

**COMMITTEE OF THE WHOLE FEBRUARY 7, 2005**

**ZONING BY-LAW AMENDMENT FILE Z.02.073  
DRAFT PLAN OF SUBDIVISION FILE 19T-02V08  
DREAM WORKS PROPERTY INC.  
REPORT # P.2002.74**

**Recommendation**

The Commissioner of Planning recommends:

1. That the proposed public benefits meet the permissible bonussing provisions set out in OPA #332, as amended, to achieve the 399 units, and therefore, Draft Plan of Subdivision File 19T-02V08 (Dream Works Property Inc.) may proceed in conformity with the density policies of the Official Plan.
2. That the Ontario Municipal Board be requested to withhold its' Order pending the execution and registration of the bonussing agreement and the finalization of the zoning by-law.
3. That staff be directed to attend the OMB hearing and advise that Council endorses Zoning By-law Amendment Application File Z.02.073 (Dream Works Property Inc.), as follows:
  - a. rezone the subject lands (Attachments #2 and #3) from RM2-H Multiple Residential Zone with the Holding Symbol "H", to:
    - RD2 Residential Detached Zone – 15 metre frontage lots;
    - RD3 Residential Detached Zone – 12.0 - 14.99 metre frontage lots;
    - RD4 Residential Detached Zone – 9.0 – 11.99 metre frontage lots;
    - RT Residential Townhouse Zone – Street townhouse dwellings;
    - RM2 Residential Multiple Family Dwelling Zone - Medium Density Block;
    - OS2 Open Space Park Zone - Park Block (Block 312), Trans Canada Pipeline, and Blocks 313 and 358 (Buffer blocks);
    - provide the necessary zoning exceptions to implement the approved Draft Approved Plan of Subdivision; and,
    - OS5 Open Space Environmental Protection Zone including buffers, wetland and amphibian corridor as provided on the draft plan of subdivision (Attachment #3) being Blocks 314, 315, and 321-326 inclusive.
  - b. the implementing by-law shall:
    - place a "H" Holding Symbol on all Residential Zones permitting only the production of field crops or a use legally existing as of the date of enactment of the implementing by-law; and,
    - include a minimum 10m structural setback (including excavations such as swimming pools) abutting the TransCanada Pipeline Limited right-of-way.
  - c. the implementing by-law shall require that prior to the removal of the "H" Holding Symbol on all or a portion of the subject lands, the requirements of OPA #332, as amended, shall be addressed to the satisfaction of Vaughan, and shall include:
    - the submission of urban design and architectural guidelines; and
    - the submission of a demographic/marketing study.

4. That Draft Plan of Subdivision 19T-02V07 (Dream Works Property Inc.) be included in the agreement and implementing zoning by-law for Draft Plan of Subdivision 19T-02V08 (Dream Works Property Inc.) pursuant to Section 37 of *The Planning Act* for the implementation of the bonussing provisions to the satisfaction of the City.
5. That staff be directed to attend the OMB hearing and advise that Council endorses the draft approval of Draft Plan of Subdivision 19T-02V08 (Dream Works Property Inc.) prepared by Weston Consulting Group Inc., dated as red-lined February 7, 2005 (Attachment #3), subject to conditions contained in Attachment No. 1.
6. For the purpose of notice, the subdivision agreement shall contain a provision that parkland shall be dedicated, and/or cash-in-lieu be paid, within the plan in accordance with the Planning Act and conform to the approved "Cash-in-Lieu of Parkland Policy".
7. That the disposition of the 0.130ha of required parkland dedication for adjacent Draft Plan of Subdivision 19T-02V07 (Dream Works Property Inc.) be considered within the context of Draft Plan of Subdivision 19T-02V08 (Dream Works Property Inc.).
8. That the following resolution be passed allocating sewage and water capacity:

"NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision 19T-02V08 (Dreamworks Property Inc.) be allocated sewage capacity from the Maple Service Area of the York/Durham Servicing Scheme and water capacity from Pressure District No. 9 of the York Water Supply System, for a total of 399 residential lots following the execution of a subdivision agreement. Said reservation to Draft Approved Plan of Subdivision 19T-02V08 shall be automatically revoked after a period of one year in the event that the Draft Plan has not been registered."

**Purpose**

The Owner has submitted applications to amend the Zoning By-law and for a Draft Plan of Subdivision to facilitate a 39.732ha residential subdivision development comprised of single detached, street townhouse and medium density dwelling units, parkland, open space, wetlands, valleylands and storm water management ponds (Attachment #3). The Owner, in addressing environmental, engineering and design issues, has revised the original proposal. The current draft plan of subdivision consists of the following:

	<u>Frontage</u>	<u>Units</u>
Detached Dwellings:	15m+	71
	12m	101
	10.7m	57
	9.m	64
Street Townhouse Dwellings:	6m/unit	91
Medium Density (Block Townhouse Dwellings):		<u>15</u>
		399 Units
Park Blocks	0.577ha	
Open Space (Pipeline Block)	1.432ha	
Stormwater Management Ponds	1.435ha	
Environmental Buffer	1.587ha	

Linkage Corridor	0.586ha
Open Space/Wetland	12.486ha
Roads	6.239ha
Tableland Woodlot	1.012ha
<u>0.3m Reserves</u>	<u>0.017ha</u>
Total Area	39.732ha

## **Background - Analysis and Options**

### Site Description

The 39.732ha site is located southeast of Keele Street and Kirby Road, south of Village Vista Way within Part of Lot 29, Concession 3, City of Vaughan (Attachment #2). The topography is relatively flat with open grassed field for the west portion of the subject lands. A wetland and valleylands occupy the easterly portion of the subject lands. The TransCanada pipeline traverses the northerly portion of the site in an east-west direction.

The subject lands are designated "Special Residential Area", "Oak Ridges Moraine Settlement Area - Special Residential Area", and "Oak Ridges Moraine Natural Core Area - Open Space" by OPA #332, as amended by OPA #535 (Maple Valley Plan) and OPA #604 (Oak Ridges Moraine Conformity). The lands are zoned RM2(H) Multiple Residential Zone, with the "H" Holding Symbol and OS5 Open Space Environmental Protection Zone by By-law 1-88, subject to Exception 9(947) and By-law 242-2003 (Oak Ridges Moraine). The surrounding land uses are:

- North - existing residential, parkland, storm water management pond, valley lands (RV3, RVM1(A) and RVM2 Residential Urban Village Zones, OS2 Open Space Park Zone and OS5 Open Space Environmental Protection Zone)
- South - private school, water reservoir, Avondale Composting Facility, valley lands (A Agricultural Zone, OS1 Open Space Conservation Zone and OS5 Open Space Environmental Protection Zone)
- West - Keele Street; residential, agricultural (A Agricultural Zone)
- East - valley lands (OS5 Open Space Environmental Protection Zone)

### Public Hearing

On October 11, 2002, a public hearing notice was circulated to all property owners within 120m of the subject lands. The November 4, 2002 Public Hearing recommendation of the Committee of the Whole, to receive the public hearing report and forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on November 11, 2002. No comments have been received to date.

### Ontario Municipal Board (OMB Appeal)

On March 19, 2004, the Owner appealed Zoning By-law Amendment Application Z.02.073 and Draft Plan of Subdivision 19T-02V08 to the Ontario Municipal Board under Sections 34(11) and 51(34) of *The Planning Act*, respectively, due to a decision not being made on the proposal. A hearing is scheduled to commence on February 9, 2005.

### Dream Works Property Inc. (Formerly FJJ Holdings) - Townhouse Development (19T-02V07)

On June 23, 2003, Council approved, with conditions, Zoning By-law Amendment Application Z.02.071 and Draft Plan of Subdivision Application 19T-02V07 (Dream Works Property Inc.) for 39 street townhouse dwelling units on 0.888ha (Attachment # 4). The townhouse development in Plan 19T-02V07 represents the initial phase of Dream Works Property Inc.'s proposed development. This phase proceeded in advance of the subject draft plan of subdivision

application to enable the development to connect to municipal services prior to the final completion of the road and therefore, minimize the disturbance that the construction activity may have on residents on the north side of Village Vista Way in the registered Maplewood Villages Ltd. Plan of Subdivision 19T-99V05.

The lands subject to the initial phase is designated "Special Residential Area" by OPA #332, as amended, and is allowed a base density of 12 units per net residential ha. The base density may be increased by 8.5 units per net hectare, subject to bonussing provisions in accordance with the policies of OPA #332. Based on these requirements, 11 units can be developed at the maximum base density (12 units/ha x 0.888ha). The proposed development yields a density of 44 units per net residential ha. The application of a density bonus is required for the initial phase of the development as it exceeds the allowable base density of 11 units per net residential ha by 28 units (39 proposed – 11 units permitted). The density and bonussing are to be addressed as part of the current draft plan of subdivision File 19T-02V08 (Dream Works Property Inc.). The parkland dedication for the townhouse development amounts to 0.130ha and is to be included as part of the parkland dedication required for Plan 19T-02V08. Accordingly, the density bonussing and parkland dedication requirements have been included as conditions of draft approval in Attachment No.1.

#### Official Plan

##### i) Land Use Designation

The subject lands are designated "Special Residential Area", "Oak Ridges Moraine Settlement Area - Special Residential Area", and "Oak Ridges Moraine Natural Core Area - Open Space" by OPA #332, as amended by OPA #535 and OPA #604. The Special Residential Area designation permits a self-contained adult lifestyle community, providing for a range of housing types and unit sizes, as well as a variety of on-site recreational, social and personal service facilities.

##### ii) Oak Ridges Moraine

The east part of the subject lands is located within the Oak Ridges Moraine and is designated "Settlement Area" and "Natural Core Area" by OPA #604. The lands are subject to Sections 3.4, 3.5, 3.6, 4 and 5 of OPA #604 and are subject to conformity with the *Oak Ridges Moraine Conservation Plan (ORMCP)*. The Owner submitted documents for the Zoning By-law Amendment and Draft Plan of Subdivision applications to demonstrate conformity of the proposal to the *Oak Ridges Moraine Conservation Plan* in accordance with OPA #604. The conformity of the proposal to the Plan will be discussed in further detail later in this report.

##### iii) Development Form

The Special Residential Area policies in OPA #332 that apply to the subject lands were originally conceived on the premise that development on these lands would be a self-contained, adult lifestyle community, in a condominium form. This proposal provides for a range of housing types and unit sizes, as well as providing parkland to facilitate recreational facilities. This proposal provides for a similar residential form as approved and developed on the lands designated Special Residential Area to the immediate north. Further, the proposal, when considered within the overall context of the Special Residential Area, which includes the development of a long term health care facility and zoned lands for commercial (includes municipal meeting and recreation rooms) and institutional uses to the north, provides for the range of uses contemplated for the Special Residential Area. This proposal can be considered to be an appropriate form of development, which is compatible with the surrounding land uses.

iv) Comprehensive Development Plan

The policies in OPA #332 provide for the development of the lands to occur in a comprehensive manner and require that Council approve a comprehensive concept plan. The concept plan is based on such reports as an environmental impact study (includes ground and surface water management, valley and stream corridor management and restoration, and wetland protection), servicing report, phasing plan (includes servicing and phasing of lots for allocation of water and sewage), and a public trail system plan (includes connections from the plan of subdivision to the open space system). The development of the concept plan was supported with the submission of such reports as functional servicing, storm water management and traffic reports.

On March 20, 2000, Council adopted a concept plan (Attachment #5) for the Special Residential Area, which incorporated the Maplewood Villages Ltd. lands to the north and the subject lands. The proposed draft plan of subdivision has been modified from the concept plan in order to comply with the ORMCP by incorporating the wetlands and providing environmental buffers surrounding the wetlands and to the rear of the lots abutting the valley lands. The essential elements of the concept plan, comprising of the north/south road connections to the developed lands to the north and an east/west road connection to Keele Street, have been provided. Further, the proposal shows the location of the trail system within the valley lands and the opportunity through the single loaded road design to connect to the North Maple Park to the south of the subject lands. Therefore, the draft plan of subdivision is in accordance with the Council approved concept plan.

v) Study Requirements

OPA #332 requires that a number of studies be submitted in support of development in the Special Residential Area. The Owner has submitted the following reports as required:

- Phase 1 Environmental Report;
- Functional Servicing Report (Phase 2), dated September 2002, by Valdor Engineering Inc.;
- Geotechnical Investigation, dated March 10, 2003, by Shaheen and Peaker Limited;
- Environmental Impact Study, dated March 18, 2003, by Dillon Consulting Limited;
- Hydrogeologic Assessment for the Proposed Dream Works Subdivision by Beatty and Associates dated April 2004; and
- South Wetland Hydrologic Analysis Report, by Valdor Engineering Inc., dated October 2004.

The Owner is required to submit additional reports, to address the Official Plan requirements, prior to lifting the "H" Holding Zone on the subject property. Accordingly, this has been included as a condition of draft approval in Attachment No. 1. The required reports are as follows:

- Urban Design Guidelines, supported by Architectural Control Guidelines to address the design criteria requirements of OPA #332; and,
- Demographic/marketing study to address the marketing of the proposed development in accordance with OPA #332.

vi) Density

OPA #332 establishes a maximum base density of 12 units per net hectare in the Special Residential Area designation. A net residential hectare is defined in OPA #332 as the lands used for residential development, public and private roads, and private recreational facilities. The Special Residential Area designation provides bonussing policies for the provision of public benefits to achieve a maximum additional density of 8.5 units per net hectare.

Plan 19T-02V07 (Attachment #4) is approved with 39 units on a 0.888ha site resulting in a density of 44 units per hectare, which is in excess of the maximum base density permitted of 11 units (12units/ha X 0.888ha). Accordingly, bonussing for 28 (39-11) units is required in order to permit 39 units on 0.888ha of developable land. The subject Plan 19T-02V08 (Attachment #3) consists of 399 units on 21.52ha of developable land and is allowed 258 units at the maximum base density (12 units/ha x 21.52ha). Density bonussing for 141 (399-258) units is required to facilitate the proposed Plan 19T-02V08. The two plans combined (19T-02V07 & 19T-02V08) result in total bonussing requirement of 169 (141+28) units in order to achieve the 438 (399 + 39) units proposed.

As Plan 19T-02V07 consisting of 39 units on 0.888ha of developable land was considered to be the north phase of the overall Dream Works Property Inc. holdings, the density calculations would be considered and incorporated into the same density bonus agreement for the subject lands.

Section 37 of *The Planning Act* provides for "the Council of a local municipality to, in a by-law passed under Section 34, authorize increases in the height and density of development otherwise not permitted by the by-law, that will be permitted in return for the provision of such facilities, services or matters as set out in the by-law". To effect this bonussing provision, the municipality and the owner may enter into an agreement, which may be registered against the subject lands. Where the facilities cannot be provided, the municipality has the authority to accept a cash equivalent.

The Official Plan bonussing policies as established in OPA #332, as amended, are indicated below with the proposed density bonussing (indicated in bold), as follows:

- the conveyance of tableland woodlots or other developable tableland to a public authority for conservation purposes - density bonus is at a rate of 2 times the base density x the developable tableland;  
**the conveyance of a 1.012ha tableland woodlot (Block 326) is provided and has been credited for 24.28 units (1.012 ha x (2 x 12 units/ha)).**
- an executed agreement to rehabilitate or restore ecological function to publicly owned lands in or adjacent to the Special Residential Area designation, in accordance with a study and plan approved by the City and other pertinent authorities - density bonus is at a rate of 1 times the base density x the rehabilitated or restored land; (A restoration plan, prepared by Strybos Associates Ltd. has been prepared and submitted for review by the City and the TRCA);  
**a plan to restore approximately 4.46 ha of the valley and buffer areas (Blocks 321, 322, 323, 324) totaling 2.078ha has been proposed and has been credited for 78.46 units (6.538ha x 12units/ha).**

The maximum density permitted on the site, utilizing permitted density and the maximum available bonussing is 441units, comprised of 258 base density units (21.52 ha x 12 units/ha) and 183 (21.52ha X 8.5 units/ha) bonus density units. A total of 180 units (438 units – 258 maximum units permitted) of density bonussing are required in order to achieve the 438 units proposed for the two plans (19T-02V07 & 19T-02V08). The Owner is proposing to achieve 102.74 units through the conveyance of tableland woodlot and the restoration of lands within the valley and on the buffer lands as identified above. The applicant is proposing to achieve the balance of the 77.26 units (180-102.74) through a cash payment. The Owner is required to enter into an agreement, which shall be registered on title, outlining the fulfillment of the bonussing provisions to the satisfaction of the City.

On January 24, 2005, the Committee considered the principles for the basis of approving a density bonussing agreement. Council resolved that a by-law be enacted to authorize the execution of a density bonus agreement. The applicant has proposed a payment of \$9,000.00 per unit for 77.26 units for a total payment of \$695,340.00. On January 24, 2005, Council authorized the amount of \$9,000.00 per unit. At the time of preparation of this report the actual density bonussing agreement will not be executed. Accordingly, Staff has included a recommendation requesting that the Ontario Municipal Board withhold its' Order pending the execution and registration of a density bonussing agreement.

Zoning

The lands for Plan 19T-02V08 are currently zoned RM2 (H) Multiple Residential Zone, with the "H" Holding Symbol and OS5 Open Space Environmental Protection Zone by By-law 1-88, subject to Exception Paragraph 9(947) and By-law 242-2003, which does not provide the standards required to implement the proposal. Staff recommends that the site be rezoned using the City's new development standards as implemented by Schedule "A3" to By-law 1-88. The applicable residential zoning categories will include the following:

<u>Zone</u>	<u>Minimum Lot Frontage</u>	<u>Minimum Lot Area</u>
RD2 Residential Detached Zone	15m	450m <sup>2</sup>
RD3 Residential Detached Zone	12m	324m <sup>2</sup>
RD4 Residential Detached Zone	9m	243m <sup>2</sup>
RT1 Residential (Street) Townhouse Zone	6m/unit	162m <sup>2</sup>

The medium density block (Block 311) will be zoned RM2 Multiple Family Residential Zone to facilitate the block townhouse units.

The lands adjacent to the Life Science Area of Natural and Scientific Interest (ANSI), the valley lands, amphibian corridor and the Keele Street Locally Significant Wetland feature will be zoned OS5 Open Space Environmental Protection Zone including Blocks 314, 315 and 321 to 326 inclusive. The park (Block 312) will be zoned OS2 Open Space Park Zone.

The implementing zoning by-law will include TransCanada Pipelines' request that a 10m setback be established from the Pipeline right-of-way for the lands abutting the gas pipeline for all permanent structures and excavations (i.e. swimming pools). The pipeline lands will be zoned OS1 Open Space Conservation Zone.

In accordance with OPA #332, an "H" Holding Symbol will be placed on the overall subject lands to ensure that certain development issues such as urban design, marketing, servicing, storm water management, and transportation are addressed. The implementing zoning by-law shall zone the lands with an "H" Holding Symbol, which will remain on the subject lands and cannot be removed until the following occur:

- the submission of urban design and architectural guidelines; and,
- the submission of a demographic/marketing study demonstrating that any phase of the Special Residential Area is meeting its intended market and is not imposing an excessive burden on municipal or other public services, to the satisfaction of the City.

In addition, a zoning by-law must be enacted to implement the density bonussing agreement needed to facilitate the proposed draft plan of subdivision.

Staff is satisfied that from a zoning perspective, the amendments required to implement the proposed plan of subdivision are appropriate and will result in development that is compatible with the surrounding land uses.

## Subdivision Design

The 39.732ha draft plan of subdivision is comprised of 399 residential building lots consisting of single detached, street townhouse and block townhouse dwelling units as shown on Attachment #3. The westerly portion of the plan includes the proposed street and block townhouses, with a transition to detached dwelling lots increasing in frontage from 9m to 15m toward the valleylands on the balance of the developable tablelands. Access to the subdivision is provided via the southerly extensions of Ravineview Drive and Peak Point Boulevard from the existing development to the north, both of which have 23m right-of-way widths, with Peak Point Boulevard connecting to Keele Street. The local roads in the plan are proposed to have 17.5m right-of-way widths. The TransCanada Pipeline right-of-way corridor traverses the site in an east-west direction parallel to the north property line for most of the right-of-way, approximately 34m south of the proposal's north limit. Single loaded roads are proposed along the south limit of the plan thereby reducing the number of lots immediately adjacent to the future Regional Maple Valley Plan Park.

The easterly portion of the draft plan consists of the valley lands, between the north and south limits of the proposal. An environmental buffer ranging in width from 10m to 30m will separate the residential lots from the valley lands. The wetland feature (Block 315) is maintained and protected with a minimum 10m wide buffer area. The wetland is connected to the valley via an open space block (Block 324) having a minimum width of approximately 53m and which serves as an amphibian corridor. A 0.577 ha park block is proposed that is contiguous to the park block on the lands immediately north (Plan of Subdivision 19T-99V05) and has frontage onto the Trans Canada Pipeline right-of-way, through which a trail system is proposed. The draft plan of subdivision includes one storm water management pond, fronting onto Keele Street and abutting the TransCanada pipeline right-of-way.

Certain redline revisions are proposed by Staff in order to implement the final approved draft plan of subdivision including:

- The plan includes an Open Space Block (319) at its' northwest limit, which is not required by the City. Staff recommends that this block be red lined and combined with the adjacent easterly medium density block (311).
- The draft plan should be modified to include the location of all sidewalks in accordance with the City's Sidewalk Policy and illustrate the location of all telecommunication (WIC) and hydro switchgear facilities.
- The plan includes two blocks (313 and 358) that should be properly identified as "buffer blocks" and conveyed to the City.

Staff is satisfied with the proposed draft plan of subdivision as it is in keeping with the developed residential lands to the north. The proposal provides for the continuation and completion of land uses such as the park and trail system that originated to the north of the proposal, as well as provides for access to the developed lands to the north. Staff has no objection to the proposed subdivision design, subject to the redlined modifications to the draft plan as shown on Attachment #2, and which have been included as a condition of draft approval in Attachment No. 1.

## Oak Ridges Moraine Conservation Plan (ORMCP)

The easterly portion of the subject lands is located on the Oak Ridges Moraine and therefore is subject to the Oak Ridges Moraine Conservation Plan (ORMCP), as well as Sections 3.4, 3.5, 3.6, 4 and 5 of OPA #604. The ORMCP designates approximately half of the lands within the Moraine as Settlement Area, which permits the residential development proposed on the westerly part of the property. The balance of the site is designated as Natural Core Area, which



is focused on improving or restoring the ecological integrity of the Oak Ridges Moraine and permits uses such as fish, wildlife and forest management, conservation and flood/erosion projects, and agricultural uses subject to addressing specific requirements of the ORMCP. The Natural Core Area on the draft plan is shown as the valley lands (open space).

The Natural Core Area designation contains lands within the Landform Conservation Area - Category 1. The McGill Area Environmentally Significant Area (ESA), as adopted by the Toronto and Region Conservation Authority (TRCA), includes the Maple Uplands and Kettle Wetlands Regionally Significant Life Science Area of Natural and Scientific Interest (ANSI) and the Oak Ridges Moraine Maple Spur Regionally Significant Earth Science ANSI, as identified by the Ministry of Natural Resources, and Significant Woodlands. The subject lands are located within the Don River Watershed headwaters of the Oak Ridges Moraine, which includes the Keele Street Locally Significant Wetland and a tributary of the West Don River. Both the wetlands and tributary are located within the Settlement Area. The southerly portion of the Settlement Area and Natural Core Area are identified as Areas of Aquifer Vulnerability by the ORMCP. The maintenance and restoration for long-term preservation of the wetlands, which are close to the McGill Area ESA and Life Science ANSI, allows for the opportunity of continued habitat diversity.

The ORMCP requires that studies be prepared to assess compliance of the proposal with the requirements of the ORMCP. The Owner has submitted an Environmental Impact Study, dated March 18, 2003, by Dillon Consulting Limited, and supporting documentation to address the ORMCP. Staff and the TRCA have reviewed the documents and proposed plan in the context of the ORMCP and are satisfied that the applicable sections of the ORMCP have been addressed to their satisfaction and subject to the Conditions on Attachment #1. In addition, the applicant and the TRCA have entered into Minutes of Settlement acknowledging that the proposed draft plan of subdivision incorporates the Natural Heritage System that conforms to the ORMCP and includes all lands and buffers necessary to ensure the protection of the natural heritage features and functions on the property.

Development Planning Staff has reviewed the Oak Ridges Moraine compliance documents submitted in support of the application and revised draft plan of subdivision and provide the following comments:

1. The December 15, 2004 revision to plan B20 prepared by Weston Consulting Group Inc., together with TRCAs January 25, 2005 letter, satisfies the outstanding issues relating to the natural heritage protection on this property and conformity with the Oak Ridges Moraine Conservation Plan.
2. Dream Works Properties has revised the draft plan to incorporate the Ministry of Natural Resources staked limit of the southern wetland, in addition to a 10m buffer, and a wildlife corridor ranging from 96 to 53 metres in width. The limits of the Natural Core Area, the ANSI, and the tableland woodlot has been staked and protected by a buffer ranging from 10 to 30m. In addition, restoration works are proposed within the unvegetated portion of the ANSI, which will be subject to further review subsequent to draft approval.
3. In order to achieve conformity with the ORMCP Blocks 314, 315, 321, 322, 323, 324, and 326 should be zoned OS5 Open Space Environmental Protection Zone, and should be dedicated to either the TRCA or the City.

On this basis, Staff is satisfied that conformity with the Oak Ridges Moraine Conservation Plan has been achieved.

#### Engineering Department

The Engineering Department has reviewed the proposed draft plan and has provided conditions

of draft approval, which are included on Attachment No. 1. The following comments are provided:

i) Environmental Site Assessment (ESA)

An ESA Phase 1 has been submitted, peer reviewed, and accepted by the City. The Owner has also reimbursed the City for the cost of the peer review. As a condition of draft approval, a clause stating that the Owner is not aware of any soil, groundwater or sediment contamination on or within the subject lands, is included in Attachment No. 1.

ii) Roads

The use of alternative road design standards is not being proposed in this development. Traffic calming has not currently been considered for this area. Construction access will be detailed on the Construction Drawings and subject to the requirements of the Subdivision Agreement.

iii) Engineering Servicing

This plan of subdivision depends on existing municipal services (sanitary, storm and watermain) on Keele Street as well as modifications to the existing Pressure District No. 9 water pumping station.

iv) Sanitary Servicing

The subject site will be serviced through the 375 mm sanitary sewer along Keele Street. Ultimately, the site will drain to the Bathurst Collector when available.

v) Storm Drainage

The minor and major flows will be conveyed through the proposed plan and drain into the stormwater management facility, to be constructed in conjunction with this development, adjacent to Keele Street. This stormwater management facility will outlet to a 1200 mm diameter culvert under Keele Street. The release rate will be controlled such that the peak flows at the culvert do not exceed the unit flow rates specified by the Toronto and Region Conservation Authority for the Upper Don River Watershed.

vi) Water Supply

The subject lands are located within service area Pressure District No. 9 of the York Water Supply System. It is anticipated that water supply will be from the 400 mm diameter watermain on Keele Street with connections to the 400 mm and 300 mm watermains in approved Draft Plan of Subdivision 19T-99V05.

The Functional Servicing report identified that minor adjustments to the existing pumping station located adjacent to the plan are required in order to supply sufficient water to the plan. The subdivision agreement will require that the necessary improvements be completed prior to the registration of the plan to the satisfaction of the City.

Parkland & Urban Design

Staff has reviewed the proposed draft plan of subdivision and has provided conditions of draft approval, which are included on Attachment No. 1. The preliminary parkland dedication calculation is as follows:

a) Parkland

The parkland dedication calculation based on 1ha per 300 units is as follows:

Total Number of Units:

399 (Plan 19T-02V08) + 39 (19T-02V07) = 438 units

Total Parkland at 1ha Per 300 Units:

Total Parkland Dedication = 1.460ha

Parkland Provided In Plan = 0.577ha

Total Parkland Underdedication = 0.883ha

The total combined parkland under-dedication for the subject lands, Plan (19T-02V08) and for the lands to the north (Plan 19T-02V07) is, 0.883ha. The proposal is providing 0.577ha (Block 312) of land, which is being combined with the 1.288ha parkland block in Plan 19T-99V05 to the north. To the south of the proposal is the future 80.37ha Maple North Park, which will function as a regional park to serve the Special Residential Area in OPA #332 and the Maple Area. The Maple North Park will help to offset the under-dedicated parkland in Plans 19T-02V07 and 19T-02V08 to serve the community.

b) Urban/Architectural Design Guidelines

Urban Design Guidelines are required for the proposal and are to comply with the policies of November 26, 2001, when Council approved the Design Standards Review Study. The Urban Design Guidelines are to include criteria to address urban design built form for townhouse development, boulevard and sidewalk design, community feature locations, and public realm landscape architecture. The Urban Design Guidelines document will be required for the proposal prior to the approval of the plan or a phase of the plan, to the satisfaction of the City. The requirement for the urban design guidelines has been included as a condition of draft approval in Attachment No. 1.

The residential development will also be subject to architectural control, whereby matters such as built form, massing, and elevations are addressed to create a visually pleasing community. Architectural Design Guidelines will be required for the proposal prior to the approval of the plan or a phase of the plan, to the satisfaction of the City. The Architectural Design Guidelines, as well as the selection of a control architect for the residential development, are to be approved by Council. The requirement for the Architectural Design Guidelines has been included as a condition of draft approval in Attachment No. 1.

Heritage

The Cultural Services Department requires that prior to the final approval of any subdivision agreement and prior to the initiation of any grading of lands, an archaeological evaluation is to be undertaken in accordance with the Ministry of Citizenship, Culture and Recreation's approved Archaeological Assessment Technical Guidelines for approval by the City and Ministry. The Cultural Services Department has advised that an archaeological assessment is required. A condition of approval has been included in Attachment No. 1 in this respect.

### Agency Comments

The Region of York, Canada Post, PowerStream Inc., TransCanada Pipelines, and the York Region District School Board have no objections, provided the Owner satisfies their respective conditions of draft approval, which are included in Attachment No. 1.

### Vaughan Vision 2007

This report is consistent with the priorities set-out in Vaughan Vision 2007, particularly with A-3 "Safeguard Our Environment" and A-5 "Plan and Manage Growth".

### Conclusion

The Owner has proposed a zoning by-law amendment and draft plan of subdivision to facilitate a 39.732ha residential development comprised of single detached, street townhouse and medium density dwelling units, parkland, open space, wetland, valley lands and storm water management ponds. The proposal has been reviewed in the context of the Official Plan, the *Oak Ridges Moraine Conservation Plan*, and Vaughan Vision 2007. Certain lands in the proposal are to be rezoned to OS5 Open Space Environmental Protection Zone to address the conformity requirements of the *Oak Ridges Moraine Conservation Plan*. Staff is satisfied that the proposal complies with all applicable policies.

The subject lands are to be rezoned to RD2, RD3 and RD4 Residential Detached, RT1 Residential (Street) Townhouse and RM2 Multiple Family Zone to implement the proposed draft plan of subdivision. The zoning for the subject lands will include rezoning lands adjacent to the OS5 Open Space Environmental Protection Zone to incorporate the environmental buffers adjacent to the valley lands, the wetland, and amphibian corridor. The lands that abut the TransCanada Pipeline will be zoned OS1 Open Space Conservation Zone which will include a 10m setback from the pipeline right-of-way.

Several issues such as the submission of urban design and architectural guidelines, and submission of a demographic/marketing study are to be completed as conditions of draft approval. The subject lands are to be zoned with a "H" Holding Symbol on all or a portion of the subject lands, until the requirements of OPA #332, as amended, are addressed to the satisfaction of the City.

A condition of approval has been included requesting the Ontario Municipal Board to withhold its' Order pending the execution and registration of the density bonussing agreement required to implement the proposed draft plan of subdivision. This will allow the City and the applicant time to prepare and finalize the final density bonussing agreement in compliance with the bonussing principles approved by Council. A condition of approval is included in this respect. The agreement will incorporate the density bonussing required to implement the initial phase of the development File 19T-02V07.

Subject to the comments and conditions in this report, Staff supports the proposal from a land use and development form perspective, as it is consistent with the overall pattern of development in the Special Residential Area. For these reasons, Staff recommends endorsement of the proposed applications to amend the zoning by-law and for draft plan of subdivision approval subject to the red lined modifications to the draft plan (Attachment #3), and the condition of draft approval a set out on Attachment No. 1, and that the OMB be so advised.

Should the Committee concur, Zoning By-law Amendment File Z.02.073 and Draft Plan of Subdivision 19T-02V08 (Dream Works Property Inc.) can be endorsed, subject to conditions, with the adoption of the recommendation of this report.

**Attachments**

1. Conditions of Draft Approval
2. Location Map
3. Proposed Draft Plan of Subdivision (As Red Lined February 7, 2005)
4. Draft Plan of Subdivision 19T-02V07 (Dream Work Property Inc.)
5. Comprehensive Concept Plan

**Report prepared by:**

Mauro Peverini, Senior Planner, ext. 8407  
Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

MARCO RAMUNNO  
Director of Development Planning

/LG

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## ATTACHMENT NO. 1

### STANDARD CONDITIONS OF DRAFT APPROVAL

DRAFT PLAN OF SUBDIVISION 19T-02V08  
{DREAM WORKS PROPERTY INC.}  
{LOT 29, CONCESSION 3}, 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-02V08, ARE AS FOLLOWS:

#### City of Vaughan Conditions

1. The Plan shall relate to the draft plan of subdivision, prepared by Weston Consulting Group Inc., Drawing #B20, dated January 4, 2005, as redlined on February 7, 2005, to incorporate the following revisions:
  - a) Blocks 313 and 358 shall be identified as buffer blocks and conveyed to the City free of all cost and encumbrance;
  - b) The draft plan of subdivision shall include all telecommunications (WIC) and hydro switch gear locations;
  - c) The draft plan of subdivision should include all sidewalks in accordance with the City Engineering Department Sidewalk Policy; and,
  - d) "Open Space" Block 319 shall be deleted and combined with the easterly "medium Density Residential" Block 311;
  
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*, and shall include lands zoned with the "H" Holding Symbol, which shall not be lifted on all or a portion of the subject lands, until the requirements of OPA #332, as amended, are addressed to the satisfaction of Vaughan, and shall include:
  - the submission of urban design and architectural guidelines; and,
  - the submission of a demographic/marketing study.

The implementing by-law shall zone the lands within the proposed draft plan of subdivision as follows:

- RD2 Residential Detached Zone - 15 metre frontage lots;
- RD3 Residential Detached Zone - 12.0 - 14.99 metre frontage lots;
- RD4 Residential Detached Zone - 9.0 - 11.99 metre frontage lots;
- RT Residential Townhouse Zone - Street Townhouse Dwellings (6m/unit);
- RM2 Residential Multiple Family Zone - Medium Density Block;
- OS2 Open Space Park Zone - Park Blocks and Trans Canada Pipeline

- OS5 Open Space Environmental Protection Zone (Blocks 314, 315, and 321 to 326 inclusive); and
- provide the necessary zoning exceptions to implement the Draft Approved Plan of Subdivision.

The implementing by-law shall include:

- a minimum 10m structural setback (including excavations such as swimming pools) abutting the TransCanada Pipeline Limited right-of-way; and,
  - place a "H" Holding Symbol on all Residential Zones permitting only the production of field crops or a use legally existing as of the date of enactment of the implementing by-law;
3. The Owner shall pay any and all outstanding application fees to the Development Planning Department, in accordance with Tariff of Fees By-law 321-99.
  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 side yards, 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. Prior to application for building permit, site plan approval is required under the City's Site Plan By-law, for "Medium Density Residential" Blocks 311 (as combined with Block 319).
  8. The road allowances within this Plan shall be named to the satisfaction of the City, in consultation with the Regional Planning Department; proposed street names shall be submitted by the Owner for approval by Council and shall be included on the first engineering drawings.
  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 side of a road allowance within the Plan shall be terminated in a 0.3m reserve, to be conveyed to the City free of all charge and encumbrances, until required for a future road allowance or development of adjacent lands.
  11. Final engineering design(s) may result in minor variations to the Plan (eg. in the configuration of road allowances and lotting, number of lots etc.), which may be reflected in the final plan to the satisfaction of the City.
  12. The Owner shall agree that the location and design of the construction access shall be approved by the City and/or the appropriate authority.
  13. Prior to final approval, the Owner shall submit a soils report, and the Owner shall agree to implement the recommendations of such report, as approved by the City. 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 access, municipal water, sanitary and storm services are available.
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 Development Planning Department, prior to issuance of a building permit.
18.
  - a) Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit an 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 report(s).
  - 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 acknowledging that all lands within the Plan and any lands and easements external to the Plan that are 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 and Energy's 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).
19.
  - 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 the TRCA.
20. Prior to final approval, the Owner shall submit an Environmental Noise Impact Study, prepared by a qualified consultant for approval by both the City and the Region of York at the Owner's expense. 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.
21. Prior to final approval, the Owner shall pay their 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.
22. a) Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of PowerStream Inc., its successors and assigns (herein PowerStream Inc.), regarding the design, installation, connection and/or expansion of electric distribution services, or any other related matters; the Owner shall enter into a development agreement with PowerStream Inc. which addresses the foregoing requirements.
- b) The Owner shall agree to design, purchase materials, and install a buried hydro distribution system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of PowerStream Inc. and the City.
23. 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:
- “Purchasers and/or tenants are advised that despite the inclusion of noise control features within the development area and within individual units, noise levels from construction activity may continue to be of concern occasionally interfering with some activities of the building occupants.”

24. Prior to final approval of the plan of subdivision, and prior to the initiation of any grading to any lands included in the plan of subdivision, a preliminary archeological evaluation of the entire area within the proposed plan of subdivision shall be carried out at the Owner's expense, and the same report shall identify any significant archaeological sites found as a result of the assessment. The archaeological assessment report shall be carried out by a licensed archaeologist and prepared according to the Ministry of Citizenship, Culture and Recreation approved Archaeological Assessment Technical Guidelines, dated 1993. The archaeological assessment shall be submitted to the municipality and the said Ministry for review and approval.

Prior to final approval or registration of the development application or plan of subdivision, the Owner by way of development application or subdivision agreement, shall agree that no development or grading shall occur on any site identified as being archaeologically significant as a result of the archaeological evaluation carried out on the property, until such time as protective and mitigative measures of all significant archaeological sites have been fulfilled to the satisfaction of the Ministry of Citizenship, Culture and Recreation (Archaeological Unit) and the municipality.

25. 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.]*

26. 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.
27. 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

28. Prior to final approval of the Plan, the City shall confirm that adequate water supply capacity and sewage treatment capacity are available, have been allocated, and that any required improvements to the existing system to service this development have been completed to the satisfaction of the City.
29. The Owner shall agree in the subdivision agreement that they are not aware of any soil, groundwater or sediment contamination on or within lands to be conveyed to the municipality, which would interfere with its intended use.
30. Prior to final approval of the Plan, the Owner shall prepare a Traffic Management Plan that details the location of traffic signals, traffic-calming, etc., that reflects the latest network to the satisfaction of the City.
31. Prior to final approval of the Plan, the Owner shall prepare a Water Distribution System Analysis in support of the development. The Analysis shall identify the opportunities and constraints of the existing water distribution system and describe the proposed water distribution system required to service the development of the Plan. The need and timing for any system improvements shall be clearly identified. The Owner shall agree in the subdivision agreement to carry out, or cause to be carried out, the recommendations of the analysis to the satisfaction of the City.
32. 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.
33. The pattern of streets and the layout of lots and blocks within this draft plan of subdivision shall be designed to correspond and coincide with the pattern and layout as approved for Plan of Subdivision 19T-99V05 abutting this draft plan of subdivision to the north.
34. Prior to commencement of construction within the Plan, the Owner shall submit a detailed Hydrological Impact Study that identifies, if 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 the development, to the satisfaction of the City.

35. The Owner shall not apply for building permits and the City shall not issue building permits for any lot until a minimum of two road accesses are available to service the proposed development, to the satisfaction of the City.
36. The Owner shall agree that construction access shall be provided only in a location(s) as approved by the City and/or Region.
37. Prior to the initiation of grading or stripping of topsoil and prior to final approval, whichever is earlier, the Owner shall submit an Erosion and Sedimentation Control Plan including topsoil storage plan detailing the location, size, side slopes, stabilization methods and time period, for approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either park or school blocks.
38. The Owner shall commission a noise report for the proposed property and include any recommendations from the report in the draft plan:
39. 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 despite the inclusion of noise control features within the development area and within the individual units, noise levels from construction and building activities will continue to be of concern occasionally interfering with some activities of the building occupants for the duration of the subdivision construction.”
40. 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 adjacent to an open space or stormwater management 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.”
41. 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 public transit routes have not been determined for the area within the Plan, however, Ravineview Drive, Peak Point Boulevard and Keele Street may be subject to public transit bus traffic.”
42. 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 the planting of 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.”

43. 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 the property is located in proximity to the Keele Valley Landfill Site and the Avondale Composting Site. The Purchaser is aware that during their operating lifetime, the landfill and composting facility has and may continue to create noise, odours, dust and/or visual impact, which may from time-to-time under certain atmospheric conditions be noticed by occupants of the property.”

44. 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 proper grading of all lots in conformity with the Subdivision Grading Plans is a requirement of this subdivision agreement.

The City has taken a Letter of Credit from the Owner for security to ensure all municipal services including, but not limited to lot grading, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for lot grading purposes, is not a requirement of this subdivision agreement.”

45. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots and Blocks on the Plan:

“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may effect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.”

46. The Owner shall agree in the subdivision agreement to erect permanent fencing satisfactory to TransCanada Pipeline along the limit of any lots or blocks that abut the TransCanada Pipeline right-of-way. The fence adjacent to the TransCanada Pipeline right-of-way shall be constructed on the private side of the lots or blocks and shall not be the responsibility of TransCanada Pipeline or the City.

47. 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 TransCanada Pipeline owns a right-of-way that abuts the lot. High pressure gas pipeline(s) presently exists within this right-of-way.”

48. 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 all permanent structures, including fences, and excavations shall be located at least ten metres from the limits of the TransCanada Pipeline right-of-way.”

49. The recommendations included within the report entitled "Hydrogeologic Assessment for the Proposed Dream Works Subdivision" prepared by Beatty & Associates dated April 2004 and "South Wetland Hydrologic Analysis Report" prepared by Valdor Engineering Inc. dated October 2004 in support of the wetland feature located within Block 315 must be incorporated into the design of the plan of subdivision to the satisfaction of the Engineering Department.
50. Prior to final approval of the plan, the Owner shall provide the City with a detailed maintenance program for the wetland including a cash contribution for the first 10 years of maintenance.

#### Development Planning

51. The Owner shall convey tableland woodlot Block 326 to the City free of encumbrances.
52. The Owner shall agree in the subdivision agreement that:
  - a) Prior to final approval, architectural guidelines shall have been prepared in accordance with Council Policy and approved by Council.
  - b) All development shall proceed in accordance with the Council approved architectural design guidelines.
  - c) A control architect is retained at the cost of the Owner with concurrence of the City to ensure compliance with the architectural design guidelines.
  - d) Prior to the submission of individual building permit applications, the control architect shall have stamped and signed drawings certifying compliance with the approved architectural guidelines.
  - e) The City may undertake periodic reviews to ensure compliance with the architectural design guidelines. Should inadequate enforcement be evident, the City may cease to accept drawings stamped by the control architect and retain another control architect, at the expense of the Owner.
53. 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 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 including entrance features, medians, parkettes, trail heads, and fencing;
  - Community edge treatment along Keele Street;
  - The appropriate configuration and landscape treatment of the stormwater management pond Block 320;
  - Valleyland edge management rehabilitation planting, trails, bridge crossings, erosion repair sites and pedestrian access points into the valley;
  - The appropriate integration and internal streetscape interface with the approved Maple

Valley Plan; and;

- The appropriate continuous pedestrian linkage between Keele Street and Open Space Blocks 314 and 322.
54. 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, an 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.
  55. The Owner shall convey Park Block 312 to the City free of encumbrance for parkland purposes.
  56. The Owner shall agree in the subdivision agreement, to include the following warning clause in all offers of lease, purchase or sale of Lots 145 to 150 inclusive, 183, 184, 215 to 220 inclusive, and 256 to 268 inclusive, that front, back onto or flank the south limits of the development adjacent to the proposed Maple Valley Regional Park;

“Purchasers and/or tenants are advised that the lot abuts the proposed Maple Valley Regional Park, and noise and lighting may be of concern due to the nature of the park for active recreation.”

57. Prior to final approval of the plan, the Owner shall prepare a detailed Edge Management/Rehabilitation Plan Study for the perimeter of the valley/open space blocks and tableland woodlot. The study shall include an inventory of 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 trees vegetation without written approval by the City.
58. 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.
59. The warning clause approved by Council on September 29, 1997 with respect to “Tree Fees” shall be included in the subdivision agreement:

“Purchasers are advised that the planting of trees on City boulevards in front of residential units is a requirement of the subdivision agreement. A drawing depicting the conceptual location for boulevard trees is included as a schedule in this subdivision agreement. This is a conceptual plan only and while every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete a boulevard tree without further notice.

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 the purchasers for boulevard trees does not guarantee that a tree will be planted on the boulevard in front or on the side of a residential dwelling.”

60. The Owner shall agree in the subdivision agreement to erect a permanent 1.8 metre high black vinyl chain link fence or approved equal along the limits of the residential lots that abut a Park

block, open space/valley, storm pond, woodlot and the Maple Valley Plan.

61. The Owner shall convey Buffer Blocks 313, 325, and 358 to the City, free of all costs and encumbrance for landscaping purposes.
62. In the event that the Owner and the City agree that the Owner will develop Park Block 312, the Owner shall agree that the design, securities and construction for the Park will be addressed through the amending agreement in accordance with "City Developer Build/Parks Development Policy."
63. Prior to building permit issuance, the Owner shall prepare for review and approval on Park Block 312, 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.

64. 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 the Urban Design and Architectural Design Guidelines.

#### Parks Development

65. Grading information and drainage treatment of the residential lots and roads that are adjacent to the approved Avondale Regional Park shall be required.
66. Prior to final approval, the Owner shall agree in the subdivision agreement to erect a permanent 1.8 metre black vinyl chain link fence along the limits of the residential lots that abut the park block. Access points into the park shall also be identified.
67. Cross-sections are required to determine appropriate locations for buffer landscaping along internal boulevards adjacent to the park block.

#### Toronto Region and Conservation Authority (TRCA)

68. Prior to the initiation of grading and prior to the registration of this plan, or any phase thereof, the Owner shall submit for the review and approval of the Toronto and Region Conservation Authority (TRCA), the following:
  - a) a detailed engineering report that describes the storm drainage system (quantity & quality) for the proposed development of the subject lands. The report shall include:
    - i) plans illustrating how this drainage system will tie into the surrounding drainage system, ie. Is it part of an overall drainage scheme? How will external flows be accommodated? What is the design capacity of the receiving system?



- ii) stormwater management techniques, which may be required to control minor or major, flows;
  - iii) appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to mitigate the impacts of the development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat;
  - iv) proposed methods for controlling or minimizing erosion and siltation on-site, and in downstream areas during and after construction;
  - v) location and description of all outlets and other facilities, which may require a permit under Ontario Regulation 158, the TRCA's Fill, Construction and Alteration to Waterways Regulation;
- b) overall grading plans for the subject lands.
69. That this draft plan of subdivision be subject to red-lined revisions in order to meet the requirements of Condition 69, if necessary.
70. That the mitigation measures for maintaining groundwater infiltration will be incorporated into the design of the subdivision to the satisfaction of the TRCA, which will achieve "post to pre-water budget" for the entire site.
71. The mitigation measures for maintaining the seasonal water balance to the wetland be incorporated into the design of the subdivision to the satisfaction of the TRCA.
72. The Owner shall prepare and submit a planting plan for the subject lands, to the satisfaction of the TRCA, in order to restore and enhance the ecology of the Natural Heritage System represented in Blocks 314, 315, 321, 322, 323, 324 and 326.
73. That the implementing zoning by-law shall recognize Blocks 314, 315, 321, 322, 323, 324 and 326 in an open space, or other suitable zoning category, which has the effect of prohibiting development, to the satisfaction of the TRCA.
74. That Blocks 314, 315, 321, 322, 323, 324 and 326 shall be set aside for dedication to either the TRCA or the City of Vaughan.
75. That prior to registration, the Owner shall prepare a Terms of Reference for a Wetland Monitoring and Enhancement Management Report for Block 315 and Buffer Block 323, to the satisfaction of the City of Vaughan and the TRCA. The principle objectives of this report will be to:
- a) develop a long-term monitoring program;
  - b) identify potential long-term operational and management concerns;
  - c) provide feasible mitigative measures to address the concerns identified;
  - d) identify triggers for when these concerns would become actionable;
  - e) establish opportunities for restoration and enhancement;
  - f) develop and adaptive management procedure with associated timelines for future wetland managers to follow, such that concerns and opportunities not envisioned at this time could be assessed in the future; and,
  - g) provide estimated costs associated with the various programs and potential future mitigative

measures and a recommended amount required to establish the contingency fund as more particularly referred to in Condition 77a).

In addition, the Owner shall install the wetland monitoring program equipment that is required to carry out the wetland monitoring program.

76. That the Owner shall agree in the subdivision agreement, in wording acceptable to the TRCA:
- a) to set aside a non-refundable contingency/remediation fund in the amount to be determined, provided that the parties agree that the amount shall not exceed \$100,000 (one hundred thousand dollars) in any event. This fund will be used in the instance that mitigation measures fail to maintain the function of the wetland located in Wetland Block 315. If the function of the wetland is maintained, this fund will be used for other environmentally related works on the Oak Ridges Moraine, that may be deemed appropriate by the City of Vaughan and the TRCA;
  - b) to carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the technical report referenced in Condition 69.
  - c) To maintain all stormwater management and erosion and sedimentation control structures operating in good repair during the construction period, in a manner satisfactory to the TRCA.
  - d) To obtain all necessary permits pursuant to Ontario Regulation 158 from the TRCA;
  - e) To erect a permanent fence to the satisfaction of the TRCA for lots and blocks abutting Blocks 321, 322, 323 and 324; the fence design should enhance the function of the Amphibian Corridor Block 324 to the satisfaction of the TRCA.
77. That prior to registration, the Owner shall, at their expense, make arrangements satisfactory to the City of Vaughan and to the TRCA to prepare and distribute information, as part of a public Information Program for the residents of this subdivision, concerning the natural heritage features on, and adjacent to, this subdivision. This will include distribution of this information to the public and signage on the respective blocks.
78. A copy of the executed subdivision agreement shall be provided to the TRCA, when available, in order to expedite the clearance of conditions.

#### Region of York Conditions

79. 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.
80. 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 mitigative measures for these issues.
81. 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.

82. The intersection of Keele Street and Peak Point Boulevard shall be designed and constructed to the satisfaction of the Regional Transportation and Works Department with any interim or permanent intersection works including turning lanes, profile adjustments, illumination and/or signalization as deemed necessary by the Regional Transportation and Works Department.
83. Prior to final approval and concurrent with the submission of the subdivision servicing application (MOE) to the area municipality, the Owner shall provide a set of engineering drawings, for any works to be constructed on or adjacent to the Regional road, to the Infrastructure Design and Construction Branch, Attention: Manager, Development Approvals, that includes the following drawings:
- i) Plan and Profile for the Regional Road and intersection;
  - ii) Grading and Servicing;
  - iii) Intersection/Road Improvements, including the recommendation of the Traffic Report;
  - iv) Construction Access Design;
  - v) Utility Location Plans;
  - vi) Signalization and Illumination Designs;
  - vii) Line Painting
  - viii) Traffic Control/Management Plans;
  - ix) Landscaping Plans, including tree preservation, relocation and removals; and
  - x) Engineering Details for the required bus passenger standing areas/platforms.
84. The Owner shall provide drawings for the proposed servicing of the site to be reviewed by the Engineering Department of the area municipality. Three (3) sets of engineering drawings (stamped and signed by a professional engineer), and MOE forms together with any supporting information, shall be submitted to The Regional Municipality of York Transportation and Works Department, Attention: Mrs. Eva Pulnicki, P.Eng.
85. Peak Point Boulevard shall be designed to intersect Keele Street at a 90 degree angle.
86. Property line elevations shall be 0.3 metres above the centerline elevations of Keele Street.
87. The following lands shall be conveyed to the Regional Municipality of York for public highway purposes, free of all costs and encumbrances:
- a) a widening across the full frontage of the site where it abuts Keele Street of sufficient width to provide a minimum of 18 metres from the centreline of construction of Keele Street;
  - b) a 15 metre by 15 metre daylighting triangle at the northeast and southeast corners of Keele Street and Peak Point Boulevard;
  - c) an additional 2 metre widening, 40 metres in length, together with a 60 metre taper for the purpose of a northbound right-turn lane at the intersection of Keele Street and Peak Point Boulevard; and,
  - d) a 0.3 metre reserve across the full frontage of the site where it abuts Keele Street and adjacent to the above noted widenings.
88. Direct vehicle access from the proposed dwellings to Keele Street shall not be permitted. Access

shall be obtained through the internal road network.

89. Any existing driveways along the Regional road frontage of this subdivision that are not approved by the Regional Transportation and Works Department for subdivision access shall be removed as part of the subdivision work, at no cost to the Region.
90. Any relocation or modification to neighbouring driveways required to accommodate the proposed plan of subdivision shall be coordinated by the Developer and shall be carried out at no cost to the Region.
91. The location and design of the construction access for the subdivision work shall be done to the satisfaction of the Regional Transportation and Works Department.
92. The Owner shall engage the services of a consultant to prepare and submit for review, a Noise Study to the satisfaction of the Regional Transportation and Works Department. The study shall recommend noise attenuation features and the Owner shall agree to implement these noise attenuation features to the satisfaction of the Regional Transportation and Works Department.
93. The following warning clause shall be included in a registered portion of the subdivision agreement with respect to the lots and 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.”
94. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Regional Transportation and Works Department, that prior to the release of the subdivision, and where noise walls, window and/or oversized forced air mechanical systems are required, these features shall be certified by a professional engineer to have been installed as specified by the approved Noise Study and in conformance with the Ministry of Environment guidelines.
95. Where noise attenuation features will abut a Regional right-of-way, 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 may 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 the Regional right-of-way 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.

96. Subject to approval by the City of Vaughan and the Region of York, the Owner shall agree in the subdivision agreement to construct sidewalks along the subject lands' frontage onto the planned transit roadways (i.e. Peak Point Boulevard). 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 subject lands, in which case only this side of the street will require the sidewalk.
97. The planned transit roadways shall be designated and designed to accommodate transit vehicles to the satisfaction of the area municipality and York Region Transit (The minimum pavement width for transit vehicles is 3.5 m. The minimum curb radius for transit vehicles is 15 m. These standards are according to the Canadian Transit Handbook and the Ontario Urban Transit Association.). 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.
98. Further to the future transit service planned for Peak Point Boulevard, subject to 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. Required platform locations and standards are as follows, and should be incorporated into a revised draft plan of subdivision:
- i. Westbound Peak Point Boulevard at the intersection of Street 'H' (NE corner, near-side placement, adjacent to Lot 95), to YRT Standard 'B' specification. (Note: From a transit/operational perspective, it would be recommended to have the lot's side frontage facing onto Peak Point Boulevard at this location.);
  - ii. Westbound Peak Point Boulevard at the intersection of Ravineview Drive (NE corner, near-side placement, adjacent to Lot 76), to YRT Standard 'B' specification. (Note: From a transit/operational perspective, it would be recommended to have the lot's side frontage facing onto Peak Point Boulevard at this location);
  - iii. Northbound Keele Street at the intersection of Peak Point Boulevard (SE corner, near-side placement, adjacent to Block 294), to YRT Standard 'C' or 'D' specification. This location should also incorporate a concrete pedestrian link to Peak Point Blvd.
99. Existing transit services currently operate on the following roadways in the vicinity of the subject lands:
- Keele Street
  - Vista Gate
  - Ravineview Drive (north of Vista Gate)
100. The Owner shall agree in the subdivision agreement to advise all potential purchasers of existing and planned/future 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.

101. The Owner shall agree in the subdivision agreement that the bus passenger platforms identified above shall be designed and constructed to the satisfaction of the area municipality and York Region Transit.
102. The Owner shall agree in the subdivision agreement to advise all potential purchasers of the existing and planned/future 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.
103. Subject to approval by the City of Vaughan and York Region Transit, pedestrian access is to be provided by means of concrete walkways and should be provided "at grade".
104. The Owner shall submit drawings depicting the following to the satisfaction of York Region staff:
  - a) All existing woody vegetation within the Regional Road right-of- way,
  - b) Tree protection measures to be implemented on and off the Regional Road right-of-way to protect right-of-way vegetation to be preserved,
  - c) Any woody vegetation within the Regional Road right of way that is proposed to be removed or relocated. However, it is to be noted that tree removal within Regional Road right's-of-way shall be avoided to the extent possible/practical. Financial or other compensation may be sought based on the value of trees proposed for removal.
  - d) A planting plan for all new and relocated vegetation to be planted within the Regional Road right-of-way, based on the following general guideline:

Tree planting shall be undertaken in accordance with York Region standards as articulated in Streetscaping Policy, and Regional Tree Planting Best Management Practices. If any landscaping or features other than tree planting (e.g. flower beds, shrubs) are proposed, they will require the approval of the local municipality and be supported by a maintenance agreement between the municipality and York Region for area municipal maintenance of these features. In addition, the agreement should indicate that where the area municipality does not maintain the feature to the Region's satisfaction, the area municipality will be responsible for the cost of maintenance or removal undertaken by the Region.
105. 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.
106. 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.
107. 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.

### York Region School Boards

108. 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).

### TransCanada Pipeline

109. The conditions, restrictions or covenants specified by TransCanada Pipelines Limited shall be registered against title in relation to the "Lands" and the Plan by way of application to register conditions, restrictions or covenants, as applicable, pursuant to the Land Titles Act, or any amendments thereto.
110. All permanent structures and excavations (including swimming pools) must be located at least 10m from the limits of TransCanada's right-of-way.
111. All crossings of TransCanada's right-of-way by roads, access ramps, trails or pathways, and above or below ground services and utilities must have TransCanada's prior authorization. The crossing applicant will be required to sign a crossing agreement, which will be binding upon subsequent owners of the crossing. Furthermore, in accordance with the National Energy Board (NEB) Act, an applicant is required to obtain crossing approval from the Right-of-Way Department in Calgary before final registration of the subdivision and before the start of any work within the subdivision. The Owner agrees to meet all clearances and design requirements outlined in the crossing agreement and the NEB Pipeline Crossing Regulations.
112. Any grading that will affect drainage on TransCanada's right-of-way, regardless of whether or not the grading is conducted on the right-of-way, must receive TransCanada's prior written approval. Grading activities on the right-of-way will only be permitted when a TransCanada representative is present to inspect and supervise them.
113. Prior to any blasting being undertaken at the site, a report on the methods and charges to be used must be prepared, at the Owner's expense, by a qualified blasting engineer and submitted for TransCanada's written approval.
114. New development that is adjacent to or contains TransCanada's right-of-way must be separated from the right-of-way by permanent fencing, of a type, location, and height acceptable to TransCanada and which will be maintained by the adjoining Owners. In this development, TransCanada will install markers to identify the location of its facilities and right-of-way. TransCanada Regional Office may approve alternate signage for the demarcation of the pipeline right-of-way.
115. Landscaping of TransCanada's right-of-way must be approved in writing by TransCanada and done in accordance with TransCanada's Planting Guidelines.
116. Vehicle barriers, of a design acceptable to TransCanada, shall be installed where public roads cross the right-of-way. The location of these barriers must be approved by TransCanada Pipelines.
117. Any roads or streets designed to run parallel to our right-of-way, must not have any portion of the road allowance limits located within the pipeline right-of-way.

118. Section 112 of the National Energy Board Act requires that anyone excavating with power-operated equipment or explosives within 30 metres of the pipeline must obtain leave from the NEB before starting the work. To satisfy this NEB requirement, you may send your request for leave directly to TransCanada Pipelines with supporting information explaining how the work will be carried out. Once you obtain written approval for the excavation request, you must notify TransCanada Pipelines at 1-800-827-5094 five business days before the start of any excavation using power-oriented equipment and seven business days before the use of explosives within 30 metres of the pipeline right-of-way limits.
119. The Owner shall not store any fill or building materials on the pipeline right-of-way unless written approval is obtained from TranCanada PipeLines.
120. During construction of the site, temporary fencing must be erected and maintained along the limits of the right-of-way by the Owner(s) to prevent unauthorized access by heavy machinery. The fence erected must meet TransCanada's specifications concerning type, height and location. Please note that Section 112 of the Act states that "...no person shall operate a vehicle or mobile equipment across a pipeline unless leave is first obtained from the company...".
121. TransCanada's prior approval for all Site Plans for all permanent structures to be erected on any lots encumbered by or adjacent to TransCanada's right-of-way must be obtained.
122. The developer or Owner must invite TransCanada Pipelines to a pre-job meeting prior to any construction at this site. At this meeting, TransCanada must be given the opportunity to make a presentation to all job supervisors responsible for construction on this report. This presentation will be a maximum of 30 minutes in length.
123. The Owner shall ensure that all contractor(s) and sub-contractor(s) are fully aware of the and observe the foregoing conditions.
124. Three copies of any registered Plan for this subdivision and a registered copy of the subdivision agreement must be sent to TransCanada's Land Department in Calgary.
125. TransCanada's Regional Office must be given five-business days advance notice at 1-800-827-5094 before the commencement of any construction activities on the site.

#### Canada Post

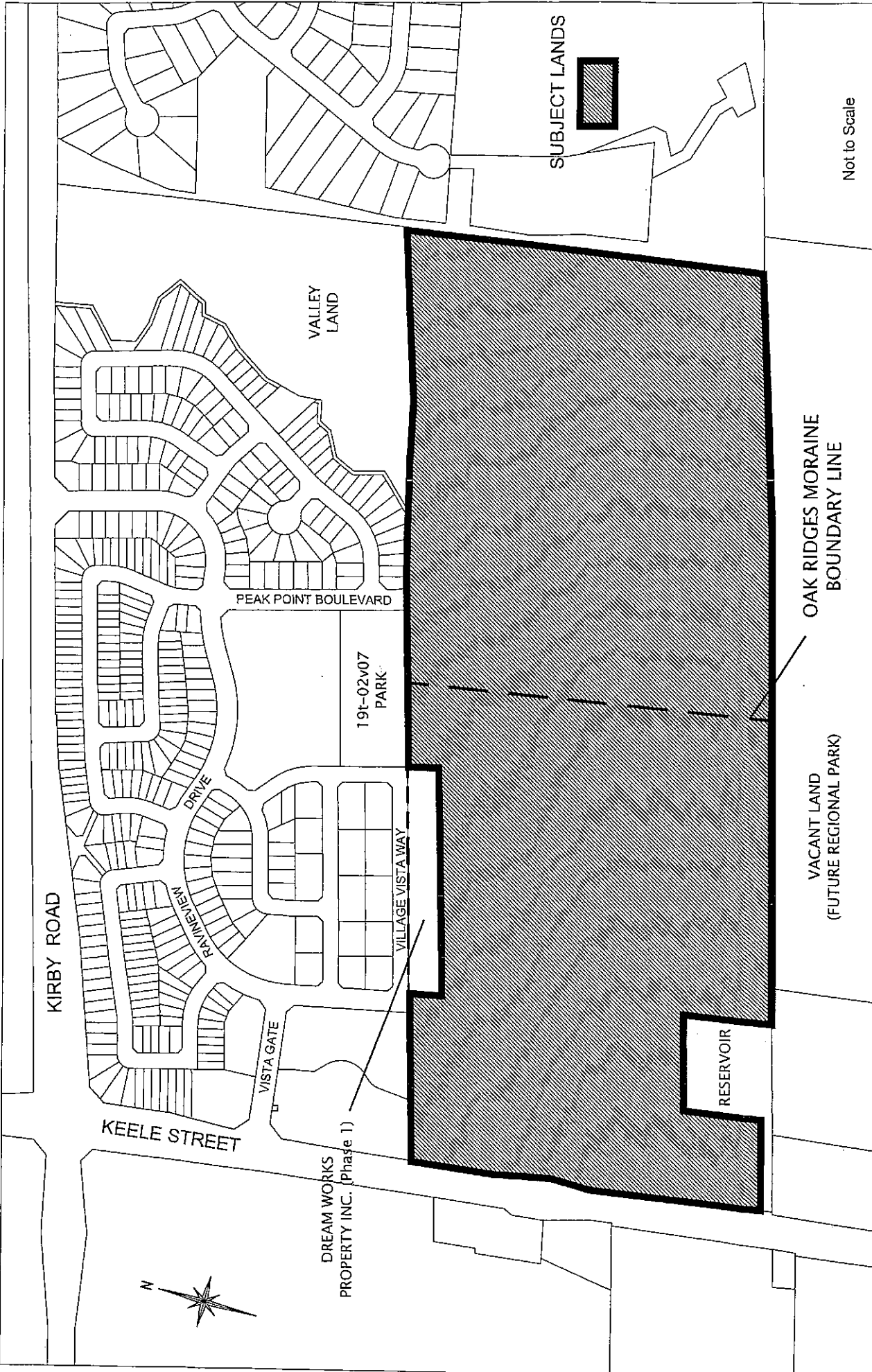
126. The Owner shall agree to satisfy the following conditions:
  - a) The Owner/developer agrees to include in all offers of purchase and sale a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
  - b) The Owner/developer will be responsible 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.
  - c) 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.



- d) The Owner/developer will provide the following for each community mailbox site and the following requirements on appropriate servicing plans:
  - i) a sidewalk section (concrete pad), as per municipal and Canada Post standards, to support the mailboxes;
  - ii) any required walkway across the boulevard, as per municipal standards (1 to 1.5 metres wide); and,
  - iii) any required curb depressions.
- e) Provide a suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s) to the satisfaction of Canada Post.
- f) Provide a copy of the executed agreement to Canada Post.

Other Conditions

- 127. 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 128 to 133 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
- 128. The City shall advise that Conditions 1 to 67 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
- 129. The Toronto and Region Conservation Authority shall advise that Conditions 68 to 78 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
- 130. The Regional of York shall advise that Conditions 79 to 107 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
- 131. York Region School Boards shall advise that Condition 108 has been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
- 132. TransCanada Pipeline shall advise that Conditions 109 to 125 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
- 133. Canada Post shall advise that Condition 126 has been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



Not to Scale

# Location Map

Part of Lot 29,  
Concession 3  
APPLICANT:  
DREAM WORKS PROPERTY INC.



Development Planning Department

# Attachment

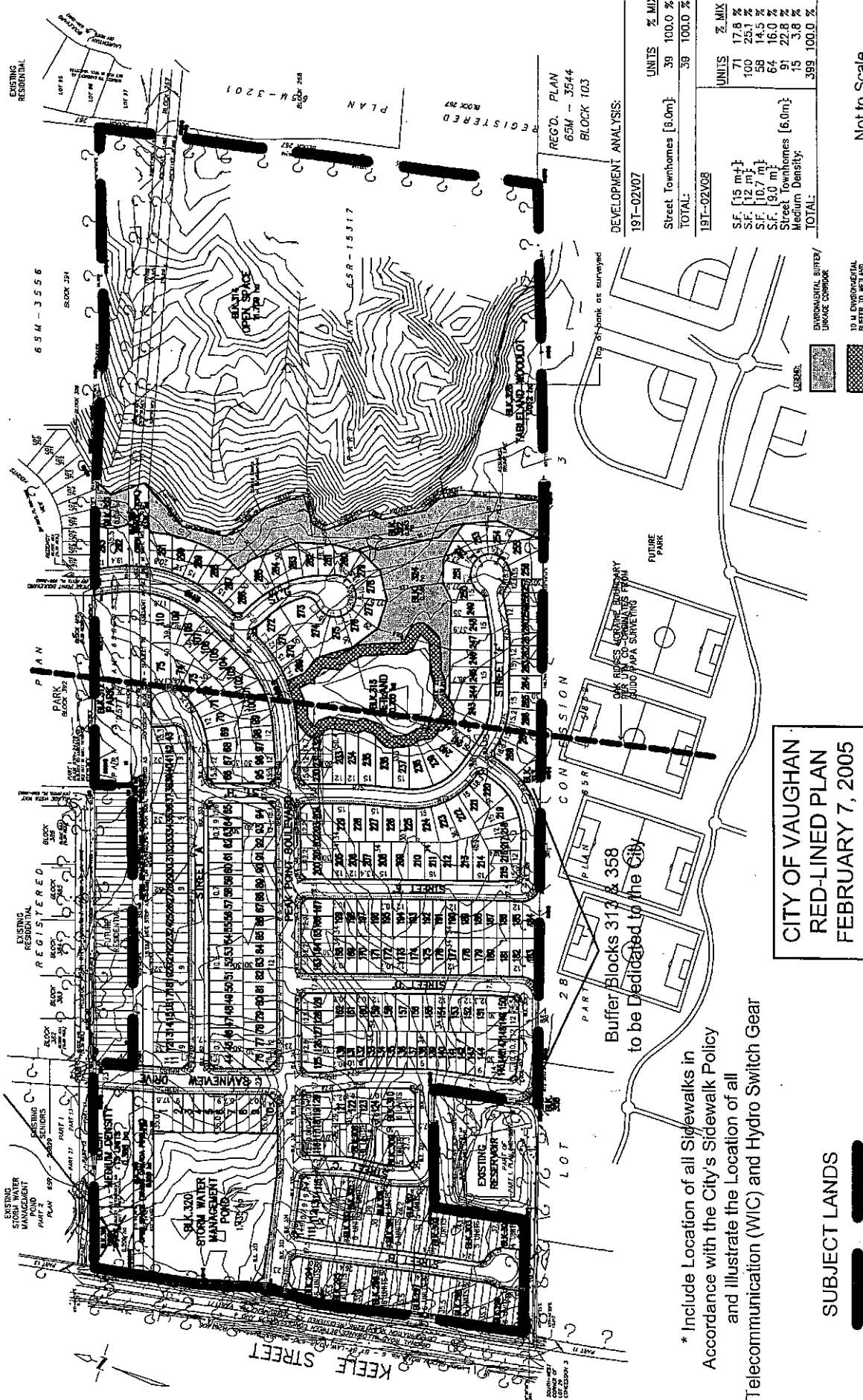
# 2

FILE No's:  
19T - 02V08  
& Z.02.073

January 24, 2005

N:\DPT\1 - ATTACHMENTS\19\19T-02V08e

Delete Block 319 and  
Combine with Block 311



CITY OF VAUGHAN  
RED-LINED PLAN  
FEBRUARY 7, 2005

Buffer Blocks 319 & 358  
to be Dedicated to the City

\* Include Location of all Sidewalks in  
Accordance with the City's Sidewalk Policy  
and Illustrate the Location of all  
Telecommunication (WIC) and Hydro Switch Gear

SUBJECT LANDS

Not to Scale

DEVELOPMENT ANALYSIS:

19T-02V07	UNITS	% MIX
Street Townhomes [6.0m]	39	100.0 %
TOTAL:	39	100.0 %

19T-02V08	UNITS	% MIX
S.F. [15 m <sup>2</sup> ]	71	17.8 %
S.F. [12 m <sup>2</sup> ]	100	25.5 %
S.F. [10.7 m <sup>2</sup> ]	59	14.5 %
S.F. [9.0 m <sup>2</sup> ]	64	16.0 %
Street Townhomes [6.0m]	91	23.8 %
Medium Density:	45	3.8 %
TOTAL:	389	100.0 %

# Draft Plan of Subdivision

Part of Lot 29,  
Concession 3  
APPLICANT:  
DREAM WORKS PROPERTY INC.

# CITY OF VAUGHAN

Development Planning Department

# Attachment 3

FILE No's.:  
19T-02V08  
& Z.02.073

January 24, 2005

Phase 1 -  
Dream Works Property Inc.  
19t - 02v07 (39 Townhouse Units)

EXISTING  
RESIDENTIAL  
PLAN

REGISTERED  
BLOCK 382 (5 UNITS) BLOCK 383 (6 UNITS) BLOCK 384 (8 UNITS) BLOCK 385 (8 UNITS) BLOCK 386 (8 UNITS)

REVISION DRIVE

VILLAGE VISTA WAY

BLOCK 440 (0.30 RES.)

BLOCK 397

N17°18'35"W  
53.785

92.000

N72°41'25"E

101.600

N72°31'30"E

53.228

47.6

N17°18'35"W  
53.785

38.4

44.4

38.4

44.4

38.4

47.6

N71°58'15"E

17.864

N71°58'15"E

253.760

N71°58'15"E

17.864

17.864

STRIP AS SHOWN ON ROUTINE PIPE PLAN 6061, REGISTERED AS DEPOSITED PLAN 3369 - SUBJECT TO EASEMENT AS SET OUT IN INST. NO. VA 39421 253.800

OPEN SPACE (TRANS CANADA PIPELINE)

PROPOSED RESIDENTIAL

SUBJECT LANDS

PLAN 2, PART 2, PLAN 65R-15317

**Draft Plan of Subdivision 19T-02V07  
(Dream Works Property Inc.)**

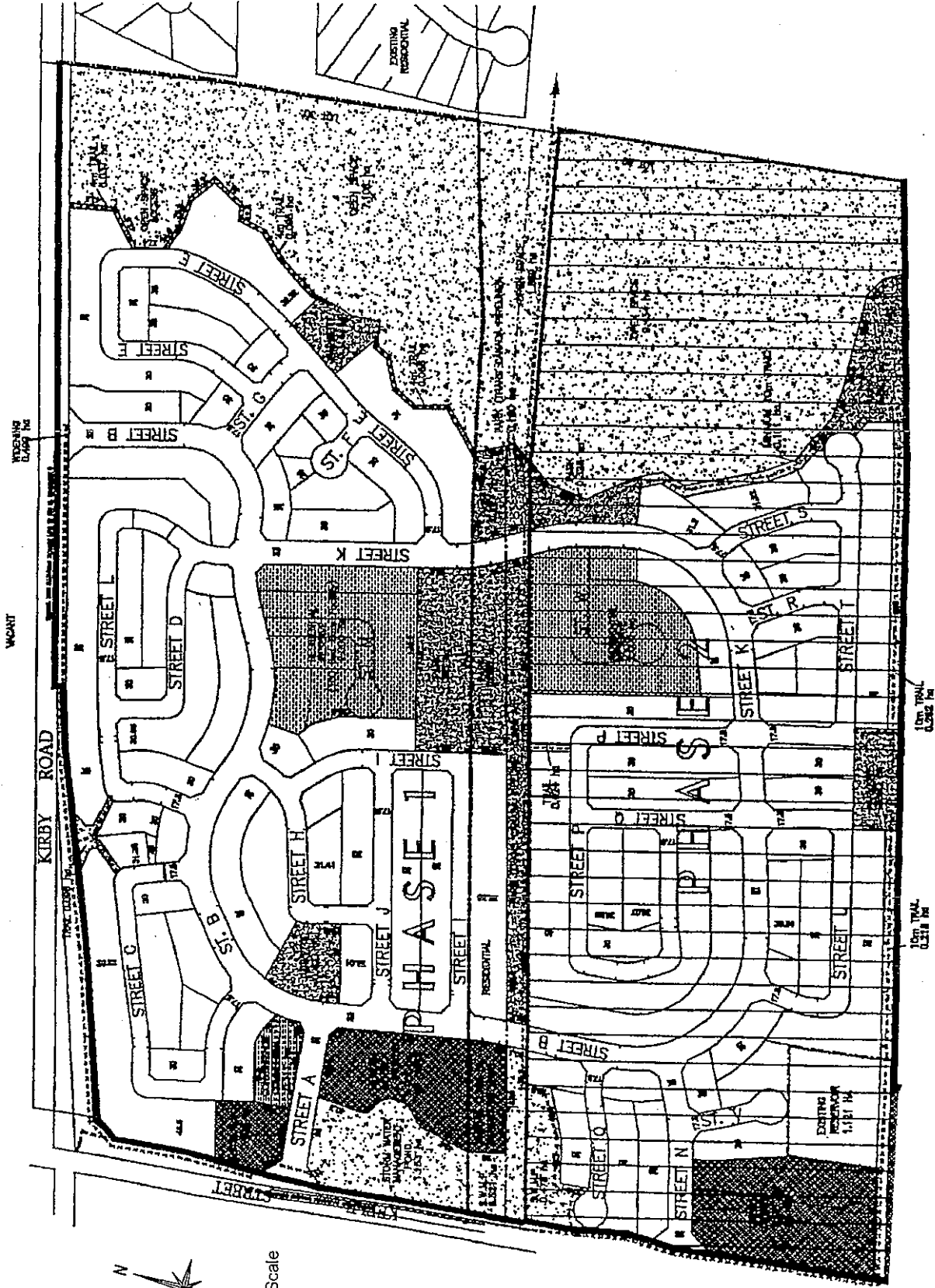
APPLICANT:  
DREAM WORKS PROPERTY INC.  
Part of Lot 29,  
Concession 3

CITY OF  
**Vaughan**

Development Planning Department

**Attachment 4**  
FILE No's:  
19T-02V08  
& Z.02.073  
January 24, 2005

NA\OPT\1 ATTACHMENTS\19T-02V08



Not to Scale

## Comprehensive Concept Plan

Part of Lot 29,  
Concession 3

APPLICANT:  
DREAM WORKS PROPERTY INC.

N:\BFT\1 ATTACHMENTS\19\19T-02V086

City of  
**Vaughan**

Development Planning Department

# Attachment

FILE No's.:  
19T - 02V08  
& Z.02.073

January 24, 2005

# 5