

COMMITTEE OF THE WHOLE FEBRUARY 7, 2005

**DRAFT PLAN OF SUBDIVISION FILE 19T-04V08
1541677 ONTARIO LIMITED (LIBERTY DEVELOPMENT CORPORATION)
REPORT #P.2004.1**

Recommendation

The Commissioner of Planning recommends:

1. That Draft Plan of Subdivision 19T-04V08 (1541677 Ontario Limited (Liberty Development Corporation)) prepared by Malone Given Parsons Ltd., dated May 25, 2004, and red-lined dated February 7, 2005, as shown on Attachment #3, BE DRAFT APPROVED, subject to:
 - i) the implementing Official Plan Amendment #621 shall be in full force and effect;
 - ii) the conditions of draft plan approval as set out in Attachment #1; and
 - iii) the subdivision agreement containing a provision that parkland shall be dedicated and/or cash-in-lieu of parkland shall be paid in accordance with the Planning Act and the approved "Cash-In-Lieu of Parkland Policy".

2. That the following resolution be passed allocating sewage and water servicing capacity:

"NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT the proposed Draft Plan of Subdivision Application 19T-04V08 (1541677 Ontario Limited (Liberty Development Corporation)) be allocated sewage capacity from the Maple and Bayview collectors, and water supply from Pressure District No. 6 of the York Water Supply System, for a total of 984 units, which is in addition to the 614 units previously allocated on April 14, 2003.

Purpose

The Owner has submitted a Draft Plan of Subdivision Application to permit, in addition to the previously approved 614 condominium apartment units on proposed Blocks 3 and 4, the following (Attachment #3):

- 891 condominium apartment units on Blocks 2, 5 and 7
- 93 townhouse units on Blocks 5, 6 and 7
- 1.94 ha park on Block 1
- east/west local road from Bathurst Street to New Westminster Drive (Streets "A" and "B").

Background - Analysis and Options

The subject property is located west of Bathurst Street, through to New Westminster Drive, and south of Beverley Glen Boulevard, in Part of Lot 6, Concession 2, City of Vaughan. The 8.89 ha rectangular site has 290 m frontage on New Westminster Drive, and 370 m flankage on Beverley Glen Boulevard, and is centrally bisected by a north/south public road (Disera Drive). Treed areas are located in the east portion of the property, and along the south property line. The surrounding land uses are:

- North - Beverley Glen Boulevard; townhouse residential (RM1 Zone), future high density residential (RA3-H Zone)
- South - vacant/future development (A Zone, C4 Zone)
- East - vacant/future development (A Zone, C2 Zone), Bathurst Street
- West - New Westminster Drive; townhouse residential (RM1 Zone)

On November 8, 2004, the related Official Plan and Zoning By-law Amendment Applications (OP.03.024 and Z.03.084, respectively) were approved by Council, subject to conditions. Also approved was a Master Plan (Attachment #4), to guide future development of the Liberty community. The Amendments would permit in addition to the previously approved 614 condominium apartment units: 891 condominium apartment units; 93 condominium townhouse units; 1.94 ha park; and an east/west local road from Bathurst Street to New Westminster Drive. The total approved and proposed condominium apartment and townhouse unit count would be 1,598, and would include 7 condominium apartment buildings with building heights up to 22 storeys.

Public Hearing

On May 31, 2004, a Notice of Public Hearing to consider the Draft Plan of Subdivision application was circulated to all property owners within 120m on the subject lands. The recommendation of the Committee of the Whole to receive the Public Hearing report on June 21, 2004, and to forward a comprehensive report to a future Committee meeting, was ratified by Council on June 28, 2004.

Official Plan

The subject lands are currently designated "High Density Residential", "Open Space" and "Institutional" by OPA #210 (Thornhill-Vaughan Community Plan). On November 8, 2004, Council approved related Official Plan Amendment Application OP.03.024 to redesignate the residential portion for the proposed townhouses and apartment buildings (proposed Blocks 2-7 on Attachment #3) to "High Density Residential" and the park (proposed Block 1) to "Open Space". The implementing OPA #621 was adopted by Council on January 24, 2005. The Region of York is the approval authority for official plan amendments, and OPA #621 will be forwarded to the Region following Council's adoption of the Amendment. Upon OPA #621 coming into full force and effect, the notice of decision for the approval of the draft plan of subdivision can be issued by the City.

Zoning

The subject lands are currently zoned RA3 Apartment Residential Zone and subject to Exception 9(1153) and A Agricultural Zone by By-law 1-88. On January 24, 2005, Council passed related Zoning By-law Amendment Application Z.03.084 to rezone the following blocks within the draft plan of subdivision:

- Block 1 from RA3 Apartment Residential Zone and A Agricultural Zone to OS2 Open Space Park Zone (park);
- Block 2 from A Agricultural Zone to RA3(H) Apartment Residential Zone (apartment);
- Block 5 from A Agricultural Zone to RM2(H) Multiple Residential Zone (townhouse) and RA3(H) Zone;
- Block 6 from A Agricultural Zone to RM2(H) Multiple Residential Zone;
- Block 7 from A Agricultural Zone to RA3(H) Apartment Residential Zone, and from RA3 Zone to RM2 Multiple Residential Zone – (H) Zone.

Blocks 3 and 4 will maintain the RA3 Zone. The zoning by-law also provides exceptions to the residential zone standards to implement the proposed condominium townhouse and apartment development shown on the Master Plan.

Subdivision Design

The draft plan of subdivision (Attachment #3) proposes the creation of 3 apartment blocks, 1 townhouse blocks, 2 blocks containing both residential types, 1 park block and an east/west local

road from Bathurst Street to New Westminster Drive (Streets A and B). The draft plan of subdivision will facilitate the development of 1505 apartment units and 93 townhouse units.

The approved Liberty Master Plan (Attachment #4) shows street-related condominium townhouse units (minimum 6 m wide) fronting onto New Westminster Drive and Beverley Glen Boulevard, with the remaining interior townhouse units fronting onto a private landscaped amenity space area or internal private road, with resident and visitor parking accessed from private internal laneways. A total of 5 condominium apartment buildings (Buildings A, B, C, D and G) are shown along the south lot line, ranging in height from 15 to 22 storeys, and two condominium apartment buildings (Buildings E and F) are shown west of Disera Drive, on the north side of the proposed east/west local road, ranging in height from 6 to 18 storeys. The majority of parking is to be provided underground, with limited surface parking for visitors, however, additional visitor spaces will be required to be provided within the townhouse blocks, which the applicant has agreed to facilitate, with locations to be identified through the site plan process. This will be complemented by on-street parking to be provided on the north side of the east/west road, and on the west side of the park on Disera Drive, as supported by the Engineering and Public Works Departments.

A park block is proposed in the northeast portion of the property and is generally intended to be passive and to include landscaped gardens, pathways, a gazebo, amphitheatre, junior and senior play areas, and a 50 m radius unstructured open space area that could provide future opportunities for the municipality to implement sports fields. A tableland woodlot stand (0.425 ha) has been preserved and integrated with the Park Block (1.515 ha) to form one public open space centre piece with a total area of 1.94 ha in size as redlined on Attachment #3.

Urban Design

The final urban design guidelines report and accompanying landscape/streetscape/open space master plan will be approved to the satisfaction of the Development Planning Department, as conditions of draft plan approval included in Attachment #1 of this report.

Parkland Dedication

The preliminary parkland dedication for this plan is as follows:

Calculation is based on 1 ha/300 units:

Total Number of Units: Townhouse – 93 units
Apartment – 1505 units

Total Parkland Dedication Required – 5.327 ha
Total Parkland Provided in plan – 1.515 ha

Total parkland under dedication – 3.812 ha

Based on the above parkland dedication calculation, the Owner shall pay to the City of Vaughan cash-in-lieu of parkland dedication equivalent to 1,144 units in accordance with the Planning Act and the City's cash-in-lieu policy (1 ha/300 units).

Vaughan Engineering Department

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

a) Environmental Site Assessment

On November 6, 2003, Terrapex Environmental Limited concluded its peer review of the Environmental Site Assessment (ESA) Phase 1 report, and recommended that the City accept the ESA, and agreed with the conclusion of the ESA that the land is suitable for residential use and development. A Phase II Environmental Site Assessment will be required for the park block in accordance with the City's policy regarding the dedication of parkland.

b) Roads

The site contains one primary road, Disera Drive, which has been constructed in conjunction with Draft Plan of Subdivision 19T-91018, and one local road, which will be constructed in conjunction with this development from Bathurst Street to New Westminster Drive.

Construction access to the subject lands will be via Beverley Glen Boulevard.

c) Engineering Servicing

The municipal services for this development shall be in accordance with the functional servicing report prepared by Counterpoint Engineering Inc. and the Master Servicing Report for the Vaughan Town Centre Lands prepared by Marshall Macklin Monaghan dated May 1995. This plan of subdivision depends on municipal services (sanitary, storm and watermain) constructed within Draft Plans of Subdivision 19T-90009 and 19T-89022, and the New Westminster Drive Capital Works Construction project.

d) Sanitary Servicing

The sanitary servicing for the subject site will split between the Maple and Bayview collectors. This draft plan of subdivision also includes lands, which were draft plan approved and registered under Plan of Subdivision 19T-91018, 65M-3709. On April 14, 2003, City of Vaughan Council allocated 614 units to Draft Plan of Subdivision 19T-91018. On September 13, 2004, Council reserved an additional 984 units of sanitary sewage capacity for this plan for a total of 1,598 units. Allocation as well as connections to the sanitary stubs located on Beverley Glen Boulevard and New Westminster Drive at the northern and western boundaries of the proposed plan of subdivision are required.

e) Storm Drainage

Storm sewer connections to the storm sewer stubs located on Beverley Glen Boulevard and New Westminster Drive at the northern and western boundaries of the proposed plan of subdivision are required. The major flows will be conveyed through the Beverley Glen and New Westminster road allowances, and will ultimately outlet to Centre Street and under Bathurst Street to the Janesville Pond. This plan must control the major and minor system flows, up to the 100 year storm, to 72 l/s/ha.

f) Water Supply

The subject lands are located within service area Pressure District No. 6 of the York Water Supply System and shall be serviced through watermains on Disera Drive as well as the new east-west local road within the plan.

g) Traffic Impact

The applicant submitted a Traffic Impact/Phasing report, prepared by Cansult Limited, dated August 2004, in support of the Liberty applications. The study findings and recommendations are as follows:

- Intersections along Bathurst Street are currently operating at or near capacity and improvements to increase capacity are required;
- The widening of Bathurst Street adjacent to the Liberty site is not identified in the Region's current 10 year Capital Works Program, however, plans to widen the section of Bathurst Street between Centre Street and Highway #407 may be rescheduled to be in conjunction with the rapid transit initiative;
- The Region of York has identified Bathurst Street and Centre Street as designated transit corridors with a dedicated median transitway. The intersection of Bathurst Street with proposed Street "B" will be right-in/ right-out;
- Although not essential, Disera Drive should be extended to Centre Street to provide an alternate route into the Liberty community;
- The following local road improvements are required:
 - 2005 Signalization of Beverley Glen Boulevard and Bathurst Street intersection.
 - 2005/2006 Centre Street (at Bathurst Street intersection) improvement to include dual northbound left-turn lanes in support of the proposed developments in the area.
 - 2007 Widening of Bathurst Street to accommodate 3 through travel lanes in each direction for the section south of Highway #407 to Atkinson Avenue.
- In order to facilitate the Liberty proposal, Cansult has recommended that the development be initiated in phases as transportation improvements are undertaken in the area. The proposed development schedule/traffic phasing for the Liberty community is as follows:
 - 2005 As-of-right 3 residential tower buildings "A", "B", and "C" (614 units).
 - 2005 55 townhouse units.
 - 2006 250 apartment units (1 tower) with construction in 2006 and occupancy in 2007.
 - 2007/beyond Remaining development of 38 townhouse units, and 641 apartment units.

The Vaughan Engineering Department and the Region of York Transportation and Works Department have reviewed the Cansult report and are supportive of the recommendations. The final traffic report is to be approved by the Vaughan Engineering Department and the Region of York Transportation and Works Department, as a condition of subdivision approval. The implementing zoning by-law will include a Holding provision that will be lifted in part as individual

site plans are approved in accordance with the above-noted phasing plan identified in the Traffic Impact/Phasing report by Cansult.

Region of York

The Region of York has reviewed the draft plan and has no objection to the approval of the plan, subject to the conditions set out in Attachment #1.

Other Comments

The Toronto & Region Conservation Authority (TRCA), Canada Post and Bell Canada have reviewed the proposed draft plan of subdivision and have no objection to the approval of the plan, subject to the conditions outlined in Attachment #1.

Relationship to Vaughan Vision 2007

This report is consistent with Vaughan Vision 2007, which encourages managed growth through the implementation of the Official Plan.

Conclusion

Staff has reviewed the proposed Draft Plan of Subdivision Application 19T-04V08 in accordance with the amendments to the Thornhill Community Official Plan (OPA #210) and to Zoning By-law 1-88, and the approved Master Plan for the Liberty community within the Thornhill Town Centre.

Staff is of the opinion that the proposed draft plan of subdivision will facilitate an appropriate development of the subject lands, and is consistent and compatible with the existing and planned development in the vicinity of the subject lands.

For these reasons, Staff recommends approval of the draft plan of subdivision, as red-lined on Attachment #3. Should the Committee concur, the recommendation in this report can be adopted.

Attachments

1. Conditions of Subdivision Approval
2. Location Map
3. Draft Plan of Subdivision 19T-04V08 (as red-lined dated February 7, 2005)
4. Liberty Master Plan (Council Approved-November 8, 2004)

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

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ATTACHMENT NO. 1

CONDITIONS OF APPROVAL

**DRAFT PLAN OF SUBDIVISION 19T-04V08
1541677 ONTARIO LIMITED (LIBERTY DEVELOPMENT CORPORATION)
PART OF LOT 6, 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-04V08, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by Malone Given Parsons Ltd., drawing #02-1285, dated May 25, 2004, as red-lined dated February 7, 2005, and to incorporate the following revisions:
 - a) provide 0.3 metre reserves along Streets "A" and "B", to be conveyed to the City of Vaughan;
 - b) provide a 0.3 metre reserve along Bathurst Street, to be conveyed to the Region of York and a 15 m x 15 m daylighting triangle at the northwest corner of Bathurst Street and Street "B" to be conveyed to the Region of York;
 - c) Block 1 to be separated into 2 blocks: 1.515 ha Park Block and 0.425 ha Tableland Woodlot block.
2. The lands within this Plan shall be appropriately zoned by a zoning by-law which has come into effect in accordance with the provisions of The Planning Act. Particular zoning categories to be applied are as follows:
 - RM2 Multiple Residential Zone, RA3 Apartment Residential Zone and OS2 Open Space Park Zone.

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 Zoning By-law amendment shall specify the terms under which Council may consider the removal of the Holding "H" symbol.
3. The Owner shall pay any and all outstanding application fees to the Development Planning Department, in accordance with Tariff of Fees By-law 406-2003.
4. 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.
5. The Owner shall agree to create easements for maintenance purposes for all lots providing less than 1.2 m sideyards, or having roof encroachments, prior to transfer of land.

6. 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.
7. The Developer is to design, purchase materials, and install a buried hydro distribution system and a street lighting system within the confines of the subdivision, and compatible with the existing and/or proposed systems, in the surrounding plans of subdivision, all in accordance with PowerStream Inc. and City of Vaughan standards and specifications, latest revisions.
8. The Developer is also required to enter into a separate subdivision agreement with PowerStream Inc.
9. a) Prior to final approval and prior to commencement of any work on the site, the proponent shall carry out an archaeological assessment of the subject property to the satisfaction of the City and the Ministry of Culture; and the proponent shall agree to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeologically resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Culture confirming that all archeological resource concerns have met licensing and resource conservation requirements.
- b) Prior to final approval and prior to the commencement of any work on site, the proponent shall deliver to the City (Cultural Services Division) two copies of the Archaeological Assessment.
- c) Prior to the commencement of any archaeological fieldwork, a copy of the contract information sheet which was submitted to the Ministry of Culture, shall have been forwarded to the City; licensed consultants are urged to review the Archaeological Master Plan Study for the City of Vaughan prior to commencing any fieldwork.

Warning Clauses

10. The Owner shall cause the following warning clauses to be included in a schedule to all Offers of Purchase and Sale, or Lease for all lots/blocks:
 - a) within the entire subdivision plan:
 - "Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels from increasing traffic on Streets A and B, New Westminster Drive, Disera Drive and Bathurst Street, may be of concern and occasionally interfering with some activities of the dwelling occupants."
 - "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."
 - "Purchasers and/or tenants are advised that Disera Drive shall be extended to Centre Street completing a continuous road from Centre Street to Beverley Glen Boulevard without notice."
 - "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 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 cul-de-sac may be extended in the future to facilitate development of adjacent lands, without further notice."

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."

11. 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 Development 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.]

12. If 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.
13. Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit an Erosion and Sedimentation Control Plan including 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.
14. 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.

Engineering Department (General Conditions)

15. The Owner shall enter into a subdivision agreement with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payments of development levies, the provisions of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
16. The road allowances included within this draft plan of subdivision shall be dedicated as public highway without monetary consideration and free of all encumbrances.

17. The road allowances included in the Plan shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 metre reserves.
18. The pattern of streets and the layout of lots and blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.
19. Any dead ends or open sides of road allowances created by this draft plan of subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.
20. The Owner shall agree in the subdivision agreement that construction access shall be provided only in a location approved by the City.
21. Easements as may be required for utility, drainage or construction purposes shall be granted to the appropriate authority(ies), free of all charge and encumbrance.
22. 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.
23. Prior to the initiation of grading, and prior to the registration of this draft plan of subdivision or any phase thereof, the Owner shall submit to the City for review and approval the following:

A detailed engineering report that describes the storm drainage system for the proposed development within this draft plan, which report shall include:

 - a) plans illustrating how this drainage system will tie into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
 - b) the location and description of all outlets and other facilities;
 - c) storm water management techniques which may be required to control minor or major flows; and
 - d) proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction.
24. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned reports to the satisfaction of the City.
25. The Owner shall agree in the subdivision agreement that no building permits will be applied for or issued 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.

26. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost of any external municipal services that have been designed and oversized by others to accommodate the development of the plan.
27. Prior to final approval, an environmental noise impact study, prepared at the owner's expense, shall be submitted to the City for review and approval. The preparation of the noise report shall include the ultimate traffic volumes associated with the surrounding road network. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in the approved noise report to the satisfaction of the City.

Engineering Department (Specific Conditions)

28. The road allowances included within this draft plan of subdivision shall be named to the satisfaction of the City and the Regional Planning Department.
29. The Owner shall agree in the subdivision agreement that the engineering design(s) for traffic calming measures and designated transit route(s) may result in variation to the road and lotting pattern and number of lots, to the satisfaction of the City.
30. Prior to final approval of the plan, the Owner shall submit for review and approval a separate detailed stormwater management report addressing the proposed underground stormwater quantity facilities. The report shall address construction techniques, storage size, depths, operations and maintenance of the facilities, to the satisfaction of the Engineering Department.

The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations of the report, which will include, but not be limited to a cash contribution to offset the future maintenance cost of the facilities.

31. 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.
32. 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.
33. 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 draft plans of subdivision 19T-91018, 19T-90009 and 19T-89022 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 19T-91018, 19T-90009 and 19T-89022.
34. 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.

35. The Owner shall agree that all disturbed lands within 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.
36. Prior to the issuance of a building permit for a site plan on any block within the plan, other than Blocks 3 and 4, the Owner shall submit for review and approval a Phase II Environmental Site Assessment Report in accordance with the Ministry of Environment's Guidelines for Use at Contaminated Sites in Ontario (June 1996, as amended), and the City's Guideline, Phase II Environmental Assessment, Proposed Parkland, City of Vaughan for the park block located within the plan, to the satisfaction of the City. Required testing may include but not be limited to surface and subsurface soil, ground water, soil vapour, plant and aquatic species sampling and testing of building materials.

In the event that remediation is required, a Remediation Action Plan will be submitted for review and approval by the City and an acknowledged Record of Site Condition shall be received from the Owner prior to issuance of a building permit.

The Owner shall carry out or cause to be carried out the recommendations contained in the report(s) and ensure that adequate field inspection is provided to validate the recommendations in the Phase II Environmental Site Assessment to the satisfaction of the City.

The Owner shall reimburse the City for the cost of the City's peer review of the environmental site assessment report(s).

Development Planning

37. Prior to final approval, the Owner shall convey the tableland woodlot block, as shown on the red-lined plan, to the City free of encumbrances.
38. Prior to final approval the owner shall prepare urban design guidelines for the Thornhill City Centre to the satisfaction of the City, and these guidelines shall address but not be limited to the following issues:
 - The structuring elements and neighbourhood design principles;
 - Streetscape design and public realm landscape architecture;
 - Built form for Townhouse, Midrise and Highrise buildings;
 - Public open space conceptual design guidelines.
39. Prior to final approval, the Owner shall prepare a streetscape and open space landscape master plan in accordance with the Council approved City of Vaughan Design Standards and the Thornhill City Centre Urban Design Guidelines, and the plan shall address but not be limited to the following issues:
 - Co-ordination of the urban design/streetscape elements as they relate to the approved City Design Standards and approved Urban Design Guidelines for the Thornhill City Centre.
 - Neighbourhood edge treatment along Beverley Glen Boulevard and New Westminster Drive

including entry and special landscape features that express and enhance the City Centre neighbourhood;

- The use of hard and soft landscape elements to define significant street vista and generate a pleasing public realm character including seating nodes and pedestrian access to transit;
- The appropriate safe continuous pedestrian linkage between New Westminster Drive and the neighbourhood park;
- Special streetscape furniture including benches, waste receptacles, bicycle racks, tree grates, fencing and lighting shall be provided that supports the character throughout the Thornhill City Centre.

40. Prior to final approval, the Owner shall provide a tree preservation study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation. The owner shall not remove trees, without written approval by the City.
41. Prior to final approval, the Owner shall convey Park Block 1 to the City free of all encumbrances for parkland purposes.
42. The owner shall agree in the subdivision agreement to design and build Park Block 1 in accordance with all relevant City design and construction details and specifications. The Owner shall agree that the design, securities and construction for the Park will be addressed through an amending agreement in accordance with the "City Developer Build/Parks Development Policy."
43. Prior to final approval of the plan, the Owner shall prepare a detailed edge management/rehabilitation plan for the tableland woodlot. The study shall include an inventory of all existing trees inside the staked edges, and areas where the woodlot 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.
44. Prior to building permit issuance, the Owner shall prepare for review and approval on Park Block 1, a Phase II Environmental Site Assessment report in accordance with the Ministry of Environment's Guidelines for Use at Contaminated Sites in Ontario (June 1996, as amended), to the satisfaction of the City. Testing may include but not be limited to surface and subsurface soil, groundwater, soil vapour, plant and aquatic species sampling and testing of building materials.

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

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

45. The Owner shall agree in the subdivision agreement that:
 - Prior to final approval, architectural design guidelines shall have been prepared in accordance with Council Policy and approved by Council;
 - All development shall proceed in accordance with the Council approved architectural design guidelines;
 - A control architect shall be retained at the cost of the Owner with concurrence of the City to ensure compliance with the architectural design guidelines;
 - Prior to the submission of individual building permit applications, the control architect

shall have stamped and signed drawings certifying compliance with the approved architectural design guidelines;

- The City may undertake periodic reviews to ensure compliance with the architectural design guidelines. Should inadequate enforcement be evident, the City may cease to accept drawings stamped by the control architect and retain another control architect, at the expense of the Owner.

Region of York

46. 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.
47. 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.
48. Prior to final approval of phases that will utilize sanitary sewers in the Maple Collector/Langstaff Collector Drainage Area, the Region shall confirm that the in-service date for the South East Collector Sewer and Bathurst/Langstaff Trunk Sewers is expected in 6 months.
49. Prior to final approval of phases that will utilize sanitary sewers within the Bayview Collector Sanitary Drainage Area, the Region shall confirm that the in-service date for the South East Collector Sewer is expected in 6 months.
50. 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.
51. The Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required Regional road improvements for this subdivision. The report/plan, submitted to the Regional Transportation and Works Department for review and approval, shall explain all transportation issues and shall recommend mitigating measures for these issues. This report shall be submitted for the Region's review.

The Region is in receipt of a Traffic Impact Assessment – Thornhill City Centre, Proposed Residential Development Master Plan by Cansult Engineering, dated February 2004. The Region provided comment on this report on April 20, 2004. The Regional Transportation and Works Department requires a revised report/plan incorporating those comments and recommendations for review and approval.

52. Coordination with York Region must be initiated for the future widening of Bathurst Street. A phasing plan must be developed, in coordination with retail/residential development to the south to ensure that adequate road capacity exists to facilitate ultimate build out of both developments. This phasing plan should include provisions for both the widening of Bathurst Street and extension of Disera Drive from Beverley Glen Boulevard to Centre Street.
53. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Regional Transportation and Works Department, to implement the recommendations of the functional transportation report/plan as approved by the Regional Transportation and Works Department.

54. The Owner shall submit detailed engineering drawings, to the Regional Transportation and Works Department for review that include the subdivision storm drainage system, site grading and servicing, plan and profile drawings for the proposed intersections, construction access and mud mat design, utility location plans, pavement markings, intersection signalization and illumination design, traffic control/construction staging plans and landscape plans.
55. The intersection of Bathurst Street and Street "B" shall be designed and constructed as a right-in/right-out movements only intersection with stop control on Street 'B', to the satisfaction of the Regional Transportation and Works Department with any interim or permanent intersection works including turning lands, profile adjustments, illumination as deemed necessary by the Regional Transportation and Works Department.
56. The Owner shall convey the following lands to The Regional Municipality of York, free of all costs and encumbrances, to the satisfaction of The Regional Municipality of York Solicitor:
 - a. A road widening along the entire frontage of the site adjacent to Bathurst Street, of sufficient width to provide 22.5 metres from the centerline of Bathurst Street,
 - b. A 0.3 metre reserve across the full frontage of the site where it abuts Bathurst Street shall be conveyed to the Regional Municipality of York for public highway purposes, free of all costs and encumbrances,
 - c. A 15 metre by 15 metre daylighting triangle at the northwest corner(s) of the intersection of Bathurst Street and Street "B",
57. The connection of Street 'B' and Bathurst Street shall be achieved at an intersection angle of 90 degrees.
58. The location and design of the construction access for the subdivision work shall be completed to the satisfaction of the Regional Transportation and Works Department and illustrated on the Engineering Drawings.
59. Direct vehicle access from the proposed dwellings to Bathurst Street will not be permitted. Access must be obtained through the internal road network.
60. Any existing driveway(s) along the Regional road(s) frontage of this subdivision must be removed as part of the subdivision work, at no cost to the Region.
61. The Owner shall engage the services of a consultant to prepare and submit for review a noise study to the Regional Transportation and Works Department recommending noise attenuation features and the Owner shall agree to implement these noise attenuation features to the satisfaction of the Regional Transportation and Works Department.
62. The following warning clause shall be included in a registered portion of the subdivision agreement with respect to the lots or blocks affected:

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

63. The noise attenuation features will abut a Regional right-of-way, and the Owner shall agree in the subdivision agreement, in wording satisfactory to the Regional Transportation and Works Department, the following:
- a. that no part of any noise attenuation feature shall be constructed on or within the Regional right-of-way;
 - b. that noise fences adjacent to Regional roads shall be constructed on the private side of the 0.3 metre reserve and may be a maximum 2.5 metres in height, subject to the area municipality's concurrence;
 - c. that maintenance of the noise barriers and fences bordering on Regional right-of-ways shall not be the responsibility of the Regional Municipality of York; and
 - d. that any landscaping provided on the Regional right-of-way by the Owner or the area municipality for aesthetic purposes must be approved by the Regional Transportation and Works Department and shall be maintained by the area municipality with the exception of the usual grass maintenance.
64. Subject to approval by the City of Vaughan and the Regional Municipality of York, the Owner shall provide sidewalks along the subject lands' frontage onto the planned transit roadways on both sides of the street. Such sidewalks shall be constructed on both sides of the planned transit roadways, unless only one side of the street lies within the limits of the area designated as "Subject Lands", in which case only this side of the street will require the sidewalk.
65. The planned transit roadways shall be designated and designed to accommodate transit vehicles to the satisfaction of the area municipality and York Region Transit. As such, York Region Transit is to be consulted with respect to any traffic-calming features which may be considered for any of the planned transit roadways identified.
66. The existing bus shelter and concrete standing area at the southeast corner of New Westminster Drive and Beverley Glen Boulevard shall remain intact and in place. Any need for minor relocation as a result of this development is subject to approval by York Region Transit.
67. Further to the designation of the planned transit roadways (above), and subject to final designation/construction approval by York Region Transit, bus passenger standing areas/platforms are to be provided at no cost to the Region of York concurrent with construction of necessary sidewalks. Platform locations are as follows:
- i. Eastbound Beverley Glen Boulevard at the intersection of Disera Drive (near-side placement, southwest corner);
 - ii. Northbound Disera Drive halfway between Street 'B' and Beverley Glen Boulevard (mid-block placement, east side);
 - iii. Southbound Bathurst Street at the intersection of Beverley Glen Boulevard (near-side placement, northwest corner).
68. Pedestrian access shall be maintained onto the local/surrounding streets by means of non-restrictive streetscaping and walkways, which shall be provided at no cost to the Region of York concurrent with construction of necessary sidewalks.

69. The Owner shall agree to advise all potential purchasers of the planned introduction of transit service in/around the subject lands, as per above, and that the placement of any necessary bus-stops and/or passenger amenities will be placed accordingly to the satisfaction of York Region Transit and the City of Vaughan, as applicable. This would include potential transit routes, bus stops and shelter locations, as necessary. Notification should be achieved through sales offices, marketing materials, and appropriate notification clauses in purchase agreements.
70. The Owner agrees to design the site and provide integrated, safe, and attractive pedestrian connections from the subject lands to the rapid transit stations in all phases of the development, to the satisfaction of the City of Vaughan and the York Region Transportation and Works Department.
71. The Owner shall agree in the subdivision agreement to advise all potential purchasers that York Region will be implementing the YRTP- Highway 7 Transitway in the vicinity of the subject property in the near future. The YRTP – Highway 7 Transitway is proposed to be an at grade bus rapid transit facility located in the centre median area of Bathurst Street, within an exclusive right-of-way. Hence, the Owner is advised that if the proposed YRTP-Highway 7 Transitway is implemented via Bathurst Street, access to/from the affected Lots/Blocks to Bathurst Street will be restricted to right-in/right-out movements only.
72. Prior to final approval, the Owner shall provide a signed copy of the subdivision agreement to the Regional Transportation and Works Department, outlining all requirements of the Regional Transportation and Works Department.
73. The Owner shall provide a solicitor's certificate of title to the Region's Corporate and Legal Services Department, to the satisfaction of the Regional Solicitor, at no cost to the Region, with respect to the conveyance of lands to The Regional Municipality of York.
74. 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.

Toronto and Region Conservation Authority

75. Prior to final approval, the Owner shall submit a detailed engineering report for the review and approval of the TRCA that describes the storm drainage system (quantity and quality) for the proposed development of the subject lands. This report shall include:
 - plans illustrating how this drainage system will tie into surrounding drainage systems, i.e. is it part of an overall drainage scheme? How will external flows be accommodated? What is the design capacity of the receiving system?
 - Stormwater management techniques which may be required to control minor or major flows;
 - Appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat;
 - Proposed method for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction;
 - Location and description of all outlets and other facilities which may require a permit pursuant to Ontario Regulation 158, the Authority's Fill, Construction and Alteration to

- Waterways Regulation;
 - Overall grading plans for the subject lands.
76. That this draft plan of subdivision be subject to red-line revision in order to meet the requirements of Condition 75, if necessary.
77. That the Owner agrees in the subdivision agreement, in words acceptable to the TRCA:
- to carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendation of the technical report referenced in Condition 75;
 - to maintain all stormwater management and erosion and sediment control structures operating and in good repair during the construction period, in a manner satisfactory to the TRCA;
 - to obtain all necessary permits pursuant to Ontario Regulation 158 from the TRCA.

Canada Post

For the 93 townhouse units (Blocks 5, 6 and 7) as a condition of draft approval, Canada Post requires that the Owner/developer comply with the following conditions:

78. The Owner/developer agrees to include in all offers of purchase and sale, a statement which advises the prospective purchasers that mail delivery will be from a designated Community Mailbox.
79. The Owner/developer will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any home sale.
80. 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 the appropriate servicing plans.
81. The Owner/developer will provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans:
- an appropriately sized sidewalk section (concrete pad), as per municipal and Canada Post standards, to place the Community Mailboxes.
 - Any required walkway across the boulevard, as per municipal standards.
 - Any required curb depressions for wheelchair access.
82. The Owner/developer further agrees to determine and provide a suitable temporary Community Mailbox location (s), which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail delivery to new residences as soon as the homes are occupied.
83. For the condominium apartment units (Blocks 2, 5 and 7) the Owner/developer must supply, install and maintain the mail delivery equipment to Canada Post specifications and ensure that all mail delivery equipment is accessible by persons which physical disabilities. Before construction begins, the Owner/developer must call to discuss mailroom specifications.

Other Conditions

84. 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, and other essential services; and
 - b) all government agencies agree to registration by phases and provide clearances, as required in Conditions 84 to 88 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
85. The City shall advise that Conditions 1 to 45 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
86. The Regional Municipality of York shall advise that Conditions 46 to 74 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
87. Toronto Region and Conservation Authority shall advise that Conditions 75 to 77, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
88. Canada Post shall advise that Conditions 78 to 83 have been satisfied. The clearance letter shall include a brief statement detailing now each condition has been met.



Location Map

Part of Lot 6,
Concession 2
 APPLICANT:
 1541677 ONTARIO LIMITED
 N:\OFTY1 ATTACHMENTS\19\191-04\08

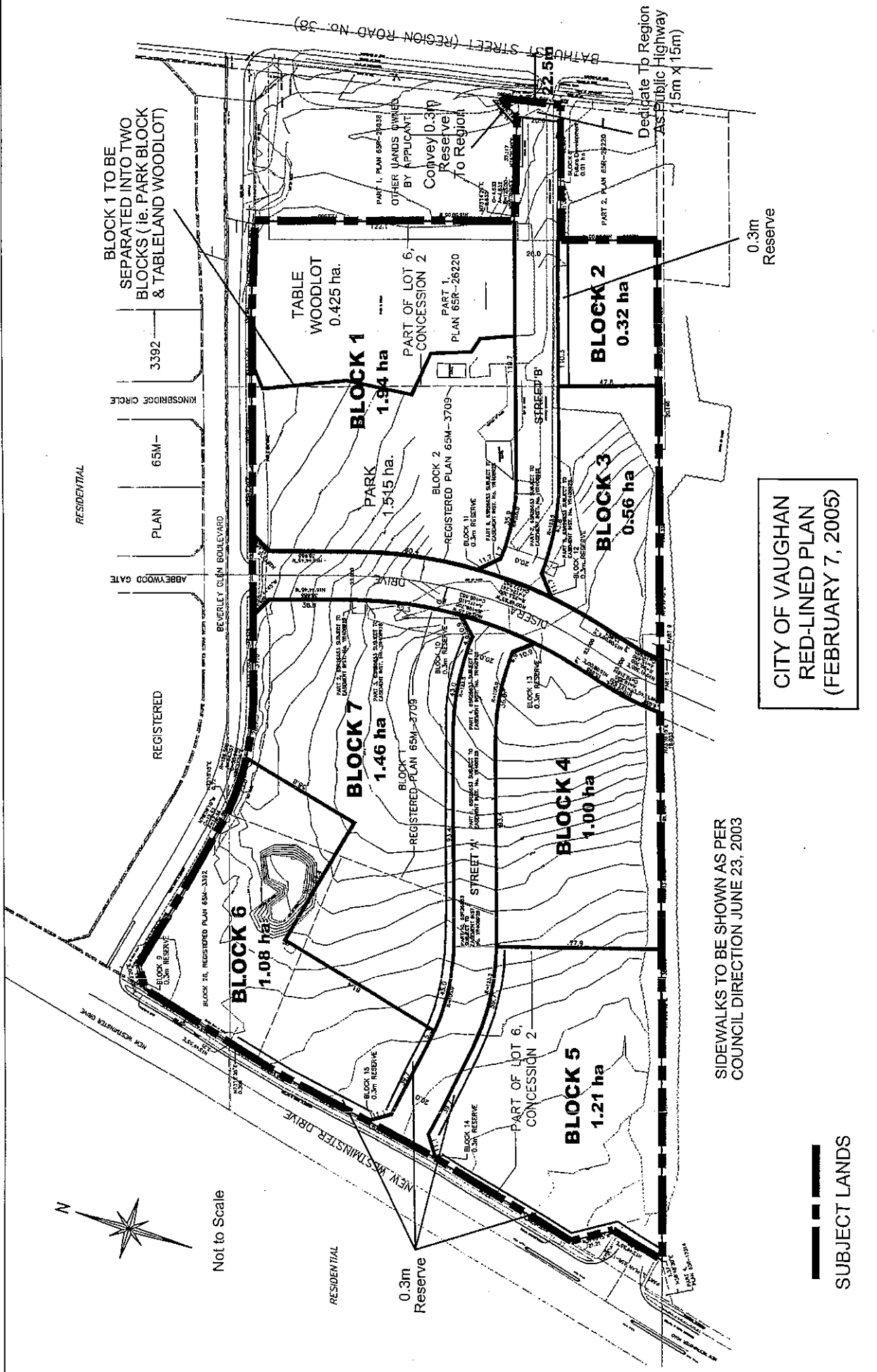


Development Planning Department

Attachment

FILE No.:
 19T-04V08
 RELATED FILES:
 OP-03.024 & Z-03.084
 January 5, 2005

2



BLOCK 1 TO BE SEPARATED INTO TWO BLOCKS (ie. PARK BLOCK & TABLELAND WOODLOT)

CITY OF VAUGHAN
RED-LINED PLAN
(FEBRUARY 7, 2005)

Attachment 3

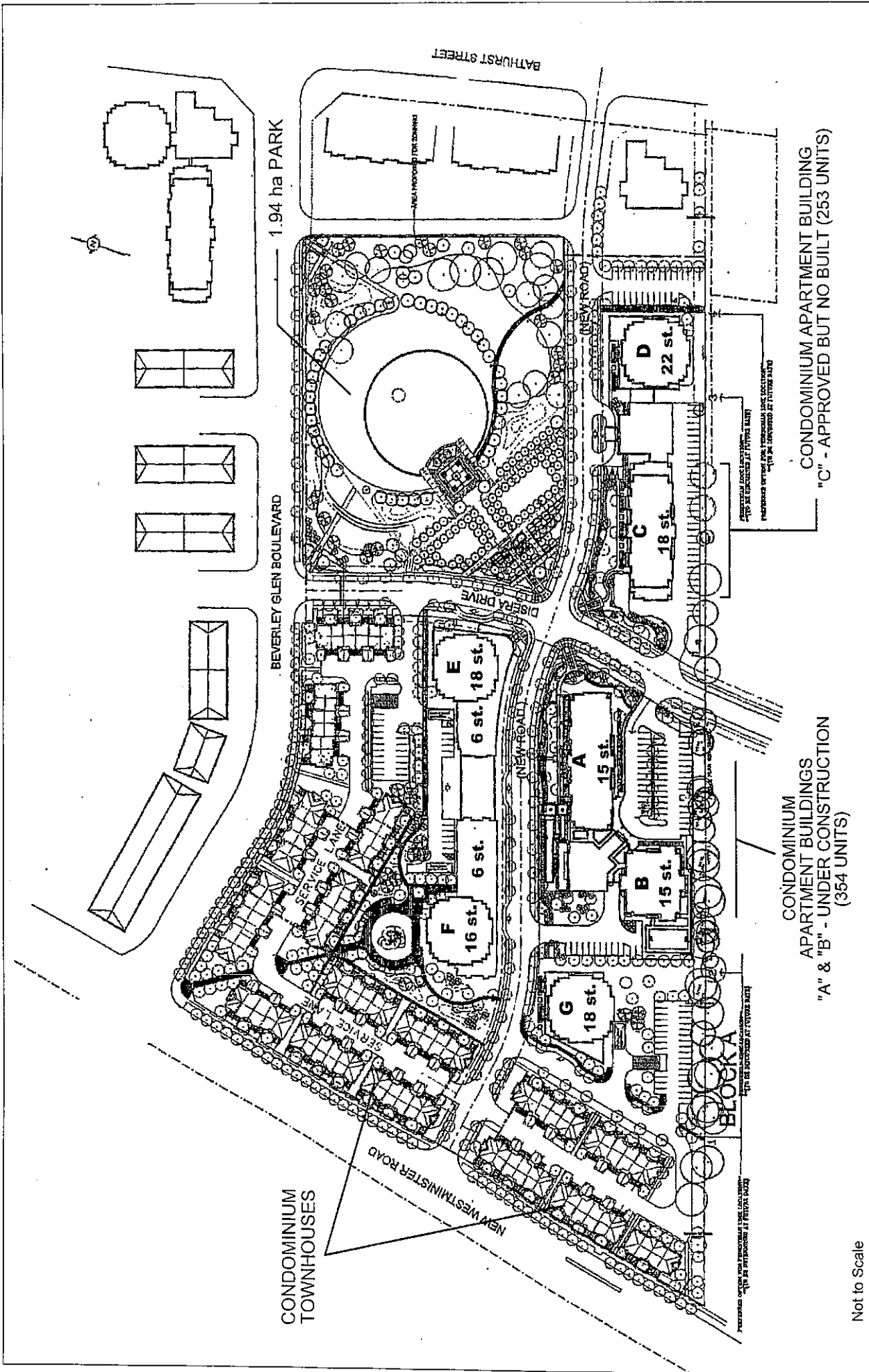
FILE No.: 19T-04V08
RELATED FILES: OP.03.024 & Z.03.084
January 5, 2005

Draft Plan of Subdivision 19T - 04V08

APPLICANT: 154-1677 ONTARIO LIMITED
Part of Lot 6, Concession 2



Development Planning Department



CONDOMINIUM APARTMENT BUILDING
 "A" & "B" - UNDER CONSTRUCTION
 (354 UNITS)

CONDOMINIUM APARTMENT BUILDING
 "C" - APPROVED BUT NO BUILT (253 UNITS)

Not to Scale

Approved Liberty Master Plan

APPLICANT:
 1541677 ONTARIO LIMITED

Part of Lot 6,
 Concession 2

N:\DFT\1 ATTACHMENTS\19\191-04-08

City of Vaughan

Development Planning Department

Attachment

4

FILE No.:
 19T-04V08
 RELATED FILES:
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 January 5, 2005