

COMMITTEE OF THE WHOLE FEBRUARY 4, 2008

**ZONING BY-LAW AMENDMENT FILE Z.03.097
DRAFT PLAN OF SUBDIVISION FILE 19T-03V23
COUNTRY WIDE HOMES (THORNHILL ESTATES) INC.
REPORT #P.2004.22**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.03.097 (Country Wide Homes (Thornhill Estates) Inc.) BE APPROVED, to amend Zoning By-law 1-88 to rezone the subject lands shown on Attachment #2 from A Agricultural Zone to RD3 Residential Detached Zone Three, RD3(H) Residential Detached Zone Three with Holding Symbol "(H)", RD4 Residential Detached Zone Four and RD4(H) Residential Detached Zone Four with Holding Symbol "(H)", as shown on Attachment #3.
2. THAT Draft Plan of Subdivision File 19T-03V23 (Country Wide Homes (Thornhill Estates) Inc.) as shown on Attachment #3, BE APPROVED, subject to the conditions set out in Attachment #1.
3. THAT the Owner enter into an agreement with the City to be registered on title, indicating that no Lots and/or Blocks, will be offered for sale by the Owner or by purchasers until water supply and sewage servicing capacity has been identified and allocated by the City.
4. For the purposes 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 OPA #600 and conform to the City's approved "Cash-in-Lieu of Parkland Policy".

Economic Impact

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

Communications Plan

On December 22, 2003, a Notice of Public Hearing was circulated to all property owners within 120 m of the subject lands and to the Gates of Maple, Maple Landing, and Maple Village Ratepayers Associations. Written submissions were received from area residents identifying concerns about the redevelopment of farmland to residential subdivisions.

At the public hearing held on January 19, 2004, Council directed that the applicant meet with the Ward 1 Sub-Committee, area residents and Local Ratepayer Associations to resolve concerns and issues identified, prior to this matter being brought forward to a Committee of the Whole meeting. The applicant has met with the area residents and they have resolved their concerns by deleting a proposed intersection to the west at Teston Road and Quail Run Boulevard.

A notice of this subject Committee of the Whole meeting was sent to those individuals on file having expressed interest in this application.

The recommendation of the Committee of the Whole to receive the Public Hearing report of January 19, 2004, and to forward a comprehensive report to a future Committee meeting was ratified by Council on January 26, 2004.

Purpose

The Owner has submitted the following applications:

1. A Zoning By-law Amendment Application (File Z.03.097) to amend By-law 1-88 to rezone the subject lands shown on Attachment #2 from A Agricultural Zone to the following:
 - i) RD3(H) Residential Detached Zone Three with the Holding Symbol "(H)" for Lots 1 to 10 inclusive and Blocks 15 to 22 inclusive to be combined with Part Blocks in the adjacent plans of subdivision to facilitate detached dwelling units;
 - ii) RD3 Residential Detached Zone Three for Block 14 to be combined with a part Block in Plan 65M-4016 to the south to facilitate a detached dwelling unit;
 - iii) RD4 Residential Detached Zone Four for Blocks 12 and 13 to be combined with Part Blocks in Plans 65M-4020 to the east and 65M-4016 to the south to facilitate detached dwelling units; and,
 - iv) RD4(H) Residential Detached Zone Four with Holding Symbol "H" for Block 11 to be combined with a Part Block in Plan 65M-4020 to the east to facilitate a detached dwelling unit.
2. An application for Draft Plan of Subdivision approval (File 19T-03V23) on the subject lands shown on Attachment #3, consisting of 10 full lots and 12 part blocks to be combined with Part Blocks in the adjacent approved plans (in Registered Plans 65M-4016 and 65M-4020, and subdivision application 19T-04V12), that will result in a total of 22 lots, on a 1.134 ha site.

Background - Analysis and Options

The 1.134 ha property is located on the south side of Teston Road, west of Bathurst Street, within Planning Block 12, in Part of Lot 25, Concession 2, City of Vaughan.

The subject lands are designated "Low Density Residential" by OPA #600, and further designated "Settlement Area" by OPA #604 (Oak Ridges Moraine Conformity Plan). The Block 12 Plan specifically defines the residential land use for detached dwelling units. The lands are zoned A Agricultural Zone by By-law 1-88.

The surrounding land uses are:

- North - Teston Road; residential (RR Rural Residential Zone) and water reservoir (A Agricultural Zone)
- South - vacant (RD2(H) Residential Detached Zone two with the addition of the Holding Symbol "(H)", RD3 Residential Detached Zone Three and RD4 Residential Detached Zone Four)
- East - existing residential (RD3 Residential Detached Zone and RS1 Residential Semi-Detached Zone One)
- West - vacant (A Agricultural Zone)

Block Plan

On September 22, 2003, Council approved the Block 12 Plan, which provides primarily "low density residential" development over most of the Block, including the subject lands, comprised of detached units with frontages ranging from 10 m to 18 m. Within the Block Plan, there are four elementary schools and five neighbourhood parks. Four of the school sites are adjacent to parks,

forming and campuses. There are also two neighbourhood commercial sites, one local convenience commercial site, and 12 stormwater management ponds.

The proposed development of the subject lands for low density residential uses and layout of the subdivision plan conforms to the Block 12 Plan.

Oak Ridges Moraine Conservation Plan

The subject lands are located on the Oak Ridges Moraine. The Oak Ridges Moraine Conservation Plan (ORMCP) requires that all Planning Act applications must conform with the ORMCP. The Block 12 Oak Ridges Moraine Conservation Plan Conformity Report (August 2003) prepared by Malone Given Parsons for the Block 12 Landowners, comprehensively addressed the ORMCP requirements for the entire Block and demonstrates conformity.

The proposed subdivision and zoning applications were filed after November 17, 2001, and therefore, are subject to the provisions of the Oak Ridges Moraine Conservation Plan (ORMCP). The Block 12 conformity report demonstrated that the features of the Moraine have been protected and conserved as required by the ORMCP, which is reflected in the design of the proposed draft plan of subdivision, and therefore, no additional conformity reports are required.

Official Plan

The subject lands are designated "Low Density Residential" by OPA #600, and further designated "Settlement Area" by OPA #604 (Oak Ridges Moraine Conformity Plan). The "Low Density Residential" designation permits detached and semi-detached units at an overall gross density of 14 units per hectare for Block 12. The draft plan yields an overall density of 14 units per net hectare, and conforms to the Official Plan in this respect.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88. An amendment to the zoning is required to implement the proposed residential draft plan of subdivision. The RD3 Residential Detached Zone Three and RD4 Residential Detached Zone Four zone categories will be applied to the subject lands to facilitate single detached dwelling units. The zone standards that will be applied to the lots within the subdivision will be in accordance with the standards on Schedule "A-3" to By-law 1-88. Any exceptions to the zoning standards that may be required will be identified in the implementing zoning by-law.

The portion of the draft plan of subdivision identified as Phase 1 – Stage 2 development on Attachment 4, will be zoned with the addition of the Holding Symbol "(H)" pending availability of servicing capacity. The affected lots and blocks that are subject to the Holding Symbol "(H)" provision include: Lots 1-10, Block 11, and Blocks 15 – 22.

Subdivision Design

The draft plan of subdivision has been prepared in accordance with the approved Block 12 Plan. The road pattern is designed to align with the adjacent roads (Lady Angela Lane and Lady Nadia Drive) in the adjacent subdivisions to the east and south. When completed, the road pattern will provide for a continuous movement of local traffic.

The proposed draft plan of subdivision provides for 10 full lots (Lot 1-10) intended for future detached residential dwellings and 12 block, (11-22) to be combined with blocks in adjacent plans of subdivision to form full lots for detached residential dwellings. The minimum lot frontage proposed is 12.5m and with lot depths of 31m. The Development Planning Department is satisfied with the proposed draft plan of subdivision.

Street Names

The proposed street names (Lady Nadia Lane and Lady Angela Lane) for the subdivision are shown on Attachment #3. These street are extensions of existing streets that were previously approved in the adjacent subdivision plans.

Energy Star

On November 12, 2007, Vaughan Council adopted Energy Star Conditions to be included in all Draft Plan of Subdivision approvals. The Subdivision Plan will be subject to the Energy Star requirements, and the conditions of approval are provided on Attachment #1.

Vaughan Engineering Department

The Vaughan Engineering Department provides the following comments:

i) Environmental Site Assessment (ESA)

The Owner has submitted an ESA prepared by Shaheen + Peaker Limited, dated February 5, 2004, which has been reviewed and accepted by the City's peer review consultant, Decommissioning Consulting Services Limited.

ii) Roads

The use of alternative road design standards is being proposed in this development within the Block 12 Plan.

iii) Engineering Servicing

The municipal services for this development shall be in accordance with the approved Master Environmental Servicing Plan (M.E.S.P.) dated September 1999 (Revised October 2001), the Block 12 Master Environmental Servicing Plan and Environmental Impact Statement Volume 2 Technical Appendix dated September 1999 (Revised October 2001) and the Block 12 Master Environmental Servicing Plan and Environmental Impact Statement Addendum dated September 1999 (Revised October 2001), and Addendum dated August 2003, all prepared by Malone Given Parsons et. al. Subsequent plans or reports, which are approved and amended for Block 12 (OPA 600) shall also be deemed to constitute part of the approved M.E.S.P.

iv) Servicing Allocation

On October 22, 2007, Council approved water supply and sewage allocation for 3 units to this plan. The remaining units, for a future phase, have not been reserved or assigned potential future servicing capacity.

Cultural Services Department

The Cultural Services Department has no objection to approval of this draft plan of subdivision, subject to the conditions set out in Attachment #1.

Toronto and Region Conservation Authority (TRCA)

The property is within Planning Block 12, which has an approved Master Environmental Servicing Plan (MESP) in place (with conditions). The TRCA addressed their interest for the subject proposal through their review of the Block 12 MESP, and is satisfied with the subdivision plan, subject to the conditions set out in Attachment #1.

Canada Post

Canada Post Corporation has no objection to the proposed development, subject to the conditions of approval provided on Attachment #1.

School Boards

The York Region District School Board and York Catholic District School Board have no objections to the proposed draft plan of subdivision.

Relationship to Vaughan Vision 2020

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

Regional Implications

In accordance with York Region's servicing protocol respecting draft plans receiving approval prior to servicing allocation being available, Staff are requesting that the portion of this plan that does not have allocation be subject to various restrictions (i.e., Holding Symbol "(H)" and No-Pre-Sell agreements to ensure that the water and sewer servicing are not available prior to occupancy. These restrictions are found within the requested pre-conditions (to be satisfied prior to, or concurrent with draft plan approval) and the schedule of conditions attached. In addition, York Region requests that the City of Vaughan apply a lapsing provision to the draft plan, pursuant to Section 51(32) of the Ontario Planning Act, and that York Region be provided an opportunity to comment on any proposed extensions of approval.

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

Conclusion

The Development Planning Department is of the opinion that the proposed draft plan of subdivision is an appropriate development for the lands and conforms to the density, land use and policies of the Official Plan and approved Block Plan, subject to the conditions contained in Attachment #1. Lots 1 to 10 inclusive and Blocks 15 to 22 inclusive identified in Phase 1 - Stage 2 of the plan will be subject to the Holding Symbol "(H)" in the Zoning By-law, if approved, until servicing allocation has been granted by Council. The Development Planning Department can therefore support the approval of the Draft Plan of Subdivision and Zoning By-law Amendment applications to implement the proposed residential plan of subdivision.

Attachments

1. Conditions of Draft Approval
2. Location Map
3. Proposed Draft Plan of Subdivision and Zoning
4. Block 12 - Staging Plan for Phase 1 lands

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
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/LG

ATTACHMENT NO. 1

CONDITIONS OF APPROVAL

**DRAFT PLAN OF SUBDIVISION 19T-03V23
COUNTRY WIDE HOMES (THORNHILL ESTATES) INC.
PART OF LOT 25, 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-03V23, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to the draft plan of subdivision, prepared by Matthews Planning & Management Ltd., file Teston-R1, dated August 9, 2005.
2. The lands within this Plan shall be appropriately zoned by a zoning by-law (Zoning By-law Amendment Application Z.03.097), which has come into effect in accordance with the provisions of The Planning Act. Particular zoning categories to be applied are as follows:
 - a) RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "H" for Lots 1 to 10 inclusive and Blocks 15 to 22 inclusive for detached dwelling units;
 - b) RD3 Residential Detached Zone Three for Block 14 to be combined with Block 161 on Plan 65M-4016 to the south for a detached dwelling unit;
 - c) RD4 Residential Detached Zone Four for Blocks 12 and 13 to be combined with Blocks 162 and 163 on Plans 65M-4020 to the east and 65M-4016 to the south respectively for detached dwelling units; and,
 - d) RD4(H) Residential Detached Zone Four with the addition of the Holding Symbol "(H)" for Block 11;
3. The Owner shall pay any and all outstanding application fees to the Development Planning Department, in accordance with Tariff of Fees By-law 135-2007.
4. The Owner shall agree to create easements for maintenance purposes for all lots providing less than 1.2 m side yards, or having roof encroachments, prior to transfer of land.
5. Final engineering design(s) may result in minor variations to the Plan (eg. in the configuration of road allowances and lotting, number of lots, etc.), which may be reflected in the final plan to the satisfaction of the City
6. The Owner shall agree to remove any driveways and buildings on site, which are not approved to be maintained as part of the plan; any modification to off-site driveways required to accommodate this Plan shall be co-ordinated and completed at the cost of the Owner.

7. The Owner shall agree that Block 11, and Blocks 15-22 inclusive shall only be developed in conjunction with the adjacent lands; in the interim, these blocks will be subject to the Holding Symbol "(H)".
8. 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.
9. The Owner shall agree that on lots with flankages on a collector or primary road, as identified by the Architectural Design Guidelines and the City, a front elevation featuring a main entrance or in some cases, an upgraded elevation, shall face the flankage. The flankage elevation for such lots shall be approved by the Control Architect, and the Director of Development Planning, prior to issuance of a building permit.
10. 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.
11. 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.
12. Prior to final approval, the Owner shall submit a noise and/or vibration study, prepared by a qualified consultant for approval by both the City and the Region of York. The preparation of the noise report shall include the ultimate traffic volumes associated with the surrounding road network. The Owner shall agree in the subdivision agreement to implement the approved abatement measures to the satisfaction of the City.
13.
 - a) Prior to final approval and prior to commencement of any work on the site, the proponent shall carry out an archaeological assessment of the subject property to the satisfaction of the City and the Ministry of Culture; and the proponent shall agree to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Culture confirming that all archeological resource concerns have met licensing and resource conservation requirements.
 - b) Prior to final approval and prior to the commencement of any work on site, the proponent shall deliver to the City (Cultural Services Division) two copies of the Archaeological Assessment.
 - c) Prior to the commencement of any archaeological fieldwork, a copy of the contract information sheet which was submitted to the Ministry of Culture, shall have been forwarded to the City; licensed consultants are urged to review the Archaeological Master Plan Study for the City of Vaughan prior to commencing any fieldwork.
14. The Owner shall agree to the ENERGY STAR® conditions as follows:
 - a) The Owner agrees that wording will be included in the subdivision agreement requiring all residential units to be built to ENERGY STAR® for New Homes

Technical Specifications (Version 2.0 or most current) standards, and agrees to comply with the ENERGY STAR® for New Homes Administrative Procedures (September 2006 or most current) process requirements for design, inspection and certification.

- b) Prior to the issuance of a building permit, the Owner/builder shall have prepared, by a Certified Energy Evaluator, an ENERGY STAR® for New Homes "Building Option Package" or develop a custom package using EnerGuide for New Houses (EGNH) software with respect to housing design and construction techniques and implementation methods to ensure that all the residential units within the draft plan are ENERGY STAR® qualified. Such package shall be prepared at the Owner's expense and submitted to the Chief Building Official for information.
 - c) Prior to the issuance of a building permit, the developer and/or builder and/or applicant for the building permit is to provide the Chief Building Official with verification that the proposed homes have been enrolled with EnerQuality Corporation in the ENERGY STAR® for New Homes *program*, including signing an ENERGY STAR® Participant Administrative Agreement for Builders of ENERGY STAR® Qualified New Houses.
 - d) Prior to the issuance of an occupancy permit (provisional occupancy certificate), the Owner shall provide testing verification for each dwelling unit to the City to ensure that all homes have been ENERGY STAR® qualified at the completion of construction. ENERGY STAR® labeling shall be affixed to the home.
15. 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:
- "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 traffic-calming measures may have been incorporated into the road allowances."
 - "Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the City and a conceptual location Plan is included in the subdivision agreement. While every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete any boulevard tree without further notice."
 - Purchasers and/or tenants are advised that the City has not imposed a "tree fee", or any other fee, which may be charged as a condition of purchase, for the planting of trees. Any "tree fee" paid by a purchaser for boulevard trees does not guarantee that a tree will be planted on the boulevard adjacent to their residential

dwelling."

- "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings."
- "Purchasers and/or tenants are advised that all of the residential units within this Plan will be built to ENERGY STAR® standards, and shall be ENERGY STAR® qualified prior to the issuance of an occupancy permit (provisional occupancy certificate). The design, inspection, and certification process for the ENERGY STAR® program is the responsibility of the developer and/or builder."

16. The Owner shall cause the following to be displayed on the interior wall of the sales office, information approved by the City of Vaughan, prior to offering any units for sale, to be monitored periodically by the City. No building permit shall be issued for a sales office or model home, or a residential unit until such information is approved by the City of Vaughan.

- the Block Plan for the broader area, showing surrounding land uses, arterials/highways, railways and hydro lines, etc.
- the location of street utilities, community mailboxes, entrance features, fencing and noise attenuation features, together with the sidewalk plan approved in conjunction with draft plan approval.
- the location of parks, open space, stormwater management facilities and trails.
- the location of institutional uses, including schools, places of worship, community facilities.
- the location and type of commercial sites.
- colour-coded residential for singles, semis, multiples, and apartment units.
- the following notes in BOLD CAPITAL TYPE on the map:

"For further information, on proposed and existing land uses, please call or visit the City of Vaughan, Development Planning Department, at 2141 Major Mackenzie Drive, L6A 1T1; (905)832-8585."

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

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

All the residential units within this plan will be built to ENERGY STAR® standards, and shall be ENERGY STAR® qualified prior to the issuance of an occupancy permit (provisional occupancy certificate). The design, inspection, and certification for the ENERGY STAR® program are the responsibility of the developer and/or builder."

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

17. 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 Conditions

18. The Owner shall agree in the subdivision agreement that the engineering design(s) for alternative road design, traffic calming measures and designated transit route(s) may result in variation to the road and lotting pattern, and number of lots, to the satisfaction of the City.
19. Prior to final approval of the Plan, any and all appropriate revisions, as required shall be made to the Block Plan for Block 12 and all associated reports to the satisfaction of the City.
20. Prior to final approval of the Plan or commencement of construction within the Plan, whichever comes first, the Owner shall submit a detailed hydrogeological impact study that identifies any local wells that may be influenced by construction and, if necessary, outline a monitoring program to be undertaken before, during and after construction of the subdivision. The Owner shall agree in the subdivision agreement to reinstate a suitable potable water supply to any resident whose well is adversely impacted by development, to the satisfaction of the City as well as connect any existing residences which remain in place after development to the municipal system.
21.
 - (a) Prior to final approval of the Plan, the Owner shall enter into a Developers' Group Agreement with the other participating landowners within Block 12 to the satisfaction of the City. The agreement shall be regarding but not limited to all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services within Block 12. This agreement shall include a provision for additional developers to participate with the Developers' Group Agreement when they wish to develop their lands.
 - (b) The Owner shall acknowledge that parkland shall be dedicated and/or cash-in-lieu paid in accordance with Section 42 of the Planning Act and conform to the City's "Cash-In-Lieu of Parkland Policy".
 - (c) Prior to final approval of the Plan, the Trustee for Block 12 shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 12 Developers' Group Agreement.
22. 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.
23. Prior to final approval, the Owner's Consultant shall certify that the internal roads within this Plan have been designed to comply with the internal roads of the approved Block

Plan and that the pattern of the street and the layout of the blocks within the plan have been designed to coincide and correspond with the pattern and layout of the existing and proposed adjacent plans of subdivision.

24. Prior to final approval of the plan, the Owner shall provide a revised Water Supply Analysis for review and approval to the satisfaction of the Engineering Department if required.
25. Prior to final approval, or prior to the initiation of grading or stripping of topsoil, whichever comes first, the Owner shall submit an Erosion and Sedimentation Control Plan including topsoil storage plan detailing the location, size, side slopes, stabilization methods and time period, for approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either park or school blocks.
26. The Owner shall agree that all part blocks within the plan of subdivision shall only be developed in conjunction with abutting part blocks of adjacent draft plans of subdivision.
27. The Owner shall agree in the subdivision agreement to include the following warning clause in all Offers of Purchase and Sale or Lease for all Lots and Blocks on the Plan:

"Purchasers and/or tenants are advised that the roads within the Plan may have been constructed using Alternative Development Standards. In April 1995, the Ministry of Housing and Municipal Affairs published the Alternative Development Standards as a guideline to municipalities. The Province of Ontario has been promoting the use of these guidelines, which provide for reduced pavement widths that are narrower than City Standards. Traffic calming measures have also been incorporated in the road design."

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

- i) "Purchasers and/or tenants are advised that public transit routes have not been determined for the area within the Plan, however, Queen Filomena Avenue, Via Romano Boulevard, Lady Fenyrose Avenue, Dimarino Drive, Lady Valentina Avenue, Lady Nadia Drive, Teston Road, and Bathurst Street may be subject to public transit bus traffic, and that necessary bus stops and passenger amenities will be placed accordingly."
- ii) "Purchasers and/or tenants are advised that the City of Toronto owned and operated a landfill within 4 kilometres of the property and that the facility is now closed and will be redeveloped into a park."
- iii) "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."
- iv) "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."

- v) "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."

- 29. Block 23 in the draft plan of the subdivision (19T-03V23) shall be conveyed to the City for a landscaping buffer, free of all cost and encumbrances.
- 30. Block 24 in the draft plan of the subdivision (19T-03V23) shall be conveyed to the Region of York for a road widening, free of all costs and encumbrances.
- 31. Prior to final approval of the Plan, the City and Region of York Transportation and Works Department Water and Wastewater Branch shall confirm that adequate water supply and sewage treatment capacity are available to accommodate the proposed development.
- 32.
 - a) Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of PowerStream Inc. (former Hydro Vaughan Distribution 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 development agreement with PowerStream Inc. which addresses the foregoing requirements.
 - b) The Owner shall agree to design, purchase materials, and install a buried hydro distribution system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of PowerStream Inc. (former Hydro Vaughan Distribution Inc.) and the City.
- 33. Prior to final approval, the Owner shall submit to the satisfaction of the City, a listing prepared by an Ontario Land Surveyor of the Lot and Block Areas, Lot Frontages and Lot Depths in accordance with the approved Zoning By-law for the Lots and Blocks within the Plan.
- 34. The Owner shall agree to erect fencing in the locations and of the types as shown on the approved construction drawing and as required by the City, in accordance with an Urban Design and Architectural Design Guidelines.
- 35. Notwithstanding the general provisions (Subsection 5.1) that are typically included in the Subdivision Agreement, the City may issue model home building permits provided that

the land is zoned to the satisfaction of the City and the appropriate conditions (Subsection 5.18) of the Subdivision Agreement are fulfilled.

36. Prior to final approval, the Owner shall not remove any vegetation or topsoil or start any grading of the lands, without a fill permit issued by the City, and a development agreement, if necessary.
37. Prior to final approval of the plan, the Owner shall forward a copy of the Noise Report to the satisfaction of the City. The Owner shall satisfy all requirements with respect to noise attenuation measures within the Plan and include the necessary warning clauses in the Offers of Purchase and Sale for those lots affected. The warning clauses pertain to noise levels from traffic and construction and building activities.
38. The Owner shall not apply for building permits and the City shall not issue building permits until the City is satisfied that temporary vehicular turn-around is constructed in accordance with the approved Construction Drawings.
39. The Owner shall maintain and not remove the temporary vehicular turn-around until the development of the adjacent lands and the extension of the road allowances. Following the extension of the road allowances, the Owner shall remove the temporary vehicular turn-around and restore the affected roadway and boulevards at his cost and to the satisfaction of the City.
40. 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 Lady Nadia Drive ending in a dead end or cul-de-sac may be extended in the future to facilitate development of adjacent lands without further notice."
41. 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 dwellings on Block 21, may back onto a temporary vehicular turn-around and/or hammerhead. The temporary vehicular turn-around and/or hammerhead will be removed upon the development of the adjacent lands and the extension of the road allowance."
42. The Owner shall enter into a subdivision agreement with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payments of development levies, the provisions of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
43. The road allowances included within this draft plan of subdivision shall be dedicated as public highways without monetary consideration and free of all encumbrances.
44. The road allowances included within this draft plan of subdivision shall be named to the satisfaction of the City and the Regional Planning Department.

45. The road allowances included in the Plan shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 metre reserves.
46. 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.
47. 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.
48. The Owner shall agree in the subdivision agreement that construction access shall be provided only in a location approved by the City.
49. 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.
50. 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.
51. 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:
 - i) 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.
52. 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.
53. 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.

54. 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.

Urban Design Conditions

55. The Owner shall agree in the subdivision agreement that:
- a) Prior to final approval, architectural guidelines shall have been prepared in accordance with Council Policy and approved by Council;
 - b) All development shall proceed in accordance with the Council approved architectural design guidelines;
 - c) A control architect 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;
 - e) The City may undertake periodic reviews to ensure compliance with the architectural design guidelines. Should inadequate enforcement be evident, the City may cease to accept drawings stamped by the control architect and retain another control architect, at the expense of the Owner.
56. Prior to final approval, the Owner shall pay to the City, a woodlot acquisition payment at the rate of \$1,000.00 per residential dwelling unit plus \$500.00 for each future residential dwelling unit contained on a part lot in the Plan which is to be combined with an abutting part lot in an adjacent plan to form a building lot, as per Schedule "I", in accordance with the Special Area Woodlot Development Charge By-law.
57. Prior to final approval, the Owner shall prepare a streetscape and open space landscape master plan in accordance with the approved Block 12 Urban Design Guidelines and OPA 600 policies; the plan shall address but not be limited to the following issues:
- co-ordination of the urban design/streetscape elements as they relate to the approved urban design guidelines including entrance features, parkettes, trail heads, medians and fencing.
 - community edge treatments along Teston Road;
 - the appropriate integration with the approved Maple Nature Reserve Master Plan Report; and,
 - the pedestrian urban connections between streets and within the neighbourhood.
58. 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.

Region of York Conditions

59. Prior to or concurrent with draft plan approval, the Owner shall enter into an agreement with the City of Vaughan, which agreement shall be registered on title, committing the Owner to:

A. Not enter into any agreements of purchase and sale with end users (*) for the subject lands until such time as:

1. i) York Region has advised in writing that it is no earlier than twelve (12) months prior to the expected completion of the Duffin Creek Water Pollution Control Plant expansion project, the Bathurst Langstaff Trunk Sewer and the Southeast Collector Trunk Sewer project; and,

ii) The Council of the City of Vaughan has allocated adequate available water supply and sewage servicing capacity to the subject development;

or,

2. the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure;

or

3. the Regional Commissioner of Transportation and Works confirms servicing capacity for this development by a suitable alternative method and the City of Vaughan allocates the capacity to this development.

B. Not enter into any agreements of purchase and sale with non end users for the subject lands unless the agreement of purchase and sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the City of Vaughan, which agreement shall be registered on title, committing the Owner to the same terms as set out in Item A above.

60. Prior to draft plan approval, the Owner shall enter into an indemnity agreement with York Region, which agreement shall be registered on title, agreeing to save harmless York Region from any claim or action as a result of York Region granting draft approval of Plan of Subdivision 19T-03V23, or any phase thereof, including, but not limited to claims or actions resulting from, water or sanitary sewer service not being available when anticipated. The agreement shall include a provision that requires all subsequent purchasers of the subject lands, who are not end-users, to enter into a separate agreement with York Region as a condition of the agreement of purchase and sale, agreeing to indemnify York Region on the same terms and conditions as the Owner.

(*) the term 'end users' for the purpose of the above noted pre-conditions is defined as the eventual homeowner who is purchasing an individual lot containing a dwelling for the purpose of occupancy.

61. 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.
62. Prior to Final Approval York Region shall confirm that adequate water supply and sewage servicing capacity are available and have been allocated by the City of Vaughan for the development proposed within this draft plan of subdivision or any phase thereof. Registration of the plan of subdivision shall occur in phases based on the availability of water supply and sewage servicing allocation.
63. The Owner shall agree in the subdivision agreement that the Owner shall save harmless the City of Vaughan and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
64. Prior to the Final Approval of any residential lands for which sanitary servicing allocation has not been confirmed by the City of Vaughan, the following shall occur:
 - York Region has advised in writing that it is no earlier than six (6) months prior to the expected completion of the Dufferin Creek Water Pollution Control Plant expansion project, the Bathurst Langstaff Trunk Sewer and the YDSS Flow Control Structures project; or,
 - the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
 - the Regional Commissioner of Transportation and Works confirms servicing allocation for this development by a suitable alternative method and the City of Vaughan allocates the capacity to this development.
65. For lands which sanitary servicing allocation has not been confirmed by the City of Vaughan, the Holding Symbol "(H)" provisions of Section 36 of the Ontario Planning Act shall be used in conjunction with all residential zone categories in order to ensure that development of these lands does not occur until such time as the Holding Symbol "(H)" is removed in accordance with the provisions of the Ontario Planning Act. The Zoning By-law shall specify the terms under which Council may consider the removal of the Holding Symbol "(H)". Said terms shall include a minimum of the following:
 - York Region advises in writing that it is no earlier than six (6) months prior to the expected completion of the Duffin Creek Water Pollution Control Plant expansion project, the Bathurst Langstaff Trunk Sewer and the YDSS Flow Control Structures project; or,
 - the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure; or,
 - the Regional Commissioner of Transportation and Works confirms servicing allocation for this development by a suitable alternative method and the City of Vaughan allocates the capacity to this development.

66. The Owner shall agree in the subdivision agreement that all unused wells shall be decommissioned according to Ontario Regulation 903 prior to any construction works occurring on the site.
67. The Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required Regional road improvements for this subdivision. The report/plan, submitted to the Regional Transportation and Works Department for review and approval, shall explain all transportation issues and shall recommend mitigating measures for these issues. This report shall be submitted for the Region's review.
68. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Regional Transportation and Works Department, to implement the recommendations of the functional transportation report/plan as approved by the Regional Transportation and Works Department.
69. The Owner shall submit detailed engineering drawings, to the Regional Transportation and Works Department for review that include the subdivision storm drainage system, site grading and servicing, plan and profile drawings for the proposed intersections, construction access and mud mat design, utility location plans, pavement markings, intersection signalization and illumination design, traffic control/construction staging plans and landscape plans.
70. The Owner shall convey the following lands to The Regional Municipality of York, free of all costs and encumbrances, to the satisfaction of The Regional Municipality of York Solicitor:
 - i) a road widening along the entire frontage of the site adjacent to Teston Road, of sufficient width to provide 18 metres from the centreline of Teston Road,
 - ii) a 0.3 metre reserve across the full frontage of the site where it abuts Teston Road shall be conveyed to the Regional Municipality of York for public highway purposes, free of all costs and encumbrances.
71. The location and design of the construction access for the subdivision work shall be completed to the satisfaction of the Regional Transportation and Works Department and illustrated on the Engineering Drawings.
72. Direct vehicle access from the proposed dwellings to Teston Road will not be permitted. Access must be obtained through the internal road network.
73. Any existing driveway(s) along the Regional road frontage of this subdivision must be removed as part of the subdivision work, at no cost to the Region.
74. The Owner shall engage the services of a consultant to prepare and submit for review a noise study to the Regional Transportation and Works Department recommending noise attenuation features and the Owner shall agree to implement these noise attenuation features to the satisfaction of the Regional Transportation and Works Department.

75. Where noise attenuation features will abut a Regional right-of-way, the Owner shall agree in the subdivision agreement, in wording satisfactory to York Region's Transportation and Works Department, the following:
- i) that no part of any noise attenuation feature shall be constructed on or within the Regional right-of-way;
 - ii) that noise fences adjacent to Regional roads shall be constructed on the private side of the 0.3 metre reserve and may be maximum 2.5 metres in height, subject to the area municipality's concurrence;
 - iii) that maintenance of the noise barriers and fences bordering on Regional right-of-ways shall not be the responsibility of the Regional Municipality of York; and
 - iv) that any landscaping provided on the Regional right-of-way by the Owner or the area municipality for aesthetic purposes must be approved by the Regional Transportation and Works Department and shall be maintained by the area municipality with the exception of the usual grass maintenance.
76. Subject to approval by the City of Vaughan and York Region, the Owner shall agree in the subdivision agreement to construct sidewalks along the subject lands' frontage onto the planned transit roadways on both sides of the street. Such sidewalks shall be constructed on both sides of the planned transit roadways unless only one side of the street lies within the limits of the area designated as "Subject Lands", in which case only this side of the street will require the sidewalk.
77. The planned transit roadways shall be designated and designed to accommodate transit vehicles to the satisfaction of the area municipality and York Region Transit. As such, York Region Transit is to be consulted with respect to any traffic-calming features which may be considered for any of the planned transit roadways identified.
78. The single-loaded roadway which will abut Teston Road (i.e. Lady Nadia Drive) will require provision of an appropriate concrete pedestrian walkway, subject to design approval by the local municipality and the York Region, to facilitate pedestrians' access to/from Teston Road. This walkway is to be provided at no cost to York Region concurrent with construction of necessary sidewalks.
79. The Owner shall agree in the subdivision agreement to advise all potential purchasers of the planned introduction of transit service in/around the subject lands, as per above, and that the placement of any necessary bus-stops and/or passenger amenities will be placed accordingly to the satisfaction of York Region Transit and the City of Vaughan, as applicable. This would include potential transit routes, bus stops and shelter locations, as necessary. Notification should be achieved through sales offices, marketing materials, and appropriate notification clauses in purchase agreements.
80. Prior to Final Approval, the Owner shall provide a copy of the subdivision agreement to the Transportation and Works Department, outlining all requirements of the Transportation and Works Department.
81. The Owner shall provide a solicitor's certificate of title to the Region's Corporate and Legal Services Department, to the satisfaction of the Regional Solicitor, at no cost to the Region, with respect to the conveyance of lands to The Regional Municipality of York.

82. The Owner shall enter into an agreement with the Region of York, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-laws DC-0005-2003-050 and DC-0005(a)-2005-060.

Toronto and Region Conservation Authority

83. Prior to final approval and prior to any works commencing on the site, the Owner shall submit for approval by the City and the Toronto and Region Conservation Authority (TRCA), a detailed engineering report(s) that describes the storm drainage system for the proposed development, which shall include:
- plans illustrating how this drainage system will be tied into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, the design capacity of the receiving system and how external flows will be accommodated;
 - the location and description of all outlets and other facilities;
 - stormwater management techniques which may be required to control minor and major flows;
 - proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction;
 - overall grading plans for the subject lands; and
 - stormwater management practices to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat.
84. The Owner shall agree to implement the recommendations set out in the aforementioned report(s) to the satisfaction of the City and TRCA.
85. The Owner shall agree:
- to obtain all necessary permits pursuant to Ontario Regulation 158 and the Lakes and Rivers Improvement Act from the Toronto and Region Conservation Authority;
 - to maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period; and
 - to provide a copy of the executed subdivision agreement to The Toronto and Region Conservation Authority.

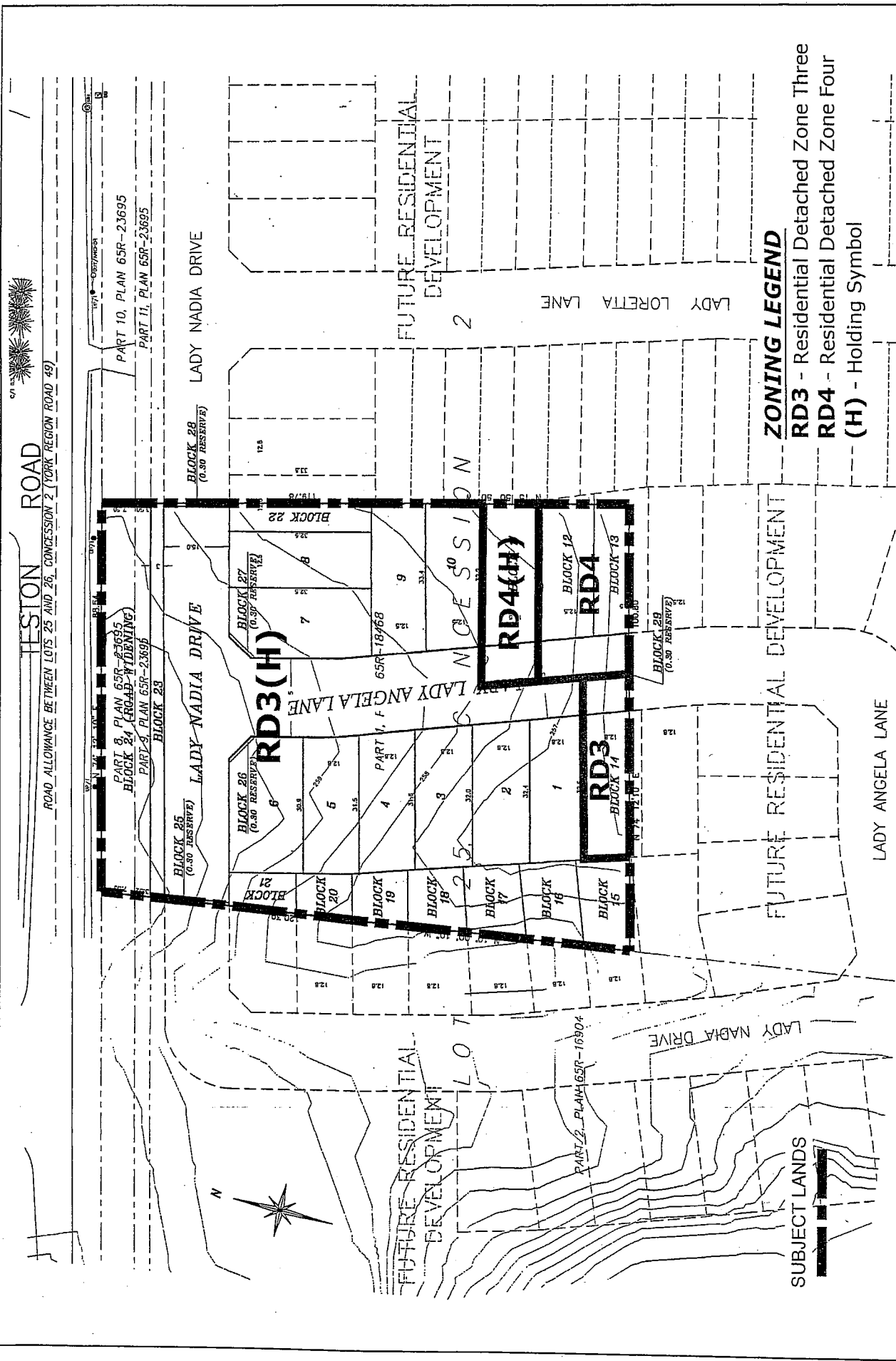
Canada Post

86. The Owner/Developer agrees to include on all offers of purchase and sale a statement that advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
87. The Owner/Developer will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer on which the homeowners does a sign-off.
88. The owner/developer will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailbox(es) and to indicate these locations on appropriate servicing plans.
89. The Owner/Developer will provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans:
 - an appropriately sized sidewalk section (concrete pad), as per municipal and Canada Post standards;
 - to place the Community Mailboxes on cement pad (a copy of the Standards will be provided upon request). The developer further agrees to provide these cement pads during sidewalk pouring and will notify Canada Post in writing of the locations as they are completed.
 - any required walkway across the boulevard, as per municipal standards and requirement.
 - any required curb depressions for wheelchair access.
90. The Developer agrees to ensure that all new home buyers will be officially notified of the exact Community Mail Box locations prior to any house sales. Also that the builder will post in clear sight, a copy of the plan indicating the Community Mail Box sites at the sales office. This plan is requested to be completed prior to the start of the house sales for the subdivision.
91. The Owner/Developer further agrees to determine and provide and fit up a suitable temporary Community Mailbox location(s) that may be utilized by Canada Post until the permanent mailbox pads, curbs, sidewalks and final grading have been completed at the permanent CMB site locations (a gravel area with a single row of patio stones - specifications to be provided) This is will enable Canada Post to provide mail service to new residences as soon as the homes are occupied.
92. The Developer further agrees to fit up the temporary area 30 to 60 days prior to the first occupancy and notify Canada Post of the first occupancies at this time (The developer should provide evidence of how they intend to co-ordinate this activity in a timely manner to a safe and clean usable area).

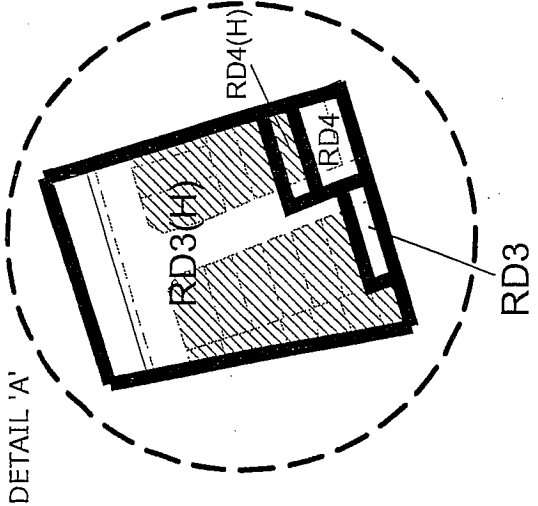
Other Conditions

93. Final approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees, provided that:

- a. phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services; and
 - b. all government agencies agree to registration by phases and provide clearances, as required in Conditions 1 to 92 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
94. The City shall advise that Conditions 1 to 58 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
95. The Region of York shall advise that Conditions 59 to 82 inclusive have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
96. The Toronto and Region Conservation Authority shall advise that Conditions 83 to 85 inclusive have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
97. Canada Post shall advise that Conditions 86 to 92 inclusive have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



ZONING LEGEND
 RD3 - Residential Detached Zone Three
 RD4 - Residential Detached Zone Four
 (H) - Holding Symbol



STAGE ONE
 STAGE TWO



SEE
 DETAIL 'A'

Block 12 - Staging Plan for Phase 1 Lands

APPLICANT: COUNTRYWIDE HOMES
 (THORNHILL ESTATES) INC.
 Part of Lot 25,
 Concession 2
 N:\UPT\1 ATTACHMENTS\19\191-03V23\03.097.dwg



Development Planning Department

Attachment

4

FILE No.:
 19T-03V23 & Z.03.097
 Not to Scale
 January 7, 2008