to support the mailboxes;
 - ii) any required walkway across the boulevard, as per municipal standards; and,
 - iii) any required curb depressions;
 - b) provide a suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s); and,
 - c) provide a copy of the executed subdivision agreement to Canada Post.

York Catholic District School Board Conditions

137. That the Owner shall enter into an agreement satisfactory to the York Catholic District School Board for the transfer of Block 458 (0.772ha).
138. That the Owner shall agree in the subdivision agreement in wording satisfactory to the York Catholic District School Board that prior to final approval:
 - a) To grade the school site to conform to the overall grade plan of the subdivision and in doing so shall replace any topsoil disturbed in the grading process and at the same time sod/seed the same lands. If, in compliance with this clause, the addition of fill, the removal of existing soil, or, in any way, the alteration of existing grading results in increased costs of construction to the Board, then, and in that event, the Owner shall, upon demand, reimburse the Board for such additional costs.
 - b) To remove all trees and structures on Block 458, as determined by the Board.
 - c) There shall be no stockpiling of topsoil on Block 458.
 - d) The Owner will, at its expense:

- i. Construct and maintain temporary post and wire fencing 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 YCDSB specifications;
 - ii. Prior to the occupancy of adjacent residential lands, replace the temporary post and wire fencing along the boundary between the Lands and such adjacent residential lands with a 9 gauge galvanized chain link fence 1.8 metres in height, the side of which fence facing such residential lands to be placed two (2") inches inside the Lands from the boundary thereof;
 - iii. Prior to Completion, replace the temporary post and wire fencing then remaining with a 9 gauge galvanized chain link fence 1.8 metres 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.
 - f) To post "No Dumping" signs along the perimeter fence as required by the Board.
 - g) To provide the foregoing at no cost to the Board.
139. That the Owner shall submit, at no cost to the Board, a report from a qualified consultant concerning:
- a. The suitability of Block 458 for construction purposes relating to soil bearing factors, surface drainage and topography and or grading plan. There shall be a minimum of 12 boreholes on the school site, in 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.
 - c. The availability of natural gas, electrical, water, storm sewer, sanitary sewer, telephone and cable television services in a location along the property line, as determined by the Board. All services must meet Board specifications and approval.
140. That the Owner shall submit, at no cost to the Board, a certificate from the City of Vaughan confirming the following as they relate to a new school facility:
- a. The availability of a satisfactory water supply (both domestic and fire).
 - b. An acceptable method of sewage disposal.
 - c. Adequacy of electrical services.
 - d. The availability of a satisfactory natural gas supply.
 - e. That an adequate storm water management facility has been designed to accommodate a school site and ensure that water retention will not be required on this site.
141. 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.

142. That the Owner shall agree in words acceptable to the York Catholic District School Board, that the services referred to in Condition 139, 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.
143. 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.
144. 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 it's discretion designate pick-up points for students who qualify for transportation".
145. 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".

Canadian Pacific Railway Conditions

146. A Safety Berm to be constructed on adjoining property, parallel to the railway right-of-way with a minimum height of 2.5 metres and side slopes not steeper than 2.5:1. No part of the Safety Berm is to be constructed on the Railway.
147. The recommendations presented by Jade Acoustics in their "Feasibility Environmental Noise Report" of November 16, 2006 are satisfactory to the railway and are to be implemented in the design of the subdivision and the individual dwellings. The recommended warning clauses are to be included in the Subdivision Agreement and all offers of purchase and sale or lease.

Because the CPR Vaughan Intermodal Terminal is located within 1000 metres of the proposed subdivision, we request the following additional clause be included in the Subdivision Agreement and offers of Purchase and Sale or lease:

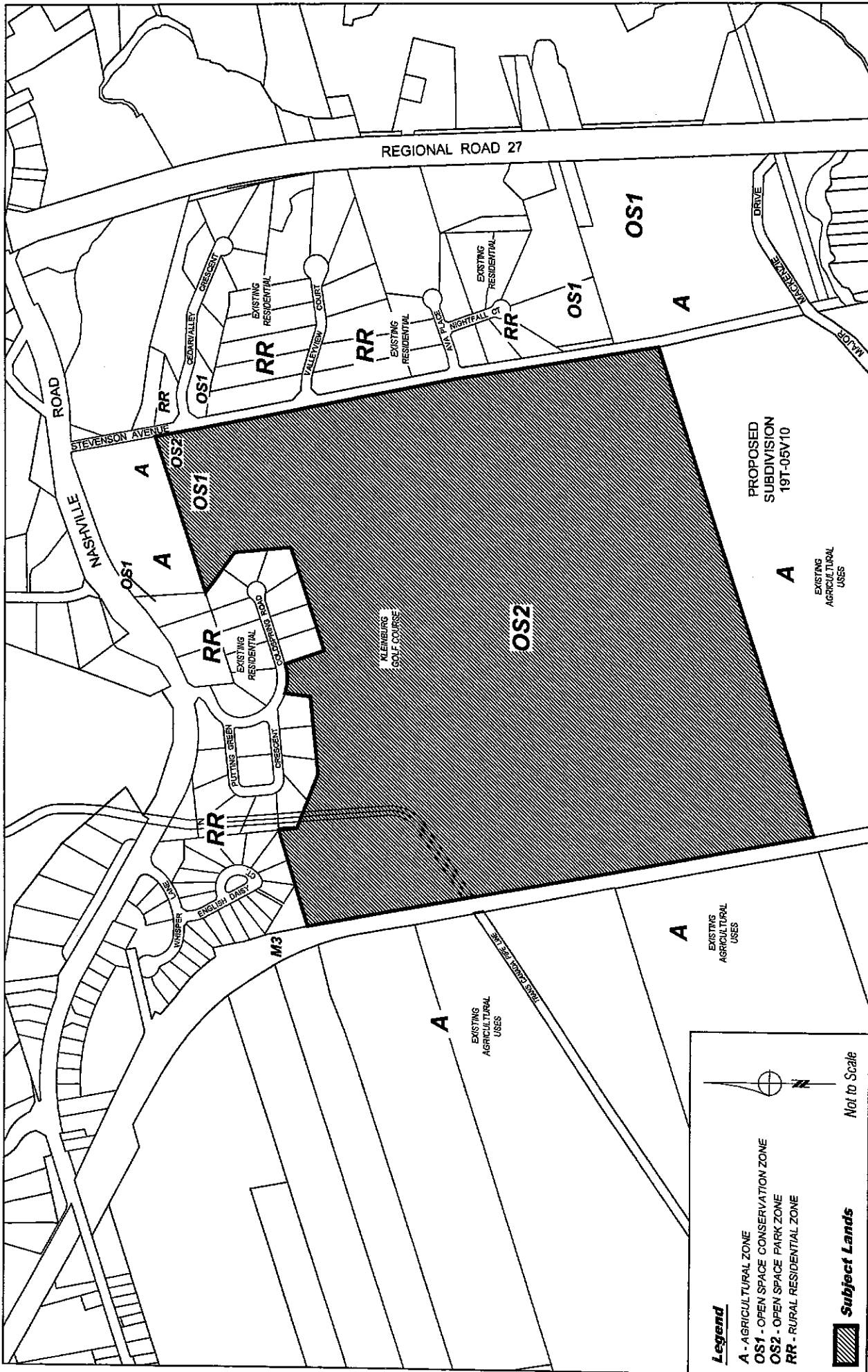
"WARNING: Canadian Pacific Railway Company or its assigns or successors in interest has or have a Railway Intermodal Terminal within 1000 m from the land the subject hereof. There may be expansions of the rail facilities at or leading to and from the Terminal in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may effect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuation measures in the design of 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 facility and right-of-way."

148. The recommendations presented by Jade Acoustics in their "Railway Vibration Analysis" of April 17, 2007 are satisfactory to the railway and are to be implemented in the design of the subdivision and the individual dwellings.
149. Setback of dwellings from the railway right-of-way to be a minimum of 30 metres as depicted on the submission. 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 metre high earth berm adjacent to the right-of-way must be provided in all instances.

150. 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.
151. A 1.83 metre high chain-link 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.
152. 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.

Clearances

153. 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-Conditions 1 to 3 inclusive, Conditions 1 to 151 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
154. The City shall advise that Pre-Conditions 1 to 3 inclusive and Conditions 1 to 73 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
155. The Region of York shall advise that Pre-Conditions 1 to 3 inclusive and Conditions 74 to 95 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
156. The Toronto and Region Conservation Authority shall advise that Conditions 96 to 114 have been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.
157. TransCanada Pipelines shall advise that Conditions 115 to 135 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.
158. Canada Post shall advise that Condition 136 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.
159. The York Catholic District School Board shall advise that Conditions 137 to 145 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.
160. Canadian Pacific Railway Company shall advise that Conditions 146 to 152 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.



Legend

- A - AGRICULTURAL ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- OS2 - OPEN SPACE PARK ZONE
- RR - RURAL RESIDENTIAL ZONE

Subject Lands

EXISTING AGRICULTURAL USES

Not to Scale

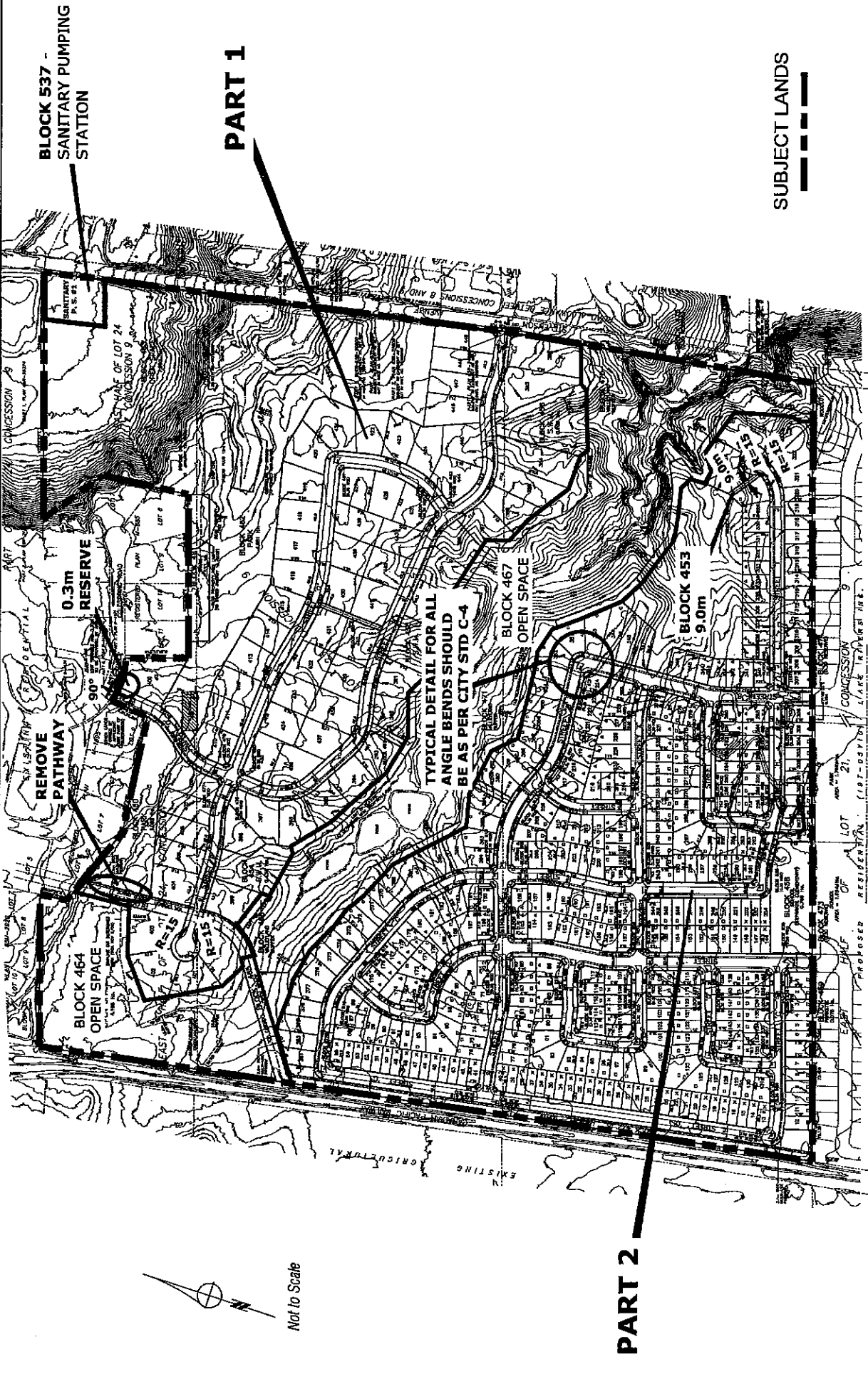
Location Map

Part Lots 22, 23, 24
 Concession 9
 APPLICANT: MOLISE KLEINBURG ESTATES INC.
 15 PUTTING GREEN CRESCENT



Development Planning Department

14/07/11 ATTACHED FILES 191156-162-03-1038p-06.027.dwg



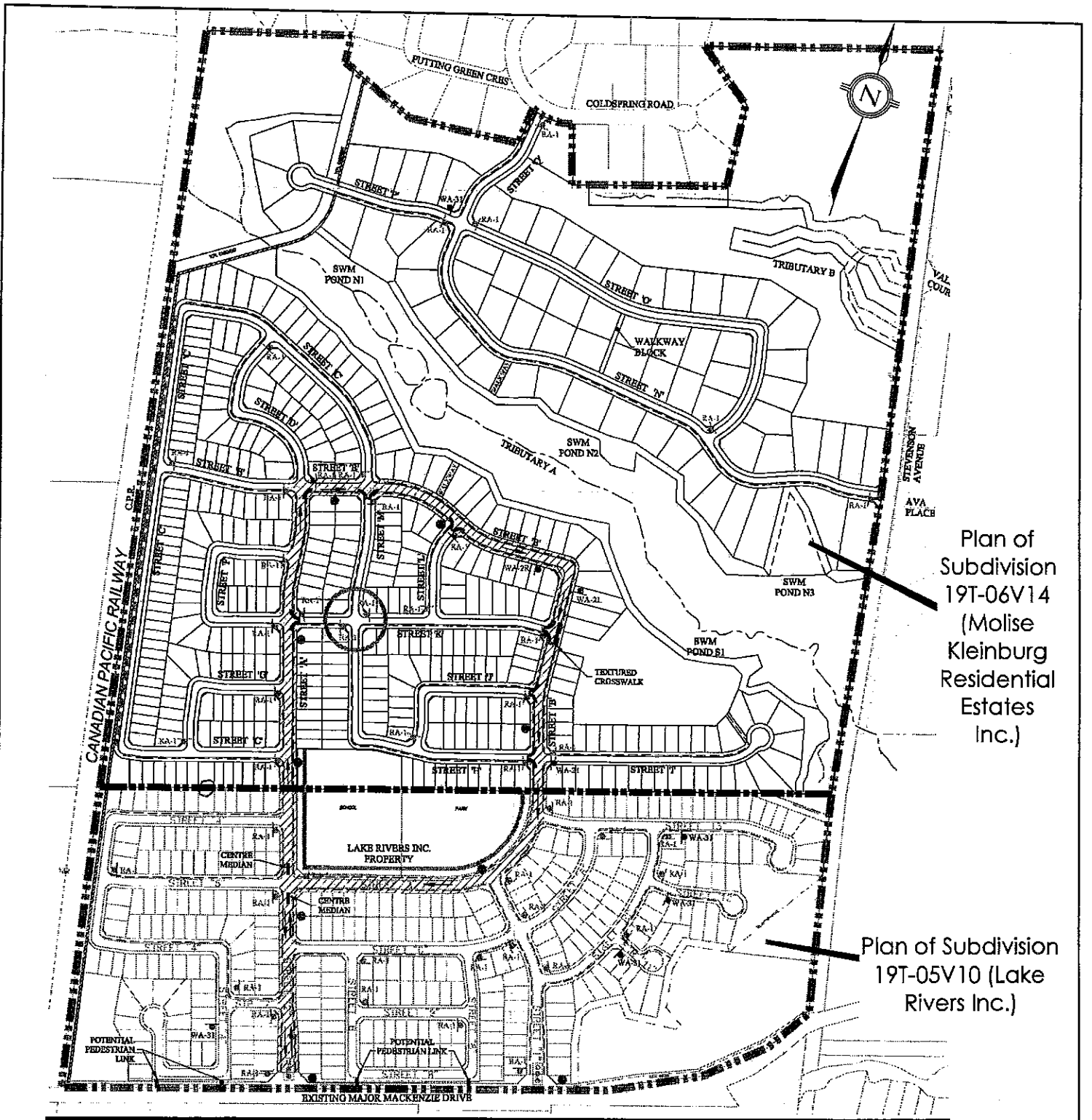
Attachment 3

FILE No.: 19T-06V14,
Z.06.068, OP.06.027

October 24, 2008

City of Vaughan
The City Above Toronto
Development Planning Department

Red-Lined Draft Plan
19T-06V14
Part Lots 22, 23, 24
Concession 9
APPLICANT: MOLISE KLEINBURG ESTATES INC.
15 PUTTING GREEN CRESCENT



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
- PROPOSED BUS STOP
- PROPOSED BUS TRAFFIC DIRECTION
- PROVISION FOR POTENTIAL FUTURE TRAFFIC SIGNALS
- INTERSECTION CURB BUMP-OUT FOR PEDESTRIAN AND TRAFFIC CALMING
- SUBJECT SITE
- 3m PATHWAY
- SUGGESTED SIDEWALK ROUTING
- LAY-BY-LANE
- POTENTIAL LAY-BY-LANE (SUBJECT TO FEASIBILITY STUDY FOR VISITOR PARKING)
- RAISED INTERSECTION
- Ra-1 STOP SIGN
- We-2L/2R CURVE WARNING SIGN
- We-31 NO EXIT SIGN

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



Attachment

FILE No.: 19T-06V14
Z.05.057, OP.05.026

APPLICANT: MOLISE KLEINBURG ESTATES INC. 15 PUTTING GREEN CRESCENT

Part Lots 22, 23, 24
Concession 9

Development Planning Department

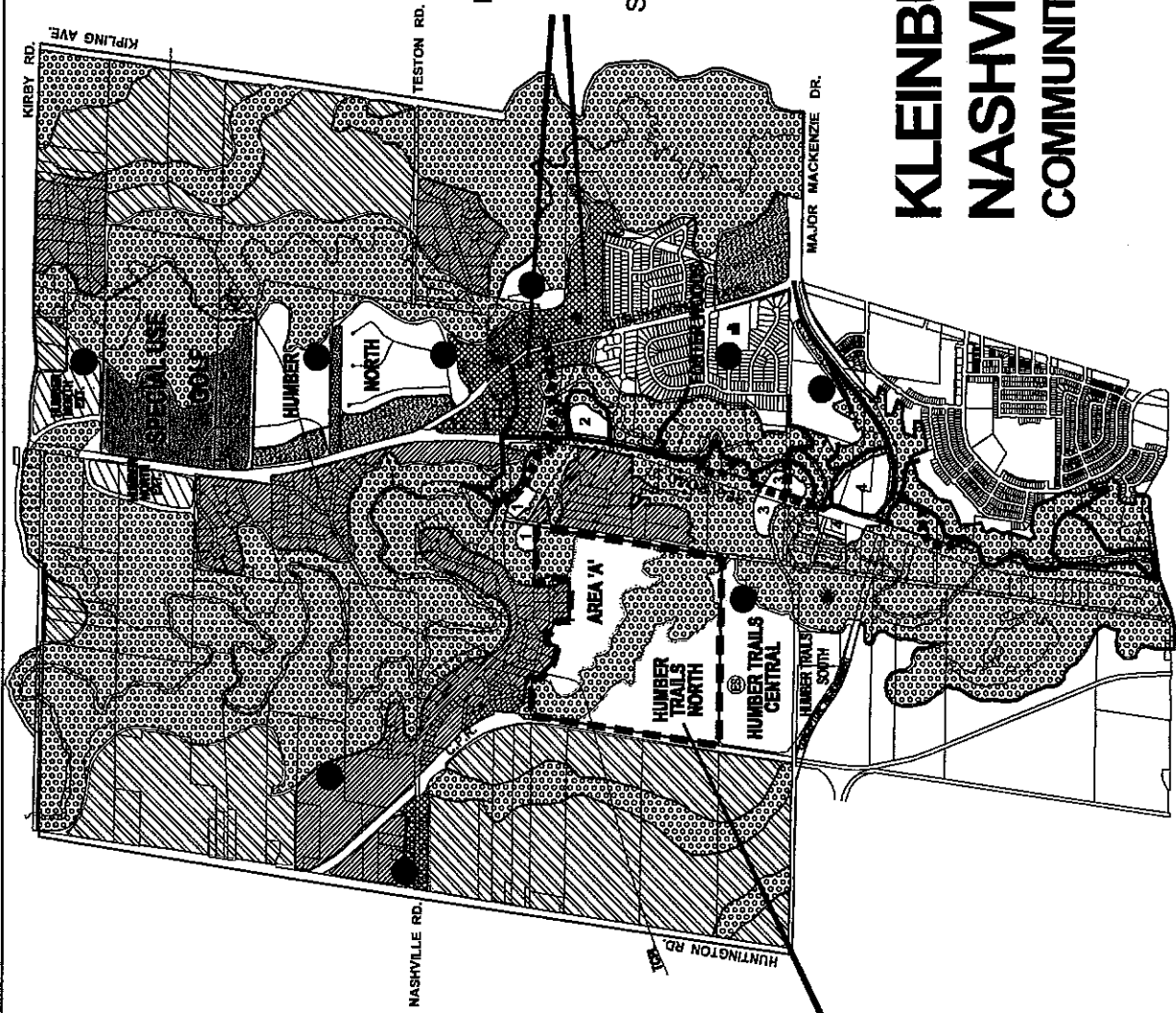
October 24, 2008

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**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
 - AMENITY AREA
 - VALLEY POLICY AREAS 1 TO 4



Subject Lands

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

**KLEINBURG
NASHVILLE
COMMUNITY PLAN**

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

APPLICANT: MOLISE KLEINBURG ESTATES INC.
15 PUTTING GREEN CRESCENT

Part Lots 22, 23, 24
Concession 9

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Development Planning Department

Attachment 5
FILE No.: 19T-06V14,
Z.06.068, OP.06.027
October 24, 2008