

## **COMMITTEE OF THE WHOLE- NOVEMBER15, 2004.**

### **PETITION AGAINST SIDEWALK INSTALLATION ON MEDITERRA DRIVE (VELLORE VILLAGE)**

#### **Recommendation**

Councillor Bernie DiVona recommends:

1. That the City of Vaughan delete the construction of the sidewalk on Mediterra Drive and Kingsview Drive (Fandor Homes development), and the developer be requested to provide the monies to the municipality for local improvements to be used in the Vellore Village community.
2. That staff be requested to develop and implement a policy, that all Construction Drawings used by the developer/builder and/or relied upon by buyers of homes as stipulated in the subdivision agreement be approved by the Director of Engineering Development Services.
3. That staff be requested to develop and implement a policy, that any/all additions, changes, or deletions to the Construction Drawings be signed and retained by the City of Vaughan Engineering Department for review and examination by any resident and/or department and this to constitute the "final approved" plan. These drawings must include the location of all municipal services. Where the location of municipal services has been excluded (e.g. location of mailboxes), that the drawings clearly reflect any/all omissions.
4. That the City of Vaughan Clerks Department, in consultation with Corporate Communications Department and Legal Department; prepare the necessary draft corporate policy, revision to the subdivision agreement, and/or any other document normally provided to, or communicated to, any resident to implement these policy amendments.
5. That the draft policy referenced above be brought back to the Committee of the Whole prior to the end of 2004 for Vaughan Council review and consideration.

#### **Background-Analysis and Options**

##### **Request from the residents-October 18, 2004**

At the public meeting of the City of Vaughan (Committee of the Whole) of October 18, 2004 Councillor Peter Meffe (Ward I presented a petition from the residents of Mediterra Drive and Kingsview. The recommendation that followed was to:

1. "receive (petition) and be referred to staff for a report" and
2. "a copy of the (sidewalk) policy be provided to Mayor and Members of Council". (see attachment 1).

As a result; the request/petition became a matter of public record with a review and a "report" to be prepared by staff prior to any final decision by City of Vaughan Council.

From a procedural perspective any matter of municipal business could be introduced in two ways:

-first, as an agenda item that would be prepared in accordance with various requirements, printed, and circulated in advance of the meeting (Committee of the Whole) to residents, ratepayers and the general public. A Committee of the Whole item would provide residents the opportunity to make a public presentation, if they express a desire to do so.

-second, an item can be introduced as "new" business without the benefit of prior disclosure, communication or advance notice for public scrutiny.

From a procedural perspective, Members of Vaughan Council have introduced matters regularly in both manners depending on the circumstances or significance of the subject matter.

Residents having prepared, circulated, and signed the petition, have expressed they want an opportunity to explain to Council the reasons why they feel that no sidewalk should be constructed, especially so as they have moved into their homes for over a year and the subdivision is 100% complete (all homes built but one, homes having recd interior/exterior inspections, grading, sod, driveways, and trees planted).

#### Vaughan Council decision-October 25,2004

On October 18,2004 Vaughan Council directed staff to review the request by the residents and prepare a report.

On October 19,2004, prior to the review being undertaken by staff, Councillor Peter Meffe took the initiative to enhance and clarify what would be needed prior to the completion of the report by the staff. (See attachment 2).

First, Councillor Peter Meffe writes, " I attended the site and it appears that many trees and electrical boxes will have to be moved in order to accommodate the sidewalks." I have also visited the site, and reconfirm the findings of Councillor Peter Meffe and wish to expand on what I have seen. The sidewalk essentially could not be constructed as per the construction drawings, and that errors/ omissions had taken place as the trees have been planted where the proposed sidewalk was to be located (contradiction with the landscape drawings), the area of the sidewalk has now have had sod laid, and the driveways have been asphalted where the sidewalk was proposed to run. And, it appears that the hydro poles have all been installed either on the wrong side of the street or at a location very close to the proposed sidewalk. (Note: the properties have been received interior/exterior and lot certified-see below.)

Second, Councillor Peter Meffe requested " a report with respect to the events that led up to the delay in placing in the sidewalks." No formal report was provided to Vaughan Council with respect to the "events", approvals and implications to the municipality related thereto prior to any decision. (Note: 1 also requested that a report be brought back to Council with the events and implications as what has transpired with this subdivision under these extraordinary circumstances.)

Third, Councillor Peter Meffe requested- " I believe it will also be beneficial to send a notice to the residents keeping them advised on this issue." This is important, as the sidewalk policy provides staff with the direction to deal directly with the residents prior to any formal decision. Residents have advised that they were only notified that they were advised of the commencement of the construction and not advised of any report coming before Council or the content or representations made.

Briefly, the formal request was made at Committee of the Whole for a "review" with a, report" to follow, to be provided prior to a final decision, in consultation with residents. The direction/implication was such that should the review concur with the sidewalk policy staff was directed to proceed. However, the events/circumstances are not normal; regular, or consistent with subdivision agreement, sidewalk policy, construction practices, or required inspections and certification. This is an exceptional situation and merits to be treated as such as these irregularities has profoundly and adversely led to miscommunication or misinformation to families wishing to buy a home. For example, if the sidewalk had been constructed at the time of 70% occupancy as required by the subdivision agreement, and stipulated to be met with the sidewalk policy, then at the 70% occupancy that had taken place a sidewalk already would be constructed, so if you then wish to buy a home on that street you could not say you were not aware of a sidewalk as it would already have been constructed in accordance with the subdivision agreement. For example, as certification has taken place (Sept 29,2004), residents had constructed or installed curbs, as the subdivision has been 100% completed. The sidewalk should have been installed, no later than June 04 and earlier of the homes that were sold in Jan 03 had moved in earlier.

On Monday, October 25,2004, at the Vaughan Council meeting this matter was before Council as Item 34, Report 73 of the Committee of the Whole, which was "adopted, as amended" by "receiving the

memorandum from the Commissioner of Engineering and Public Works dated October 22,2004". The memorandum dated October 22,2004 (attachment 1 page 2 of 2), formed the basis of the recommendation from the Commissioner of Engineering and Public Works states, "from the discussion at the time (2003), staff were directed to respond to sidewalk deletion requests by advising requesters of the sidewalk policy, confirming that the sidewalk policy subject to the request was required by both the policy and the subdivision agreement, advising requesters why the sidewalk was necessary and that the sidewalk would BE CONSTRUCTED as planned."

The report from the Commissioner of Engineering and Public Works, is in accordance to the City of Vaughan Sidewalk Policy, and the subdivision agreement requirement. But the subdivision agreement is implemented by Construction Drawings and additional requirements that had not been taken into consideration. It is with tire implementation and representation that existed under these extraordinary circumstances and events that has led prospective buyers and residents to not be provided or understand what was the final approved plan. This will be detailed below.

I object to the decision of October 25,2004, to proceed with the construction for the following reasons:

First, no communication with the residents took place at the Committee of the Whole. The Committee of the Whole is their democratic right and opportunity to publicly speak to Council prior to a decision.

Second, residents immediately rushed to Vaughan Civic Centre on Monday, November 1,2004, at 7 PM, prior to the Public Hearing as they were advised that this matter was before Council. The matter was not before Council. They were misinformed. A decision had been made on October 2\_5,2004 and no communication or consultation had taken place.

However, they did voice their desire to address Council prior to the construction of the sidewalk and hopefully, prior to a final decision. Engineering Department on November 2,2004 hand delivered a memo to advise them that construction was to start on November 9,2004. At no stage in the review or reporting were they consulted or provided an opportunity to request an exception. The opportunity to make an exception is contained within the Sidewalk Policy and given previously. No such opportunity existed for these residents. Some exceptions granted are detailed below. This matter was referred to staff for a report. The opportunity existed for a review to determine if an adherence to the policy should be made, or if the circumstances were such that the deletion of a sidewalk can or should be entertained. Members of Vaughan Council, are not, and were not collectively aware of the circumstances, events, and approvals that have led to misinformation and miscommunication to prospective buyers from the inception to the completion of the construction, inspection and certification. (Many buyers should have been able to see an installed sidewalk when they were making a decision to buy, not to buy, or where to buy. If the sidewalk was constructed as required and when required, at the time required by the subdivision agreement or anytime thereafter, prospective buyers would have seen the sidewalk and have known what questions to ask or not to ask. Concurrently, from Feb 02 to September 03 the consultant for the developer had submitted drawings with the sidewalk deleted, as it was their clear intent to delete the sidewalk as requested by homebuyers. The submitted drawings with the deleted sidewalk were with the City of Vaughan at the same time in Year 02 and Year 03 when the building permits were issued without the required approved drawings. The City of Vaughan had Construction Drawings with the deleted sidewalk and other changes to it including revised landscaping plans and did not either approve or reject.

But, as the construction commenced the Construction Drawings with the deleted sidewalk and other changes were all incorporated in the inspections, approvals and residents expectations.) This fundamental opportunity for a prospective buyer to be informed beforehand was taken away by a series of unusual and extraordinary circumstances by both the developer and the City of Vaughan throughout the entire construction and inspection cycle. An example is detailed below.

Third, at a Council meeting the opportunity does not exist for a public deputation on any matter before Council. Therefore, from the time the request had originated to the time the decision was to made no notification, communication or indeed opportunity existed by any resident to voice their concern. I submit this is a fundamental violation of an individual's human rights.

Forth, City of Vaughan Council has received a single sheet memo and this memo is "received" and the "minutes" of the meeting are provided to the public online or in print. However, neither the online or in print minutes includes the memo that is the basis of the review and report to Council. We can not and should not assume that our decisions are fully disclosed and transparent if the basis or source of our decision has never received public debate, scrutiny or disclosure. Residents have contacted me and told me that can not get and do not have access to public reports that have been "received". The "minutes", or "Extract From Council Meetings" should include that which includes the decision and the basis for the decision. The "Extract, attachment 1, does not tell a user anything of the review, report, or direction of the City of Vaughan. We "adopt" a direction that is unknown and not disclosed. This is fundamentally wrong.

Fifth, I do not feel that the "sidewalk policy" or any policy can or should take away the right of an individual to permanently and irrevocably not come before the municipality, even if it is contrary to Article 4 of the sidewalk policy:

"That requests for sidewalk deletions or additions by persons requesting deputation not be considered by the Committee of the-Whole but referred directly to staff" can not and should not preclude or exclude any resident or individual, to make a deputation or representation.

Sixth, the "sidewalk policy" provided for exceptions to exist and granted. Vaughan Council on October 25,2004 made a decision without the full knowledge or benefit that exceptions have been made in the past and that additional exceptions exist today, and I dare say will continue tomorrow. Each request should be reviewed, evaluated on it's own merit. The Sidewalk Policy includes the following sidewalk deletion:

Article 9 reads, " That the proposed sidewalk on Forest Heights Blvd. and Cedar Glen Court in the Kerrowood... be DELETED and that the developer be requested to provide the city with funds equal to the estimated construction of the subject sidewalks " (Ward I)

Article 10 reads, "that the proposed sidewalk on Arista Gate and Humber Meadow Court be DELETED and the funds for the sidewalk construction held by the City be spent in the immediate community." (Ward 2)

In summary, the "deletion" of sidewalks is not precedent setting.

Typical Construction Cycle  
(76 Mediterra Actual Dates)

|   |   |
|---|---|
| - Subdivision Agreement   | Nov 02                                      |
| -Construction Drawings  | Sept 03(Note 1) "approved" by the City      |
| -Building Permit Application and Issued   | Feb 03 * PRIOR TO APPVL                     |
| -Excavation Inspection  | Ma 03 * PRIOR TO APPVL                      |
| -Interior Inspections<br>(Footing, foundation, framing, insulation)                                       | June 03 * PRIOR TO APPVL                    |
| -Final Interior Inspection  | Jan 04                                      |
| -exterior inspections including: grading, servicing<br>and construction of the sidewalk (70% constructed) | May 04 (Note 3)<br>* S/W S/B IN             |
| -exterior grading/sod (typical subdivision standard 90<br>constructed)                                    | June 04 *S/W S/B IN days after the sidewalk |

-base coat of the driveway (subsequent to the sidewalk) July 04 \* S/W S/B IN

-FINAL exterior inspection to include all of the above and Aug 04 \* S/W S/B IN erosion checking and inspection

-Certification by the developer with the city of Vaughan Sept 04(Note 4 and 5)

Note:

1. Construction drawings were approved by the City of Vaughan in September 2003 as per email by Commissioner of Engineering and Public Works. Building permits, inspections had commenced and proceeded without the required "approved" construction drawings. Building permits were issued from Feb 03 to July 03, as per Mgr Customer Service email dated Nov 5,2004. Final "approved" Construction drawings were approved on Sept 29,2003 issued from Feb 21 2003 to July 2003 nearly 8 months beforehand. During the period of construction no final "approved" construction diagram including the sidewalks existed. However, the subdivision did include them. The sales office could not include the construction drawings, as they were vet to be approved as the REQUIRED drawings were yet to be signed by the Director of Planning per the Subdivision Agreement. As the approved drawing were not yet approved by the Director of Planning as required in the subdivision agreement, residents have expressed that they did not have the opportunity to review the drawings.
2. Concurrently; the consultant for the developer had submitted drawings to delete the sidewalk. The City of Vaughan received the request and either did not approve or reject the amended drawings deleting the sidewalk from Nov 02 to Sept 03.
3. The issue of the permits were from Feb 03 to July 03. At 70% of occupancy the sidewalk was to be constructed per the subdivision agreement. That would have taken place at May 03. All construction activity subsequently would have been contrary to the subdivision agreement, as this requirement had not been met. The sidewalk should have been constructed prior to the exterior grading, exterior sod, trees, and driveway installation and certification. These were all allowed to continue. A false expectation was created and perpetuated.
4. The developer and City of Vaughan on September 29,2004 certified the properties. 100% of the completion of the subdivision, and all inspections did not prevent, stop, the continued construction of the subdivision. Certification includes a role of the municipality.
5. On November 2,2004, after lot certification, (interior and exterior approval), it was recognized that the trees were planted in accordance to the revised drawings where the sidewalk was planned to be located. Hydro poles may be in the wrong location and the Bell/Cable may be where the Hydro poles were intended to be. All driveways have been completed.

#### Subdivision Agreement Requirement

The terms of the Subdivision agreement, for this subdivision, proceeded in an irregular, inconsistent manner contrary to normal practices and requirements. From the typical construction process above the need and opportunity existed to change, alter or amend the subdivision and it was not carried out. More importantly, during the period residents were NOT protected or advised of the final status, as they saw a subdivision proceed in such a manner that would have led them believe that the plans had changed. They had made a request to change the plans and saw the changes.

The sidewalk policy page 11 and 12 of 17 that the subsection 19.2 of the City's standard subdivision agreement requires:

"The necessary display plans shall be provided by the owner and approved by the Director of Planning prior to the Building Standards Dept issuing any building permits. The owner shall advise the Director of

Planning when the displays are in place within the sales pavilion and this shall be confirmed in a clearance letter from the Director of Planning to the Director of Building Standards prior to the issuance of the building permits".

The City of Vaughan did not, with this subdivision, have the final approved display documents for display or PRIOR to issuance of the building permit. Furthermore, there were additional municipal services over and above the sidewalk that was not finalized in accordance with the subdivision agreement. The master tree plan was altered and subsequently approved at the lot certification stage on September 29, 2004. The trees were planted where the sidewalks were to be constructed and approved. The check and balance of the subdivision agreement outlined above was not followed. During this period additional residents were buying the homes. It is worth note that this took place during a period in which there was turnover of key individuals in these positions within the City of Vaughan.

### Sidewalk Requirements

Residents of this subdivision have been advised by way of a warning clause "a" (See attachment 3) ":

"In 1995, the Ministry of Housing and the Ministry of Municipal Affairs published the Alternative Development Standards, as a guideline to municipalities. The Province of Ontario has been promoting the use of these guidelines, which provides for reduced pavement widths that are narrower than City standards. Traffic calming measures have also been incorporated in the road design."

Residents feel that the narrow road is a narrow local residential road and as such understood that their road within Block 39 would be more narrow than other roads. They had felt that there would be no need for anyone except local traffic to use Mediterra or Kingsview as a result. The function of the road will be such that it will be highly local residents with low volume of traffic, and low speed limits.

Residents have expressed that there are no amenities such as school, park or plaza in the immediate community so the need does not exist for the public to use Mediterra and to an even lesser extent, Kingsview. It is a considerable distance to any school, park or plaza.

Residents have expressed that other local residential roads of the same width that is immediately west, and parallel with Kingsview has no sidewalk planned and why is it that Kingsview has a sidewalk.

### Sidewalk Layout

Residents are extremely upset and frustrated that nearly a year has passed since they have moved in their homes, have had finally not eaten any more dust and dirt, had constructed their driveways (it is at the purchasers cost for the top coat), trees have been installed, curbs have now been installed by some, and they are fully aware that all the inspections have been completed. Now, we revisit the site and reverse everything that has been done. If it was not needed up to now they are saying that it is not needed and they want to be left alone.

The construction of the sidewalk is problematic and not limited to the sidewalk. (The October 25, 2005 Council item did not disclose the impact of the decision). A profile of 116 Mediterra (Mr. and Mrs. Thurlow) will conclude as shown on Attachment 4:

1. From the property, and using the minimum setback allocation, there is a fire hydrant some two feet away. The hydrant, as per the new policy will be placed in the middle of the front lawn.
2. The location of the fire hydrant is identical to the location of the hydro pole, which may or may not be proper or correct. Mr. Robinson had verbally expressed that the hydro poles should not be located there and they are located the IDENTICAL LINE WITH THE FIRE HYDRANT. One or both may be incorrect.

3. The tree is now planted EXACTLY where the proposed sidewalk is to be located. The landscape plan needs to be modified. However, if the tree is moved from the existing location this resident will now get no tree as it will be moved to where the fire hydrant is to be located. The resident would like us to leave alone the fire hydrant and keep the tree.
4. The sidewalk boulevard allowance, and standard sidewalk would mean that the sidewalk is where the tree is located and abut or within 6 or 8 inches of the hydro pole -contrary to normal location of the hydro poles.
5. The hydro pole is located on the north side while it was to be located on the south side.
6. If we move the sidewalk further the blvd allowance would be below standard and not allow for snow storage.
7. The "as built" would provide for a second vehicle on the driveway and prevent road parking. The road is narrow.

### Policy Amendment

The display of plans is a critical issue. Up to June 04, the final approved plans as required by the subdivision agreement, prior to construction, and sidewalk policy was not retained by the City of Vaughan Planning Department. The City of Vaughan can not attest to what plan was displayed.

The sidewalk policy as outlined above requires that the drawings be approved and used for display. The drawings up to June 04 did not necessarily include all municipal appliances or services.

And, more importantly, the final approved plan was not approved until September 03 while the Sales Pavilion had opened and sales had taken place in Nov 02. Subdivision agreement requires that prior to a building permit all construction drawings be approved. In this exception, it was not done. If it had, then the approved drawings would have been given to the builder to display and building permits issued and inspected in accordance to the plan. Families were buying during a period in which the approval would have protected them.

This subdivision abuts property that is under review by the Planning Department and subject to further review-Block 39 north.

### Relationship to Vaughan Vision 2007

This report recommends a change from the priorities previously set by Council and the necessary resources have not been allocated.

### Conclusion

Lastly, on November 2,2004 residents have been advised by the Engineering Department that construction is to commence on November 9,2004. An immediate decision is required before any significant construction commences. No communication was made to Members of Council until Friday November, 5,2004 by email. As a result, and at the request of residents, they ask that we leave alone what has been done and allow them to enjoy their homes.

**Attachments**

- Attachment #1 of 2: Extract from Council meeting Minutes of October 25, 2004-Item 34. Report No. 73
- Attachment 2 of 2: Memorandum from Bill Robinson.
- Attachment 2: Memorandum from Peter Meffe.
- Attachment 3: Schedule C-Warning Clauses
- Attachment 4: -Location Map
- Attachment 5: - Notice to Residents from Robb Brown

**Report prepared by:**

Councillor Bernie Di Vona

Respectfully submitted,

Bernie Di Vona  
Ward 3



Attachment #1  
1 of 2

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 25, 2004

Item 34, Report No. 73, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on October 25, 2004, as follows:

*By receiving the memorandum from the Commissioner of Engineering and Public Works, dated October 22, 2004.*

**34 NEW BUSINESS – PETITION AGAINST SIDEWALK INSTALLATION ON MEDITERRA DRIVE**

The Committee of the Whole recommends:

- 1) That the petition titled, "Petition Against Sidewalk Installation On Mediterra Drive", be received and referred to staff for a report; and
- 2) That staff provide a copy of the policy to the Mayor and Members of Council.

The foregoing matter was brought to the attention of the Committee by Councillor Meffe.

2 of 2



The City Above Toronto

October 22, 2004

TO: Mayor Michael DiBiase  
and Members of Council

RE: **Petition Against Sidewalk Installation o Mediterra Drive  
Council Meeting October 25, 2004**

memorandum

At its meeting of October 18, 2004, Committee of the Whole recommended that staff provide a copy of the sidewalk policy to the Mayor and Members of Council.

Attached is a copy of Policy No. 09.1.06 entitled, "Sidewalks – Installation in New Subdivisions". This matter was dealt with by Council on June 23, 2003. The Council extract has been incorporated in the City of Vaughan Policy Manual.

As you will note, Council resolved that the existing Sidewalk Policy remain as is. That sidewalk policy was adopted by Council on February 26, 1996 and is Attachment No. 1 to Policy 09.1.06.

I draw your attention to Clause 4 on page 2 of Policy 09.1.06 where it is noted that sidewalk deletions or addition deputations not be considered by Committee of the Whole but be referred directly to staff. From the discussion at the time, staff were directed to respond to sidewalk deletion requests by advising requestors of the sidewalk policy, confirming that the sidewalk subject to the request was required by both the policy and the subdivision agreement, advising requestors why the sidewalk was necessary and that the sidewalk would be constructed as planned.

In the case of the Mediterra and Kingsview sidewalk deletion petitions, staff will follow the steps identified above and will communicate with the petitioners and members of Council.

Respectfully submitted,

Bill Robinson,  
Commissioner of Engineering and Public Works  
(Ext 8247)

Encl.

Copy to: Michael DeAngelis, City Manager  
Senior Management Team  
John Leach, City Clerk  
Gary Carroll, Director of Engineering Services  
Michael Won, Director of Development/Transportation Engineering

October 19, 2004

**TO: Bill Robinson**

**FROM: Councillor Peter Meffe**

**RE: Kingsview Drive and Mediterra Drive  
Sidewalk**

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Attached please find a recently received petition from the residents on Kingsview Drive and Mediterra Drive against the installation of the proposed sidewalks. I did introduce this item under New Business yesterday at the Committee of the Whole meeting.

I attended the site and it appears that many trees and electrical boxes will have to be moved in order to accommodate the sidewalks. Kindly provide me with a report with respect to the events that led up to the delay in placing in the sidewalks. I believe it will also be beneficial to send a notice to the residents keeping them advised on this issue.

Should you have any further questions, please feel free to call me.

Peter Meffe  
Ward 1 Councillor

PM/acp  
Encls.

**memorandum**

# FANDOR HOMES

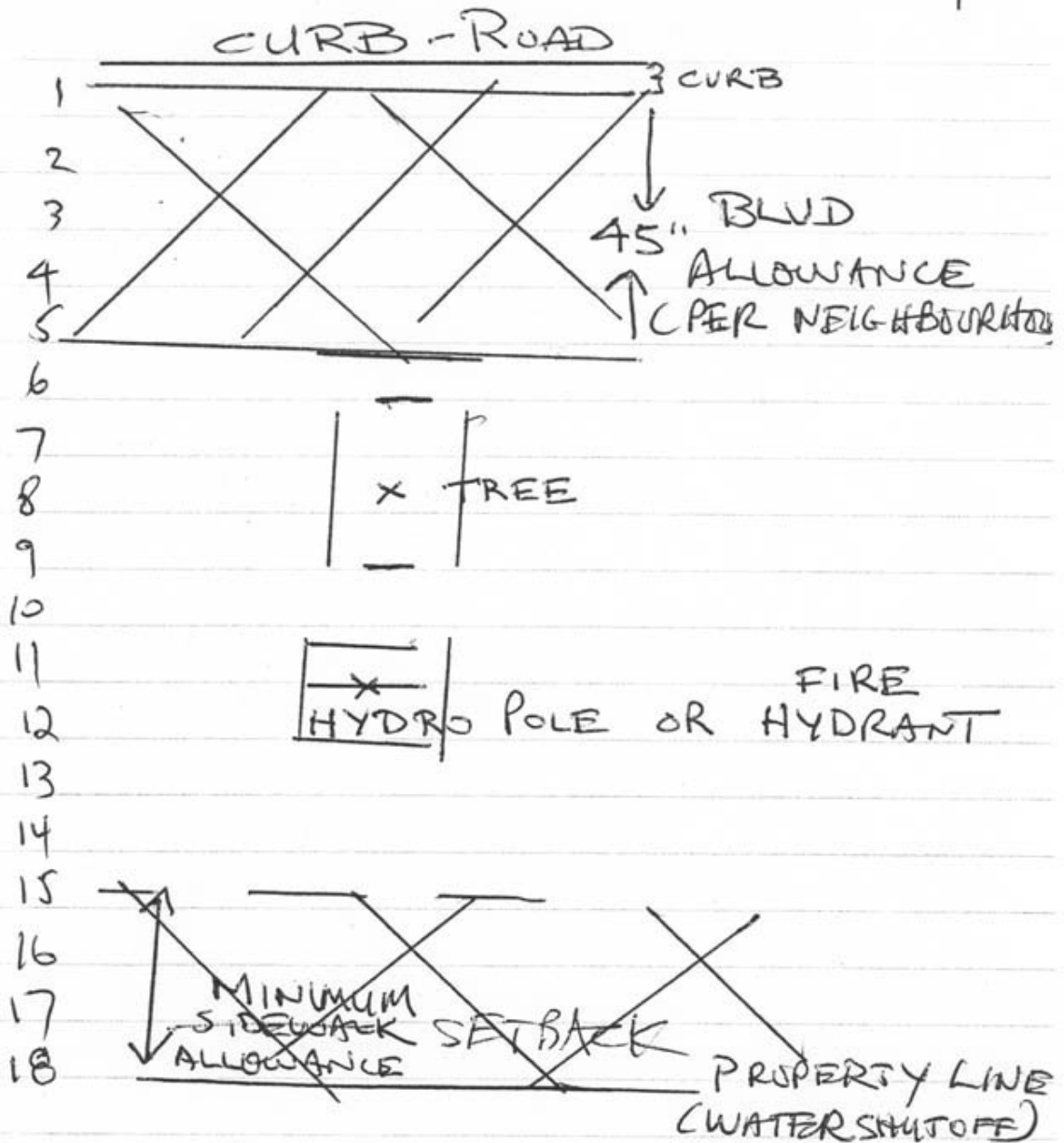
## Schedule "C" – Warning Clauses

Attachment #3


Pursuant to the requirements of the Municipality, the Purchasers are hereby notified as follows:

- (a) Purchasers and/or tenants are advised that the roads within the Plan may have been constructed using Alternative Development Standards. In April 1995, the Ministry of Housing and the Ministry of Municipal Affairs published the Alternative Developments 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.
- (b) Purchasers and/or tenants are advised that public transit routes have not been determined for the area within the Plan, therefore streets within this Plan of Subdivision may be subject to public transit bus traffic.
- (c) Purchasers and/or tenants are advised that the planting trees on City boulevards in front of residential units is a requirement of this subdivision agreement. The City has not imposed an amount of a tree fee or any other fee, which may be charged as a condition of purchase for the planting of trees. Any tree fee paid by purchasers for boulevard trees does not guarantee that a tree will be planted on the boulevard in front or on the side of the residential dwelling.
- (d) Purchasers and/or tenants are advised that despite the inclusion of noise control features in this development area and within the building units, noise levels may continue to be of concern occasionally with some activities of the building occupants for the duration of the subdivision construction.
- (e) Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the CRTC authorize telephone and telecommunications 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.
- (f) The Purchasers and/or acknowledges that the Subdivisions Agreement entered into or to be entered into, as the case may be, between the Subdivider and the Municipality may require the Vendor to provide the Purchaser with certain notices, including, but not limited to, notices regarding land usage, maintenance of municipal fencing, school transportation, noise levels from adjacent roadways, highways, and in general, any other matter that may be deemed by the Municipality to inhibit the enjoyment by the Purchasers of this property. The Purchaser agrees to be bound by the contents of any such notice and covenants to execute forthwith upon request, an acknowledgment containing such notice if any when requested to do so by the Vendor.
- (g) The Purchaser acknowledges and agrees that the school sites shown on the attached draft plan are not guaranteed and pupils may be accommodated in temporary facilities and/or be directed to schools outside the community.
- (h) The Purchasers acknowledges that there will not be door-to-door delivery of mail and that the super mailboxes will be used instead.
- (i) Purchasers are advised that the adjacent open space, woodlot or stormwater management facility are designed for renaturalization and therefore shall receive minimal maintenance.
- (j) The Purchaser(s) acknowledge that they have examined the community plan on display at the sales office and that the same discloses all surrounding future land uses.

Attachment #4



LOCATION : 116 MEDITERRA  
(THURLOW HOME)

SCALE  1 FOOT

