

COMMITTEE OF THE WHOLE JUNE 18, 2007

**ZONING BY-LAW AMENDMENT FILE Z.06.071
DRAFT PLAN OF SUBDIVISION FILE 19T-06V13
BOCA EAST INVESTMENTS LIMITED
REPORT #P.2007.15**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.06.071 (Boca East Investments Limited) BE APPROVED, and that the implementing by-law:
 - a) rezone Block 1 to EM3 Retail Warehouse Area Zone;
 - b) rezone Block 7 to EM1(H) Prestige Employment Area Zone with the Holding "H" provision to be lifted upon said part block being combined with the block to the south to form a developable block;
 - c) rezone Block 4 to EM2 Employment Area General Zone;
 - d) rezone Block 6 to EM2(H) Employment Area General Zone with the Holding "H" provision to be lifted upon said part block being combined with the block to the south to form a developable block;
 - e) rezone Blocks 2 and 5 to split EM1 Prestige Employment Area Zone and EM2 Employment Area General Zone;
 - f) rezone Block 3 to split EM1(H) Prestige Employment Area Zone and EM2(H) Employment Area General Zone with the Holding "H" provision to be lifted upon the determination of the final alignment of Highway #427 extension, to the satisfaction of the Ministry of Transportation Ontario;
 - g) rezone the 4.070 ha parcel of land shown as Area "B" on Attachment #3 to split EM1 Prestige Employment Area and EM2 Employment Area General;
 - h) to permit outside storage on corner lots in the EM2 Employment Area General Zone subject to a building being placed in the quadrant where the two streets intersect within the area zone EM2 Employment Area General.
2. THAT Draft Plan of Subdivision File 19T-06V13 (Boca East Investments Limited) prepared by KLM Planning Partners Inc., dated May 31, 2007, BE APPROVED, as red-lined on June 18, 2007 subject to the conditions of approval set out in Attachment #1.
3. FOR the purpose of notice, the subdivision agreement shall contain a provision that cash-in-lieu of the dedication of parkland shall be dedicated and/or cash-in-lieu paid, within the plan in accordance with the Planning Act and conform to the approved "Cash-in-lieu of Parkland Policy".

Economic Impact

There are no requirements for new funding associated with this report.

Communications Plan

N/A

Purpose

The Owner has submitted applications to amend the Zoning By-law and for a Draft Plan of Subdivision on the subject lands shown as Area "A" on Attachment #2. The proposal is to rezone the lands from OS2 Open Space Park Zone to EM1 Prestige Employment Area Zone, EM2 General Employment Area Zone, EM3 Retail Warehouse Employment Area Zone, as shown on Attachment #3 and OS1 Open Space Conservation Zone, to facilitate a 108.742 ha Draft Plan of Subdivision as shown on Attachment #4. The breakdown is as follows:

| | |
|--|-------------------|
| 1 Retail Warehouse Block (Block 1) (EM3 Retail Warehouse Zone) | 9.826 ha |
| 1 Prestige Employment Area Block (Block 7) (EM1 Prestige Employment Zone) | 0.403 ha |
| 2 Employment Area General Blocks (Blocks 4 & 6) (EM2 General Employment Area Zone) | 8.198 ha |
| 3 Mixed Prestige and Employment Area General Blocks (Blocks 2, 3 & 5) (Split EM1 Prestige Employment Area Zone and EM2 Employment Area General Zone) | 65.578 ha |
| 3 Stormwater Management Blocks (OS1 Open Space Conservation Zone) | 7.118 ha |
| 3 Open Space/Valleyland Blocks (OS1 Open Space Conservation Zone) | 10.869 ha |
| Roads, Widening and Reserve Blocks | 6.75 ha |
| TOTAL AREA | 108.742 ha |

The Owner is also requesting that the 4.070 ha parcel of land shown as Area "B" on Attachment #1, be zoned from A Agricultural Zone to EM1 Prestige Employment Area Zone and EM2 General Employment Area Zone as shown on Attachment #2.

An exception is proposed to permit outside storage on corner lots in the EM2 General Employment Zone.

Background - Analysis and Options

The 108.742 ha site is located on the east side of Regional Road 50, west side of Huntington Road, and south of Rutherford Road, in Part of Lots 13-15, Concession 10, City of Vaughan, as shown on Attachment #1.

The subject lands are designated "Prestige Area", "Employment Area General" and "Valley Lands" under OPA #450 (Employment Area Plan), as amended by OPA #631, the latter which was approved by the Region of York on March 28, 2007. The lands are also subject to the approved Block 64 Plan and zoned OS2 Open Space Park Zone and A Agricultural Zone by By-law 1-88.

The surrounding land uses are:

- North - Rutherford Road, existing gas bar (C7 Service Commercial Zone) and CP Intermodal Terminal (A Agricultural Zone)
- South - agricultural and existing residential dwelling (A Agricultural Zone)
- East - Huntington Road, agricultural and existing residential (A Agricultural Zone)
- West - Regional Road 50; City of Brampton, existing agricultural uses with proposed commercial and residential

On April 5, 2007, a Notice of Public Hearing was mailed to all landowners within 120m of the subject lands and to persons requesting notification and to the West Woodbridge Homeowner's Association. As of June 5, 2007, no responses have been received. At the Public Hearing on April 30, 2007, the recommendation of the Committee of the Whole to receive the Public Hearing report and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on May 7, 2007.

Official Plan

The subject lands are designated "Prestige Area", "Employment Area General" and "Valley Lands" under OPA #450 (Employment Area Plan), as amended by OPA #631, and further subject to the Boca East Investments Limited (Block 64) Plan as shown on Attachment #4, subject to the following policies:

a) Prestige Area

The "Prestige Area" designation is located adjacent to arterial roads and highways, and accommodates uses that require high visual exposure, good accessibility and an attractive working environment. It defines areas where it is appropriate to restrict uses, which by nature of their operating characteristics, would contribute to attractive streetscapes, and provide opportunities for employment intensive uses that will take advantage of and support the transit system. A wide range of industrial, office, business and civic uses are permitted, but not outside storage. The implementing zoning is EM1 Prestige Employment Area Zone.

b) Employment Area General

The "Employment Area General" designation accommodates uses which do not require high visual exposure, provides location opportunities for industrial development which may require outside storage or be undertaken outdoors, and that facilitates a broad range of lot sizes and a diversity of building forms in order to meet the needs of any business or industry. Permitted uses include a full range of processing, warehousing and outside storage operations, and transportation and distribution facilities. The implementing zoning is typically EM2 General Employment Area Zone, however, the owner has requested that all Blocks be zoned EM1 Prestige Employment Area Zone instead, to promote a more prestige industrial business park with no outside storage. The EM1 Zone uses are also permitted in an EM2 Zone and are more restrictive, which conforms to the policies of OPA #450.

c) Stormwater Management and Valleylands

The location of the stormwater management ponds and valleyland was established by the Huntington Business Park (Block 57/58) Plan. No buildings or structures are permitted, except where structures are intended for flood or erosion control purposes. The implementing zoning is OS1 Open Space Conservation Zone.

d) Road Connection

Subsection 5(d) of OPA #631 states "the northern most east/west road, which is the most central east/west road within Block 64 (Attachment #3), connecting Huntington Road and Regional Road 50, will be located so as to ensure an equitable opportunity for landowners adjacent to the collector road to proceed with development. This provision shall not prevent proper and safe alignment of the collector road at the intersections with Regional Road 50 and Huntington Road".

The City's Engineering Department has provided the following comment, which has also been verbally confirmed by a Region of York Transportation Department: The northern most east/west road (Street "2") as shown on Attachment #2 is aligned with Bellchase Trail on the City of Brampton side and it will be a signalized intersection. A proposed spacing between Street "1" (Clarkway Boulevard) and Street "2" (Bellchase Trail) allows for both intersections to be signalized in the future and to provide full movement access to the Boca lands. It would be hard to keep alignment with Bellchase Trail and to provide necessary turning lanes at the intersection, and at the same time satisfy Engineering Department Standards if the road was shifted north or south.

Zoning

The subject lands are zoned OS2 Open Space Park Zone by By-law 1-88, which does not permit the proposed employment uses. The proposed zoning of the subdivision is shown on Attachment #3.

The Owner has proposed an EM1 Prestige Employment Area Zone and EM2 Employment Area General Zone for Blocks 7 and 6, respectively, however the Development Planning Staff is recommending that these Blocks be placed in a "H" Hold to be lifted upon the Block being combined with the adjacent lot to the south in order to create a developable lot. Block 4 is also

proposed for EM2 Employment Area General Zone which is consistent with the Official Plan Policies.

Blocks 2, 3 and 5 are proposed for a split EM1 Prestige Employment Area Zone and EM2 Employment Area General Zone. The EM1 Zone will be located along the arterial roads and the EM2 Zone will be located in the internal road network. The Ministry of Transportation Ontario (MTO), however, has indicated that Block 3 is to be rezoned only and kept undeveloped because it is a critical area where a potential westerly alignment or interchange may be required. It is therefore recommended that Block 3 be zoned with a "H" Holding provision, pending the resolution of the Highway #427 extension by the MTO. The MTO has also confirmed that a minimum 14.0m setback will be applied to all "hard" engineered structures to the future designated Highway #427 right of way.

The proposed OS1 Open Space Conservation Zones are for the Valley Lands (Blocks 12 and 13), Open Space (Block 11) and Stormwater Management Ponds (Blocks 8 and 9).

Block 3 is proposed for EM3 Retail Warehouse Zone. In evaluating applications to permit retail warehouse the following criteria shall be assessed in accordance with Section 2.2.7.1 of OPA #450: availability of access to the arterial road system, traffic impacts on adjacent land uses, the adequacy of proposed accesses and the impact of the proposed use on the operation of the regional and local road system, and compatibility with adjacent land uses. The subject lands have access onto Regional Road #50. At the time of Block Plan (64) approval, City Staff determined that the Block 3 was an appropriate location for retail warehouse. Based on the OP Policies of the area, future development will be primarily employment uses. In turn, there should be no compatibility issues. The Owner may be required to submit additional studies or reports at Site Plan Approval stage to ensure appropriate development.

Subsection 6.3.2 (vi) of By-law 1-88 states that in an EM2 Employment Area General Zone, "no outside storage shall be permitted on any corner lot". The Owner is requesting that this requirement be eliminated. Given the large size of the proposed Blocks, Staff have no objection to this request subject to a building being located at the corner of the two streets within the portion on land zoned EM2 Employment Area General to provide screening as to ensure that outside storage is not in complete view of both streets. All other requirements in Subsection 6.3.2 will still apply at Site Plan and/or Permit stage.

Block Plan

The proposed draft plan of subdivision is consistent with the Boca East Investments Limited Block Plan (Block 64) as shown on Attachment #4 in terms of road pattern, and the location of employment and stormwater management pond blocks. Street "1" (north-south) will form part of the ultimate build-out connection to Rutherford Road to the north and Langstaff Road to the south. Street "2" (east-west) will form the connection between Regional Road #50 to the west and Huntington Road to the east. The Block Plan was approved by Council on June 26, 2006.

Subdivision Design

The proposed draft plan of subdivision includes a total of 13 Blocks consisting of 1 Retail Warehouse Block, 1 Prestige Employment Area Block, 2 Employment Area General Blocks, 3 Stormwater Management Blocks and 3 Open/Space Valleyland Blocks, with the remaining Blocks being allocated for roads, reserves and widenings as shown on Attachment #3. Access to the subdivision blocks will in the interim be from Regional Road #50 and Huntington Road, with Street "2" providing access into the subdivision plan until such time as the lands to the north are redeveloped and the lands to the south develop, to allow for future road connections.

Servicing

a) Servicing Report

In support of the draft plan, the applicant has submitted a Master Environmental Servicing Plan prepared by Schaeffers & Associates Addendum dated November 2006 (the "MESP"), confirming the availability of water, sanitary, and storm sewers to develop the lands. The MESP identifies that the municipal services are external and sized to service the draft plan. We summarize the servicing report below.

b) Water System

The draft plan is found within the service area of Pressure District #6 of the York Water Supply System. The draft plan can be provided with a looped water supply by constructing the proposed 600mm diameter on Huntington Road watermain south from the existing 1800mm diameter watermain on Rutherford Road and constructing the proposed 300mm diameter watermain on the internal roads.

c) Sanitary Sewer

In review of the construction drawings for the Vaughan West II Industrial Subdivision 19T-03V19, a sanitary sewer has been constructed on Zenway Boulevard and New Huntington Road that can be extended to service the draft plan. The applicant shall pay its proportionate share of the costs for any external municipal services designed and oversized to develop the draft plan such as the costs in the Vaughan West II Industrial Subdivision 19T-03V19 agreement and the special area development charges.

d) Storm Drainage

The MESP proposes two stormwater ponds on the draft plan, SWM 2 and 3, to service both the subject draft plan and abutting external developing lands within the Block Plan. Prior to subdivision approval, the applicant shall provide a storm water management report for the review and approval of the city. This report shall describe the proposed drainage system to develop the draft plan and include, but not be limited to, the following items:

- (i) Plans illustrating the proposed system and its connection into the existing storm system,
- (ii) Stormwater management techniques that may be required to control minor or major flows, and
- (iii) Proposed methods for controlling or minimizing erosion and siltation on-site and in down stream areas during and after construction.

e) Roads

The MESP proposes to construct the road network using the current City of Vaughan road design standards within the draft plan.

f) Street-lighting

The street-lighting shall meet the City criteria within the draft plan including the intersection of Street '1' and Rutherford Road and the intersections of Street '2' and Huntington Road and Street '2' and Highway 50.

g) Environmental Site Assessment

A recommendation is provided by the City's Environmental Engineer, dated March 1, 2007, confirming the Record of Site Condition has to be registered with the Environmental Site Registry of the Ministry of Environment.

The conditions of approval with respect to the Engineering Department's requirements have been included in Attachment #1 – Conditions of Approval.

Region of York

The Region of York Transportation and Works Department has reviewed the proposed draft plan and provides the following comments:

"This subdivision is within the West Rainbow Collector drainage area of the York Durham Sewage System. Full build-out of the West Rainbow Collector drainage area will require completion of the twinning of the Rainbow Trunk Sewer east of Kipling Avenue. The Rainbow Trunk Sewer twinning is expected to be completed in late 2007.

Based on contours provided on the draft plan of subdivision, this site will be serviced from Pressure District No. 5. We have no concerns regarding water supply to this area."

The conditions of approval with respect to the Region of York's requirements have been included in Attachment #1 – Conditions of Approval.

Ministry of Transportation Ontario (MTO)

In a letter dated January 5, 2007 the MTO indicated that the Owner will be responsible for submitting directly to the MTO a stormwater management report, Traffic Impact Study and Site Lighting Design and Calculation. They have also noted that the Ministry will require a 14.0 m setback from the future designated Highway #427 right of way and the owner will have to obtain the required permit.

Block 3 is to be rezoned only and kept undeveloped because it is a critical area where a potential westerly alignment or interchange may be required. It is therefore recommended that Block 3 be zoned with a "H" Holding provision, pending the resolution of the Highway #427 extension by the MTO. Proposed access roads to Rutherford Road and Huntington Road could also impact the location and extent of the Highway #427 alignment and/or potential interchange at Rutherford Road. The ultimate location of these intersections with Rutherford Road and Huntington Road in the northeast portion of the Block plan should only be determined once the Environmental Assessment is complete.

The conditions of approval with respect to MTO requirements have been included in Attachment #1 – Conditions of Approval.

Region of Peel

In a letter dated February 13, 2007 the Region of Peel's Planning Department advised that sewer facilities and water facilities are not available to service this site and waste collection will not be provided by the Region of Peel. The letter also stated the following:

"The proposed development abuts Highway #50, which is a Regional road. The Traffic and Transportation Engineering Department section has reviewed the above noted Draft Plan of Subdivision and cannot provide completed comments as the Traffic Impact Study remains outstanding."

The conditions of approval with respect to the Region of Peel requirements have been included in Attachment #1 – Conditions of Approval.

City of Brampton

In a letter dated May 22, 2007 the City of Brampton's Planning, Design and Development provided the following comments for consideration:

" We have no fundamental objection to the development of the subject lands in accordance with Vaughan's Plans for Block 64 These lands should continue to be protected in accordance with City of Vaughan Council approved OPA #631 policies on the Highway #427 extension."

The City of Brampton is satisfied that the Owner and the City will take into consideration their above-noted comments, and do not have any specific conditions of approval.

Utilities

PowerStream Inc. has no objection to the proposed draft plan of subdivision subject to the Developer entering into a separate subdivision agreement with them to address hydro matters. The Developer is to design, purchase materials, and install a buried hydro distribution system and a street lighting system within the confines of the subdivision, and compatible with the existing and/or proposed systems, in the surrounding plans of subdivision, all in accordance with PowerStream and City of Vaughan standards and specifications, and latest revisions.

Toronto and Region Conservation Authority (TRCA)

In a letter dated May 15, 2007 the TRCA indicated that the subject lands are partially located within the Authority's Regulated Area and Regional Storm Flood Plain of the Humber River. In accordance with Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses), a permit from the TRCA will be required for following activities:

- Construction, reconstruction, erection or placement of a building or structure of any kind;
- Any change to a building or structure that would have the effect of altering the use or potential use of a building or structure, increasing the size of the building or structure or increasing the number of dwelling units in a building or structure;
- Site grading;
- Temporary or permanent placement, dumping or removal of any material, originating on the site or elsewhere;
- Interference & alterations to wetlands, watercourses or shorelines (including crossings and/or outfall).

It is noted that the limits of development and the associated valleyland buffer were previously delineated and established as part of the associated Block 64 Block Plan process.

The conditions of approval with respect to TRCA requirements have been included in Attachment #1 – Conditions of Approval.

Cultural Services

The Cultural Services Department has no objections to the proposed draft plan of subdivision provided an Archaeological Assessment is submitted to their satisfaction.

Parkland Dedication

The Owner shall pay cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, in accordance with Section 51 of the Planning Act and City of Vaughan policy. The Owner shall submit an appraisal of the subject lands 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. The cash-in-lieu payment, under Section 42 of

the Planning Act, will not be required as long as the Council Policy waiving such payment remains in effect for industrial land.

Relationship to Vaughan Vision 2007

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

Conclusion

The Development Planning Department has reviewed the proposed draft plan of subdivision in accordance with the policies of OPA #450, as amended by OPA #631, the approved Block Plan and the provisions of By-law 1-88, as well as, the existing and proposed developments in the surrounding area. The Development Planning Department considers the proposed subdivision development to facilitate industrial employment uses to be desirable and appropriate, and in keeping with the approved Boca East Investments Limited Block Plan.

For these reasons, the Development Planning Department recommends approval of the draft plan of subdivision shown on Attachment #3, subject to the conditions of approval outlined in Attachment #1.

Attachments

1. Conditions of Approval
2. Location Map
3. Proposed Subdivision and Zoning
4. Red-lined Draft Plan of Subdivision 19T-06V13, June 18, 2007
5. Approved Block 64 Plan

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

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Director of Development Planning

/LG

ATTACHMENT NO. 1

CONDITIONS OF DRAFT APPROVAL

**DRAFT PLAN OF SUBDIVISION 19T-06V13
BOCA EAST INVESTMENTS LIMITED
LOTS 13-15, CONCESSION 10, 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-06V19, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to the draft plan of subdivision, prepared by KLM Planning Partners Inc., Drawing #07:02, dated January 9, 2007, as redlined by the City of Vaughan June 18, 2007, as follows:
 - Owner to convey lands to complete intersection of Street "1" and Rutherford Road including 15.0 m x 15.0 m daylighting triangles and associated 0.3 m road reserves and 15.0 m returns;
 - Temporary turning circle to be provided at the north end of Street "1".
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.
3. The Owner shall pay any and all outstanding application fees to the Development Planning Department, in accordance with Tariff of Fees By-law 89-2006.
4. Prior to final approval of any part of the Plan, the Owner shall submit a revised Block Plan, if required, to reflect any significant alterations caused from this draft plan approval.
5. Prior to application for building permit, site plan approval may be required for certain types of development under the City's Site Plan Control By-law, for draft approved Blocks 1, 2, 3, 5 and 7.
6. The Owner shall agree that Block 6 and 7 shall only be developed in conjunction with the adjacent lands; in the interim, such blocks will be subject to an "H" Holding Zone provision.
7. 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.
8. The road allowances included within this draft plan of subdivision shall be dedicated as public highways without monetary consideration and free of all encumbrances.
9. The road allowances included within this draft plan of subdivision shall be named to the satisfaction of the City and the Regional Planning Department.
10. The road allowances included this draft plan of subdivision shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 metre reserves. The pattern of streets and the layout of lots and blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.

11. 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.
12. The Owner shall agree in the subdivision agreement that construction access shall be provided only in a location approved by the City.
13. Easements as may be required for utility, drainage or construction purposes shall be granted to the appropriate authority(ies), free of all charge and encumbrance.
14. 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.
15. Prior to the initiation of grading, and prior to the registration of this draft plan of subdivision or any phase thereof, the owner shall submit to the City for review and approval the following:

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

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

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.

16. 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.
17. 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.
18. Prior to final approval of the Plan, the Owner shall provide a hydrogeological report to the City for review and approval. The hydrogeological report is require to ensure that existing wells in the vicinity of the Plan will not be adversely affected by the subsurface construction activities. The hydrogeological report shall include the monitoring of the existing wells before, during, and after construction.
19. Prior to final approval of the Plan, the Owner shall convey to the City and/or the Region of York such lands to complete the right-of way requirements for the intersection of Street '1' and Rutherford Road, free of all costs and encumbrances. The Owner shall convey a daylighting triangle having dimensions of 15.0m by 15.0m at the northeast and southeast corners of Street '1' and Rutherford Road and associated 0.3m road reserves, to the satisfaction of the City and the Region of York.

20. The design of all proposed valley crossings shall be finalized to the satisfaction of the TRCA and the Engineering Department.
21. A revised Water Supply Analysis shall be provided to the satisfaction of the City of Vaughan Engineering Department demonstrating that adequacy of supply and proper looping is available and provided for both at the regional and local level, to satisfy all City design criteria.
22. The Block Plan Report, together with supporting reports must be revised, updated and submitted in final form to reflect all modifications arising from the resolution of all conditions.
23. The timing for infrastructure/transportation improvements required for development in Block 64 including the reconstruction and widening of Huntington Road and Langstaff Road must be established to the satisfaction of the City of Vaughan.
24. All Regional infrastructure work including road widening, water and wastewater system improvements necessary to support development in Block 64 shall be completed to the satisfaction of the City and Region.
25. The stormwater management pond shall be designed in conformance with City of Vaughan Design Criteria (Engineering and Urban Design), Standard Drawings and Specifications.
26. 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.
27.
 - a) Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit environmental site assessment report(s) in accordance with the "Ministry of Environment and Energy's Guidelines for Use at Contaminated Sites in Ontario, June 1996", as amended, and shall reimburse the City for the cost of peer review of the reports.
 - b) Should site remediation be required to meet the applicable soil and ground water criteria set out in the above Guidelines, the Owner shall submit to the City prior to final approval, a copy of the Record of Site Condition acknowledged by a Provincial Officer of the Ministry of the Environment.
 - c) The Owner shall provide a certificate by a qualified professional that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City, meet the applicable soil and ground water criteria noted above.
28. Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of PowerStream Inc., its successors and assigns regarding the design, installation, connection and/or expansion of electric distribution services, or any other related matters; the Owner shall enter into a separate subdivision agreement with PowerStream Inc, which addresses the foregoing requirements.
29. The Owner shall agree to design, purchase materials, and install a buried hydro distribution system and a street lighting system within the confines of the subdivision, and compatible with the existing and/or proposed systems in surrounding plans of subdivision, all in accordance with the latest standards and specifications of PowerStream Inc. and the City, and latest revisions.
30. Prior to final approval, the Owner shall prepare comprehensive urban design guidelines for the Block 57/58 West Huntington Business Park Plan to the satisfaction of the City. These guidelines shall include urban design principles with respect to site planning, street network, landscape architecture, built form, open space and public/private streetscape realm.

31. Prior to final approval, the Owner shall prepare a streetscape and open space master plan to the satisfaction of the City. The master plan shall comply with the urban design guidelines and address but not be limited to the following issues:
- The use of hard and soft landscape elements to define significant street vista and generate a pleasing public/private realm street character;
 - Landscape and streetscape treatments for the Business Park campus edges including pedestrian access to arterial roads for public transit services;
 - Entry and special landscape features which express and enhance the Business Park identity;
 - Landscaping and restoration of open space lands including pedestrian trails, pedestrian access points, seating areas and naturalization;
 - Pedestrian linkages throughout the block including valley/open space blocks and stormwater management facilities;
 - Special decorative paving treatments for primary Business Park intersection nodes;
 - The landscape treatment of stormwater management facilities blocks 9, 10 and 11;
 - The appropriate streetscape design of the stormpond/open space crossing for Street "1";
 - Special streetscape furniture, including benches, waste receptacles, bike racks and tree grates that support the character throughout the Business Park community.

32. 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.

33. The Owner shall agree in the subdivision agreement to erect a permanent 1.5 metre high black vinyl chain link fence or approved equal along the limited of the lots that abut storm pond blocks 9, 10 and 11, in addition open space/valley blocks 12, 13 and 14.

34. Prior to final approval of the plan the owner shall prepare a detailed edge management plan study for the perimeter of the valley/open space blocks. The study shall include an inventory of all existing trees within an 8 metre zone inside the staked edges, and areas where the woodlot/open space edges are disturbed, assessment of significant trees to be preserved and proposed methods of edge management and/or remedial restoration planting shall be included. The owner shall not remove any vegetation without written approval by the City.

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.

35. The owner shall agree in the subdivision agreement:
- 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 control guidelines;
 - c) A control architect be 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

36. A Stage 2 Archaeological Assessment shall be completed with all recommendations and findings being addressed to the satisfaction of the City of Vaughan Engineering Department OR a determination to the satisfaction of the City that a Stage 2 Archaeological Assessment is not required.

Toronto and Region Conservation Authority

37. Prior to the initiation of grading and prior to the registration of this plan or any phase thereof, the applicant shall submit a detailed engineering report for the review and approval of the TRCA that describes the storm drainage system (quantity and quality), in accordance with the Master Environmental Servicing Plan (MESP) for this area. This report shall include:
- Plans illustrating how this drainage system will tie into surrounding drainage systems, i.e. is it part of an overall drainage scheme? How will external flows be accommodated? What is the design capacity of the receiving system?;
 - Stormwater management techniques which may be required to control minor or major flows;
 - Appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat;
 - Proposed method for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction;
 - Location and description of all outlets and other facilities which may require a permit pursuant to Ontario Regulation 166/06, the TRCA's (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation);
 - Overall grading plans for the subject lands.
38. That this draft plan of subdivision be subject to red-line revision in order to meet the requirements of Condition 1, if necessary.
39. That this applicant provide a technical submission satisfactory addressing comments as identified in the TRCA letter of May 15, 2007, specifically pertaining to Sections 1.0 (Development Limits) and 2.0 (Stormwater Management).
40. That the valley and stream corridor and associated buffer blocks (Blocks 11, 12 and 13) be set aside for acquisition or dedication to either the TRCA or the City of Vaughan, free of all charges and encumbrances.
41. That the implementing zoning by-law recognize Open Space Blocks 11, 12 and 13, in an open space, or other suitable zoning category, which has the effect of prohibiting development, to the satisfaction of the TRCA.
42. That the recommendations as outlines in the report entitles 'Opportunities for Environment Net Gain – Block 64, City of Vaughan' prepared by Stantec Consulting, dated October 24, 2006, by fully implemented prior to the registration of this plan, or any phase thereof, to the satisfaction of the TRCA.
43. That the applicant successfully obtain a permit under O.Reg 166/06 for the development pf a road crossing/crossing structure over Rainbow Creek.
44. That the owner in the subdivision agreement, in wording acceptable to the TRCA agrees:
- a. to carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the technical report references in Condition 1;
 - b. to maintain all stormwater management and erosion and sediment control structures operating and in good repair during the construction period, in a manner satisfactory to the TRCA;
 - c. to obtain all necessary permits pursuant to Ontario Regulation 158 from the TRCA;
 - d. to erect a permanent fence to the satisfaction of the TRCA for lots abutting the valleyland/open space blocks (Blocks 11, 12 & 13), to the satisfaction of the TRCA;

- e. to fully implement the recommendations as outlines in the report entitled 'Opportunities for Environmental Net Gain – Block 64, City of Vaughan prepared by Stantec Consulting, dated October 24, 2006;
- f. to implement appropriate runoff reduction measures at the site plan level, where feasible and to the satisfaction of the TRCA;
- g. to incorporate the following clause in the Agreement of Purchase and Sale for individual sites within the Block Plan area:

Purchasers are advised that runoff reduction measures to be implemented on site will be required, where feasible and subject to the satisfaction of the Toronto and Region Conservation Authority

Region of York

- 45. The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the area municipality and the Regional Planning and Development Services Department.
- 46. The Region shall confirm that the award of the contract for the construction of the West Rainbow Trunk Sewer has occurred and it is no earlier than six (6) months prior to the expected completion.
- 47. Prior to Final Approval, 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 Transportation and Works Department for review and approval, shall explain all transportation issues and shall recommend mitigative measures for these issues.
- 48. Prior to Final Approval, the Owner shall provide a written undertaking, to the satisfaction of the Transportation and Works Department, that the Owner agrees to implement the recommendations of the functional transportation report/plan as approved by the Transportation and Works Department.
- 49. Prior to Final Approval, the Owner shall submit detailed engineering drawings, to the Transportation and Works Department for review and approval, that incorporate the recommendations of the functional transportation report/plan as approved by the Transportation and Works Department. Additionally, the engineering drawings shall include the subdivision storm drainage system, erosion and siltation control plans, site grading and servicing, plan and profile drawings for the proposed intersections, construction access and mud mat design, utility and underground servicing location plans, pavement markings, electrical drawings for intersection signalization and illumination design, traffic control/construction staging plans and landscape plans.
- 50. Prior to Final Approval, 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 York Region Transportation and Works Department, Attention: Mrs. Eva Pulnicki, P.Eng.
- 51. Prior to Final Approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Works Department, that all existing driveway(s) along the Regional road frontage of this subdivision not approved as part of the overall subdivision will be removed as part of the subdivision work, at no cost to York Region.
- 52. Prior to final approval, the Owner shall submit drawings depicting the following to the satisfaction of York Region staff:
 - a) All existing woody vegetation within the York Region Road right of way;

- b) Tree protection measures to be implemented on and off the York Region right-of-way to protect vegetation within right-of-way;
 - c) Any woody vegetation within the York Region Road right of way that is proposed to be removed or relocated. However, it is to be noted that tree removal within York Region 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; and,
 - d) A planting plan for all new and relocated vegetation to be planted within the York Region 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 using species from the York Region Street Tree Planting List. These documents may be obtained from the Forestry Section. If any landscaping or features other than tree planting (e.g. flower beds, shrubs) are proposed and included in the subdivision agreement, they will require the approval of the Town and be supported by a Maintenance Agreement between the Town and the Region for Town maintenance of these features; any such Maintenance Agreement should indicate that where the area municipality does not maintain the feature to York Region's satisfaction, the area municipality will be responsible for the cost of maintenance or removal undertaken by the Region.
53. Prior to Final Approval, the Owner shall agree that the following lands will be conveyed to The Regional Municipality of York for public highway purposes, free of all costs and encumbrances, to the satisfaction of York Region Solicitor:
- a) a widening across the full frontage of the site where it abuts Highway 50 of sufficient width to provide a minimum of 22.5 metres from the centreline of construction of Highway 50;
 - b) a 15.0 metre by 15.0 metre daylight triangle at the northeast and southeast corners of Highway 50 and Street 2;
 - c) a widening across the full frontage of the site where it abuts Rutherford Road of sufficient width to provide a minimum of 18.0 metres from the centreline of construction of Rutherford Road;
 - d) an additional 2.0 metre widening 45.0 metres in length with a 60 metre taper for the purpose of an eastbound right turn lane and taper at the intersection Rutherford Road and Huntington Road; and,
 - e) a 15.0 metre by 15.0 metre daylight triangle at the southwest corner of Rutherford Road and Huntington Road.
54. Prior to Final Approval, the Owner shall agree to convey to The Regional Municipality of York, a 0.3 metre reserve along the entire frontage of the site except at the approved access location, adjacent to the above noted widening, free of all costs and encumbrances, to the satisfaction of the Regional Solicitor.
55. Prior to Final Approval, York Region requires the Owner to submit to it, in accordance with the requirements of the *Environmental Protection Act* and O. Reg. 153/04 *Records of Site Condition Part XV.1 of the Act* (as amended), a Phase I environmental site assessment prepared and signed by a qualified professional, of the Owner's lands and more specifically of the lands to be conveyed to York Region (the "Assessment"). Based on the findings and results of the Assessment, York Region may require further study, investigation, assessment and delineation to determine whether any remedial or other action is required. The Assessment and any subsequent environmental reports or other documentation prepared in respect of the environmental condition of the lands to be conveyed must to be addressed to York Region, contain wording to the effect that York Region shall be entitled to rely on such reports or documentation in their entirety, and such reports or documentation shall be satisfactory to York Region.

56. Prior to Final Approval, the Owner shall certify, in wording satisfactory to the Transportation and Works Department, that no contaminant, pollutant, waste of any nature, hazardous substance, toxic substance, dangerous good, or other substance or material defined or regulated under applicable environmental laws is present at, on, in or under all lands to be conveyed to York Region (including soils, substrata, surface water and groundwater, as applicable): (i) at a level or concentration that exceeds the *Environmental Protection Act* O. Reg. 153/04 full depth generic site condition standards applicable to the intended use that such lands will be put by York Region at the time of conveyance or any other remediation standards published or administered by governmental authorities applicable to the intended land use; and (ii) in such a manner, condition or emanating from such lands in such a way, that would result in liability under applicable environmental laws. The Assessment, any subsequent environmental reports or other documentation and the Owner's certification shall be done at no cost to York Region.
57. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Transportation and Works Department, to be responsible to decommission any existing wells on the Owner's lands in accordance with all applicable provincial legislation and guidelines and to the satisfaction of the area municipality.
58. The Owner shall agree, prior to the development approval of Block 3 that access to Block 3 shall be on a direct and common tangent with the easterly CP Intermodal Terminal access. No other secondary access to Rutherford Road will be permitted.
59. The Owner shall agree, prior to the development approval of Blocks 1 and 2 that primary access to Blocks 1 and 2 shall be determined to the satisfaction of York and Peel Regions. Additional secondary access to Highway 50 will not be permitted.
60. Prior to Final Approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Works Department, that Street '1' shall be designed to intersect Rutherford Road on a direct and common tangent with the CP Intermodal Terminal access.
61. Prior to Final Approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Works Department, that all individual site municipal services will be installed within the area of the development lands and not within the Regional right-of-way. If a buffer or easement is needed to accommodate the local services adjacent to the Regional right-of-way, then the Owner shall provide a satisfactory buffer or easement to the Area Municipality, at no cost to the Region.
62. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Transportation and Works Department that the Owner will be responsible for determining the location of all utility plants within the Regional right-of-way and for the cost of relocating, replacing, repairing and restoring any appurtenances damaged during construction of the proposed site works. The Owner must review, or ensure that any consultants retained by the Owner, review, at an early stage, the applicable authority's minimum vertical clearances for aerial cable systems and their minimum spacing and cover requirements. The Owner shall be entirely responsible for making any adjustments or relocations, if necessary, prior to the commencement of any construction.
63. Prior to Final Approval, the Owner shall satisfy the Regional Municipality of York Transportation and Works Department that the services to be installed within or in conjunction with the Plan will provide for sidewalks on both sides of the roadways unless only one side of the street lies within the limits of the subject lands. The sidewalks shall meet the local municipality's standards, and be provided by the Owner along the subject lands' frontage onto roadways that have/will have transit services.

Future YRT/Viva transit services are also planned for the following roadways or sections of:

- Highway 50
- Rutherford Road
- Huntington Road
- Street '1'
- Street '2'

64. With respect to the provision of concrete pedestrian access connections, due to the lack of details with respect to the location of planned buildings and resulting future pedestrian needs, the Owner acknowledges that the identification of specific locations of such pedestrian connections will need to be determined once more specific site details are provided through future development applications.
65. With respect to the provision of bus stops and concrete shelter pads, due to the lack of details with respect to the location of planned buildings and resulting transit needs, the Owner acknowledges that the identification of specific locations of bus stops and concrete shelter pads will need to be determined once more specific site details are provided through future development applications, as per YRT standard.
66. Prior to Final Approval, the Owner shall submit drawings showing, as applicable, the sidewalk locations, concrete pedestrian access, passenger standing area[s] and shelter pad[s] to the satisfaction of York Region.
67. Street '1' and Street '2' shall be 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.
68. The Owner shall agree in the Subdivision Agreement to advise all potential purchasers of the existing and future introduction of transit services in this development as identified in Condition 19. This includes potential transit routes, bus-stops and shelter locations. This shall be achieved through distribution of information/marketing materials (YRT route maps, Future Plan maps & providing YRT website contact information) at sales offices and appropriate notification clauses in purchase agreements. The YRT route maps and the Future Plan maps are available from YRT upon request.
69. The Owner shall satisfy the Regional Municipality of York Transportation and Works Department that the services to be installed within or in conjunction with the Plan will include illumination in accordance with the local municipality's design standards along all streets which have or will have transit services, sidewalks, pedestrian access and bus stop locations.
70. Prior to Final Approval, the Owner shall submit plans to the Transportation and Works Department for approval that identify the above transit requirements.
71. 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.
72. Prior to Final Approval, the Owner shall provide a solicitor's certificate of title in a form satisfactory to the York Region Solicitor, at no cost to York Region with respect to the conveyance of the above noted lands to York Region.

Region of Peel

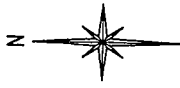
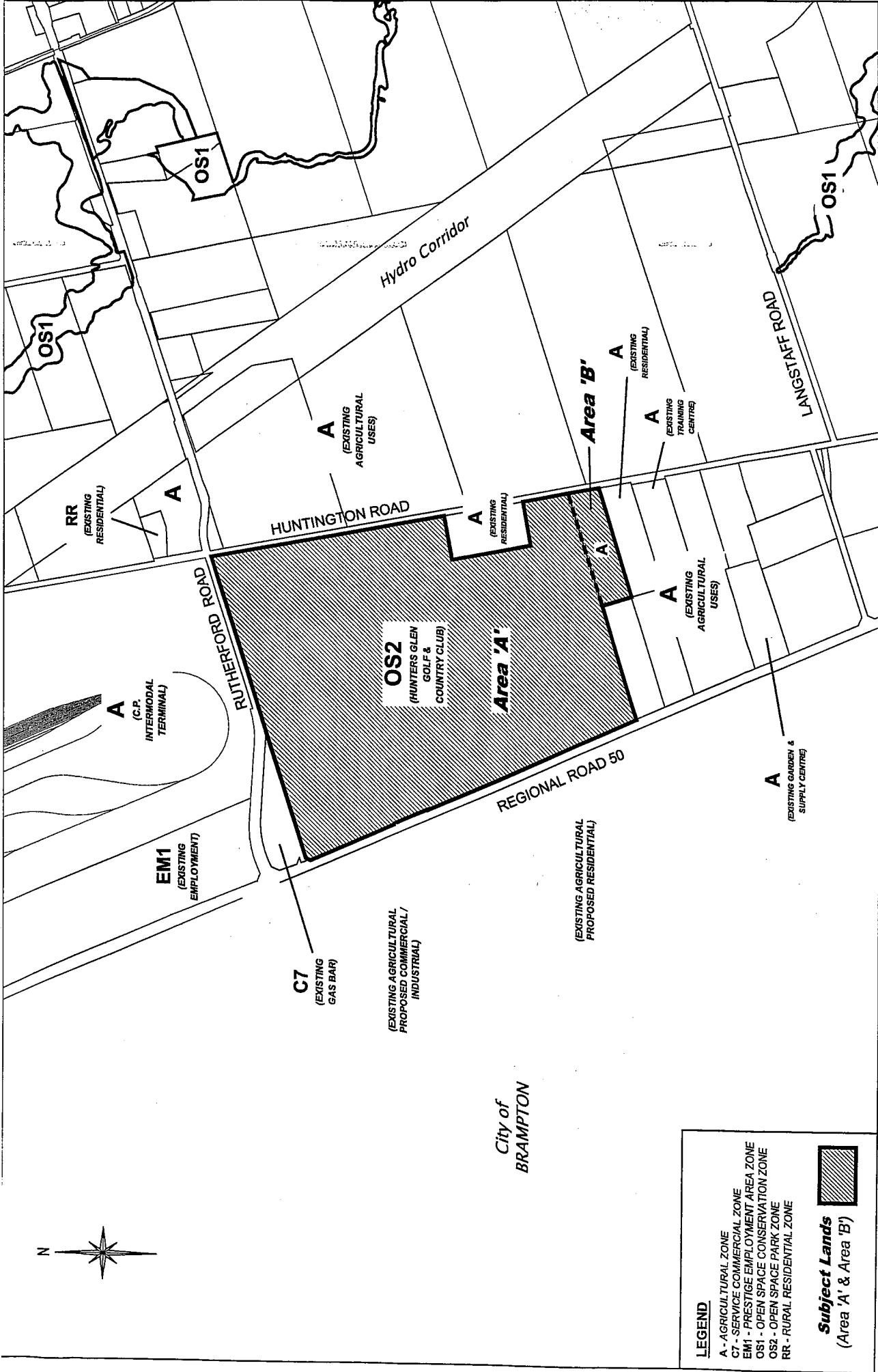
73. The applicant shall submit a detailed Traffic Impact Study acceptable to the Region of Peel detailing the impact on the Region road network and identifying any mitigation measures. Until such time that the Traffic Impact Study are finalized and acceptable to the Region of Peel, road/access connections to Regional roads will not be approved.
74. The applicant's engineer is required to submit to the Region of Peel, Public Works Department all Engineering Drawings in Micro-Station Formal as set out in the latest version of the Region of Peel "Development Procedure Manual".

Ministry of Transportation Ontario

75. That prior to final approval, the owner shall submit to the Ministry of Transportation for review and approval a copy of the Stormwater Management Report indicating the intended treatment and calculated runoff.
76. The prior to final approval, the owner shall submit to the Ministry of Transportation for review and approval, a copy of the Traffic Impact Study addressing the anticipated traffic volumes and their impact on Highway 427 and Highway 407.
77. That prior to final approval, the owner shall submit to the Ministry of Transportation for review and approval a copy of the proposed site Lighting Design and Calculations in the isometric format using AGI-32 and Auto-Lux.

Clearances

78. Final approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees provided that:
 - a) Phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, and other essential services; and
 - b) All government agencies agree to registration by phases and provide clearances, as required in Conditions 79 to 83 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
79. The City shall advise that Conditions 1 to 36 inclusive and 59. have been satisfied; the clearance letter shall include a brief statement detailing how each conditions has been met.
80. The Toronto and Region Conservation Authority shall advise that Conditions 37 to 44 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each conditions has been met.
81. The Region of York shall advise that Conditions 45 to 72 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each conditions has been met.
82. The Region of Peel shall advise that Conditions 73 to 74 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each conditions has been met.
83. The Ministry of Transportation Ontario shall advise that Conditions 75 to 77 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each conditions has been met.



City of
BRAMPTON

LEGEND

- A - AGRICULTURAL ZONE
- C7 - SERVICE COMMERCIAL ZONE
- EM1 - PRESTIGE EMPLOYMENT AREA ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- OS2 - OPEN SPACE PARK ZONE
- RR - RURAL RESIDENTIAL ZONE

Subject Lands
(Area 'A' & Area 'B')

Location Map

Part of Lots 13 - 15,
Concession 10

APPLICANT:
BOCA EAST INVESTMENTS LIMITED

N:\DFT\1 ATTACHMENTS\19\191-06V13-06.071



Development Planning Department

Attachment 2

FILE No(s):
19T-06V13 & Z.06.071

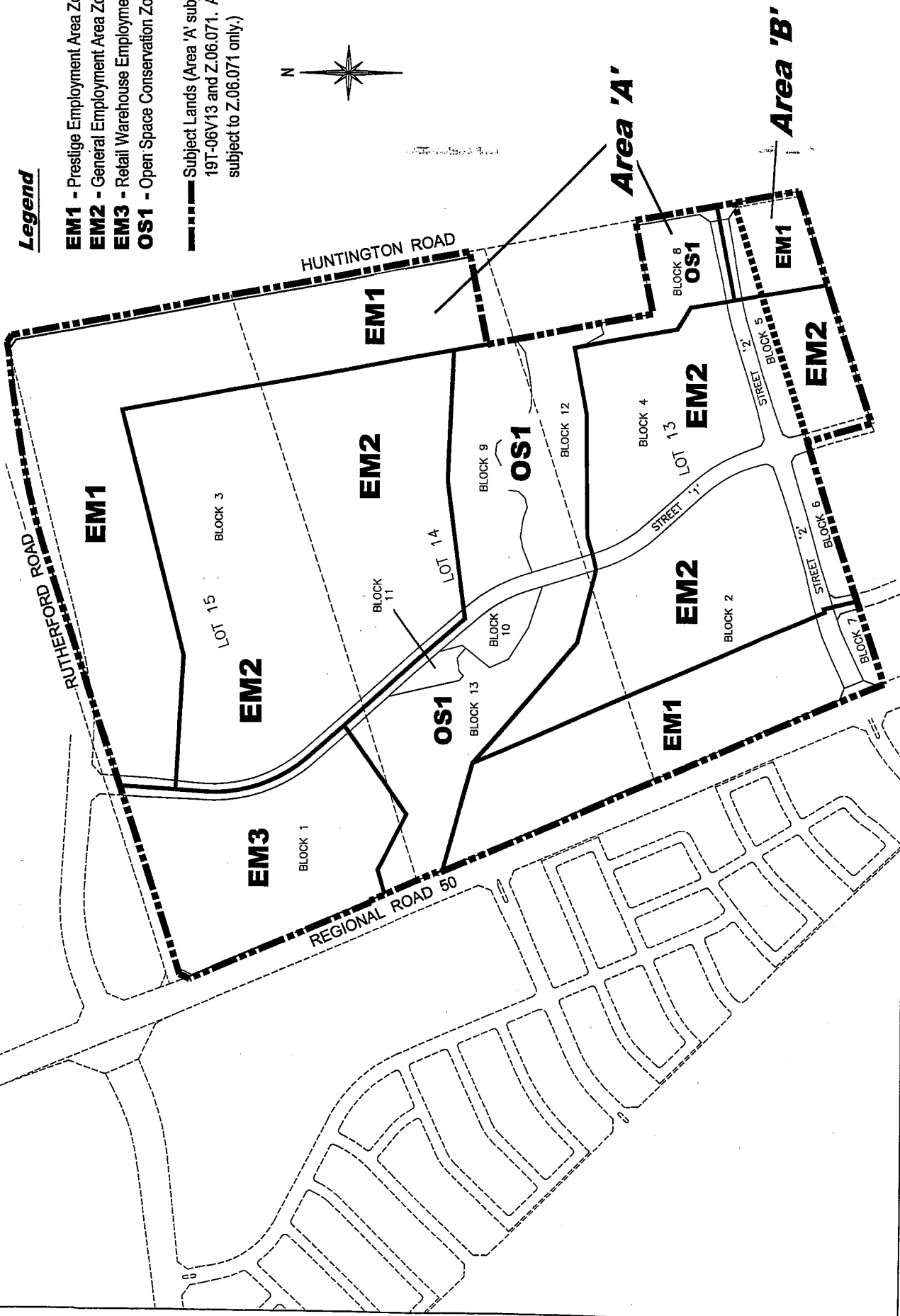
Not to Scale

June 1, 2007

Legend

- EM1** - Prestige Employment Area Zone
- EM2** - General Employment Area Zone
- EM3** - Retail Warehouse Employment Area Zone
- OS1** - Open Space Conservation Zone

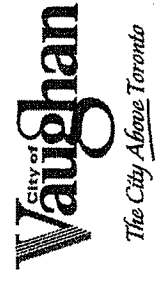
--- Subject Lands (Area 'A' subject to 19T-06V13 and Z.06.071, Area 'B' subject to Z.06.071 only.)



Proposed Subdivision & Zoning

Part of Lots 13 - 15,
Concession 10

APPLICANT:
BOCA EAST INVESTMENTS LIMITED
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Development Planning Department

Attachment

3

FILE No:
19T-06V13 & Z.06.071

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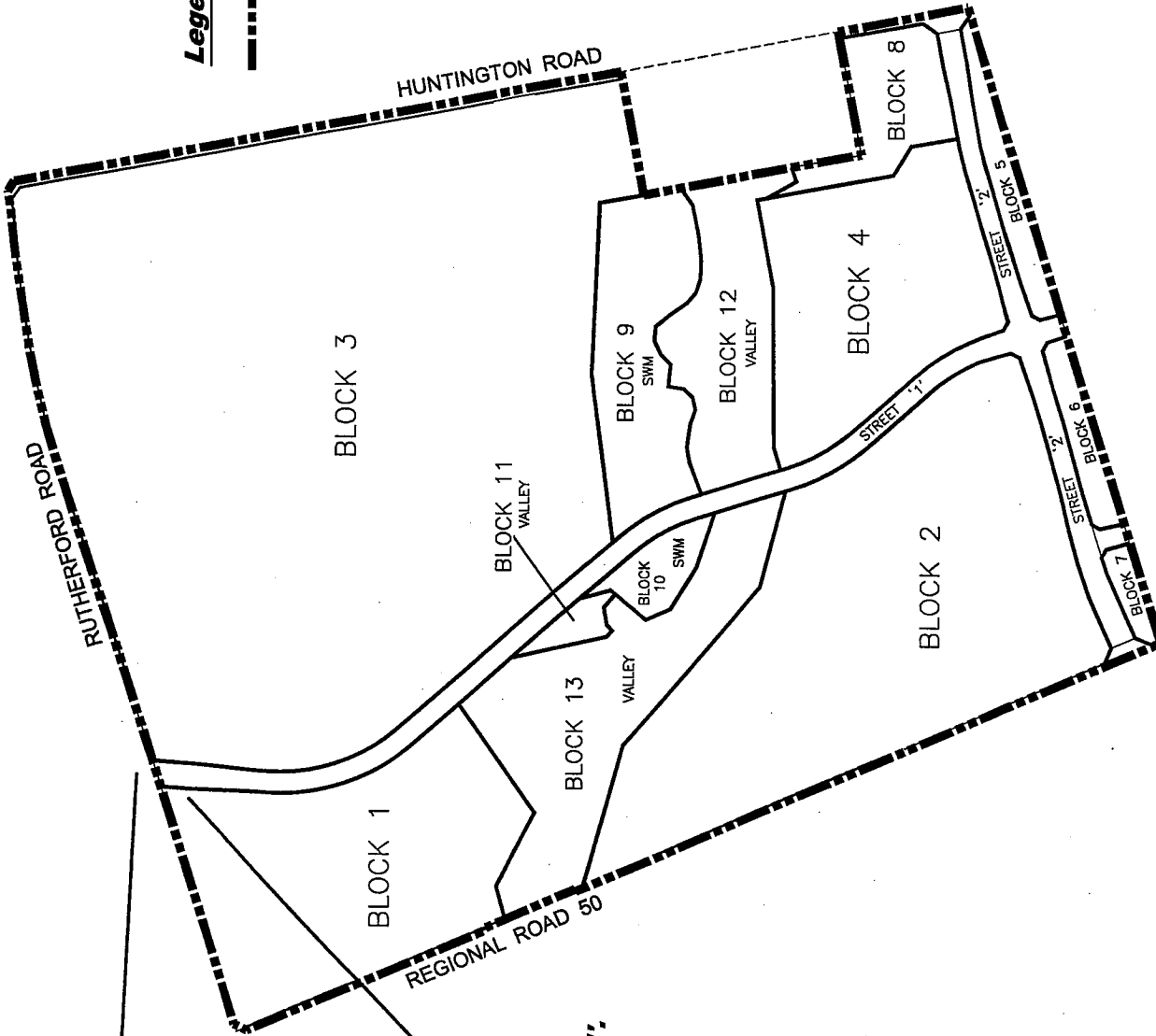
June 1, 2007

Owner to convey such lands to complete intersection of Street '1' and Rutherford Road 15.0m x 15.0m daylighting triangles and associated 0.3m road reserves and 15.0m returns.

Provide temporary turning circle at north end of Street '1'.

Legend

--- Subject Lands



Red-Lined Draft Plan of Subdivision

19T-06V13 (June 18, 2007)

APPLICANT: BOCA EAST INVESTMENTS LIMITED

Part of Lots 13 - 15, Concession 10

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Development Planning Department

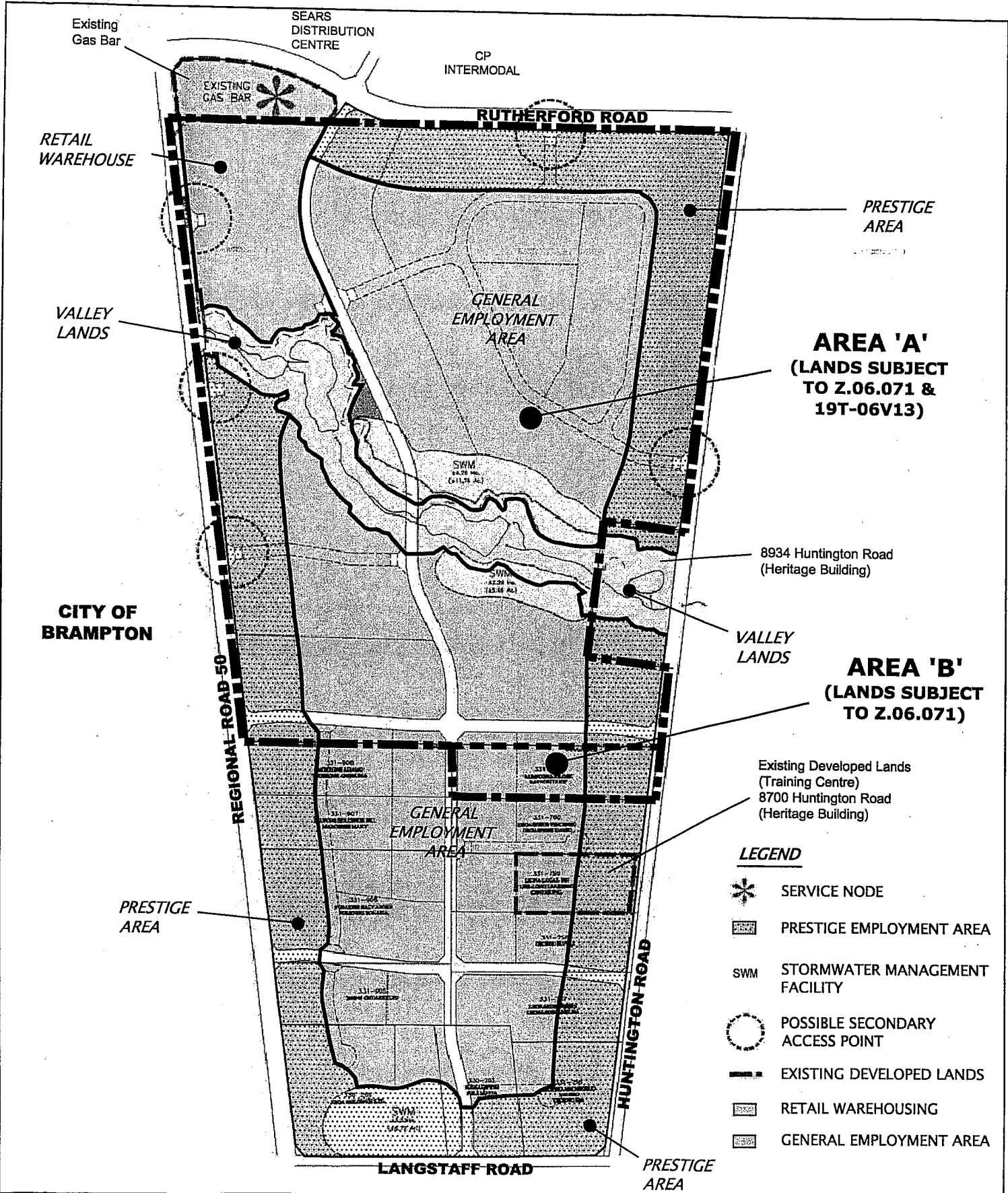
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June 1, 2007

4



Approved Block 64 Plan

APPLICANT: BOCA EAST INVESTMENTS LIMITED
 Part of Lots 13-15, Concession 10



The City Above Toronto

Development Planning Department

Attachment

FILE No.: 19T-06V13 & Z.06.071

June 1, 2007

5

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