

COMMITTEE OF THE WHOLE APRIL 22, 2002

**DRAFT PLAN OF SUBDIVISION FILE 19T-01V03
ZONING BY-LAW AMENDMENT FILE Z.01.013
MIDVALE ESTATES LIMITED
REPORT#P.2001.24**

Recommendation

The Commissioner of Planning recommends:

1. That Zoning Amendment Application Z.01.013 (Midvale Estates Limited) BE APPROVED, to rezone the subject lands to RV4 Residential Urban Village Zone Four and OS1 Open Space Conservation Zones.
2. That Draft Plan of Subdivision 19T-01V03 (Midvale Estates Limited), prepared by EMC Group Limited, as revised January 11, 2002, and red-lined on April 22, 2002, BE DRAFT APPROVED, subject to the conditions set out in Attachment #1 to this report.
3. That the subdivision agreement shall contain a provision that parkland shall be dedicated, and, and/or cash-in-lieu paid for the plan at the rates stipulated in OPA#400, and conform to the approved "Cash-In-Lieu of Parkland Policy" The Owner shall submit an approved appraisal 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 or the Owner shall provide the City from the trustee of the Woodbridge Expansion Developers Group, that such lands are in good standing with the Woodbridge Developers Group prior to the issuance of a building permit and therefore, cash-in-lieu would not be required as per the City's agreement with the Woodbridge Expansion Developers Group
4. That the following resolution be passed allocating sewage capacity:

"NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT draft approved Plan of Subdivision 19T-01V03 (Midvale Estates Limited) be allocated sewage capacity from the Woodbridge Service Area of the York/Durham Servicing Scheme and water capacity from Pressure District No.6 of the York Water Supply System, for a total of 58 residential lots following the execution of a subdivision agreement."

Purpose

On February 12, 2001, the Owner submitted applications to amend the Zoning By-law and a draft plan of subdivision consisting of 65 residential lots, having minimum lot frontages of 11m.

On January 15, 2002, the applicant submitted a revised Draft Plan of Subdivision to replace the 15 lots at the south with a stormwater management and 5 lots. To date, the revised plan includes 58 residential lots and a stormwater pond.

Background - Analysis and Options

The subject lands are located northeast of Rutherford Road and Napa Valley Avenue, (5420 Rutherford Road) in Lot 16, Concession 8, City of Vaughan. The lands have an area of 3.995 ha, with 97.82m frontage on Rutherford Road. An older brick home is located at the northern portion of the lot, in addition to several other older structures. The lot has a gradual slope downward towards Rutherford Road and is heavily treed along its fringe. The surrounding land uses are as follows:

North - Montebello Avenue; residential (Urban Village Three and Four (WS))
South - Rutherford Road; residential (R2 Zone)
East - residential (RV3 and RV4 Residential Zones)
West - residential, stormwater pond; (RV4 (WS) and OS1 Zones)

At the March 26, 2002, Public Hearing, a number of residents attended in opposition to the development, specifically the with the deletion of the stormwater pond along Rutherford Road. Many advised that they were informed and relied on the approved Block Plan that the lands in the south portion of the draft plan would be for a stormwater facility, and a lot premium was levied for this reason. Other issues, such as traffic and a tree line along the eastern westerly lot line abutting the lots of Fanshore Blvd., were also tabled for discussion.

Further to the public hearing, Council made the following resolution:

“That the applicant meet with the community, the local Councillor and staff to address the issues identified, prior to this item being brought forward to a future Committee of the Whole”

A community meeting was held on April 3, 2002, to discuss the latest subdivision plan and address the issues introduced at the public hearing. At the meeting, the owner’s consultant presented the revised plan with the stormwater management pond. The consultant also assured an attempt would be made to save as much of the hedgerow north of Buena Vista Road, as possible. The issues surrounding the five lots adjacent to the stormwater management pond were not addressed fully, and another meeting was scheduled.

Subsequent meetings were held on April 10 and April 18 to continue discussion on the possibility of creating a buffer between the 5 lots and the existing 3 lots to the east.

Official Plan

The lands are designated “Low Density Residential” and “Stormwater Management Facility” by OPA # 600, and subject to the Woodbridge Expansion Area Block Plan. Under the current designation, residential detached dwellings and a stormwater management facility are permitted land uses.

Within “Low Density Residential” areas, the maximum permitted net density on a site is 22 units/ha, and calculated using only lands used for dwelling units and local and primary roads.

The maximum average density taken across all “Low Density Residential” areas must be in the range of 16 to 18 units per ha. The maximum density would permit 73 units (3.311 ha x 22 units/ha). The plan proposes 58 residential units, resulting in a density of 17.5 units/ha, which is within the average density range of 16 to 18 units/ha over the Block Plan, as per Official Plan Amendment #600.

As stated in the Official Plan, locations of stormwater management facilities should have regard for the relationship with adjacent land uses and the form of development. The need and location of this facility was established through the Block Plan process prior to any development in the area and is required to be included in the draft plan for conformity.

The Woodbridge Expansion Area

The Woodbridge Expansion Area (WEA) consists of approximately 331 ha, of which approximately 276 ha. is developable table land. The WEA Block Plan was approved by Council on February 10, 1997, with the subject lands identified for 51 units in the north and a stormwater management pond in the south, divided by an east/west road.

The revised plan proposes 58 residential lots, 53 to the north and 5 to the south of Buena Vista Drive.

Generally through the OPA #400 process, and more defined through the Block Plan process, 4 stormwater management areas were identified to serve the Woodbridge Expansion Area. Pond 1 was shown on the north side of Rutherford Road, extending eastward from the hydro corridor to Massi Court. The facilities were generally sized and located, having regard for future development of the area. The exact size and design of the stormwater pond is determined at the draft plan stage, when the required capacity of the pond can be determined.

Developers Group Agreement

The participating landowners in the Woodbridge Expansion Area have entered into a Developers Group Agreement. The agreement identifies the costs and obligations to be borne by each of the participating landowners within the block plan and includes, but not limited to, the provision of parks, feeder roads, stormwater management ponds and municipal services. This agreement includes a provision for additional owners to become party to agreement when they develop. Prior to final approval of the subdivision, the Owner must enter into the Woodbridge Expansion Area Developers' Group Agreement.

Zoning

The lands are zoned A Agricultural Zone by By-law 1-88, and an amendment is required to rezone the lands to the appropriate zone category to facilitate the residential subdivision and stormwater management facility. The proposed lots have minimum frontages of 11m, which is appropriately implemented by the RV4 Urban Village Residential Zone Four. The stormwater management pond would be zoned OS1 Open Space Conservation.

Draft Plan of Subdivision

The draft plan consists of a total of 58 residential lots, 53 of which are located north of Buena Vista Drive, and 5 lots front on the south side of Buena Vista Drive. The lots are for detached dwelling units, and have minimum frontages of 11m. The size and shape of the lots are similar in nature to lots in the adjacent plans of subdivision.

The portion south of Buena Vista Drive is entirely used for a stormwater pond facility, with the exception of the 5 residential lots.

The most recent revision provides an 8m buffer between the southerly 5 lots and the 3 existing lots to the east, as an extension to the stormwater pond block. Staff have concerns regarding the ongoing maintenance of this block and have red-lined this plan to subdivide the buffer strip into 3 blocks. A condition of approval requires that these blocks be transferred to either the City or the abutting 3 lots to the east, and be landscaped and zoned OS1 Open Space Conservation Zone. Prior to registration of the plan, it will be determined if the blocks will be conveyed to private ownership for maintenance purposes.

Services

The Engineering Department has reviewed the revised draft plan and provides the following comments:

"Water System

The draft plan is found within the service area of Pressure District #6 of the York Water Supply System. The draft plan can be supplied by the existing 200mm diameter watermain on Buena Vista Drive and the 200mm diameter watermain on Diploma Avenue.

Sanitary Sewer

In review of the construction drawings for the BKY Ranch Subdivision 19T-95055, sanitary sewers are available abutting the site and can be extended to service the draft plan. In support of the draft plan, the applicant has submitted a servicing brief prepared by EMC Group Limited dated June 12, 2001, detailing that all the proposed lots, including the additional eight units, can be accommodated in the downstream trunk sanitary sewer.

Storm Drainage

Similarly, storm sewers are available abutting the site and can be extended to service the draft plan. Also, the applicant has submitted an addendum report entitled, "Midvale Estates Limited, Stormwater Management Analysis, Woodbridge Expansion Area, City of Vaughan, 19T-01V03" dated February 1, 2002, prepared by Schaffers Consulting Engineers in support of the draft plan. In accordance with the Woodbridge Expansion Area – Master Environmental Servicing Report (the "MESP"), the addendum report details the expansion of the existing Fanshore Pond and the construction of the forebay within the draft plan. As part of the engineering design and prior to the initiation of any grading on the draft plan, the applicant shall provide an engineering report for the review and approval of the City that describes the proposed storm drainage system to develop the subject lands and how it will comply with approved MESP and addendum report, (Stormwater Management Analysis, Schaffers Consulting Engineers, dated February 1, 2002).

Roads

The City is implementing alternative road design standards and traffic calming measures in the Woodbridge Expansion Area. The proposed portion of Buena Vista Drive within the draft plan will provide the necessary transition between 15m and 17.5m right-of-ways abutting the draft plan.

Noise

Due to the proximity of the draft plan to Rutherford Road, the Engineering Department requires a noise report to be submitted for review and approval at the detailed engineering stage. Please note in the noise report that City policy requires mandatory A/C for residential units that abut and/or face a major road such as Rutherford. Accordingly, mandatory A/C would be required for Lots 53 to 58 on the draft plan."

Streetlighting

The streetlighting shall meet the City criteria within the draft plan.

Environmental Site Assessment

Enclosed is a copy of the recommendation from our peer-reviewer Terrapex Environmental Ltd. dated February 6, 2002, confirming the suitability for residential development within the draft plan.

The Engineering Department has provided conditions, which have been included in Attachment #1, Conditions of Draft Approval.

Urban Design Department

The Department of Urban Design has reviewed the revised plan of subdivision and have no objection subject to their conditions in Attachment #1. They have indicated that the hedgerow of coniferous trees, bordering the west property limits of the plan, must be assessed to determine if there is preservation opportunity for all or part of the trees. As such, the conditions of draft approval require submission of a tree assessment plan and compliance with its recommendations.

The preliminary parkland dedication, calculated based on the basis of both 5% and 1 ha/300 units, is as follows:

Total land within the plan	= 3.995ha.
Valley Lands	= 0.000
Total credits	= 0.000

Total parkland at 5% dedication = $(3.996 \times 5\%) = .200\text{ha}$.

Total parkland at 1 ha/300 units = .200ha.

The subdivision would have to comply with the Urban Design Guidelines and Architectural Design Guidelines for the Woodbridge Expansion Area (Sonoma Heights). Prior to the issuance of each building permit within the plan, the individual building elevations must be stamp-approved by the design control consultant for the WEA, verifying architectural conformity of each dwelling with the approved Architectural Control Guidelines for the WEA.

Environment

The proposed development includes roads and a stormwater management facility which will be dedicated to the City and therefore, a Phase 1 Environmental Report is required. In November 2000, a Phase 1 Environmental Report, prepared by Soil Eng Limited, was submitted and circulated to the City's peer reviewer.

The peer reviewer has confirmed the contents of the report and the conclusion that the land is suitable for residential development.

The draft plan includes residential lots that abut a stormwater facility pond, and conditions for these lots with respect to landscaping and maintenance, have been included. A noise study is required to address abatement measures for noise from Rutherford Road

Toronto and Region Conservation Authority (TRCA)

The TRCA has reviewed the original proposal and provided the following comments:

The stormwater management pond immediately to the west of the subject property functions as an interim facility only and does not have capacity to service the subject lands. As per the Woodbridge Expansion Area Master Environmental Servicing Plan (MESP), portions of this site in the vicinity of Lots 55 to 69 as illustrated on the (original) Draft Plan are to be allocated for expansion of the existing facility to service the applicant's lands. The applicant is requested to provide a preliminary functional servicing report, in accordance with the approved MESP, for the review and approval of the TRCA."

In January, 2002, the draft plan was revised to include the stormwater facility extension noted above.

Authority Staff has reviewed the revised draft plan and revised Stormwater Management Report and advise that their previous concerns with respect to stormwater capacity have been satisfied. There are no objections to draft approval, subject to conditions which have included in Attachment #1.

Other Comments

The Regional Municipality of York has reviewed the revised plan and has no objection, subject to the conditions which have been incorporated into contained Attachment #1. The Region recommends that the City allocate water and sewer capacity to the subject lands concurrently with draft approval of the plan.

Staff of the Cultural Services, Canada Post, Vaughan Hydro and Fire Department have no objection to the proposed development subject to conditions, which have been included within Attachment #1.

School Boards

Both the York Catholic District School Board and the York Region District School Board have no objection to the proposed applications.

Conclusion

Community Planning Staff is of the opinion that the draft plan is an appropriate use for the lands and conforms to the density, designations and policies of the Official Plan. Similarly, the proposed rezoning of the subject lands to RV4 Residential and OS1 Open Space Conservation Zone will implement the draft plan, and allow development that is consistent with the surrounding area. The revised plan provides for the extension of the stormwater management facility to the east, to the size required to accommodate the amount of development in the area

For these reasons, Staff recommends approval of the zoning amendment application and the revised draft plan of subdivision, subject to the conditions of approval provided on Attachment #1. Should Council concur, the recommendation of this report can be adopted.

Attachments

1. Conditions of Draft Approval
2. Location Map
3. Block Plan (Stormwater Management Locations)
4. Original Draft Plan
5. Revised Draft Plan (April 22, 2002)

Report prepared by:

Eugene Fera, Planner, ext 8064
Art Tikiryán, Senior Planner, ext. 8212
Marco Ramuno, Manager of Development Planning, ext. 8485

Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

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JOANNE R. ARBOUR
Director of Community Planning

ATTACHMENT NO. 1

DRAFT PLAN OF SUBDIVISION 19T- 01V03 {MIDVALE ESTATES LIMITED} {LOT 16, CONCESSION 8}, 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-01V03, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to the draft plan of subdivision, prepared by EMC Group Limited, dated January 15, 2002, as red-lined April 22, 2002.
2. The lands within this Plan shall be appropriately zoned by a zoning by-law, which has come into effect in accordance with the provisions of The Planning Act. Particular zoning categories to be applied are as follows:
 - RV4 Residential Urban Village Zone Four for 58 residential lots and
 - OS1 Open Space Conservation Zone for the stormwater facility and buffer blocks
3. The Owner shall pay any and all outstanding application fees to the Community Planning Department, in accordance with Tariff of Fees By-law 321-99.
4. Prior to final approval of any part of the Plan, the Owner shall submit a revised Block Plan, if required, to reflect any significant alterations caused from this draft plan approval.
5. The Owner shall enter into a subdivision agreement with the City to satisfy all financial and other conditions, with regard to such matters as the City may consider necessary, including payment of development levies and the woodlot development charge, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
6. The Owner shall agree to create easements for maintenance purposes for all lots providing less than 1.2m sideyards, or having roof encroachments, prior to transfer of land.
7. Prior to final approval, easements required for utility, drainage and construction purposes shall be created and granted to the appropriate authority (ies), free of all charge and encumbrances.
8. The road allowances within this Plan shall be named as follows Diploma Avenue and Buena Vista Drive to the satisfaction of the City of Vaughan and York Regional Planning Departments.

9. The road allowances within the Plan shall be designed in accordance with the City's engineering standards for roads and intersection design, temporary turning circles, daylighting triangles and .3m reserves; and shall be dedicated to the City free of all charge and encumbrances. The streets, lots and blocks shall be designed to coincide with the development pattern on adjacent properties in accordance with the approved WEA Block Plan.
10. Any dead end or open side of a road allowance within the Plan shall be terminated in a 0.3m reserve, to be conveyed to the City free of all charge and encumbrances, until required for a future road allowance or development of adjacent lands.
11. Final engineering design(s) may result in minor variations to the Plan (eg. in the configuration of road allowances and lotting, number of lots etc.), which may be reflected in the final plan to the satisfaction of the City.
12. The Owner shall agree that construction access shall be provided only in a location approved by the City and/or the appropriate authority.
13. 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.
14. 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.
15. 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.
16. The Owner shall agree that no building permits will be applied for until the City is satisfied that adequate access, municipal water, sanitary sewers and storm drainage services are available to service the proposed development.
17. The Owner shall agree that on lots with flankages on a collector or primary road, as identified by the Architectural Design Guidelines and the City, a front elevation featuring a main entrance or in some cases, an upgraded elevation, shall face the flankage. The flankage elevation for such lots shall be approved by the Control Architect, and either the Director of Urban Design or the Director of Community Planning, prior to issuance of a building permit.
18. a) Prior to final approval and prior to any works commencing on the site, the Owner shall submit for approval by the City and the Toronto and Region Conservation Authority (TRCA), a detailed engineering report(s) that describes the storm drainage system for the proposed development, and how it will comply with the approved Woodbridge Expansion Area Master Environmental/Servicing Plan and

the addendum Storm water Management Report (Schaeffer's Consulting engineers, February 1, 2002). Which shall include:

- i) plans illustrating how this drainage system will be tied into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, the design capacity of the receiving system and how external flows will be accommodated;
 - ii) the location and description of all outlets and other facilities;
 - iii) stormwater management techniques, which may be required to control minor and major, flows;
 - iv) proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction;
 - v) overall grading plans for the subject lands; and
 - vi) storm water management practices 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.
- b) The Owner shall agree to implement the recommendations set out in the aforementioned report(s) to the satisfaction of the City and TRCA.

19. The Owner shall agree:

- a) to obtain all necessary permits pursuant to Ontario Regulation 158 and the Lakes and Rivers Improvement Act;
- b) to carry out, or cause to carry out, to the satisfaction of the TRCA, the recommendations of the technical report referenced in Condition# 19;
- c) to erect a permanent fence to the satisfaction of the TRCA for lots and blocks abutting Block 60; including a privacy fence along the rear lot lines of Lots 54 to 58
- d) to dedicate Stormwater Management Block 60 to the City or TRCA
- e) to 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 City;
- f) to provide a copy of the executed subdivision agreement to The Toronto and Region Conservation Authority.

20. Prior to final approval, the Owner shall pay the proportionate share of the cost of any external municipal services, temporary and/or permanent built or proposed, that have been designed and oversized by the Woodbridge Expansion Area Developer's Group Agreement to accommodate the subject plan.
21. a) Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of Hydro Vaughan Distribution Inc., its successors and assigns, (herein Hydro Vaughan) 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 Hydro Vaughan which addresses the foregoing requirements.

b) The Owner shall agree to design, purchase materials, and install a buried hydro distribution system and streetlighting system within the confines of the subject subdivision and compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of Hydro Vaughan Distribution Inc and the City. The developer is 100% responsible for all costs to maintain existing servicing to the surrounding properties
22. Prior to final approval, an environmental noise impact study, prepared at the Owners expense, shall be submitted to the City for review and approval. The preparation of the noise report shall include the ultimate traffic volumes associated with the surrounding road network. The owner shall agree in the subdivision agreement to implement the approved recommendations and abatement measures set out in the noise report.
23. The Owner shall agree to design, purchase materials and install a street lighting system, compatible with the existing and/or proposed systems in surrounding plans, all in accordance with City standards and specifications.
24. The Owner shall agree to erect fencing in the locations and of the types as shown on the approved construction drawing and as required by the City, in accordance with an Urban Design and Architectural Design Guidelines.
25. The Owner shall agree to pay the City at the time of registration of the Plan, an additional voluntary payment at the rate of \$1,000.00 per residential unit, plus \$500.00 per future unit on each part lot, as per Schedule "I", in accordance with the Special Area Woodlot Development Charge By-law.
26. Prior to final approval, the Owner shall prepare a tree assessment study, including an inventory of all existing trees (including the hedgerow along the western lot line and north of Buena Vista Drive), assessment of significant trees to be preserved, and proposed methods of tree preservation/or remedial planting; the Owner shall agree to undertake the measures identified in the City-approved assessment. The Owner shall not remove trees, without written approval by the City

27. Prior to final approval, the Owner shall enter into the approved Developers Group Agreement for the Woodbridge Expansion Area, to the satisfaction of the City, but not be limited to cash-in-lieu of parkland dedication and cost sharing for the provision of parks, roads, schools and municipal services within the Block Plan.
28. Prior to final approval of the draft plan of subdivision or any portion thereof, the Trustee for Woodbridge Expansion Area Block shall provide the City with a letter indicating that the landowner has fulfilled all cost sharing and other obligations of the Woodbridge Expansion Area Landowner's Cost Sharing Agreement.
29. The Owner shall agree in the subdivision agreement to implement the approved Urban Design Guidelines, landscape master plan and Architectural Control Guidelines for Sonoma Heights, Woodbridge Expansion Area, as revised and approved by Council.
30. The Owner shall agree in the subdivision agreement that
 - Prior to final approval, architectural guidelines shall have been prepared in accordance with Council policy and approved by Council;
 - All development shall proceed in accordance with Council approved architectural design guidelines;
 - A control architect be retained at the cost of the Owner with concurrence of the City to ensure compliance with architectural design guidelines;
 - Prior to submission of individual building permit applications, the control architect shall have stamped and signed the drawings certifying compliance with control architect;
 - The City may undertake periodic review to ensure compliance with architectural design guidelines. Should inadequate enforcement be evident, the City may cease to accept drawings stamped by the control architect, at the expense of the Owner.
31. Prior to final approval, the Owner shall submit:
 - a) an urban design guidelines report, which shall identify all the objectives of the approved Urban Design Guidelines for the Block Plan.
 - b) an urban design/streetscape master plan in accordance with the approved Urban Design Guidelines, which shall address, at minimum, the following:
 - internal landscaping on boulevards as it relates to the road rights-of-ways and the location of underground services (ie. typical road sections incorporating boulevard trees);
 - co-ordination of the urban design/streetscape elements as they relate to all plans within the WEA, including entrance features and medians;

- landscaping along the road allowances, including walls and fencing, and typical cross-sections required to determine appropriate locations for buffer landscaping.
 - the appropriate landscape treatment and configuration for the stormwater management pond Block 60; landscaping with community edge buffers.
 - landscaping along the greenways and single-loaded roads.
32. Prior to final approval, the Owner shall not remove any vegetation or topsoil or start any grading of the lands, without a fill permit issued by the City, and a development agreement, if necessary.
33. a) Prior to final approval of the plan, and prior to the initiation of any grading to any lands included in the plan of subdivision, a preliminary archeological evaluation of the entire area within the proposed plan of subdivision shall be carried out at the owner's expense, and should the same report identify any significant archaeological sites found as a result of the assessment the Owner shall carry out archaeological excavations of such sites to the satisfaction of the Ministry of Citizenship, Culture and Recreation (Archeological Unit) and the City; the Owner shall agree to take protective measures required by the City for such sites
- b) Prior to final approval of the plan of subdivision, the owner by way of 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 site have been fulfilled to the satisfaction of the Ministry of Citizenship, Culture and Recreation (Archaeological Unit) and the municipality.
- c) Prior to the commencement of any archaeological field work, a copy of the contract information sheet which was submitted to the Ontario Heritage Foundation, shall have been forwarded to the City; licensed consultants are urged to review the Archaeological Facility Master Plan Study housed in the City of Vaughan Archives, prior to commencing any fieldwork.

34. The Owner agrees to:
- a) be responsible for notifying the purchaser of the exact Community Mailbox location locations prior to the closing of any home sale
 - b) consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailbox and to indicate these locations on the appropriate servicing plans.
 - c) 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.
 - d) provide a suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s).
 - e) provide a copy of the executed agreement to Canada Post.
35. 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 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 the proposed finished lot and/or block grading may not meet City of Vaughan lot grading criteria in certain areas, to facilitate preservation of existing vegetation and to maintain existing adjacent topographical conditions."
 - "Purchasers and/or tenants are advised that traffic calming measures may have been incorporated into the road allowances."
 - "Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the City and a conceptual location Plan is included in the subdivision agreement. While

every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete any boulevard tree without further notice.

- Purchaser 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 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."
- "Purchasers and/or tenants are advised that the roads within the Plan may have been constructed using Alternative Development Standards. In April 1995, the Ministry of Housing and 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 that provide for reduced pavement widths that are narrower than the City Standards"

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

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

c) along a potential transit route:

- "Purchasers and/or tenants are advised that Buena Vista Drive may be used as transit routes in the future":

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

- the Block Plan for the broader area, showing surrounding land uses, arterials/highways, railways and hydro lines etc.

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

"For further information, on proposed and existing land uses, please call or visit the City of Vaughan Community Planning Department, at 2141 Major Mackenzie Drive, (905) 832-8565."

"For detailed grading and berming information, please call the developer's engineering consultant, EMC Group at (905) 738-3939."

"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.]

37. Where the Owner proposes to proceed with the construction of a model home(s) prior to registration of the Plan, the Owner shall enter into an agreement with the City, setting out the conditions, and shall fulfill relevant conditions of that agreement prior to issuance of a building permit.
38. Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit a topsoil storage plan detailing the location, size, side slopes, stabilization methods and time period, for approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either park or school blocks.
39. Prior to development within the Plan, the Owner shall submit a detailed hydrological impact study that identifies if any local wells may be influenced by construction and, if necessary, outline a monitoring program to be undertaken before, during and after construction of the subdivision. The developer shall be responsible to reinstate a suitable potable water supply to any resident whose well is adversely impacted by development to the satisfaction of the City.

40. Prior to final approval, a soils report prepared at the Owner's expense shall be submitted to the City for review and approval. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.
41. The Owner agrees to landscape and convey Blocks A, B and C in the red-lined plan either to the City or the respective 3 abutting lots to the east, to be zoned OS1 Zone and maintained as a buffer.

Region of York Conditions

42. The following lands shall be conveyed to the Region of York for public highway purposes, free of all costs and encumbrances, as shown on the draft plan:
 - a) a road widening along the full frontage of the subdivision where it abuts Rutherford Road, of sufficient width to provide a minimum of 18m from centerline of construction of Rutherford Roads; and
 - b) a .3m reserve across the full frontage of the draft plan of subdivision where it abuts Rutherford Road.
43. The property line grades along Rutherford Road shall be set at .3m above the proposed centerline grade
44. The Owner shall provide a set of engineering drawings for approval by the Region of York Transportation and Works Department which indicates the subdivision storm drainage system, site grading and servicing, plan and profile for roadwork, grading cross sections along Rutherford Road, proposed intersections, construction access and mud mat design, utility location plans, pavement markings, intersection signalization and illumination design, traffic control/construction staging plans, and landscape plans.
45. The Owner shall agree:
 - a) that any noise attenuation required fences adjacent to Regional roads shall be constructed only on the private side of the 0.3 metre reserve, to a maximum of 2.5 metres in height, subject to the area municipality's concurrence.
 - b) that maintenance of the noise barriers and fences bordering on Regional right-of-ways shall not be the responsibility of the Regional.
 - c) that any landscaping provided on the Regional right-of-way by the Owner or the area municipality for aesthetic purposes, must be approved by the Regional Transportation and Works Department and be shall maintained by the City, with the exception of the usual grass maintenance.
 - d) that no part of any noise attenuation feature shall be constructed on or within the Regional right-of-way.

46. The Owner shall provide the following to the Region of York:
 - a) a copy of the executed subdivision agreement; and
 - b) a Solicitor's Certificate of Title to the Region of York Corporate and Legal Services Department, to the satisfaction of the Regional Solicitor, at no cost to the Region, with respect to the conveyance of lands to The Regional Municipality of York.
47. 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-3-98-77.
48. The Owner shall engage the services of a consultant to prepare and submit for review and approval a noise study to the satisfaction of the Regional Transportation and Works Department recommending noise attenuation features and the owner shall agree to implement any features to the satisfaction of the Region.
49. The Owner shall provide headlight screening between Diploma Avenue and Rutherford Road consisting of either a screening fence or a combination of a berm and planting 1.2m in height, to be located outside of the Rutherford Road right-of-way.

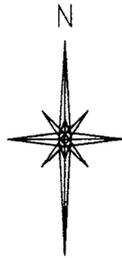
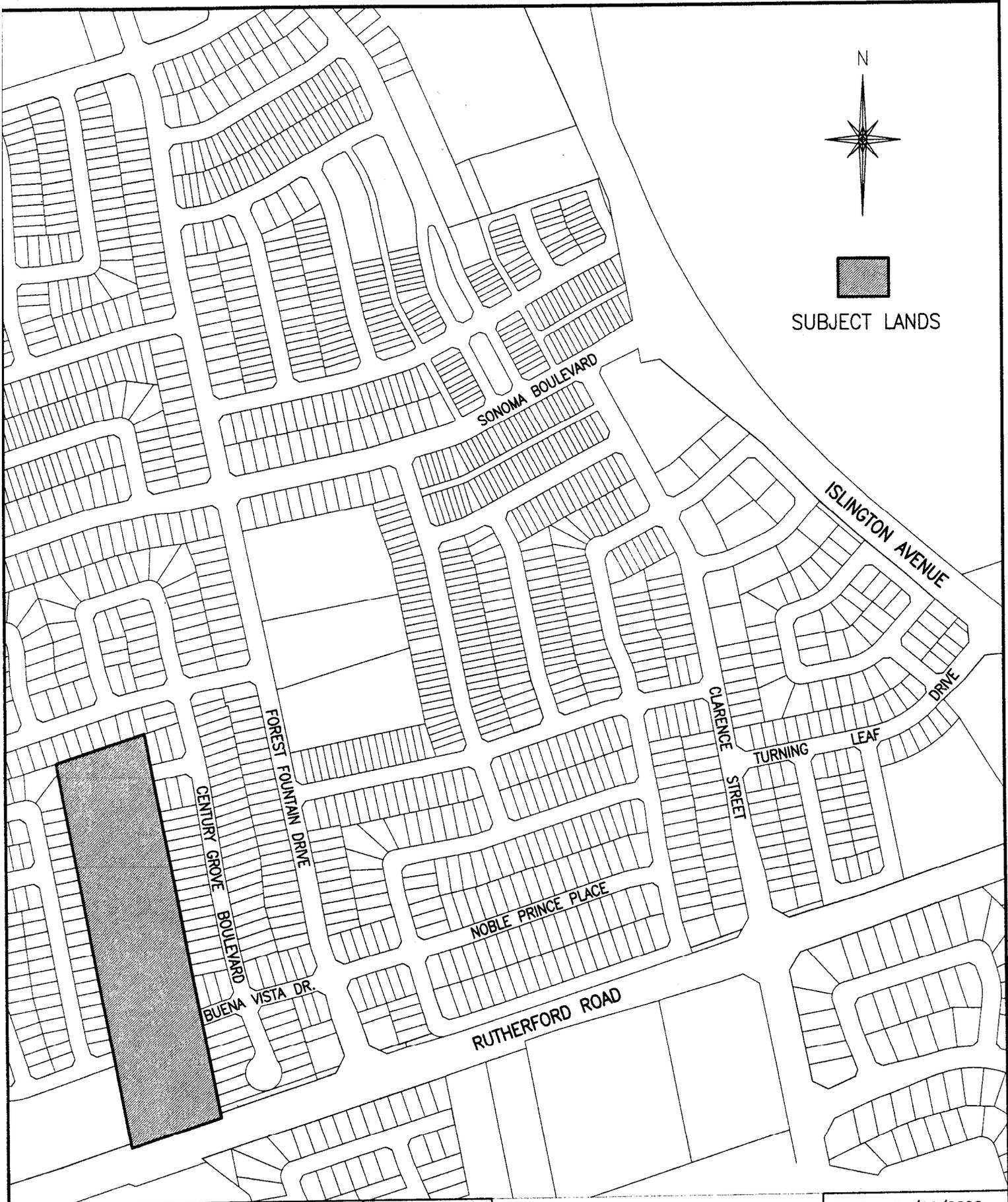
York Region School Boards

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

Other Conditions

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

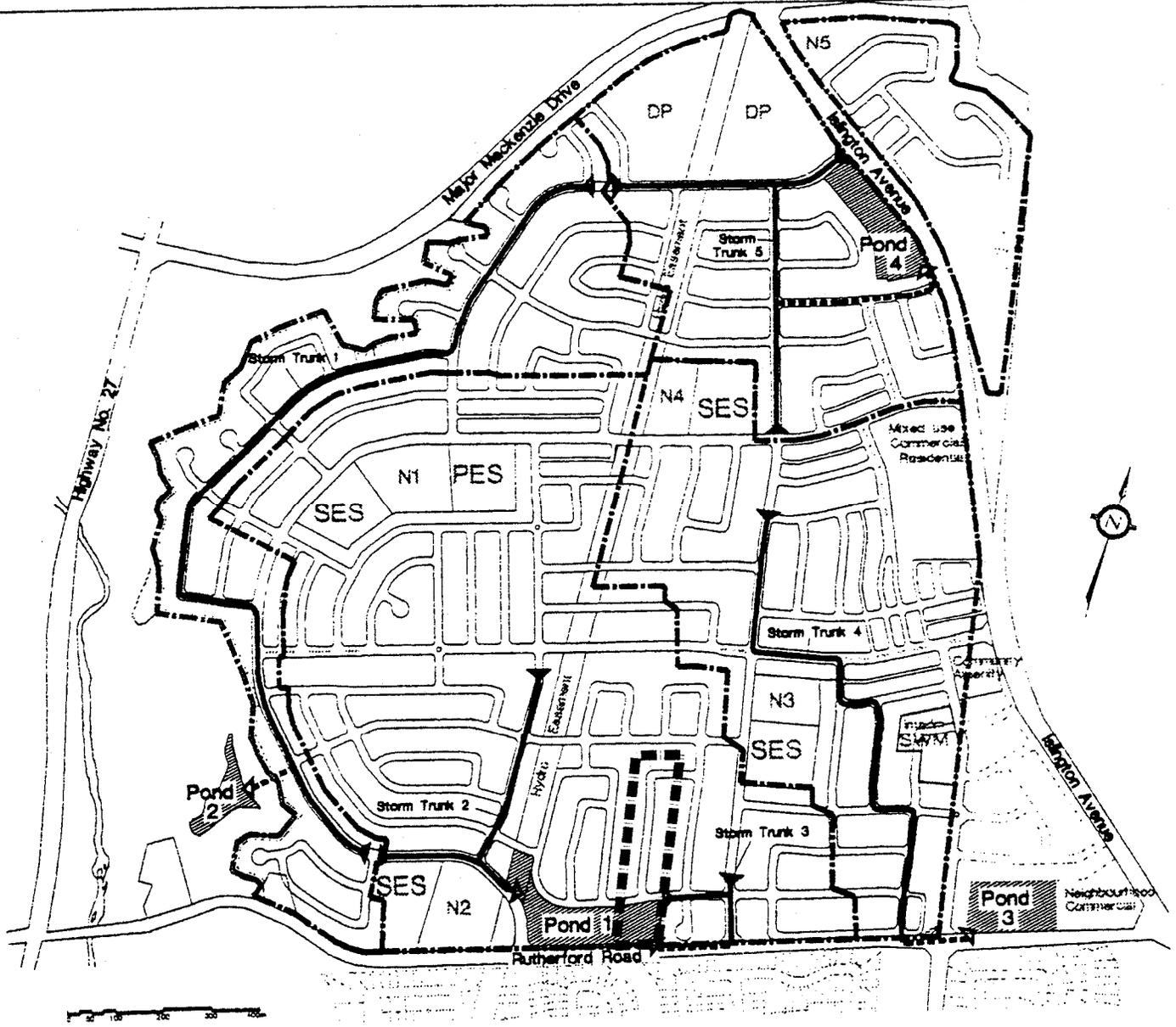
52. The Regional York shall advise that Conditions 42 to 49 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
53. York Region School Board shall advise that Condition 50 has been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



SUBJECT LANDS

ATTACHMENT '2'
LOCATION MAP

FILE #: Z.01.013 19T-01V03	REPORT #: LOCATION: PART OF LOT 16, CON. 8	CITY OF VAUGHAN PLANNING DEPARTMENT	DATE: 01/16/2002
		APPLICANT: MIDVALE ESTATES LIMITED	SCALE: NOT TO SCALE



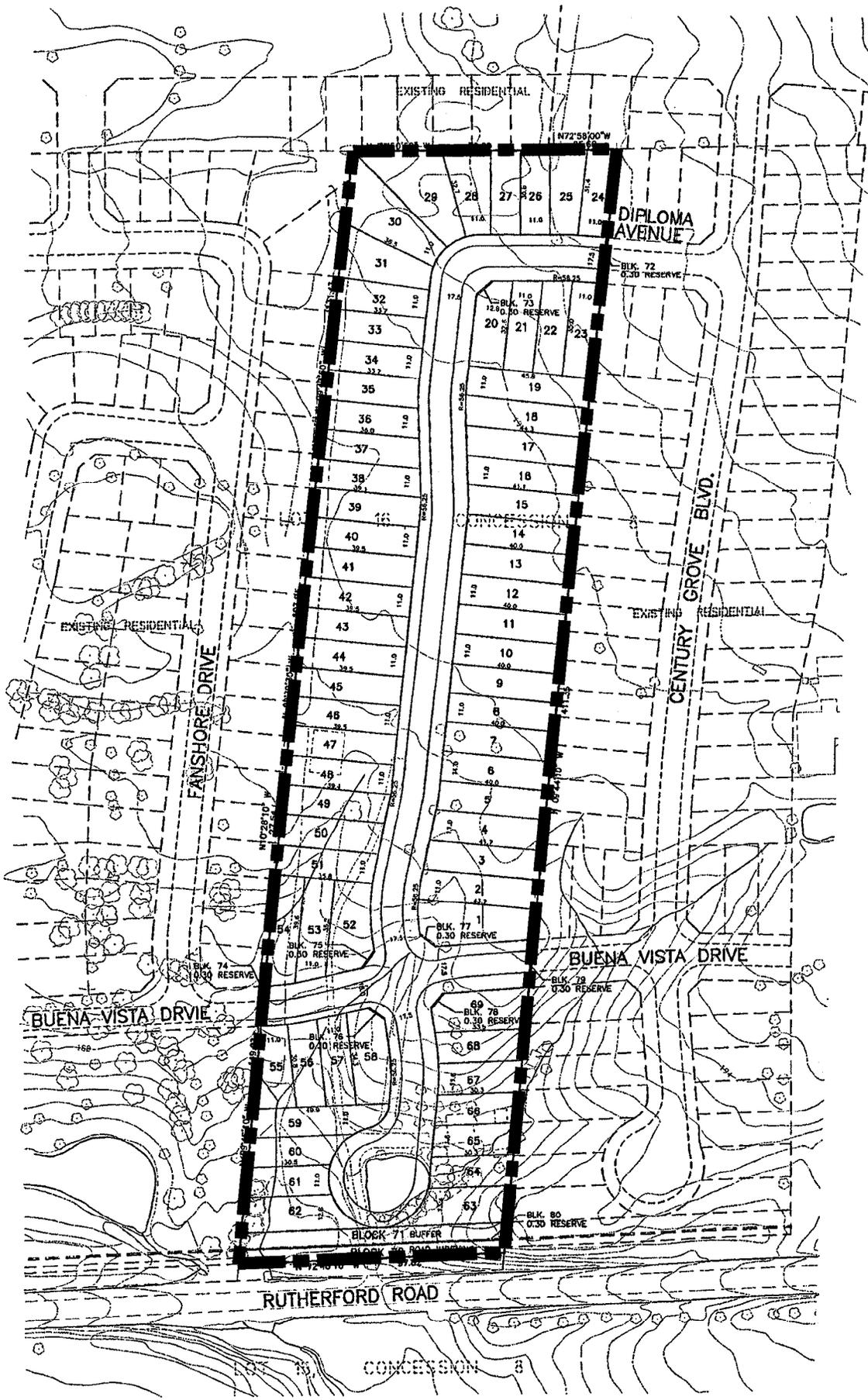
Legend

- - Trunk Storm Sewer
- - Connection to SWM Ponds
- - - - - Post Development Watershed Boundaries

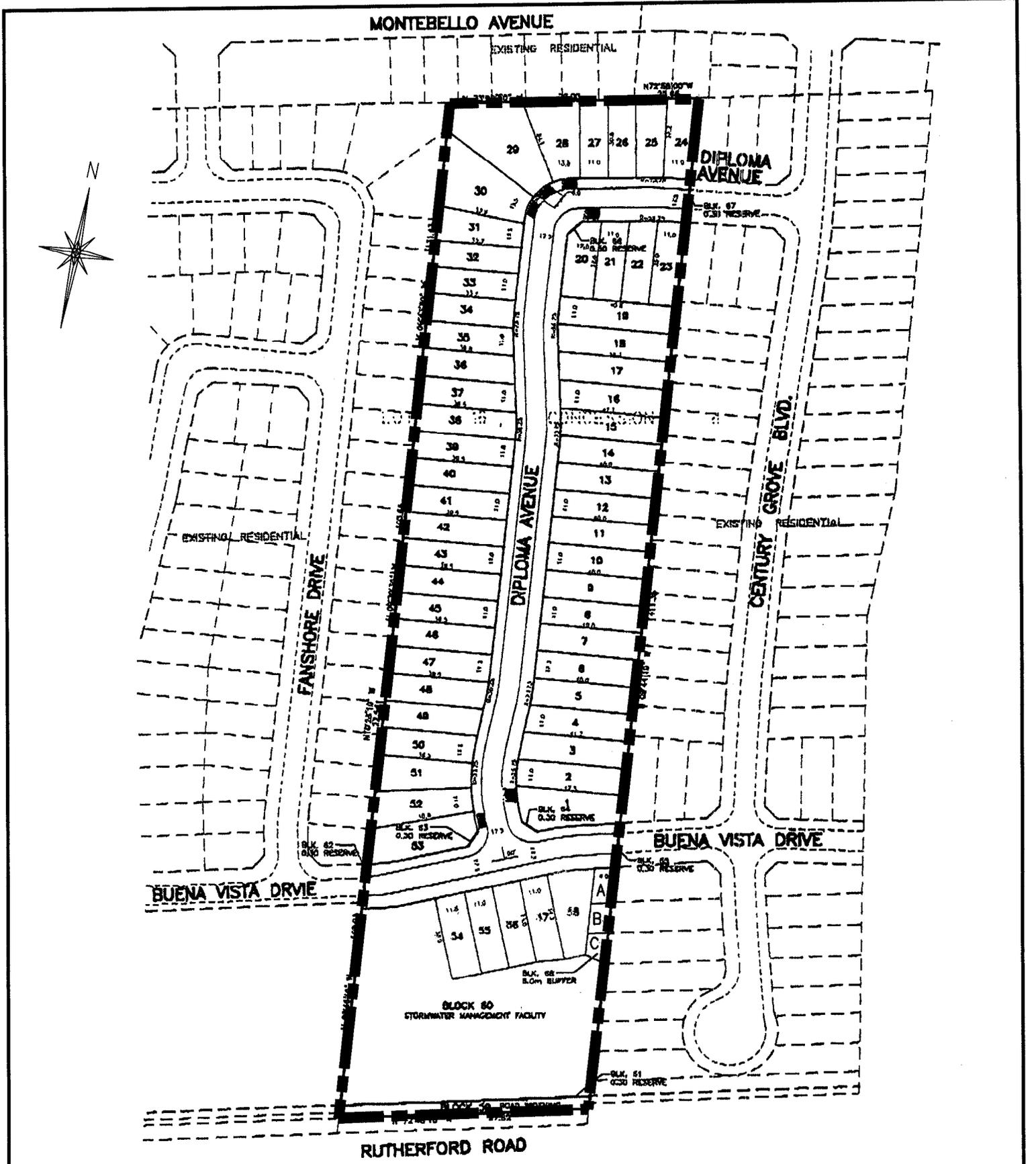
■ ■ ■ ■ ■ SUBJECT LANDS

Figure 5.2 STORMWATER MANAGEMENT STRATEGY

ATTACHMENT '3' STORMWATER FLOW	FILE #:	REPORT #:	CITY OF VAUGHAN PLANNING DEPARTMENT	DATE: 01/16/2002
	Z.01.013 19T-01V03	LOCATION: PART OF LOT 16, CON. 8		APPLICANT: MIDVALE ESTATES LIMITED



ATTACHMENT '4' ORIGINAL DRAFT PLAN	FILE #:	REPORT #:	 SUBJECT LANDS	DATE: 01/16/2002
	Z.01.013 Related file: 19T-01V03	LOCATION: LOT 16, CONC.8		CITY OF VAUGHAN PLANNING DEPARTMENT
			APPLICANT: MIDVALE ESTATES LIMITED	



RED-LINE PLAN - APRIL 22, 2002

— — — — — SUBJECT LANDS

<p>ATTACHMENT '5' REVISED DRAFT PLAN</p>	FILE #:	REPORT #:	DATE: 01/16/2002
	Z.01.013 19T-01V03	LOCATION: PART OF LOT 16, CON. 8	APPLICANT: MIDVALE ESTATES LIMITED
CITY OF VAUGHAN PLANNING DEPARTMENT		SCALE: NOT TO SCALE	