

COMMITTEE OF THE WHOLE MARCH 7, 2005

**ZONING BY-LAW AMENDMENT FILE Z.04.003
DRAFT PLAN OF SUBDIVISION FILE 19T-04V02
RAMP DEVELOPMENTS LIMITED
REPORT #P.2004.48**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment Application Z.04.003 (Ramp Developments Limited) BE APPROVED, to increase the maximum permitted lot coverage from 30% to 35%; permit a minimum interior side yard of 0.6m, provided it abuts an interior side yard of a minimum 1.2m; and reduce the required front yard from a minimum of 7.5m to 6.0m.
2. That Draft Plan of Subdivision 19T-04V02 (Ramp Developments Limited.) prepared by EMC Group Limited, November 4, 2004, and red-lined dated March 7, 2005, as shown on Attachment #3, BE DRAFT APPROVED, subject to the conditions set out in Attachment #1.
3. For the purposes of notice, the Subdivision Agreement shall contain a provision requiring the Owner to pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building permit, in accordance with the Planning Act and the City's Cash-In-Lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.
4. That Council pass the following resolution with respect to allocation of sewage and water servicing capacity:

"NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT the proposed Draft Plan of Subdivision Application 19T-04V02 is reserved sewage capacity from the Maple Service Area of the York/Durham Servicing Scheme and water supply capacity from Pressure District No. 6 of the York Water Supply System, for a total of 17 residential units. Said reservation to the Draft Plan shall automatically be revoked after a period of one year in the event that the Draft Plan has not been registered."

Purpose

The Owner has submitted an application to amend the Zoning By-law to permit exceptions to the R4 Residential Zone, and for a Draft Plan of Subdivision consisting of 17 single-detached residential lots, with minimum 12.3m lot frontages on a 1.23 ha site, as shown on Attachment #3.

Background - Analysis and Options

The subject lands are located east of Vaughan Boulevard, between Katerina Avenue and Centre Street, being Part of Lots 33 to 37 on Registered Plan 3541, in Part of Lot 6, Concession 2, City of Vaughan, as shown on Attachment #2. The irregular-shaped 1.23ha site has frontage of 12.95m on Vaughan Boulevard and 65.9m on Katerina Avenue, with a north/south depth of 105.5m and an average east/west depth of 111.6m. The site is developed with a 2-storey residential dwelling fronting on Vaughan Boulevard, which is to be retained, and five sheds on the remainder of the site that are to be demolished.

The site is designated "Low Density Residential" by OPA No. 210 (Thornhill-Vaughan Community Plan) and zoned R4 Residential Zone by By-law 1-88, subject to site-specific Exception 9(641). The surrounding land uses are:

- North - MacArthur Drive, Katerina Avenue; residential (R4 Residential Zone)
- South - commercial (C1 Restricted Commercial Zone), residential (R3 Residential Zone)
- East - commercial (C1 Restricted Commercial Zone), residential (R4 Residential Zone)
- West - residential (R3 and R4 Residential Zones); Vaughan Boulevard

On February 6, 2004, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Beverley Glen Ratepayers Association. As a result of the public hearing notice, Development Planning Staff received a number of written responses to the applications, specifically 8 letters in opposition. The following is a summary of the concerns noted:

- potential for increase in traffic along MacArthur Drive and Katerina Avenue;
- additional residential development would increase the amount of parking along the streets causing more congestion;
- proposed lot sizes are significantly smaller than those existing along MacArthur Drive; and
- the exceptions being sought would result in similar or larger homes on smaller lots, altering the look of MacArthur Drive.

The recommendation of the Committee of the Whole at the Public Hearing on March 1, 2004, to receive the Public Hearing report and that the Ward 4 Sub-committee and area residents meet with the applicant to address the issues raised at the Public Hearing, was ratified by Council on March 8, 2004.

Three Community Meetings were held throughout 2004 in order to address the area residents concerns respecting the proposed draft plan. The following is a summary of the issues raised at the community meetings:

- the orientation of three proposed lots fronting onto Katerina Avenue, whereas the area residents preferred to see one lot flanking on Katerina Avenue and fronting onto the extension of Mac Arthur Drive;
- the area residents disliked the design of the proposed extension of MacArthur Drive, and preferred to see the bulb of the cul-de-sac raised in order to accommodate pie-shaped lots around the bulb;
- area residents also wanted the applicant to develop the lands within the existing development standards;
- the number of proposed lots should be reduced in order to accommodate a draft plan of subdivision which would comply with the existing development standards; and
- traffic infiltration as well as parking along Katerina Avenue and MacArthur Drive continued to be a concern.

As a result of the community input arising from the three Community Meetings, the Applicant revised his plan in the following manner:

- the original submission proposed 20 lots (19 proposed, one existing), whereas the revised submission proposes 17 lots (16 proposed, one existing);
- the original submission would have required exceptions to the zoning standards contained in Schedule "T-61" to Exception 9(641), including, but not limited to a reduction in the minimum required lot frontage (from 12m to 11m); a reduction in the minimum required lot area (from 436m² to 385m²); a reduction to the minimum required interior side yard (from 1.2m to 0.6m, where such yard abuts a side yard

which is a minimum of 1.2m); and an increase in the maximum permitted lot coverage (from 30% to 40%); whereas the present draft plan requires exceptions for the minimum front yard on Lots 8 and 10 only (from 7.5m, to 6m); reduction in the minimum interior side yard (from 1.2m to 0.6m, where such yard abuts a side yard of a minimum of 1.2m); and an increase in the maximum permitted lot coverage (from 30% to 35%);

- the original proposed plan provided three lots fronting onto Katerina Avenue, whereas the current draft plan shows all the lots fronting onto the extension of Mac Arthur Drive; and
- the Applicant also agreed to move the cul-de-sac bulb 2.4m north, in order to provide additional landscaping in the form of mature trees, and to replace a portion of the existing southerly wood privacy fence with concrete posts and a new 1.8m high masonry wall extending from the front of the dwelling on Lot 8 to the front of the dwelling on Lot 10.

It was also suggested that the landscape buffer at the end of cul-de-sac bulb remain in private ownership. However, due to maintenance purposes, a 15m wide buffer block along the southern limit of the cul-de-sac, is to be created for landscaping purposes and dedicated free of all costs and encumbrances to the City, as red-lined on Attachment #3.

Official Plan

The subject lands are designated "Low Density Residential" by OPA No. 210 (Thornhill-Vaughan Community Plan), which permits single-detached dwellings at a maximum net density of 22 units/ha. The proposed draft plan of subdivision consisting of 17 units conforms to the Official Plan, as the subject lands could provide for a maximum of 27units (1.23 ha x 22 units/ha).

Zoning

The subject lands are zoned R4 Residential Zone by By-law 1-88, subject to site-specific Exception 9(641), which permits single detached dwellings having minimum lot frontages of 12 m on interior lots and 13.5m on corner lots.

To facilitate the proposal for 17 lots, a by-law amendment is required for the following exceptions:

| | <u>Required</u> | <u>Proposed</u> |
|--|-----------------|-----------------|
| Minimum Front Yard (Lots 8 and 10 only) | 7.5m | 6.0m |
| Minimum Interior Side Yard | 1.2m | 0.6m |
| Maximum Lot Coverage | 30% | 35% |

The reduction of the required minimum interior side yard from 1.2m to 0.6m will only be permitted where the 0.6m yard is abutting a yard of a minimum 1.2m, and will not be permitted where the yard is abutting a non interior side yard residential use. Maintenance easements will be required to be registered against the property having the minimum 1.2m interior side yard and in favour of the property with the reduced interior side yard.

Subdivision Design

The draft plan shown on Attachment #3 proposes a total of 17 residential lots, 16 of which are fronting onto the proposed extension of MacArthur Drive, and one which is an existing lot with an existing 2-storey dwelling located on it, fronting onto Vaughan Boulevard. Lots 1-8 inclusive and Lots 10-15 inclusive have frontages of 13.1m, and Lots 9 (fronting onto Vaughan Boulevard.), 16,

and 17 have frontages of 12.95m, 12.3 and 14m, respectively. The lot depths range between 37.2m and 46.8m. The infill draft plan of subdivision has no access to Centre Street, as the cul-de-sac ends at the southerly property line.

The draft plan has been red-lined to show a 15m wide separate buffer block along the south limit of the cul-de-sac to allow for an appropriate landscape screen.

The use of alternative road design standards is not being proposed in this development as the surrounding neighbourhood was constructed prior to the introduction of the alternative road design standards. Traffic-calming is also not being considered, given the size of the infill subdivision. The construction access to the site will be from Katerina Avenue.

Vaughan Engineering Department

The Vaughan Engineering Department has provided the following comments:

a) Environmental Site Assessment (ESA)

On July 15, 2004, Terrapex recommended that the City accept the Phase 1 ESA.

b) Engineering Servicing

This plan of subdivision depends on existing municipal services (sanitary, storm and watermain) constructed in the assumed Wilshire Park Phase 2 Subdivision 19T-91015 on Katerina Avenue and MacArthur Drive.

c) Sanitary Servicing

The subject site will be serviced through the 200mm sanitary sewer that runs from the intersection of Katerina Avenue and MacArthur Drive through the walkway block abutting the northern boundary of the plan to Vaughan Boulevard.

d) Storm Drainage

The minor and major flows will be conveyed through the proposed plan and drain into the existing Wilshire Park Phase 2 Subdivision. The storm sewers will connect to the existing 750 mm storm sewer that runs from the intersection of Katerina Avenue and MacArthur Drive through the walkway block abutting the northern boundary of the plan to Vaughan Boulevard.

e) Water Supply

The subject lands are located within service area Pressure District No. 6 of the York Water Supply System. The water supply will be from the 150 mm diameter watermain on Katerina Avenue and MacArthur Drive in assumed Wilshire Park Phase 2 Subdivision 19T-91015.

Parkland Dedication

For the purpose of notice, the Subdivision Agreement shall contain a provision that parkland shall be dedicated, and/or cash-in-lieu paid, within the plan at the rates stipulated in the approved "Cash-in-Lieu of Parkland Policy."

The preliminary parkland dedication for this plan is as follows:

| | |
|-----------------------------|---------|
| Total Land Area within Plan | 1.229ha |
| (Minus Credits) | 0.0 ha |
| Open Space Lands | 0.0 ha |

| | |
|---------------------------------|--------------|
| Buffer | 0.0 ha |
| Total Credits | 0.0 ha |
| Total Parkland at 5% Dedication | 0.061ha |
| TOTAL PARKLAND DEDICATION | 0.061 ha |
| PARKLAND PROVIDED IN PLAN | 0.0 ha |
| TOTAL PARKLAND UNDER-DEDICATION | 0.061 ha |

Relationship to Vaughan Vision 2007

This staff report is consistent with the priorities set forth Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

Conclusion

Staff have reviewed the proposed applications to amend the Zoning By-law and to approve Draft Plan of Subdivision 19T-04V02, in accordance with the policies in the Official Plan and the requirements of By-law 1-88. Staff is of the opinion that the proposed draft plan of subdivision consisting of 17 single-detached lots with minimum 12.3m frontages is an appropriate form of development for the lands, and conforms to the density policies in OPA No. 210 (Thornhill-Vaughan Community Plan). On this basis, Staff can also support the proposed amendments to the R4 Zone, which are considered to be appropriate standards for the development of the lands.

For these reasons, Staff can support the approval of the zoning by-law amendment and draft plan of subdivision applications.

Attachments

1. Conditions of Draft Approval
2. Location Map
3. Draft Plan of Subdivision 19T-04V02

Report prepared by:

Arminé Hassakourians, Planner, ext. 8368
 Arto Tikiryan, Senior Planner, ext. 8212
 Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY
 Commissioner of Planning

MARCO RAMUNNO
 Director of Development Planning

ATTACHMENT NO. 1

CONDITIONS OF DRAFT APPROVAL

DRAFT PLAN OF SUBDIVISION 19T-04V02 RAMP DEVELOPMENTS LIMITED PART OF LOT 6, CONCESSION 2, CITY OF VAUGHAN

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION 19T-04V02, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by EMC Group Limited, dated November 4, 2004 as red-lined dated march 7, 2005, to incorporate the following revisions:
 - a) A 15.m wide separate buffer block along the south limit of the cul-de-sac as redlined allowing for appropriate landscape screening, to be identified and conveyed to the City.
2. The lands within this Plan shall be appropriately zoned by a zoning by-law, which has come into effect in accordance with the provisions of The Planning Act. Particular zoning categories to be applied are as follows:
 - a) Lots 1-17 inclusive shall be zoned to R4 Residential Zone, subject to site-specific exceptions.
3. The Owner shall pay any and all outstanding application fees to the Development Planning Department, in accordance with Tariff of Fees By-law 406-2003.
4. The Owner shall enter into a subdivision agreement with the City to satisfy all financial and other conditions, with regard to such matters as the City may consider necessary, including payment of development levies, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
5. The Owner shall agree to create easements for maintenance purposes for all lots providing less than 1.2 m sideyards, or having roof encroachments, prior to transfer of land.
6. Prior to final approval, easements required for utility, drainage and construction purposes shall be created and granted to the appropriate authority(ies), free of all charge and encumbrances.
7. The Owner shall agree that all lots or blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing.
8. 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 archaeological 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 licenced archaeologist and

prepared according to the Ministry of Citizenship, Culture and Recreation (Heritage Operations Unit) approved Archaeological Assessment Technical Guidelines, dated 1993. The archaeological assessment shall be submitted to the municipality and the 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 a 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.

Warning Clauses

9. The Owner shall cause the following warning clauses to be included in a schedule to all offers of purchase and sale, or lease for all lots/blocks:
 - a) within the entire subdivision plan:
 - "Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the dwelling occupants."
 - "Purchasers and/or tenants are advised that the proposed finished lot and/or block grading may not meet City of Vaughan lot grading criteria in certain areas, to facilitate preservation of existing vegetation and to maintain existing adjacent topographical conditions."
 - "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings."
 - b) abutting any open space, woodlot or stormwater facility:
 - "Purchasers and/or tenants are advised that the adjacent open space, woodlot or stormwater management facility may be left in a naturally vegetated condition and receive minimal maintenance."
10. 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 or similar 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)832-8585."

"For detailed grading and berming information, please call the developer's engineering consultant, (name) at _____".

[In such circumstances, the Owner is responsible for updating the map and forwarding it to the City for verification.]

"This map is based on information available as of (date of map), and may be revised or updated without notification to purchasers."

11. 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.
12. 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

13. The road allowances included within this draft plan of subdivision shall be dedicated as public highways without monetary consideration and free of all encumbrances.
14. The road allowances included within this draft plan of subdivision shall be named to the satisfaction of the City and the Regional Planning Department.

15. The road allowances included in the Plan shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3m reserves.
16. Any dead ends or open sides of road allowances created by this draft plan of subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.
17. The Owner shall agree in the subdivision agreement that construction access shall be provided only in a location approved by the City.
18. Prior to final approval, a soils report prepared at the Owner's expense shall be submitted to the City for review and approval. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.
19. Prior to the initiation of grading, and prior to the registration of this draft plan of subdivision or any phase thereof, the Owner shall submit to the City for review and approval the following:

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

- a) plans illustrating how this drainage system will tie into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
- b) the location and description of all outlets and other facilities;
- c) storm water management techniques which may be required to control minor or major flows; and
- d) proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction.

The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned reports to the satisfaction of the City.

20. The Owner shall agree in the subdivision agreement that no building permits will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed development.
21. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost any external municipal services that have been designed and oversized by others to accommodate the development of the plan.
22. Prior to final approval, an environmental noise impact study, prepared at the Owner's expense, shall be submitted to the City for review and approval. The preparation of the noise report shall include the ultimate traffic volumes associated with the surrounding road network. The Owner

shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in the approved noise report to the satisfaction of the City.

23. The Owner shall agree in the subdivision agreement that the engineering design(s) may result in variation to the road, lotting pattern and number of lots to the satisfaction of the City.
24. The Owner acknowledges that the Centre Street land Use Study is currently underway. This study may recommend additional requirements for this draft plan of subdivision. The Owner shall agree to implement any and all recommendations of the Centre Street Land Use Study.
25. The Owner acknowledges that a 1.8 metre high masonry wall on a 0.6 metre berm will be required between Lots 8 and 10 and the existing commercial development to the south.
26. 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 development to the satisfaction of the City.
27. Prior to final approval of the plan, the Owner shall covenant and certify to the City that they are not aware of any soil, groundwater or sediment contamination on or within lands to be conveyed to the municipality which could interfere with its intended use.
28. 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 the plan of subdivision 19T-91015 abutting this draft plan of subdivision to the north.
29. 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.
30. Prior to final approval of the plan the owner shall pay the proportionate share of the cost of any external municipal services, temporary and/or permanent built or proposed, that have been designed and oversized by others to accommodate the plan.
31. Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit an Erosion and Sedimentation Control Plan including topsoil storage plan detailing the location, size, sideslopes, stabilization methods and time period, for approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either park or school blocks.
32. 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.”

33. 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 hereby put on notice that the Telecommunications Act and the CRTC authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs.”

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

“Purchasers and/or tenants are advised that this plan of subdivision is designed to include rear lot catchbasins. The rear lot catchbasin is designed to receive and carry only clean stormwater. It is the homeowner’s responsibility to maintain the rear lot catchbasin in proper working condition by ensuring that the grate is kept clear of ice, leaves and other debris that would prevent stormwater from entering the catchbasin. The rear lot catchbasins are shown on the Construction Drawings and the location is subject to change without notice.”

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

“Purchasers and/or tenants are advised that fencing along the side and/or rear lot lines of Lots and Blocks abutting public lands is a requirement of this subdivision agreement and that all required fencing and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3 metre reserve, as shown on the Construction Drawings.

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

36. The 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.”

37. The Owner shall agree that all disturbed lands within the draft plan left vacant six (6) months following completion of overall grading shall be topsoiled to a minimum depth of 100mm, seeded, maintained and signed to prohibit dumping and trespassing, to the satisfaction of the City.

Development Planning Department

38. Prior to final approval, the Owner shall provide a tree preservation study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation. The Owner shall not remove trees, without written approval by the City.

39. The warning clause that Council approved 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 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 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."

40. The Owner shall agree in the subdivision agreement to erect a permanent 1.8 metre high privacy or acoustic fence barrier or approved equal along the limits of the residential lots that abut the existing or proposed commercial blocks to the satisfaction of the City.

Canada Post

41. 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.
42. The Owner/Developer will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to closing of any home sale.
43. The Owner/Developer will consult with Canada Post Corporation to determine suitable locations for the placement of the Community Mailbox and to indicate these locations on the appropriate servicing plans) including:
- an appropriate sized sidewalk section (concrete pad) as per municipal standards, to place the Community Mailboxes on; and
 - any required walkway across the boulevard, as per municipal standards.

Bell Canada

44. The Owner shall be requested to enter into an agreement (Letter of Understanding) with Bell Canada complying with any underground servicing conditions imposed by the municipality, and if no such conditions are imposed, the Owner shall advise the municipality of the arrangements made for such servicing.

Clearances

45. 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; and
 - b) all government agencies agree to registration and provide clearances, as required in Condition 46, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered;
46. The City shall advise that Conditions 1 to 45 inclusive, and have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



Location Map

Part of Lot 6,
Concession 2
APPLICANT:
RAMP DEVELOPMENT LIMITED
N:\DPT\1 ATTACHMENTS\19\19-04-02-04.003



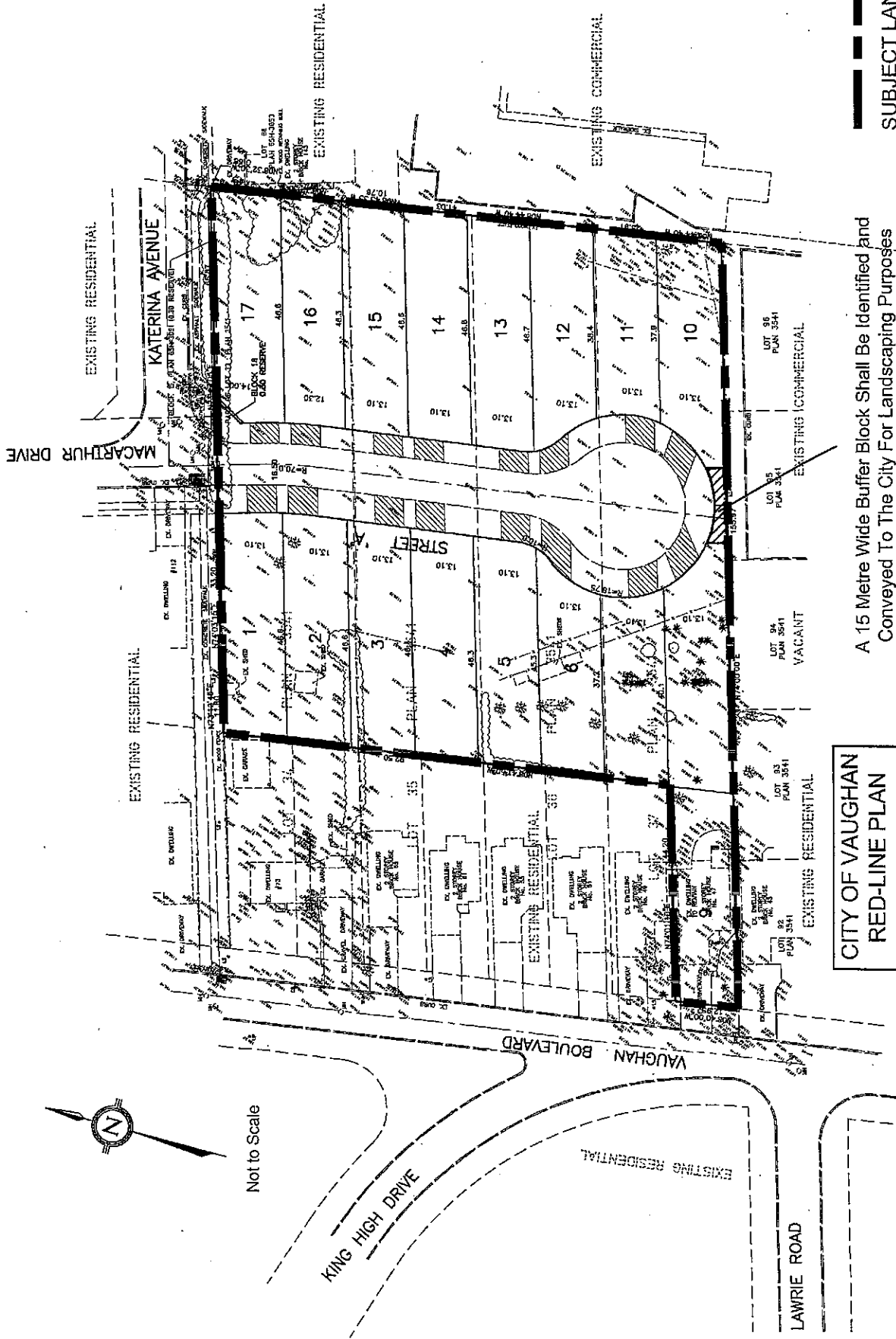
Development Planning Department

Attachment

2

FILE No.:
19T-04V02 &
Z.04.003

February 23, 2005



Draft Plan of Subdivision

APPLICANT:
RAMP DEVELOPMENT LIMITED

Part Lot 6,
Concession 2

N:\OFT\1 ATTACHMENTS\19\191-04v02z.04.003

Development Planning Department

City of Vaughan

Attachment

FILE No.:
19T-04V02 &
Z.04.003

February 23, 2005

