### COMMITTEE OF THE WHOLE JUNE 21, 2004

# ZONING BY-LAW AMENDMENT FILE Z.03.048 DRAFT PLAN OF SUBDIVISION FILE 19T-03V09 ANKARA REALTY LIMITED REPORT #P.2003.70

## Recommendation

The Commissioner of Planning recommends:

- 1. That the Block 11 staging Plan for Phase I (Attachment 4), as red-lined lands BE APPROVED.
- 2. That the revised Block 11 Transportation Management Plan, Attachment 5, BE APPROVED.
- 3. That Zoning Amendment Application Z.03.048 (Ankara Realty Limited) BE APPROVED to rezone the lands to the appropriate zone categories to implement the approved draft plan of subdivision.
- 4. That Draft Plan of Subdivision 19T-03V09 (Ankara Realty Limited) prepared by Alcorn & Associates Limited, dated June 11, 2004, BE DRAFT APPROVED, subject to conditions as set out in Attachment 1.
- 5. For the purpose of notice, the subdivision agreement shall contain a provision that parkland shall be dedicated, and/or cash-in-lieu paid, within the plan at the rates stipulated in OPA #600 and shall conform to the approved "Cash-In-Lieu of Parkland Policy."
- 6. That Council adopt the following resolution with respect to the allocation of sewage and water servicing capacity:

"NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT the proposed Draft Plan of Subdivision application 19T-03V09 Ankara Realty Limited Phase 1, Stage 1 is allocated sewage capacity from he York/Durham Servicing Scheme via the North Don Collector on an interim basis and ultimately via the Bathurst Trunk Sanitary Sewer once constructed, and water supply capacity from Pressure District No.6 of the York Water Supply System for a total of 73 residential units, following the execution of a subdivision agreement to the satisfaction of the City."

### <u>Purpose</u>

On July 4, 2003, the Owner submitted applications to amend the Zoning By-law and for a Draft Plan of Subdivision on the 5.85ha site. The plan consists of the following:

- 73 detached lots (frontages of 12.0m to 15.0m)
- 0.76ha storm water management pond

#### Background - Analysis and Options

The site is located south of Major Mackenzie Drive, west of Bathurst Street in Planning Block 11, Part of Lot 18, Concession 2, City of Vaughan.

The site is designated "Low Density Residential" by OPA #600. The Block 11 Plan further defines the land uses as low density residential and stormwater management pond. The lands are zoned A Agricultural Zone by By-law 1-88. The surrounding land uses are:

North - agricultural (A Zone); future residential South - nature reserve (A Zone); valley lands (OS1 Zone) East - agricultural (A Zone); future residential, elementary school, and neighbourhood park West - nature reserve (A Zone)

On August 25, 2003, a notice of public hearing was circulated to all property owners within 120m of the subject lands, with no responses being received. The recommendation of the Committee of the Whole on September 15, 2003, to receive the public hearing and forward a technical report to a future Committee meeting, was ratified by Council on September 22, 2003.

### <u>Block Plan</u>

On August 25, 2003, Council approved the Block 11 Block Plan, subject to 10 conditions, which were required to be addressed prior to any draft plan of subdivision within Block 11 proceeding to Council for approval. Each of the 10 conditions have been completed or will be addressed through the conditions of draft approval.

Block is located within the community of "Carrville Urban Village 2" and bounded by Rutherford Road to the south, Major Mackenzie Drive to the north, Dufferin Street to the west and Bathurst Street to the east.

The Block 11 Plan provides primarily low density residential development for most of the Block, which is comprised of detached and semi-detached units. The Block also includes medium density development in the form of on-street and block townhouse units, and high density development in the Carrville District Centre at the southwest corner of the block. Three neighbourhood commercial sites are located at the other corners of the block and four convenience commercial blocks are located along Dufferin Street, Rutherford Road, and Bathurst Street.

The Block Plan provides for four elementary schools and one high school, as well as four neighbourhood parks, three of which are located adjacent to elementary schools. The Block also consists of eight stormwater management ponds, with a significant portion of the Block being designated valleylands. Also, a large parcel of land located centrally on the west side of the block has been dedicated as a nature reserve.

### Official Plan

The "Low Density Residential" designation permits detached dwellings at a maximum net density of 22 units/ha, and at an average net density for low density across the entire Block 11 Plan area of 16-18 units/ha.

The Block 11 landowners have provided new residential density counts proposing a total of 3,642 dwelling units, comprised of 1,631 low density, 1,539 medium density and 472 high density units. Staff is satisfied that the revised density counts for the Block 11 Plan are in conformity with the density policies of OPA 600.

The subject draft plan is permitted to have a maximum of 110 units (4.98ha x 22 units/ha), whereas 73 units are proposed.

### <u>Zoning</u>

The lands are presently zoned A Agricultural. An amendment to the current zoning is required to implement the proposed draft plan of subdivision. The subject lands will be zoned in accordance with the City of Vaughan's new residential zone standards, including the RD2 and RD3 standards for detached lots having frontages of 15m and 12m respectively.

The stormwater management pond (Block 74), walkway block (Block 75), and open space block (Block 76) will be zoned OS1 Open Space Conservation Zone.

The entire land holding within the draft plan of subdivision has been identified as Phase 1- Stage 1 development, and therefore, no "Holding" provisions are required through the implementing bylaw.

#### Oak Ridges Moraine Conservation Plan

Parts of the lands are located on the Oak Ridges Moraine. The Oak Ridges Moraine Conservation Plan (ORMCP) requires that all Planning Act applications must conform to the ORMC Plan.

A letter was submitted entitled Oak Ridges Moraine Conservation Plan (ORMCP) Evaluation for Ankara 19T-03V09, Z.03.048 Block 11, City of Vaughan, prepared by Dillon Consulting and dated June 2, 2004. This letter addresses all of the requirements of the ORMCP in relation to the natural heritage evaluation and hydrological evaluation, as required.

#### Subdivision Design

The draft plan has been prepared in accordance with the approved Block 11 Plan. The road pattern is designed to align with roads of adjacent draft plans within the Block and the use of alternative road design standards is being proposed in this development. Construction access to the subject lands will be via an abutting draft plan of subdivision as the property is landlocked.

Traffic calming in the form of an all-way stop is proposed for the intersections of Street A and Street C, and Street B and Street C. Imprinted crosswalks are planned for the intersections of Street A and Street C, and Street B and Street C; and, 3.0 metre greenways are proposed along Street A and Street C, west of Street A.

The draft plan provides for 73 detached lots, with frontages ranging from 12.0m to 15.0m. Lot depths range from a minimum of 32.0m to 45.1m.

The draft plan provides for one of the seven stormwater management ponds planned for the Block, with the 0.76ha pond being situated next to the valley lands.

#### Vaughan Engineering Department

The Vaughan Engineering Department has provided the following comments:

#### Environmental Site Assessment (ESA)

On April 14, 2004 Terrapex Environmental Limited commenced its peer review of the ESA Phase 1 and has provided preliminary comments on the plan. The completion of the peer review and the implementation of any recommendations must be completed prior to final approval of the plan.

### Engineering Servicing

The municipal services for this development shall be in accordance with the approved M.E.S.P. dated August 2001, Addendum attachments dated August 2002 and Supplementary Block Plan Approved Documents dated December 2002, and January 2003, March 2003 and July 2003 all prepared by Alcorn and Associates et al. Subsequent plans or reports, which are approved and amended for Block 11 (OPA 600) shall also be deemed to constitute part of the approved M.E.S.P.

Subsequent to the individual draft plans receiving approval by the City, the participating landowners within Block 11 have indicated that they may wish to enter into a Skeleton Servicing Agreement with the City, which would address the design and construction of select storm sewers, sanitary sewers, watermains, roads, valley crossings, stormwater management facilities and the extension of the Pressure District No. 6 water supply across Rutherford Road among other items. In the event that the participating landowners enter into the Skeleton Servicing Agreement, the roads constructed through the agreement shall be dedicated to the City in advance of the individual draft plans of subdivision proceeding to registration.

This plan of subdivision depends on municipal services (sanitary, storm and watermain) to be constructed throughout Block 11. Interim sanitary sewage capacity is provided through the North Don Collector via Block 10, with the ultimate outlet being the Bathurst Trunk Sanitary Sewer. If the infrastructure required to connect to the interim or ultimate outlets is not constructed or there is insufficient interim capacity within the North Don Collector to accommodate this plan, the necessary remedial works shall be constructed as external works in conjunction with this plan.

The development of the draft plan shall proceed in phases as per the approved M.E.S.P. and the availability of sanitary sewage and water servicing capacity and allocation.

#### Sanitary Servicing

The subject site will be serviced through the United Jewish Association site plan. Allocation as well as a connection to the sanitary stub located in the walkway at the eastern boundary of the proposed plan of subdivision is required.

Sewage servicing capacity has been reserved by the City for 4,500 people within Phase 1 of Block 11. Allocation for the Phase 1 lands shall be received prior to registration. The Phase 1 lands shall utilize an interim outlet near Autumn Hill Boulevard in Block 10 into the North Don Collector in Richmond Hill until such time as the ultimate outlet into the Bathurst Trunk Sanitary Sewer is available.

Prior to the commencement of development within Phase 1 – Stage 2 or Phase 2, the Region of York shall identify sanitary servicing capacity and that capacity will be allocated or reserved by the City.

### Storm Drainage

This plan contains one of the eight stormwater management ponds to be constructed as part of Block 11. The minor and major flows will be conveyed primarily through the proposed road allowances and ultimately drain into the stormwater management facility located within this draft plan of subdivision.

#### Water Supply

The subject lands are located within service area Pressure District No. 6 of the York Water Supply System. The Block's Pressure District No. 6 network shall be serviced through two 400 mm connections from Block 10, namely Thornhill Woods Drive and Pleasant Ridge Avenue as well as an extension of the Rutherford Road watermain from Confederation Parkway to the first primary road east of Dufferin Street.

The water supply to this draft plan shall be from the watermain stub on Street A in the proposed draft plan of subdivision 19T-95044.

Prior to the commencement of development within Phase 1 – Stage 2 or Phase 2, the Region of York shall identify water servicing capacity and that capacity will be allocated or reserved by the City.

### Urban Design

The Urban Design Department is satisfied with the proposal subject to conditions of draft plan approval included in Attachment #1.

The Block 11 Landowners have submitted a Landscape Master Plan and Urban Design Guidelines, prepared by Paul Cosbourn and Associates Limited. This report is currently under review and will require approval prior to final approval of the plan.

Architectural Design Guidelines, prepared by John G. Williams Architects Limited, have been submitted and are currently being reviewed. Prior to final approval of the plan of subdivision, Council must endorse these guidelines.

#### Cultural Services Department

The Cultural Services Department has requested a Cultural Resource Impact Assessment and an Archeological Assessment be conducted on the subject lands. The Cultural Resources Impact Assessment was a requirement through the Block Plan process. As one was not submitted during that time, the Cultural Services Department has required the Impact Assessment as a condition of draft plan approval.

#### Region of York

Sewer and water capacity for the subject draft plan of subdivision is available, subject to the conditions outlined in Attachment #1.

The Region of York Transportation and Works Department is also protecting a 36.0m right-of-way on Rutherford Road and Bathurst Street.

### Other Comments

The Toronto & Region Conservation Authority (TRCA) is generally satisfied, subject to conditions outlined in Attachment #1.

The York Region District School Board and the York Catholic District School Board have no comments or conditions as school sites are not included in this plan.

#### **Relationship to Vaughan Vision 2007**

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

# **Conclusion**

The proposed draft plan of subdivision is considered to conform to the density and land use policies of the area Official Plan and approved Block 11 Plan, and can be draft approved subject to the conditions outlined in Attachment #1. Should Committee concur, the "Recommendation" can be adopted.

# **Attachments**

- 1. Conditions of Approval
- 2. Location Map
- 3. Draft Plan of Subdivision
- 4. Block Plan (Phasing)
- 5. Transportation Management Plan

# Report prepared by:

Jason Sheldon, Planner, ext. 8320

Respectfully submitted,

JOHN ZIPAY Commissioner of Planning Planning MARCO RAMUNNO Manager of Development

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### ATTACHMENT NO. 1

## STANDARD CONDITIONS OF DRAFT APPROVAL

# DRAFT PLAN OF SUBDIVISION 19T-03V09 ANKARA REALTY LIMITED PART OF LOT 18, CONCESSION 2, CITY OF VAUGHAN

# THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION 19T-03V09, ARE AS FOLLOWS:

### City of Vaughan Conditions

- 1. The Plan shall relate to the draft plan of subdivision, prepared by Alcorn & Associates, Drawing #121-DP3, dated June 11, 2004.
- 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 the RD2 and RD3 Residential Detached Zones and the OS1 Open Space Conservation Zone.
- 3. The Owner shall pay any and all outstanding application fees to the Community Planning Department, in accordance with Tariff of Fees By-law 406-2003.
- 4. a) 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.
  - b) Prior to final approval of the Plan, all outstanding conditions of Block Plan Approval shall be addressed to the satisfaction of the City.
- 5. The Owner shall enter into a subdivision agreement with the City to satisfy all financial and other conditions, with regard to such matters as the City may consider necessary, including payment of development levies and the woodlot development charge, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
- 6. The Owner shall agree to create easements for maintenance purposes for all lots providing less than 1.2 m side yards, or having roof encroachments, prior to transfer of land.
- 7. Prior to final approval, easements required for utility, drainage and construction purposes shall be created and granted to the appropriate authority(ies), free of all charge and encumbrances.
- 8. The road allowances within this Plan shall be named to the satisfaction of the City and the Regional Planning Department; proposed street names shall be submitted by the Owner for approval by Council and shall be included on the first engineering drawings.

- 9. The road allowances within the Plan shall be designed in accordance with the City's engineering standards 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.
- 10. Any dead end or open sides 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 the location and design of the construction access shall be approved by the City and/or the appropriate authority.
- 13. 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.
- 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 road access, municipal water supply, sanitary sewers, and storm drainage facilities 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 the Director of Urban Design and/or the Director of Community Planning, prior to issuance of a building permit.
- a) Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit environmental site assessment report(s) in accordance with the "Ministry of Environment and Energy's Guidelines for Use at Contaminated Sites in Ontario, June 1996", as amended, and shall reimburse the City for the cost of peer review of the reports.
  - b) Should site remediation be required to meet the applicable soil and ground water criteria set out in the above Guidelines, the Owner shall submit to the City prior to final approval, a copy of the Record of Site Condition acknowledged by a Provincial Officer of the Ministry of the Environment.
  - c) The Owner shall provide a certificate by a qualified professional that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City, meet the applicable soil and ground water criteria noted above.

- d) Where lands are being conveyed to the municipality for parkland purposes, the Owner shall agree that prior to issuance of any building permits, the Owner shall submit a Phase 2 environmental site assessment report(s) addressing all park blocks in the plan, in accordance with the Ministry of Environment Guideline for Use at Contaminated Sites in Ontario (June 1996 as amended), to the satisfaction of the City. On-site sampling contained in the reports shall be conducted following completion and certification of the rough grading of the park block(s). Testing may include but not be limited to surface and subsurface soil, ground water, soil vapour, plant and aquatic species sampling and testing of building materials. The Owner shall reimburse the City for the cost of peer review of said report(s).
- 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, 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.
- 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 others 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.

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- 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 Hydro Vaughan Distribution Inc and the City.
- 22. Prior to final approval, the Owner shall submit a noise and/or vibration study, prepared by a qualified consultant for approval by both the City and the Region of York. 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 abatement measures.
- 23. The Owner shall convey the following lands to the City or the TRCA, where appropriate, free of all charge and encumbrances:
  - a) Block 74 for stormwater management purposes
  - b) Block 75 for walkway purposes
- 24. 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.
- 25. 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.
- 26. Prior to final approval, the Owner shall pay to the City, a woodlot acquisition payment at the rate of \$1,000.00 per residential unit, plus \$500.00 per future residential unit contained on a part lot in the Plan, which is to be combined with an abutting part lot in an adjacent plan to form a building lot, as per Schedule "I", in accordance with the Special Area Woodlot Development Charge By-law.
- 27. Prior to final approval, the Owner shall submit a tree assessment, including an inventory of all existing trees, 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.
- 28. Prior to final approval, the Owner shall prepare a streetscape and open space landscape master plan in accordance with the approved Block 11 Urban Design Guidelines and OPA 600 policies, the plan shall address but not be limited to the following issues:
  - a) Co-ordination of the urban design/streetscape elements as they relate to the approved urban design guidelines including entrance features, open space vistas, trail heads, medians, and fencing.
  - b) The appropriate configuration and landscape treatment for the stormwater management facility (Block 74).
  - c) The pedestrian urban connections between streets and within the neighbourhood.

- d) The appropriate location and high quality design for the telecommunications and hydro utility buildings and easements.
- e) Open space edge management rehabilitation planting, trails, bridge crossings, erosion repair sites and pedestrian access points into the valley,

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

- 29. Prior to final approval, the owner shall prepare Urban Design Guidelines for the Block 11 Community to the satisfaction of the City. These guidelines shall address but not be limited to the following issues:
  - a) Community structuring elements;
  - b) Community character;
  - c) Lotting fabric;
  - d) Built form and public realm landscape architecture;
  - e) Boulevard and sidewalk design;
  - f) Community feature locations; and
  - g) Urban design built form guidelines for commercial, institutional and townhouse development.
- 30. 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.
- 31. The Owner shall convey the Open Space Block (Block 76) to the City free of all cost and encumbrance for landscaping purposes.
- 32. Prior to final approval, architectural guidelines shall be submitted for Council's approval; the Owner shall agree that:
  - a) A control architect satisfactory to the City shall be retained at the cost of the Owner, to ensure that all development proceeds in compliance with the approved architectural design guidelines.
  - b) All development shall proceed in accordance with the Council approved architectural design guidelines.
  - c) Prior to the submission of individual building permit applications, the control architect shall have stamped and signed the drawings certifying compliance with the approved architectural guidelines.

- d) City may undertake periodic reviews to ensure compliance with the architectural 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.
- a) Prior to final approval and prior to commencement of any works on any site identified as being archaeologically significant, 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 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) Provide the following for each community mailbox site, as shown on the servicing plans:
  - i) an appropriately sized sidewalk section (concrete pad), as per municipal and Canada Post standards, to place the Community Mailboxes on. The Owner further agrees to provide these cement pads during sidewalk pouring and will notify Canada Post of the locations as they are completed;
  - 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).
- c) Provide a copy of the executed agreement to Canada Post.
- 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.
- f) Agrees to ensure that all new buyers will be officially notified of the exact community mailbox location prior to any house sale.
- g) That the builder will post in clear site a copy of the plan indicating the community mail box site at the sales office.
- h) The Owner/develop agrees to include all offers of purchase and sale a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.

- i) The Owner/developer will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer on which the homeowner does a sign off.
- j) The Owner/developer will consult with Canada Post Corporation to determine suitable locations for the placement of community Mailboxes and to indicate these locations on appropriate servicing plans.
- k) The Owner agrees to determine, provide and fit up a suitable temporary Community Mailbox location(s), which may be used by Canada Post until the permanent mailbox pads, curbs, sidewalks, and final grading have been completed at the permanent CMB site locations. The Owner agrees to fit up the temporary area 30 to 60 days prior to the first occupancy and notify Canada Post of the first occupancies at this time.
- 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 and 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.
    - 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 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 culde-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 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 that are narrower than City Standards. Traffic calming measures have also been incorporated in the road design. "
- "Purchasers and/or tenants are advised that the plan lies within the boundary of the Oak Ridges Moraine as defined through the Oak Ridges Moraine Conservation Plan, April 22, 2002."
- "Purchasers and/or tenants are advised that the City of Toronto owned and operated a landfill within 4 kilometres of the property and that the facility is now closed and will be redeveloped into a park."
- "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."
- 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) abutting a park block:
  - "Purchasers and/or tenants are advised that the lot abuts a "Neighbourhood Park", and that noise and lighting should be expected from the designed active use of the park."
- d) The following warning clause shall be included in all Offers of Purchase and Sale or Lease for Lots 45 to 47 inclusive and 53 to 64 inclusive within the plan in proximity of a stormwater management facility or an open space block.
  - "Purchasers and/or tenants are advised that the adjacent open space or storm water management facility is designed for renaturalization and therefore shall receive minimal maintenance."
- e) The following warning clause shall be included in all Offers of Purchase and Sale or Lease for Lot 44 within the plan in proximity of a park.

- "Purchasers and/or tenants are advised that the lot abuts a Neighbourhood Park of which noise and lighting may be of a concern due to the nature of the park for active recreation."
- f) The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all lots and/or blocks within the plan in proximity of the nature reserve.
  - "Purchasers and/or tenants are advised that the lot abuts a Nature Reserve under a 99 year lease with the Nature Conservacy of Canada. The permitted uses within the nature reserve are not known at this time. Therefore it is possible that noise, lighting and/or renaturalization of the area may occasionally interfere with some activities of the dwelling occupants."
- g) The following warning clause shall be included in all Offers of Purchase and Sale or Lease for Lots and Blocks identified as having rear yard grade differential of 0.6 m.
  - "Purchasers and/or tenants are advised that the proposed finished lot grading may not meet the City of Vaughan lot grading criteria in the rear yard in order to maintain existing topographical conditions."
- h) The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots and Blocks on the Plan.
  - "Purchasers and/or tenants are advised that this plan of subdivision is designed to include rear lot catchbasins. The rear lot catchbasin is designed to receive and carry only clean stormwater. It is the homeowner's responsibility to maintain the rear lot catchbasin in proper working condition by ensuring that the grate is kept clear of ice, leaves and other debris that would prevent stormwater from entering the catchbasin. The rear lot catchbasins are shown on the Construction Drawings and the location is subject to change without notice."
- i) The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots and Blocks within the Plan.
  - "Purchasers and/or tenants are advised that fencing along the side and/or rear lot lines of Lots and Blocks abutting public lands is a requirement of this subdivision agreement and that all required fencing and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3 metre reserve, as shown on the Construction Drawings.

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

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, (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.]

- 37. Where the Owner and the City determine that the Owner will develop the park block(s), the Owner shall agree that the design, securities and construction for the park(s) will be addressed through an agreement in accordance with the City's "Developer Build/Parks Development Policy, OPA #400 and future lands."
- 38. 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.
- 39. 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.

- 40. The Owner shall permit any telephone or telecommunications service provider to locate its plant in a common trench within the proposed Plan of Subdivision prior to release of the plan for registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its plant so as to permit connection to individual dwelling units within the subdivision as and when each dwelling unit is constructed.
- 41. The Owner shall agree in the subdivision agreement that the engineering design(s) for alternative road design, traffic calming measures and designated transit route(s) may result in variation to the road and lotting pattern number of lots to the satisfaction of the City.
- 42. Prior to final approval of the Plan, any and all appropriate revisions, as required shall be made to the Block Plan for Block 11 and all associated reports to the satisfaction of the City.
- 43. Prior to final approval of the Plan or commencement of construction within the Plan, whichever comes first, the Owner shall submit a detailed hydrogeological impact study that identifies any local wells that may be influenced by construction and, if necessary, outline a monitoring program to be undertaken before, during and after construction of the subdivision. The Owner shall agree in the subdivision agreement to reinstate a suitable potable water supply to any resident whose well is adversely impacted by development, to the satisfaction of the City as well as connect any existing residences which remain in place after development to the municipal system.
- 44. (a) Prior to final approval of the Plan, the Owner shall enter into a Developers' Group Agreement with the other participating landowners within Block 11 to the satisfaction of the City. The agreement shall be regarding but not limited to all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services within Block 11. This agreement shall include a provision for additional developers to participate with the Developers' Group Agreement when they wish to develop their lands.

The Owner shall acknowledge that parkland shall be dedicated and/or cash-in-lieu paid in accordance with Section 51 of the Planning Act and conform to the City's "Cash-In-Lieu of Parkland Policy".

- (b) Prior to final approval of the Plan, the Trustee for Block 11 shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 11 Developers' Group Agreement.
- 45. Prior to final approval of a phase of the plan or prior to initiation of grading, or topsoil stripping of a phase or the skeleton servicing works, if applicable, the Owner shall submit environmental site assessment report(s) (Phase 1 report and Phase 2 report if required) for the applicable phase or skeleton servicing works, in accordance with the "Ministry of the Environment and Energy's Guidelines for Use at Contaminated Sites in Ontario" June 1996 for review and approval.

In the event that a Phase 2 or site remediation is recommended, the Phase 2 and Remedial Action Plan as required, shall be submitted for review and approval prior to final approval of the applicable phase or prior to initiation of grading, or topsoil stripping of the applicable phase or skeleton servicing works. Should site remediation be required to meet the applicable soil and ground water criteria set out in the above Guidelines, the Owner shall submit to the City prior to final approval of the phase or prior to initiation of grading, or topsoil stripping of the phase or skeleton servicing works, a copy of a Record of Site Condition acknowledged by a provincial Officer of the Ministry of the Environment.

A qualified professional shall certify that all lands within the phase and any lands and easements external to the phase to be dedicated to the City meet the applicable soil and groundwater criteria noted above.

The Owner shall carry out or cause to be carried out the recommendations of the Environmental Site Assessment report(s).

- 46. Prior to final approval, the Owner shall reimburse the City for the cost of the City's peer review of the environmental site assessment reports.
- 47. 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.
- 48. Prior to final approval the Owner's Consultant shall certify that the internal roads within this Plan have been designed to comply with the internal roads of the approved Block Plan and that the pattern of the street and the layout of the blocks within the plan have been designed to coincide and correspond with the pattern and layout of the existing and proposed adjacent plans of subdivision.
- 49. Prior to final approval of the plan the Owner shall provide a revised Water Supply Analysis for review and approval by the Engineering Department.
- 50. Prior to final approval, or prior to the initiation of grading or stripping of topsoil, whichever comes first, the Owner shall submit an Erosion and Sedimentation Control Plan including topsoil storage plan detailing the location, size, sideslopes, 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.
- 51. Prior to final approval of the plan, a migration strategy for the terrestrial resources shall be included as part of the submission of the Environmental Impact Statement. The document shall include:
  - a. Recommendations with respect to remedial and mitigation measures required within designated impact zones, including any edge management planting or maintenance programs;
  - b. An assessment of the effectiveness of the proposed/selected mitigation techniques
  - c. A conceptual monitoring program specific to identified effects;
  - d. Identification of proposed limits of clearing; and,
  - e. Restoration opportunities.
- 52. Prior to final approval of the plan the owner shall ensure that the following matters are resolved to the satisfaction of the Engineering Department and TRCA:

- a. Buffer and edge management zones for all environmental features shall be addressed prior to defining the limits of development. When defining the edge of environmental features, the defined edge shall generally be regarded as one (1) metre outside the established dripline.
- b. That in consideration of the above, and in conjunction with the proposed cut/fill, the provision of buffer areas (where deemed suitable and necessary), and where future detailed geotechnical investigations demonstrate the need, the limits of development as illustrated on the Block Plan be subject to revision, as required and demonstrated by the review and approval of detailed technical submissions for individual development applications to the satisfaction of the TRCA and the City.
- 53. Prior to final approval of the plan the Owner shall prepare a detailed edge management plan study for the perimeter of the valley/open space blocks. The study shall include an inventory of all existing trees within an 8 metre zone inside the staked edges, and areas where the woodlot/open space edges are disturbed, assessment of significant trees to be preserved and proposed methods of edge management and/or remedial planting shall be included. The Owner shall not remove any vegetation without written approval by the City and TRCA.
- 54. 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.
- 55. 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 a open space/ valley or storm pond block.
- 56. Prior to final approval of the plan the owner shall finalize the Block 11 phasing plan and the owner further acknowledges that the plan shall proceed in phases in accordance with the approved Block 11 phasing plan.
- 57. Prior to final approval of the plan 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 others to accommodate the plan.
- 58. The Owner shall not apply for building permits and the City shall not issue building permits for any lot until a minimum of two dedicated municipal road accesses are available to service the proposed development to the satisfaction of the City. The Owner is further advised that access through an unregistered plan of subdivision is not considered public access. If the roads within an unregistered plan of subdivision are transferred to the City through an R-plan and dedicated as public highway, they will be considered an access point.
- 59. The Owner shall agree that all disturbed lands within Phase 1 Stage 2 or Phase 2 of the subject draft plan left vacant six (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.

The Owner shall not apply for building permits and the City shall not issue building permits within Phase 1 Stage 1 of the Block 11 Phasing plan area, until the following Block Plan related phasing criteria are satisfied.

- a. The Pressure District No. 6 secondary water supply and improvements across Rutherford Road included in the City's current Development Charges By-law shall be completed to the satisfaction of the City;
- b. All stormwater management facilities required for the servicing of the Phase 1 -Stage 1development shall be completed to the satisfaction of the City;
- c. All valley crossings required for the servicing of the Phase 1 Stage 1 development to complete Block Plan Streets B, D, F and H shall be completed to the satisfaction of the City:
- d. All streets required to accommodate the spine servicing and phasing of the Block shall be completed to the satisfaction of the City:
- e. A secondary emergency access to the northwest quadrant of the Block shall be constructed to the satisfaction of the Engineering Department; and
- The Owner shall not apply for building permit and the City shall not issue building f. permits within Phase 1 - Stage 1 draft plan applications including 19T-95065, 19T-03V01, 19T-04V05, 19T-95064 and the A. Smith property within the Block 11 Phasing Plan Area, until the two valley crossings, 6 and 7, are completed to the satisfaction of the City.
- The Owner acknowledges that prior to final approval of any plan in Phase 2 the following criteria 61. shall be satisfied to the satisfaction of the City.
  - a. A roadway connection from Block Plan Street "G1" to Major Mackenzie Drive shall be constructed to the satisfaction of the City;
  - b. The development of the proposed high school block at the northwest corner of Block Plan Streets D and G1 shall proceed to the satisfaction of the school board; and
  - c. The widening of Bathurst Street to 6 lanes from the mid-block east-west primary in Block 10 to Weldrick Road shall be completed to the satisfaction of the Region.
- The Owner acknowledges that the total servicing capacity available for Phase 1 Stage 1 within 62. Block 11 shall not exceed 4,500 persons and shall be distributed amongst the individual plans within Block 11 in accordance with the approved Block 11 phasing plan to the satisfaction of the City.

### Toronto and Region Conservation Authority Conditions

- Prior to final approval and prior to any works commencing on the site, the Owner shall 63. a) 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 (quantity and quality) for the proposed development, in accordance with the MESP for this area (Block 11), 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; how the external flows be accommodated; and, the design capacity of the receiving system;

60.

- ii) the location and description of all outlets and other facilities, which may require a permit pursuant to Ontario Regulation 158, the Authority's Fill, Construction & Alteration to Waterways Regulation;
- 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;
- 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; and,
- vii) 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.
- b) The Owner shall agree to implement the recommendations set out in the aforementioned report(s) to the satisfaction of the City and TRCA.
- 64. That this draft plan of subdivision be subject to red-line revision in order to meet the requirements of Condition 63, if necessary.
- 65. That the implementing zoning by-law recognize the Open Space Block 76 as open space, or other suitable zoning category, which has the effect of prohibiting development, to the satisfaction of the TRCA.
- 66. That the owner agree in the subdivision agreement, in wording acceptable to the TRCA:
  - a) to carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the technical report referenced in Condition 45;
  - b) 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 TRCA;
  - c) to obtain all necessary permits pursuant to Ontario Regulation 158 from the TRCA; and,
  - d) to provide a copy of the executed subdivision agreement to the TRCA.

## Region of York Conditions

- 67. 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.
- 68. The registration of the proposed plan of subdivision shall occur in phases with allocation

provided within the appropriate capacity assigned by the Region, as approved by the area municipality, in consultation with the Regional Municipality of York.

69.

The subdivision proponents within Blocks 11 and 12 will retain a professional engineer to provide assurances that the sanitary drainage area in Blocks 11 and 12 relying on interim (Phase I) servicing to the North Don Sewer does not exceed 8,000 persons.

70. The owner shall agree that the lands within this draft plan of subdivision shall be appropriately zoned by a zoning by-law that has come into effect in accordance with the provisions of the Planning Act. The Holding provisions of Section 36 of the Planning Act may be used in conjunction with any zone category to be applied to the subject lands in order to ensure that development does not occur until such time as the Holding "H" symbol is removed in accordance with the provisions of the Planning Act. The "Hanning Act. The "H" symbol shall be placed on any and all lands beyond Phase 1. The Zoning By-law amendment shall specify the terms under which Council may consider the removal of the Holding "H" symbol, (in accordance with Official Plan policy/ Pre-Paid Development Charge Agreement, or other requirements). Said terms shall include confirmation from the Regional Transportation and Works Department that there is adequate water and sanitary servicing capacity available to accommodate the draft plan or any phase thereof in accordance with the Vaughan Development Charge Credit Agreement executed by the City of Vaughan, the Region and the owner/developer.

- 71. Prior to final approval of Phase 1 the Region shall confirm the following:
  - i. the in service date for the Bathurst Trunk Sewer (Phase II) is expected to occur in six (6) months;
  - ii. completion of a sewage flow monitoring program in the North Don Collector sewer has occurred and any interim sewer works that are deemed to be required as a result of the flow monitoring have been completed; and,
  - iii. completion of modifications to the existing Vaughan No. 2 Flume has occurred.
- 72. Prior to final approval of any lands beyond Phase 1, the Region shall confirm the following:
  - The in-service date for the South East Collector Sewer and Bathurst Trunk Sewer (Phase I) is expected in 6 months, and the Region has confirmed that additional water supply from Peel Region for the Phase II water capacity is available.
  - Or
  - Additional sewer and water capacity is available as may be determined solely by the Region from time to time based on monitoring and ongoing analysis of the York Durham Sanitary Sewer System and York Water System.
- 73. The owner shall agree in the subdivision agreement that he/she shall save harmless the area municipality and Regional Municipality of York from any claim or action as a result of water or sewer service not being available when anticipated.

74. Prior to final approval, the Region shall confirm that adequate water supply capacity and sewage treatment capacity are available and have been allocated by the City of Vaughan for the development proposed within this draft plan of subdivision or any phase thereof.

- 75. Prior to final approval all required easements for the Bathurst Trunk Sewer within Block 11 shall be in place.
- 76. Prior to Final Approval the Owner shall provide a signed copy of the subdivision agreement to the Regional Planning and Development Department.
- 77. 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-0005-2003-050.
- 78. The Region of York Planning and Development Services Department shall advise that Conditions 67 to 78 inclusive, have been satisfied.

# York Region School Boards

79. 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

- 80. 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 79 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
- 81. The City shall advise that Conditions 1 to 62 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
- 82. The Toronto and Region Conservation Authority shall advise that Conditions 63 to 66 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
- 83. The Regional York shall advise that Conditions 67 to 78 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
- 84. The York Region School Board shall advise that Condition 79 has been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.







