

**COMMITTEE OF THE WHOLE JUNE 16, 2008**

**ZONING BY-LAW AMENDMENT FILE Z.03.076  
DRAFT PLAN OF SUBDIVISION FILE 19T-03V13  
HELMHORST INVESTMENTS LTD.  
REPORT #P.2004.42**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.03.076 (Helmhorst Investments Ltd.) BE APPROVED, to amend By-law 1-88, specifically to rezone the subject lands shown on Attachment #2 from A Agricultural Zone, OS1 Open Space Conservation Zone, OS4 Open Space Woodlot Zone and OS5 Open Space Environmental Protection Zone to the following zone categories in the manner shown on Attachment #4 to facilitate the proposed draft plan of subdivision shown on Attachment #3:
  - a) RD2(H) – Residential Detached Zone Two with a Holding Symbol "(H)"
  - b) RD3(H) – Residential Detached Zone Three with a Holding Symbol "(H)"
  - c) RD4(H) – Residential Detached Zone Four with a Holding Symbol "(H)"
  - d) RS1(H) – Residential Semi-Detached Zone with a Holding Symbol "(H)"
  - e) RT1(H) – Residential Townhouse Zone with a Holding Symbol "(H)"
  - f) C3(H) – Local Commercial Zone with a Holding Symbol "(H)"
  - g) OS1 – Open Space Conservation Zone
  - h) OS2 – Open Space Park Zone
  - i) OS4 – Open Space Woodlot Zone
  - j) OS5 – Open Space Environmental Protection Zone.
2. THAT the implementing zoning by-law shall require that prior to the removal of the Holding Symbol "(H)" from any lands zoned for residential purposes, water and sanitary sewer capacity must be identified and allocated by Council.
3. THAT the permitted uses and development standards in a C3 Local Commercial Zone be amended as follows to facilitate the development of the Local Commercial Block 791, shown on Attachment #3:
  - a) permit the following additional uses in the C3 Local Commercial Zone:
    - i) Eating Establishment, restricted to a maximum of 20% of the gross floor area of the building, and an accessory outdoor patio not exceeding six (6) tables;
    - ii) Service or Repair Shop, provided the service or repair of larger appliances and other products being deleted from the definition of "service or repair shop", specifically, the repair of furnace or oil burners, water and air coolers, and lawn care equipment, and that outside storage not be associated with this use;
    - iii) A Veterinary Clinic, provided the use is carried out within a wholly enclosed building with no outside storage or any accessory use being carried on outdoors (i.e. animal holding area);
    - iv) Club or Health Centre;

- b) permit the following zoning exceptions to the C3 Local Commercial Zone:
    - i) a reduced front yard setback from 11 m to 4.5m;
    - ii) a reduced rear yard setback from 9 m to 4.5 m;
    - iii) a reduced interior side yard setback from 9 m to 6 m;
    - iv) a reduced exterior side yard setback from 11 m to 4.5 m;
    - v) an increased gross floor area from 1860 m<sup>2</sup> to 2105 m<sup>2</sup>;
    - vi) a reduced minimum setback to an "R" Residential Zone from 9 m to 6m; and,
    - vii) the rear and interior side yard setbacks shall be used for landscaping purposes only;
  - c) prior to the removal of the Holding Symbol "(H)" from the lands zoned C3(H) Local Commercial Zone, Council shall approve a Site Development Application;
  - d) permit any further zoning exceptions as may be required to facilitate the road widening as per the Regional Municipal Class Environmental Assessment for the improvement of Bathurst Street from Highway 7 to Teston Road.
4. THAT the implementing by-law permit a maximum of one (1) residential dwelling on Block 800, as shown on Attachment #3.
5. THAT the implementing Zoning By-law provide for the following site-specific exceptions to the RD4 Residential Detached Zone for Block 777 as shown on Attachment #3 to facilitate an existing dwelling unit:
- i) a reduced front yard setback to 2m, whereas a minimum 4.5m is required;
  - ii) a reduced exterior side yard setback to 0.6m, whereas a minimum 4.5m is required;
  - iii) a minimum rear yard setback of 0.6m to the detached garage located in the rear yard, whereas 1.0m is required;
  - iv) a minimum interior side yard setback of 0.6m to the detached garage located in the rear yard, whereas 1.2m is required;
6. THAT the implementing Zoning By-law provide the following site-specific exceptions to the RT1 Residential Townhouse Zone standards for Blocks 1, 2, 69 and 70 as shown on Attachment #3 to facilitate detached garages located in the rear and exterior side yards as shown on Attachment #5:

Zoning Requirement	Detached Garage Located in the Rear Yard	
	Accessed by a Driveway Crossing the Rear Lot Line	Accessed by a Driveway Crossing the Exterior Lot Line
Minimum rear yard setback	2.0m	1.0m
Minimum exterior side yard setback	4.5m	4.5m
Minimum interior side yard setback	1.2m <sup>1</sup>	1.2m <sup>1</sup>
Minimum setback to a street from which access is provided	n/a	6.0m
Minimum distance between garage and nearest wall of dwelling	6.5m	3.0m
Parking Spaces	2 <sup>2</sup>	2 <sup>2</sup>

1. Where the garage is attached to another garage then the interior side yard setback shall be 0 m.

2. One required parking space may be permitted on the Boulevard.

7. THAT Draft Plan of Subdivision File 19T-03V13 (Helmhorst Investments Ltd.) as red-lined on June 16, 2008, and shown on Attachment #3, BE APPROVED, subject to the conditions set out in Attachment #1.
8. THAT the Regional Requested Deferred area shown on Attachment #3, not be approved until such time as the Municipal Class Environmental Assessment for the improvement of Bathurst Street from Highway 7 to Teston Road has been completed and approved, to the satisfaction of the Region of York.
9. 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.
10. FOR the purposes of notice, the Subdivision Agreement shall contain a provision that parkland shall be dedicated, and/or cash-in-lieu paid, for 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 January 23, 2004, a Notice of Public Hearing was circulated to all property owners within 120m 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 a residential subdivision.

At the Public Hearing held on February 16, 2004, Council directed that the applicant meet with a concerned Richmond Hill resident 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 resident, and Lynn Foster-Town of Richmond Hill Councillor for Ward 4, to discuss the proposed plan and concerns associated with the local convenience commercial site. The area resident is now satisfied with the plan and the concerns regarding the commercial development will be addressed through the review of the future site plan application.

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 February 16, 2004, and to forward a comprehensive report to a future Committee meeting was ratified by Council on February 23, 2004.

## **Purpose**

The Owner has submitted the following applications on the subject lands shown on Attachment #2:

1. A Zoning By-law Amendment Application (File Z.03.076) to amend Zoning By-law 1-88, specifically to:
  - i) rezone the subject lands shown on Attachment #2 from A Agricultural Zone, OS1 Open Space Conservation Zone, OS4 Open Space Woodlot Zone and OS5 Open Space Environmental Protection Zone to the following zone categories in the manner shown on Attachment #4 to implement the proposed residential draft plan of subdivision shown on Attachment #3:
    - RD2(H) – Residential Detached Zone Two with a Holding Symbol "(H)"
    - RD3(H) – Residential Detached Zone Three with a Holding Symbol "(H)"
    - RD4(H) – Residential Detached Zone Four with a Holding Symbol "(H)"
    - RS1(H) – Residential Semi-Detached Zone with a Holding Symbol "(H)"
    - RT1(H) – Residential Townhouse Zone with a Holding Symbol "(H)"
    - C3(H) – Local Commercial Zone with a Holding Symbol "(H)"
    - OS1 – Open Space Conservation Zone
    - OS2 – Open Space Park Zone
    - OS4 – Open Space Woodlot Zone
    - OS5 – Open Space Environmental Protection Zone
  - ii) permit the following uses and development standards for the C3 Local Commercial Zone to facilitate the development of the Local Commercial Block 791, shown on Attachment #3:
    - a) permit the following additional uses in the C3 Local Commercial Zone:

- Eating Establishment
- Eating Establishment, Convenience
- Eating Establishment, Take Out
- Eating Establishment, Convenience with Drive-Through
- Outdoor Patio associated with any of the above Eating Establishment uses
- Club or Health Centre
- Service or Repair Shop
- Veterinary Clinic

- b) permit the following zoning exceptions to the C3 Local Commercial Zone:
- i) a reduced front yard setback from 11 m to 4.5m;
  - ii) a reduced rear yard setback from 9 m to 4.5 m;
  - iii) a reduced interior side yard setback from 9 m to 6 m;
  - iv) a reduced exterior side yard setback from 11 m to 4.5 m;
  - v) an increased gross floor area from 1860 m<sup>2</sup> to 2105 m<sup>2</sup>;
  - vi) a reduced minimum setback to an "R" Residential Zone from 9 m to 6m;
  - vii) any further zoning exceptions required upon the completion of the Regional Municipal Class Environmental Assessment;
- iii) deem the existing dwelling on Block 800 as shown on Attachment #3, to comply with the requirements of the RD4 Residential Detached Zone Four;
- iv) permit the following site-specific exceptions to the RD4 Residential Detached Zone for Block 777 as shown on Attachment #3 to facilitate an existing dwelling unit:
- i) a reduced front yard setback to 2 m, whereas a minimum 4.5 m is required;
  - ii) a reduced exterior side yard setback to 0.6 m, whereas a minimum 4.5 m is required;
  - iii) a minimum rear yard setback of 0.6 m to the detached garage located in the rear yard, whereas 1.0 m is required;
  - iv) a minimum interior side yard setback of 0.6m to the detached garage located in the rear yard, whereas 1.2m is required;
- v) provide the following site-specific exceptions to the RT1 Residential Townhouse Zone standards for Blocks 1, 2, 69 and 70 as shown on Attachment #3 to facilitate detached garages located in the rear and exterior side yards as shown on Attachment #5:

Zoning Requirement	Detached Garage Located in the Rear Yard	
	Accessed by a Driveway Crossing the Rear Lot Line	Accessed by a Driveway Crossing the Exterior Lot Line
Minimum rear yard setback	2.0m	1.0m
Minimum exterior side yard setback	4.5m	4.5m
Minimum interior side yard setback	1.2m <sup>1</sup>	1.2m <sup>1</sup>
Minimum setback to a street from which access is provided	n/a	6.0m
Minimum distance between garage and nearest wall of dwelling	6.5m	3.0m
Parking	2 <sup>2</sup>	2 <sup>2</sup>

1. Where the garage is attached to another garage then the interior side yard setback shall be 0 m.
2. One required parking space may be permitted on the Boulevard.

2. An application for Draft Plan of Subdivision approval (File 19T-03V13) for the subject lands shown on Attachment #2, to facilitate a residential plan of subdivision, as shown on the red-lined plan dated June 16, 2008 on Attachment #3, consisting of 763 full lots, and 9 blocks to be combined with future blocks on the lands to the immediate north (Part 49 on Plan 65R-28325) resulting in an additional 9 lots.

### **Background - Analysis and Options**

The 189.673 ha property is located on the north side of Major Mackenzie Drive, west of Bathurst Street, within Planning Block 12, in Part of Lots 21 and 22, Concession 2, City of Vaughan.

The subject lands are designated "Low Density Residential" and "Valley Lands" 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 to be primarily detached dwelling units. The lands are zoned A Agricultural Zone by By-law 1-88, and are currently vacant, with the exception of the three existing cottages along Major Mackenzie Drive that will be demolished and two houses which will remain and be integrated in the subdivision, being 10,244 Bathurst Street (Block 777) and 980 Major Mackenzie Drive (Block 800), as shown on Attachment #3. The surrounding land uses are shown on Attachment #2.

### 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 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, as shown on Attachment #6.

### 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" and "Valley Lands" by OPA #600, and further designated "Settlement Area" by OPA #604 (Oak Ridges Moraine Conformity Plan).

The "Low Density Residential" designation permits a range of uses, including detached and semi-detached units, street townhouses, parks, schools and local convenience commercial centres.

Within the "Low Density Residential" designation, the maximum permitted net residential density on a site is 14.0 units per hectare on privately held lands within Block 12, calculated on the area of developable lands. The area included in the calculation of residential density shall include local and primary roads and the lands for the dwelling units, but shall exclude all other lands. The draft plan yields an overall density of 11 units per net hectare. The draft plan conforms to the Official Plan in this respect.

### Zoning

The subject lands are zoned A Agricultural Zone, OS1 Open Space Conservation Zone, OS4 Open Space Woodlot Zone and OS5 Open Space Environmental Protection Zone by By-law 1-88 as shown on Attachment #2. To facilitate the proposed residential draft plan of subdivision as shown on Attachment #3, a Zoning By-law Amendment is required. In order to implement the proposed residential lots, the Owner is proposing to rezone the subject lands in the manner shown on Attachment #4 and utilizing the following zone categories:

- RD2 Residential Detached Zone Two; RD3 Residential Detached Zone Three; and, RD4 Residential Detached Zone Four for the single detached units;
- the RS1 Residential Semi-Detached Zone for the semi-detached units;
- the RT1 Residential Townhouse Zone for the townhouse units;
- the RD4 Residential Detached Four Zone for the school block;

- all open space blocks and buffers would be zoned OS5 Open Space Environmental Protection Zone;
- the neighbourhood parks, parkettes and greenways would be zoned OS2 Open Space Park Zone;
- the storm water management ponds would be zoned OS1 Open Space Conservation Zone; and,
- the proposed local commercial Block (791) would be zoned C3 Local Commercial Zone, subject to exceptions.

The Development Planning Department is satisfied with the zone categories being requested to implement the proposed draft plan of subdivision. These zones will implement a development that is consistent with the Block Plan and compatible with the surrounding land uses. It is noted that all residentially zoned lands shall be zoned with the addition of the Holding Symbol "(H)" until such time as water and sanitary sewage capacity has been identified and allocated to the subject lands by the City.

i) Commercial Lands (Block 791)

The Owner has requested that the following site-specific zoning exceptions be approved to the C3 Local Commercial Zone to facilitate the future commercial development of Block 791:

- permit the following additional uses in a C3 Local Commercial Zone:
  - Club or Health Centre
  - Eating Establishment
  - Eating Establishment, Convenience
  - Eating Establishment, Take-Out
  - Eating Establishment, Convenience with a Drive-Through
  - Service or Repair Shop
  - Outdoor Patio associated with any of the above Eating Establishment uses
  - Veterinary Clinic;
- a reduced front yard setback from 11 m to 4.5m;
- a reduced rear yard setback from 9 m to 4.5 m;
- a reduced interior side yard setback from 9 m to 6 m;
- a reduced exterior side yard setback from 11 m to 4.5 m;
- an increased gross floor area from 1860 m<sup>2</sup> to 2105 m<sup>2</sup>;
- a reduced minimum setback to an "R" Residential Zone from 9 m to 6 m;
- further zoning exceptions may be required upon the completion of the Regional Municipal Class Environmental Assessment.

The Development Planning Department has reviewed the additional uses proposed by the Owner and can support the Club or Health Centre use, and the following uses subject to conditions:

- Eating Establishment – restricted to a maximum of 20% of the gross floor area of the building, and the accessory outdoor patio not exceeding six (6) tables. These standards will ensure parking will not become problematic on the site and that the commercial site remains compatible with the adjacent residential uses. The other Eating Establishment types including Convenience, Take Out, and Convenience with a Drive-Through are not considered appropriate for a local commercial site in this land use context, and are not being supported by the Development Planning Department;
- Service or Repair shop – subject to the service or repair of larger appliances and other products being deleted from the definition of a "service or repair shop", specifically the repair of: furnace or oil burners, water and air coolers, lawn care equipment, and that



there is no outside storage associated with this use. These standards will ensure that a service or repair shop will essentially repair small household appliances and materials and that no outside storage is associated with this use located adjacent to Bathurst Street and residential dwellings;

- iii) A Veterinary Clinic – subject to the use being carried out within a wholly enclosed building with no outside storage or any ancillary use being carried on outdoors (i.e. animal holding area). This will ensure compatibility with the residential uses to the immediate south and eliminate complaints respecting nuisances associated with this use being located outdoors (i.e. dog barking).

With respect to the proposed development standards for the C3 Local Commercial Zone, the Development Planning Department can support the reduced front and exterior side yard setbacks of 4.5 m, which would provide the opportunity to locate the future commercial building closer to the street, which is desirable from an urban design perspective. With respect to the reduced rear yard and interior side yard setbacks of 4.5 m and 6.0 m, respectively, the Development Planning Department can support these reductions provided the reduced yards are used solely for landscaping purposes. This will ensure that no loading or unloading, driveways etc. would be located in these yards and provide the opportunity to soften the interface between the commercial uses and residential uses to the west and south.

The Regional Municipality of York may request additional lands through a road widening along Bathurst Street, as shown Attachment #3 as “Regional Requested Deferral Area”. This may reduce the depth of the Commercial Block (Block 791) by approximately 5m which may result in minor adjustments to the above zone standards.

Furthermore, it is recommended that Block 791 be zoned with the Holding Symbol “(H)”, which would be removed upon Council’s approval of a Site Development Application in order to allow the Development Planning Department to review matters such as building location and design, landscaping, parking, etc., to ensure compatibility between the commercial and residential uses, as well as, upon the completion of the Regional Municipal Class Environmental Assessment for the improvement of Bathurst Street from Highway 7 to Teston Road.

ii) Residential Lands

Existing Dwellings (Blocks 777 and 800)

The Owner is proposing to retain two existing dwellings on the subject lands, which will be maintained on Block 777 and 800, as shown on Attachment #3. The Owner has requested the necessary zoning exceptions required to maintain these dwellings on lands which are proposed to be rezoned RD4 Residential Detached Zone Four. The Development Planning Department recommends that the implementing Zoning By-law restrict the permitted uses on Block 800 to one detached dwelling only. This will prevent the creation of additional lots on this block without further review and approval by the City. The exceptions to recognize the existing residence on Block 777 can also be supported.

Blocks 1, 2, 69 and 70

The Owner is proposing garages located in the rear yard that are accessed by a driveway crossing the rear and exterior side lot lines as shown on Attachment #5. This building design is being utilized on Blocks 1, 2, 69 and 70 located at the intersection of Major Mackenzie Drive and Street “1” in order to create a more attractive entry into the community with the front facade of the dwelling facing the street. The design requires that the garages be located in the rear yard. In order to implement this building layout as shown on Attachment #5, the following zoning exceptions are required:

Zoning Requirement	Detached Garage Located in the Rear Yard	
	Accessed by a Driveway Crossing the Rear Lot Line	Accessed by a Driveway Crossing the Exterior Lot Line
Minimum rear yard setback	2.0m	1.0m
Minimum exterior side yard setback	4.5m	4.5m
Minimum interior side yard setback	1.2m <sup>1</sup>	1.2m <sup>1</sup>
Minimum setback to a street from which access is provided	n/a	6.0m
Minimum distance between garage and nearest wall of dwelling	6.5m	3.0m
Parking Spaces	2 <sup>2</sup>	2 <sup>2</sup>

1. Where the garage is attached to another garage then the interior side yard setback shall be 0 Metres.
2. One required parking space maybe permitted on the Boulevard.

The Development Planning Department has no objections to the above-noted exceptions to By-law 1-88, which will facilitate an appropriate subdivision design and remove driveway access from primary Street "1" to the side streets.

#### Subdivision Design

The proposed draft plan of subdivision shown on Attachment #3 has been prepared in accordance with the approved Block 12 Plan, shown on Attachment #6 and consists of the following:

- Lots for Detached Dwellings
  - 103 lots with minimum 15.3 m frontages 6.23 ha
  - 372 lots with minimum 12.5 m frontages 15.71ha
  - 219 lots with minimum 9.0 m frontages 7.13ha
  - 6 lots with minimum 13.5 m frontages 0.52 ha
- 9 blocks with minimum 13.5 m frontages (4.5 units) 0.13 ha
- 1 block with minimum 12.5 m frontage (0.5 unit) 0.05 ha
- Lots for Semi-Detached Dwellings
  - 63 lots with minimum 15.3m frontages(126 units) 3.61 ha
- Blocks for townhouse units
  - 4 blocks with minimum 7.8 m frontages (16 units) 0.53 ha

-	Park blocks (Blocks 778-781)	4.49 ha
-	Parkette blocks (Blocks 782 & 783)	0.55 ha
-	Public elementary school block (Block 784)	2.39 ha
-	Stormwater management blocks (Blocks 785 & 786)	5.06 ha
-	Valleyland blocks (Blocks 787 & 788)	12.17ha
-	Tableland woodlot blocks (Block 789 & 790)	1.04 ha
-	Commercial block (Block 791)	0.64 ha
-	Buffer blocks (Blocks 792 – 799)	0.77 ha
-	Future residential block (Block 800)	1.09 ha
-	Road widening (Block 801)	0.15 ha
-	Roads	<u>14.50ha</u>
	<b>Total Site Area</b>	<b>76.76ha</b>

The proposed draft plan of subdivision, as shown on Attachment #3 provides for 763 full lots and four Blocks, of which 700 lots are intended for future detached residential dwellings, 63 lots are intended for semi-detached dwellings (126 units) and 4 blocks for street townhouse units (16 units). There are 9 part blocks (768 to 776 inclusive) that would be developed with future blocks to the north (Part 49 on Plan 65R-28325) to form 9 full lots for detached dwelling units.

The road pattern is designed to align with the adjacent roads (Via Romano Boulevard and Queen Filomena Avenue) in the adjacent subdivisions to the north and west. When completed, the road pattern will provide for a continuous movement of local traffic within the Block Plan.

The draft plan of subdivision will accommodate two existing dwellings located at 10244 Bathurst Street and 980 Major Mackenzie Drive on Block 777 and 800 respectively. Block 800 is accessed from Street "4" while Block 777 is accessed from Street "16", as shown on Attachment #3. A clause will be included in the implementing by-law restricting the use of Block 800 to one residential dwelling, to prevent it from being further subdivided without City review and approval. The appropriate exceptions will be included in the implementing zoning by-law for these dwellings.

A 0.637 ha Local Convenience Commercial (Block 791) has been provided at the southwest corner of Bathurst Street and Queen Filomena Avenue. This block will have access from the internal road system. The Region of York must approve any future access to Bathurst Street. These lands will be zoned with the Holding Symbol "(H)" that will be lifted upon Council's approval of a Site Development Application. The proposed draft plan also provides for school, park, valley and buffer blocks.

In addition, the Regional Requested Deferral Area as red-lined on June 16, 2008 and shown on Attachment #3 runs along Bathurst Street along the easterly portion of the subdivision. This area will not be approved and finalized pending the completion and approval of the Municipal Class Environmental Assessment for the improvement of Bathurst Street from Highway 7 to Teston Road in the Town of Richmond Hill and the City of Vaughan. A condition of approval has been included in Attachment #1 deferring the lands until such time as the Region completes its Environmental Assessment.

The Development Planning Department is satisfied with the proposed draft plan of subdivision.

#### Heritage Vaughan

The subject lands contain two heritage structures know as the Bassingthwaite House (at 10244 Bathurst Street) and the George Munshaw House (at 980 Major Mackenzie Drive), which have been identified for preservation. All other buildings on the subject lands located at 874, 880, 886, and 998 Major Mackenzie Drive including all of the outbuildings on these properties and the Bassingthwaite barns are recommended for demolition approval as per the structural/architectural

evaluation conducted on the buildings by the Cultural Services Division. On August 24, 2005, Heritage Vaughan adopted the following motion (in part):

“That the Bassingthwaite House (at 10244 Bathurst Street) be preserved and integrated into the subject Draft Plan of Subdivision to the satisfaction of Cultural Services staff.

That the owner continue to have the George Munshaw House (the small building at 980 Major Mackenzie Drive) preserved and eventually integrated into the subject Draft Plan of Subdivision to the satisfaction of Cultural Services staff.”

The Bassingthwaite House and George Munshaw House have been incorporated into the proposed draft plan of subdivision on Blocks 777 and 800 respectively, as shown on Attachment #3.

#### Energy Star

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

#### City Engineering Department

##### (i) Environmental Site Assessment (ESA)

On April 26, 2006, Soil Engineers Ltd. submitted the Phase I ESA report and the City provided preliminary comments on May 12, 2006. Prior to final approval of the Plan, the Owner has to:

- a) re-submit the Phase I ESA report, to the satisfaction of the City;
- b) Soil Engineers Ltd. has to certify, to the satisfaction of the City, all USTs (Under-ground Storage Tank(s)) and ASTs (Above-ground Storage Tank(s)) have been properly decommissioned and the soil samplings and testings have met the appropriate Ministry of Environment criteria, and all wells and septic systems within this Plan of Subdivision have been properly decommissioned, and for the issue of suspected hazardous materials, a Designated Substance Survey has to be conducted to ensure the appropriate guidelines/regulations are met.
- c) the Record of Site Condition (RSC) has to be properly registered with the Environmental Site Registry (ESR) of the Ministry of Environment.

##### (ii) Roads

The Sidewalk/Transportation Management Plan for Block 12 was approved on September 22, 2003, as part of the Block 12 block plan approval. Prior to final approval of the Plan, the Owner shall submit an updated TMP to the City in order to bring Helmhorst's Transportation Management Plan to the current City's requirement. The updated TMP should include the details of future traffic signals location, traffic calming measure, future transit routes, pedestrian network, traffic controls, park/school treatments, phasing etc. that reflects the latest road network to the satisfaction of the City. The Owner shall implement the requirements of the Traffic Management Plan to the satisfaction of the City.

##### (iii) Servicing Allocation Capacity

In accordance with the City's Servicing Capacity Distribution Protocol as adopted by Council on March 31, 2008, servicing allocation capacity totaling 459 residential units (1,561 persons) has been committed to the Block 12 Group Trustee for Phase 3. The City will require written

confirmation from the Block 12 Developer's Group that Helmhorst Investments Inc. (19T-03V13) is an active participant in good standing within the Developer's Group prior to the distribution of said units. The Group Trustee is responsible for providing the City with the residential unit breakdown for Phase 3 which to date has not been received. Therefore, the draft plan has not been distributed any of the servicing allocation capacity for the Phase 1 or Phase 2 units previously granted to Block 12.

(iv) Engineering Servicing

The municipal services for this development shall be in accordance with the following approved documents all prepared by Malone Given Parsons. 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.

1. Block 12 - Volume 1, Master Environmental Servicing Plan and Environmental Impact Statement dated September 1999 (Revised October 2001);
2. Block 12 - Volume 2 Technical Appendix, Master Environmental Servicing Plan and Environmental Impact Statement dated September 1999 (Revised October 2001); and
3. Block 12 - Addendum, Master Environmental Servicing Plan and Environmental Impact Statement dated September 1999 (Revised October 2001), again revised on August 2003.

The draft plan depends on municipal services (sanitary, storm and watermain) constructed in Draft Plan of Subdivision 19T-99V08 (Andridge Homes Limited). Interim sanitary sewage capacity is provided through an oversized sanitary sewer in Block 11 and the North Don Collector via Block 10, with the ultimate outlet being the Bathurst Trunk Sanitary Sewer. If the infrastructure required to connect to the Block 11 infrastructure or the interim or ultimate outlets is not constructed or there is insufficient interim capacity within the North Don Collector to accommodate this plan, the necessary remedial works shall be constructed as external works in conjunction with this draft plan.

The development of the draft plan shall proceed in phases as per the approved M.E.S.P. and the availability of sanitary sewage and water servicing capacity and allocation.

(v) Sanitary Servicing

The draft plan is tributary to the Bathurst Langstaff Trunk Collector Sewer. The intention of the design of the trunk system was to direct sanitary flows from Block 12 through sanitary sewers within Block 11 and into the Bathurst Langstaff Collector Sewer. The current Owner is non-participating and an interim sanitary sewer design to direct upstream flows was required. This involved the construction of a sanitary pumping station north of the draft plan that directs sanitary flows to the east and south on Bathurst Street. When a gravity outlet is constructed this interim pumping station will be decommissioned.

(vi) Storm Drainage

The draft plan drains in a southerly direction into the Don River valley which abuts the south-east boundary of the draft plan. The MESP report proposes a stormwater management pond located at the south east area of the draft plan.

(vii) Water Supply

The parcel lies within Pressure District 7 of the York Water Supply System. A portion of the 400 mm-diameter watermain will be constructed through this subdivision and will be connected to the

existing system within adjacent properties. The infrastructure required to accommodate the site shall be constructed in accordance with the approved Master Environmental Servicing Plan (M.E.S.P.) to the satisfaction of the City.

#### Vaughan Cultural Services Division

The Cultural Services Division 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 Toronto and Region Conservation Authority (TRCA) has no objection to the approval of the Zoning By-law Amendment Application (File Z.03.076) and Draft Plan of Subdivision Application (File 19T-03V13). The TRCA's conditions of approval are included 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.

#### Canada Post

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

#### **Relationship to Vaughan Vision 2020**

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan and Manage Growth and Economic Vitality".

#### **Regional Implications**

In accordance with York Region's servicing protocol respecting draft plans receiving approval prior to servicing allocation being available, the Region of York is requesting that this plan, which does not have allocation, be subject to various restrictions (i.e., Holding Symbol "(H)" and No-Pre-Sell Agreements) to ensure that water and sanitary 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 conditions on Attachment #1. In addition, the Region of York 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.

York Region is currently undertaking a Municipal Class Environmental Assessment for the improvement of Bathurst Street from Highway 7 to Teston Road in the Town of Richmond Hill and the City of Vaughan. As a result, the Region is requesting that a portion of the plan of subdivision be deferred pending the completion and approval of the EA. Attachment #3 illustrates the lands to be deferred.

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 has reviewed Zoning By-law Amendment File Z.03.076 and Draft Plan of Subdivision File 19T-03V13 (Helmhorst Investments Ltd.), in accordance with the applicable policies of the Official Plan, the requirements of the Zoning By-law, the Oak Ridges

Moraine Conformity Plan, Block 12 Plan, and the area context. The proposed Draft Plan of Subdivision consisting of 763 residential lots and a commercial block conforms to the Official Plan. The proposed zoning categories and exceptions to By-law 1-88 are considered appropriate, subject to the comments in this report. In addition, the applications will facilitate a residential development form that is compatible with the surrounding land uses and provide for the protection of environmental features to the satisfaction of the Toronto and Region Conservation Authority and the City.

The Development Planning Department can support the approval of the Zoning By-law Amendment Application and the proposed Draft Plan of Subdivision Application, subject to the conditions of approval in Attachment #1.

**Attachments**

1. Conditions of Draft Approval
2. Location Map
3. Draft Plan of Subdivision 19T-03V13
4. Proposed Zoning
5. Detached Garages
6. Block 12 Plan

**Report prepared by:**

Margaret Holyday, Planner, ext. 8216  
Mauro Peverini, Senior Planner, ext. 8407

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

GRANT UYEYAMA  
Manager of Development Planning

/LG

## **ATTACHMENT NO. 1**

### **STANDARD CONDITIONS OF DRAFT APPROVAL**

#### **DRAFT PLAN OF SUBDIVISION 19T-03V13 HELMHORST INVESTMENTS LTD. PART OF LOT 21 & 22, 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-03V13, 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 #08:9, dated April 28, 2008, as redlined on June 16, 2008 to show the Region of York Requested Deferral Areas.
2. The lands within this Plan shall be appropriately zoned by a Zoning By-law which has come into effect in accordance with the provisions of The Planning Act. Particular zoning categories to be applied are as follows:
  - RD2(H) – Residential Detached Zone Two with a Holding Symbol "(H)"
  - RD3(H) – Residential Detached Zone Three with a Holding Symbol "(H)"
  - RD4(H) – Residential Detached Zone Four with a Holding Symbol "(H)"
  - RS1(H) – Residential Semi-Detached Zone with a Holding Symbol "(H)"
  - RT1(H) – Residential Townhouse Zone with a Holding Symbol "(H)"
  - C3(H) – Local Commercial Zone with a Holding Symbol "(H)"
  - OS1 – Open Space Conservation Zone
  - OS2 – Open Space Park Zone
  - OS4 – Open Space Woodlot Zone
  - OS5 – Open Space Environmental Protection Zone
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 enter into a subdivision agreement with the City to satisfy all financial and other conditions, with regard to such matters as the City may consider necessary, including payment of development levies and the woodlot development charge, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
5. The Owner shall agree to create easements for maintenance purposes for all lots providing less than 1.2 m side yards, or having roof encroachments, prior to transfer of land.
6. Prior to application for building permit, Site Development Approval is required for certain types of development under the City's Site Plan Control By-law, for draft approved Block 791.
7. The road allowances within this Plan shall be named to the satisfaction of the City, in consultation with the Regional Planning Department; proposed street names shall be submitted by the Owner for approval by Council and shall be included on the first engineering drawings.



8. 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.
9. The Owner shall agree that Block(s) 768-776 inclusive shall only be developed in conjunction with the adjacent lands; in the interim, such blocks will be subject to the Holding Symbol "H" Holding Zone provision.
10. 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.
11. 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.
12.
  - 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.
13.
  - a) Prior to final approval and prior to any works commencing on the site, the Owner shall submit for approval by the City and the Toronto and Region Conservation Authority (TRCA), a detailed engineering report(s) that describes the storm drainage system for the proposed development, which shall include:
    - i) plans illustrating how this drainage system will be tied into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, the design capacity of the receiving system and how external flows will be accommodated;
    - ii) the location and description of all outlets and other facilities;
    - iii) stormwater management techniques which may be required to control minor and major flows;
    - iv) proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction;
    - v) overall grading plans for the subject lands; and
    - vi) 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.

- b) The Owner shall agree to implement the recommendations set out in the aforementioned report(s) to the satisfaction of the City and TRCA.
14. The Owner shall agree:
- a) to obtain all necessary permits pursuant to Ontario Regulation 158 and the Lakes and Rivers Improvement Act from the Toronto and Region Conservation Authority;
  - b) to maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period; and,
  - c) to provide a copy of the executed subdivision agreement to The Toronto and Region Conservation Authority.
15. a) Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of PowerStream Inc., its successors and assign 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 Distribution Inc. and the City.
16. 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.
17. The Owner shall convey tableland woodlot Blocks 789 and 790 to the City free of encumbrances, through a Front-Ending Agreement to be entered into with the City in accordance with the City's Special Area Woodlot Development Charge By-law, or by such other arrangements as may be deemed satisfactory to the City.
18. 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.

19. 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 Bathurst Street and Major Mackenzie Drive;
  - The appropriate configuration and landscape treatment of the stormwater management pond Blocks 785 and 786;
  - The City of Vaughan Gateway feature at Bathurst Street and Major Mackenzie Drive;
  - Valleylands edge management rehabilitation planting, trails, bridge crossings, erosion repair sites and pedestrian access points into the valley;
  - The appropriate integration with the approved Maple Nature Reserve Master Plan Report;
  - The pedestrian urban connections between streets and within the neighbourhood;
  - The appropriate high quality design of parkette Blocks 782 and 783;
  - The interior streetscape interface between commercial Block 791 and Street "15".
20. 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.
21. The Owner shall convey Park Blocks 778, 779, 780 and 781 to the City free of all encumbrances for parkland purposes.
22. The Owner shall agree in the subdivision agreement, to include the following warning clause in all offers of lease, purchase or sale of lots that abut park Blocks 778, 779, 780 and 781;

"Purchasers and/or tenants are advised that the lot abuts a Neighbourhood Park and noise and lighting may be of concern due to the nature of the park for active recreation".
23. 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 and tableland woodlot. 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 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.

24. 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 limits of the residential lots that abut a Park block, open space/ valley, storm pond, parkette and woodlot.
25. The Owner shall convey buffer Blocks 792, 793, 794 and 795 to the City free of all cost and encumbrance for landscaping purposes.
26. The Owner shall convey buffer Blocks 796, 797, 798 and 799 to the TRCA free of all cost and encumbrance for environmental buffer purposes.
27. In the event that the Owner and the City agree that the Owner will develop Park Blocks 778, 779, 780 and 781, the Owner shall agree that the design, securities and construction for the Park will be addressed through an amending agreement in accordance with the "City Developer Build/Parks Development Policy."
28. Prior to building permit issuance, the Owner shall prepare for review and approval on Park Blocks 778, 779, 780 and 781, a Phase II Environmental Site Assessment report in accordance with the Ministry of Environment's Guidelines for use at contaminated sites in Ontario (June 1996, as amended), to the satisfaction of the City. Testing may include but not be limited to surface and subsurface soil, groundwater, soil vapour, plant and aquatic species sampling and testing of building materials.  
  
The Owner shall incorporate the recommendations contained in the report and ensure adequate field inspection is provided to validate the recommendation in the Phase II E.S.A. to the satisfaction of the City.  
  
The Owner shall reimburse the City for the cost of the City's peer review of the Phase II E.S.A.
29. The Owner shall convey parkette Blocks 782 and 783 to the City free of encumbrances. Furthermore the Owner shall agree to design and construct each parkette block to the satisfaction of the City.
30. The Owner shall agree in the subdivision agreement to design and construct for the City of Vaughan, a gateway feature located at the corner of Bathurst Street and Major Mackenzie Drive to the satisfaction of the City.
31. 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.
32. 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.
33. 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.
34. The road allowances included within this draft plan of subdivision shall be dedicated as public highways without monetary consideration and free of all encumbrances.
35. Any dead end or open side of a road allowance within the Plan shall be terminated in a 0.3m reserve, to be conveyed to the City free of all charge and encumbrances, until required for a future road allowance or development of adjacent lands.
36. Easements as may be required for utility, drainage or construction purposes shall be granted to the appropriate authorities, free of all charge and encumbrances.

37. Prior to final approval of the Plan, the Owner shall design, purchase materials and install a street lighting system compatible with the existing and/or proposed systems in surrounding plans, all in accordance with the City standards and specifications.
38. Prior to final approval of the Plan, the Owner shall 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 coordinated and completed at the cost of the Owner.
39. Prior to final approval of the Plan, 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.
40. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost of any external municipal services that have been designed and oversized by others to accommodate the development of the Plan, if required to the satisfaction of the City.
41. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunication provider to provide their services underground at the approved locations and to the satisfaction of the City.
42. Prior to final approval of the Plan, the Owner shall provide a copy of the fully executed subdivision agreement to the appropriate telecommunication provider.
43. Prior to final approval of the Plan, 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.
44. Prior to final approval of the Plan, 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.
45. Prior to final approval of the Plan, the Owner shall submit an environmental noise impact study, prepared by a qualified consultant at the Owner's cost for approval by the City. 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 carryout or cause to carryout the recommendation set out in the approved noise study report to the satisfaction of the City.
46. Prior to final approval of the Plan, the Owner shall submit, to the satisfaction of the City, a listing prepared by an Ontario Land Surveyor of all the Lot and Block areas and Lot frontages and depths in accordance with the approved Zoning By-law for all Lots and Blocks within the Plan.
47. Prior to final approval of the Plan, the City shall confirm that adequate water supply and sewage treatment capacity are available to accommodate the proposed development.
48. Prior to final approval of the Plan, the Owner shall provide a revised Water Supply Analysis for review and approval by the City.
49. Prior to final approval of the Plan, the Owner shall 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.

50. Prior to final approval of the Plan, the Owner shall ensure that the servicing works to be carried out are consistent with the concepts outlined in the Master Environmental Servicing Plan Report to the satisfaction of the City.
51. Prior to final approval of the Plan, the Owner shall:
  - (a) 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 also include a provision for additional developers to participate with the Developers' Group Agreement when they wish to develop their lands.
  - (b) 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 Landowners Cost Sharing Agreement.
52. Prior to final approval of the Plan, the Owner shall prepare for review and approval a detailed Traffic Impact Study, and implement the recommendations of the study as approved by the City and the Region of York Transportation Services Department. The Owner shall subsequently, implement the recommendations of the traffic impact study as approved.
53. Prior to final approval of Plan, the Owner shall prepare a Traffic Management Plan that details the location of traffic signals, traffic calming measures, transit routes, school and park zone treatment etc. that reflects latest road network to the satisfaction of the City. The Owner shall implement the requirements of the Traffic Management Plan to the satisfaction of the City.
54. Prior to final approval of the Plan, any and all appropriate revisions, as required shall be made to the Block Plan and all associated reports to the satisfaction of the City.
55. 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.
56.
  - a) All lands shall be subject to an "H" Holding Provision, to be lifted once the Regional Environmental Services Department confirms that adequate water supply and sewage treatment capacity are available and the City has allocated same.
  - b) Prior to final approval of the Plan, the Lots and/or Blocks shall be subject to an 'H' Holding Provision, to be lifted once the Traffic Management Plan has been completed to the satisfaction of the Engineering Department and Development Planning Department.
57. Prior to final approval of the Plan, the Owner shall confirm the following items to the satisfaction of the City:
  - a) Re-submit the Phase I ESA report, to the satisfaction of the City; and if required, Phase 2 report and the remedial plan for the lands within the Plan in accordance with the Ontario Regulations 153/04 (formally known as Ministry of Environment and Energy's Guidelines for Use at Contaminated Sites in Ontario, June 1996) and shall reimburse the City for the cost of peer review of the reports.

- b) Soil Engineers Ltd. has to certify, to the satisfaction of the City, all USTs (Under-ground Storage Tank(s)) and ASTs (Above-ground Storage Tank(s)) have been properly decommissioned and the soil samplings and testings have met the appropriate Ministry of Environment criteria, and all wells and septic systems within this Plan of Subdivision have been properly decommissioned, and for the issue of suspected hazardous materials, a Designated Substance Survey has to be conducted to ensure the appropriate guidelines/regulations are met.
  - c) Submit the documented proof of the satisfactory registration of the Record of Site Condition (RSC) with the Environmental Site Registry (ESR) of the Ministry of Environment (MOE), which includes the Acknowledgement from the MOE and a hard copy of the RSC signed by a Qualified Person, to the Development/Transportation Engineering Department for review and approval.
  - d) 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.
58. Prior to final approval of the Plan, the Owner shall submit a detailed engineering report that describes the limits and the implementation of the Clean Water Collector System (CWCS) for the proposed development within a draft plan or site plan. The report shall include a maintenance and monitoring program for the CWCS to the satisfaction of the Engineering and Public Works Departments.
59. Prior to final approval of the Plan, the Owner shall submit a detailed water balance analysis for review and approval of the Engineering Department. The report shall include an assessment as to whether areas, which do not meet the feasibility criteria should contribute clean water to areas which do meet the criteria. The Owner shall implement the recommendations of the report.
60. a) Prior to final approval of the Plan, the Owner shall prepare for review and approval a Traffic Management Plan that details the location of traffic signals, traffic calming measures, transit routes, pedestrian network, traffic controls, park/school treatments, phasing, etc. and that reflects the latest road network to the satisfaction of the City. The Owner shall implement the requirements of the Traffic Management Plan to the satisfaction of the City.
- b) The Owner acknowledges that the engineering design(s) for alternative road design, traffic calming measures and designated transit route(s) as per the recommendations of the Traffic Management Plan may result in variation to the road and lotting pattern to the satisfaction of the City.
61. The Owner shall not apply for building permits and the City shall not issue building permits until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage works are available to service the Plan or that arrangements have been made for their completion to the satisfaction of the City; and,
- i) a minimum of two road accesses are required to service the proposed development to the satisfaction of the City. The Owner is further advised that access through an unregistered plan of subdivision is not considered public access.

62. Prior to the issuance of a building permit for any lot, the Owner's consulting engineer shall certify, to the satisfaction of the Engineering Department and the Building Standards Department that lot grading complies with City of Vaughan lot grading criteria and the driveway as shown on the plan submitted for the construction of the building on that particular lot, conforms in terms of location and geometry (i.e. width etc.) with the approved, or the amended and subsequently approved, Construction Drawings.
63. Prior to the issuance of building permits for any Lot or Block, the Owner shall prepare for review and approval on Park Blocks, a Phase 2 environmental site assessment report in accordance with the Ontario Regulation 153/04 (formally known as Ministry of Environment Guideline for Use at Contaminated Sites in Ontario, June 1996), to the satisfaction of the City. On-site sampling contained in the reports shall be conducted following completion and certification of the rough grading of the park block(s). Testing may include but not be limited to surface and subsurface soil, ground water, soil vapour, plant and aquatic species sampling and testing of building materials.
  - a) The Owner shall incorporate the recommendations contained in the report and ensure that adequate field inspection is provided to validate the recommendations in the Phase 2 Environmental Site Assessment to the satisfaction of the City.
  - b) Prior to issuance of a building permit for any Lot or Block, the Owner shall reimburse the City for the cost of the City's peer review of the Phase 2 Environmental site Assessment Report(s).
64. The Owner shall not apply for building permits and the City shall not issue building permits for any lot until the consultant certifies that the lot conforms with the recommendations of the Consulting Engineers report or as recommended in the water balance analysis, and that, the Clean Water Collector System Monitoring wells are constructed.
65. The Owner acknowledges that all part Blocks within the Plan should only be developed in conjunction with abutting part Blocks of adjacent draft plans.
66. Prior to the transfer of any Lot or Block on the Plan, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses required by this agreement have been included in the Offer of Purchase and Sale or Lease for such Lot or Block.
67. Prior to the transfer of any Lots or Blocks, the Owner shall construct a maintenance free acoustic barrier along the private side of the lot lines of the subject lots as required in the approved noise report and in compliance with City's noise policy. The noise consultant shall certify that the acoustic barrier complies with the requirements of the noise report prior to transfer.
68. Prior to the transfer of Lots/Blocks, the Owner shall erect a permanent 1.5 metre high black vinyl chain link fence along the limits of the aforementioned Lots and Blocks that abut a park, an open space block, school and/or a woodlot. The Owner's consulting engineer shall certify to the Building Standards Department that the above-noted fences are constructed in accordance with this requirement, all to the satisfaction of the Engineering Department.
69. 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 within the entire Plan:
  - a) "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 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.



The City has not imposed an amount of a tree fee or any other fee, which may be charged as a condition of purchase for the planting of trees. Any tree fee paid by purchasers for boulevard trees does not guarantee that a tree will be planted on the boulevard in front or on the side of the residential dwelling.”

- b) “Purchasers and/or tenants are advised that proper grading of all lots in conformity with the Subdivision Grading Plans is a requirement of this subdivision agreement.

The City has taken a Letter of Credit from the Owner (Subdivision Developer) for the security to ensure all municipal services including, but not limited to lot grading, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for lot grading purposes, is NOT a requirement of this subdivision agreement. The City of Vaughan does not control the return of such deposits and purchasers/tenants must direct inquiries regarding this return to their vendor/landlord.”

- c) “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.”

- d) “Purchasers and/or tenants are advised that driveway widths and curb cut widths are governed by City of Vaughan By-Law 1-88, as amended, as follows:

The maximum width of a driveway shall be 6.0 metres measured at the street curb, provided circular driveways shall have a maximum combined width of 9.0 metres measured at the street curb.

Driveway in either front or exterior side yards shall be constructed in accordance with the following requirements:

Lot Frontage	Maximum Width of Driveway
6.0 - 6.99m	3.5m
7.0 - 8.99m	3.75m
9.0 – 11.99m <sup>1</sup>	6.0m
12.0m and greater <sup>2</sup>	9.0m

<sup>1</sup>The Lot Frontage for Lots between 9.0 – 11.99m shall be comprised of a Minimum of 33% Landscaped Front or Exterior side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior side yard shall be soft landscaping in accordance with Paragraph 4.1.2.

<sup>2</sup>The Lot Frontage for Lots 12.0m and greater shall be comprised of a Minimum of 50% Landscaped Front or Exterior side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior side yard shall be soft landscaping in accordance with Paragraph 4.1.2.”

- e) “Purchasers and/or tenants are advised that fencing along the lot lines of Lots and Blocks abutting public lands is a requirement of this subdivision agreement and that all required fencing, noise attenuation feature 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 (Subdivision Developer) 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.

The maintenance of the noise attenuation feature or fencing shall not be the responsibility of the City, or the Region of York and shall be maintained by the Owner until assumption of the services of the Plan. Thereafter the maintenance of the noise attenuation feature or fencing shall be the sole responsibility of the lot owner. Landscaping provided on Regional Road right-of-ways by the Owner or the City for aesthetic purposes shall be approved by the Region and maintained by the City with the exception of the usual grass maintenance."

- f) "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."
- g) "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 the Ministry of 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 and traffic calming measures into the road allowances".
- h) "Purchasers and/or tenants are advised that the plan lies within the boundary of the Oak Ridges Moraine as defined through the Oak Ridges Moraine Conservation Plan, April 22, 2002."
- i) "Purchasers and/or tenants are advised that the City of Toronto owned and operated a landfill within 4 kilometres of the property and the facility is now closed and will be redeveloped into a passive park".
- j) "Purchasers and/or tenants are advised that their home may have been designed to incorporate a Clean Water Collector system. It is the responsibility of the homeowner to maintain the Clean Water Collector system in a good operating condition, which includes periodic repair and cleaning of the roof gutter guards as well as the downspout filter."
- k) "Purchasers and/or tenants are advised that the Owner (Subdivision Developer) has made a contribution towards recycling containers for each residential unit as a requirement of this subdivision agreement. The City has taken this contribution from the Owner to off-set the cost for the recycling containers, therefore, direct cash deposit from the Purchasers to the Owner for recycling containers purposes is not a requirement of the City of Vaughan. The intent of this initiative is to encourage the home Purchasers to participate in the City's waste diversion programs and obtain their recycling containers from the Joint Operation Centre (JOC), 2800 Rutherford Road, Vaughan, Ontario, L4K 2N9, (905) 832-8562; the JOC is located on the north side of Rutherford Road just west of Melville Avenue."

70. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for Lots 661 to 673 both inclusive:
- “Purchasers and/or tenants are advised that the installation of any gate or access point from the lot to the school site is prohibited.”
71. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for Lots 50, 242 to 291 both inclusive, 615 to 652 both inclusive and Block 800:
- “Purchasers and/or tenants are advised that the adjacent open space, woodlot or storm water management facility are designed for renaturalization and therefore shall receive minimal maintenance.”
72. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots 50 and 55 both inclusive, 652 to 660 both inclusive:
- “Purchasers and/or tenants are advised that the lot abuts a Neighbourhood Park of which noise and lighting may be of concern due to nature of the park for active recreation.”
73. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for Lots 438 to 447:
- Purchasers and/or tenants are advised that, despite the inclusion of noise control features in this development area and within the dwelling unit, the noise levels from commercial developments may continue to be of concern, occasionally interfering with some activities of the occupants. This dwelling has, therefore, been equipped with forced air heating and ducting etc., as well as central air conditioning which will allow windows to be kept closed, thereby achieving indoor sound levels within the limits recommended by the Ministry of the Environment and in compliance with the City’s noise policy.”
74. Prior to the initiation of construction within the Plan, the Owner shall provide construction access to the Plan to the satisfaction of the City and the Regional Transportation Services Department.
- (a) No other access to the Plan shall be used for construction unless authorized in writing by the City. If another access is used without approval, the City may refuse to issue further building permits within the Plan or subsequent future phases until such use ceases.
- (b) The Owner shall remove the construction access when directed by the City to do so.
75. Prior to initiation of any grading, removal of any vegetation or topsoil, the Owner shall obtain a fill permit from the City.
76. Prior to initiation of grading or stripping of topsoil, the Owner shall prepare for review and approval a topsoil storage plan detailing location, size, side slopes, stabilization methods and time period. The 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 the park or school blocks to the satisfaction of the City.
77. The Owner shall agree in the subdivision agreement that the engineering design(s) for alternative design standards for road design, traffic calming measures and designated transit route(s) may result in variation to the road, lotting pattern and the number of lots to the satisfaction of the City.

78. The Owner shall agree that all lots or blocks within Phase 2 of the subject draft plan left vacant (6) months following completion of overall grading shall be topsoiled, to a minimum depth of 100mm, seeded, maintained and signed to prohibit dumping and trespassing, to the satisfaction of the City.
79. 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 archaeological 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.
80. Prior to registration, the property Owner is to provide a Conservation Plan for the re-location, preservation and rehabilitation of the Bassingthwaite House at 10,244 Bathurst Street to the satisfaction of Cultural Services and Heritage Vaughan Committee.
81. Prior to registration, a Letter of Credit in the amount of \$250,000 be provided by the property Owner to secure the preservation and rehabilitation of the Bassingthwaite House at 10,244 Bathurst Street within the proposed subdivision.
82. 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<sup>®</sup> qualified at the completion of construction. ENERGY STAR<sup>®</sup> labeling shall be affixed to the home.

83. The Owner shall cause the following warning clauses to be included in a schedule to all Offers of Purchase and Sale, or Lease for all lots/blocks:

a) within the entire subdivision plan:

- "Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the dwelling occupants."
- "Purchasers and/or tenants are advised that the proposed finished lot and/or block grading may not meet City of Vaughan lot grading criteria in certain areas, to facilitate preservation of existing vegetation and to maintain existing adjacent topographical conditions."
- "Purchasers and/or tenants are advised that traffic-calming measures may have been incorporated into the road allowances."
- "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings."
- "Purchasers and/or tenants are advised that any roads ending in a dead end or cul-de-sac may be extended in the future to facilitate development of adjacent lands, without further notice."
- "Purchasers and/or tenants are advised that all of the residential units within this Plan will be built to ENERGY STAR<sup>®</sup> standards, and shall be ENERGY STAR<sup>®</sup> qualified prior to the issuance of an occupancy permit (provisional occupancy certificate). The design, inspection, and certification process for the ENERGY STAR<sup>®</sup> program is the responsibility of the developer and/or builder."

b) abutting any open space, woodlot or stormwater facility:

- "Purchasers and/or tenants are advised that the adjacent open space, woodlot or stormwater management facility may be left in a naturally vegetated condition and receive minimal maintenance."

c) abutting a park block:

- "Purchasers and/or tenants are advised that the lot abuts a "Neighbourhood Park", and that noise and lighting should be expected from the designed active use of the park."

d) along a potential transit route:

- "Purchasers and/or tenants are advised that the following streets may be used as transit routes in the future: Street "1", Queen Filomena Avenue and the northwest corner of Bathurst Street and Major Mackenzie Drive."

84. 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<sup>®</sup> standards, and shall be ENERGY STAR<sup>®</sup> qualified prior to the issuance of an occupancy permit (provisional occupancy certificate). The design, inspection, and certification for the ENERGY STAR<sup>®</sup> 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.]*
85. Where the Owner and the City determine that the Owner will develop the park block(s), the Owner shall agree that the design, securities and construction for the park(s) will be addressed through an agreement in accordance with the City's "Developer Build/Parks Development Policy, OPA #600 and future lands."
86. Where the Owner proposes to proceed with the construction of a model home(s) prior to registration of the Plan, the Owner shall enter into an agreement with the City, setting out the conditions, and shall fulfill relevant conditions of that agreement prior to issuance of a building permit.
87. Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit a topsoil storage plan detailing the location, size, side slopes, stabilization methods and

time period, for approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either park or school blocks.

#### Region of York Conditions

88. 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:
- a. 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 YDSS Flow Control Structures 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,
- b. the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure;
- or,
- c. the Regional Commissioner of Environmental Services confirms servicing capacity for this development by a suitable alternative method and the City of Vaughan allocates the capacity to this development.
- AND
- 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.
89. 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-03V13, 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.
90. The proposed plan of subdivision shall be revised to show the land adjacent to Bathurst Street, as shown on the attached red-lined plan, as deferred lands until such a time as the Class Municipal Environmental Assessment for the improvement of Bathurst Street from Highway 7 to Teston Road has been completed and approved.

91. 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.
92. 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.
93. 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.
94. Prior to the final approval of any residential lands 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 Duffin Creek Water Pollution Control Plant expansion project, the Bathurst 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 Environmental Services confirms servicing allocation for this development by a suitable alternative method and the City of Vaughan allocates the capacity to this development.
95. For all lands the Holding (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 (H) symbol 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 (H) symbol. 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 Environmental Services confirms servicing allocation for this development by a suitable alternative method and the City of Vaughan allocates the capacity to this development.
96. 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.
97. The Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required York Region road improvements for this subdivision. The report/plan, submitted to the York Region Transportation Services 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.



98. The Owner shall agree in the subdivision agreement, in wording satisfactory to the York Region Transportation Services Department, to implement the recommendations of the functional transportation report/plan as approved by the York Region Transportation Services Department.
99. The Owner shall submit detailed engineering drawings, to the York Region Transportation Services 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.
100. The intersection of Major Mackenzie Drive and Street '1' shall be designed and constructed to the satisfaction of the York Region Transportation Services Department with any interim or permanent intersection works including turning lanes, profile adjustments, illumination and/or signalization as deemed necessary by the York Region Transportation Services Department.
101. The intersection of Bathurst Street and Street '2' shall be designed and constructed to the satisfaction of the York Region Transportation Services Department with any interim or permanent intersection works including turning lanes, profile adjustments, illumination and/or signalization as deemed necessary by the York Region Transportation Services Department.
102. The intersection of Bathurst Street and the unidentified east-west collector road at the northern edge of the subject lands shall be designed and constructed to the satisfaction of the York Region Transportation Services Department with any interim or permanent intersection works including turning lanes, profile adjustments, illumination and/or signalization as deemed necessary by the York Region Transportation Services Department.
103. 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 Major Mackenzie Drive, of sufficient width to provide 18 metres from the centreline of Major Mackenzie Drive;
  - ii. A road widening along the entire frontage of the site adjacent to Bathurst Street, of sufficient width to provide 18.0 metres from the centreline of Bathurst Street;
  - iii. Any road widening, along the frontage of the site adjacent to Bathurst Street of sufficient width to accommodate the right-of-way requirements of Bathurst Street subject as determined by the Bathurst Street Environmental Assessment;
  - iv. A 0.3 metre reserve across the full frontage of the site where it abuts Major Mackenzie Drive shall be conveyed to the Regional Municipality of York for public highway purposes, free of all costs and encumbrances;
  - v. A 0.3 metre reserve across the full frontage of the site where it abuts Bathurst Street shall be conveyed to the Regional Municipality of York for public highway purposes, free of all costs and encumbrances;
  - vi. 15 metre by 15 metre daylighting triangle(s) at the Northwest and Northeast corner(s) of the intersection of Major Mackenzie Drive and Street '1';
  - vii. 15 metre by 15 metre daylighting triangle(s) at the Northwest and Southwest corner(s) of the intersection of Bathurst Street and Street '2';

- viii. 15 metre by 15 metre daylighting triangle(s) at the Southwest corner of the intersection of Bathurst Street and the unidentified east-west collector road at the northern edge of the subject lands;
  - ix. 30 metre by 30 metre daylighting triangle(s) at the Northwest corner of the intersection of Bathurst Street and Major Mackenzie Drive;
  - x. An additional 2.0 metre widening, along the site frontage with Major Mackenzie Drive at the intersection of Street '1', for the purpose of a right turn lane, 40.0 metres in length together with a 60.0 metre taper; and,
  - xi. An additional 2.0 metre widening, along the site frontage with Bathurst Street at the intersection of Street '2', for the purpose of a right turn lane, 40.0 metres in length together with a 60.0 metre taper.
104. An additional 2.0 metre widening, along the site frontage with Bathurst Street at the intersection of Major Mackenzie Drive, for the purpose of a right turn lane, 50.0 metres in length together with a 75.0 metre taper.
105. 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.
- Prior to Final Approval, the Owner shall certify, in wording satisfactory to the York Region Transportation Services 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.
106. The connection of Street '1' and Major Mackenzie Drive shall be achieved at an intersection angle of 90 degrees.
107. The connection of Street '2' and Bathurst Street shall be achieved at an intersection angle of 90 degrees.
108. The connection of the unidentified east-west collector road at the northern edge of the subject lands and Bathurst Street shall be achieved at an intersection angle of 90 degrees.

109. The location and design of the construction access for the subdivision work shall be completed to the satisfaction of the York Region Transportation Services Department and illustrated on the Engineering Drawings.
110. Direct vehicle access from the proposed dwellings to Major Mackenzie Drive will not be permitted. Access must be obtained through the internal road network.
111. Direct vehicle access from the proposed dwellings to Bathurst Street will not be permitted. Access must be obtained through the internal road network.
112. 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.
113. The Owner shall engage the services of a consultant to prepare and submit for review a noise study to the York Region Transportation Services Department recommending noise attenuation features and the Owner shall agree to implement these noise attenuation features to the satisfaction of the York Region Transportation Services Department.
114. The following warning clause shall be included in a registered portion of the subdivision agreement with respect to the lots or blocks affected:

"Purchasers are advised that despite the inclusion of noise attenuation features within the development area and within the individual building units, noise levels will continue to increase, occasionally interfering with some activities of the building's occupants".
115. Where noise attenuation features will abut a York Region right-of-way, the Owner shall agree in the subdivision agreement, in wording satisfactory to the York Region Transportation Services Department, as follows:
  - i. that no part of any noise attenuation feature shall be constructed on or within the York Region right-of-way;
  - ii. that noise fences adjacent to York Region 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 York Region right-of-ways shall not be the responsibility of the Regional Municipality of York; and,
  - iv. that any landscaping provided on the York Region right-of-way by the Owner or the area municipality for aesthetic purposes must be approved by the York Region Transportation Services Department and shall be maintained by the area municipality with the exception of the usual grass maintenance.
116. The Owner shall agree in the subdivision agreement to construct sidewalks along the subject land's frontage onto Bathurst Street, Major Mackenzie Drive and Street 1. Sidewalks shall be constructed on both sides of the street unless only one side of the street lies within the limits of the subject lands.

Existing YRT/Viva transit services operate on the following roadway(s) in the vicinity of the subject lands:

- Bathurst Street
- Major Mackenzie Drive

Future YRT/Viva transit services are planned for the following roadway(s), or sections thereof:

- Street 1

117. Concrete pedestrian access shall be provided connecting the subject lands to the York Region roadway as follows:

- Connecting Street 12 with the west side of Bathurst Street (coinciding with the end of Street 16)
- Connecting Street 5 with the north side of Major Mackenzie Drive (opposite Lot 83)
- Connecting Street 5 with the north side of Major Mackenzie Drive (opposite Lot 71)
- Connecting Street 3 with the north side of Major Mackenzie Drive (opposite Lot 3)
- Connecting Street 18 with Street 1 (between Block 787 and 783)

The concrete pedestrian access shall be provided at no cost to York Region and concurrent with construction of necessary sidewalks.

Sidewalks and concrete pedestrian access shall be provided in accordance with OPSD 310.010, 310.020, 310.030 and should be provided "at grade" (i.e. without stairs, inclines, etc.).

118. Subject to approval by YRT, passenger standing area(s) and shelter pad(s) shall be provided at the following location(s):

ON Street	AT Street	Location	Standard	Traffic Signal Request
Street 1 (northbound)	Major Mackenzie Dr. (far-side)	Adjacent to BL-69	YRT-1.01	N
Street 1 (northbound)	Street 9 (near-side)	Adjacent to Lot 211	YRT-1.01	N
Street 1 (northbound)	Street 11 (near-side)	Adjacent to Lot 558	YRT-1.01	N
Street 1 (northbound)	Street 13 (far-side)	Adjacent to Lot 497	YRT-1.01	N
Street 1 (southbound)	Street 11 (near-side)	Adjacent to Block 787	YRT-1.01	N
Street 1 (southbound)	Street 4 (near-side)	Adjacent to Lot 55	YRT-1.01	N
Street 1 (southbound)	Major Mackenzie Dr (near-side)	Adjacent to BL-1	YRT-1.01	Y
Bathurst Street (southbound)	Street 2 (near-side)	Adjacent to Block 795	YRT-1.02 or 1.03	(Existing)
Bathurst Street (southbound)	Major Mackenzie Dr. (near-side)	Adjacent to Block 790	YRT-1.02 or 1.03	(Existing)

Major Mackenzie Drive (westbound)	Street 1 (near-side)	Adjacent to Block 797	YRT-1.02 or 1.03	Y
Major Mackenzie Drive (westbound)	Approx 235m west of Street 1	Adjacent to Block 799	YRT-1.02 or 1.03	N

The passenger standing area(s)/shelter pad(s) shall be provided at no cost to York Region and concurrent with construction of necessary sidewalks.

119. The Owner shall agree in the subdivision agreement that the passenger standing area(s)/ shelter pad(s) identified in Condition 118 shall be installed to the satisfaction of the area municipality and York Region Transit. Landscaping should not interfere with the bus stops, passenger standing areas, shelters or corner sightlines. Bus stops located in front of the employment areas shall be incorporated into the landscape design.

The bus stop location(s) determined during the design phase are subject to change. Prior to construction of the passenger standing area(s)/shelter pad(s), the consultant needs to confirm with YRT the final bus stop locations/requirements. The consultant shall contact YRT Facilities Supervisor - Ann Marie Carroll at (905)762-1282 ext. 5677 to confirm final details.

120. Prior to plan execution, the owner shall submit drawings showing the sidewalk location(s), concrete pedestrian access, passenger standing area(s) and shelter pad(s), as applicable, for York Region Development Approval department's review and comments.
121. Street 1 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.)
122. As part of the subdivision agreement, the owner shall agree to advise all potential purchasers of the current and possible future introduction of transit services in this development as identified in Condition 116. This includes potential transit routes, bus-stops and shelter locations. This can 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.
123. Prior to Final Approval the Owner shall provide a signed copy of the subdivision agreement to the Regional Transportation Services Department, outlining all requirements of the Regional Transportation Services Department.
124. 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.
125. The Owner shall agree:
- a) that any noise attenuation required fences adjacent to Regional roads shall be constructed only on the private side of the 0.3 metre reserve, to a maximum of 2.5 metres in height, subject to the area municipality's concurrence.
  - b) that maintenance of the noise barriers and fences bordering on Regional right-of-ways shall not be the responsibility of the Region.

- c) that any landscaping provided on the Regional right-of-way by the Owner or the area municipality, must be approved by the Region and maintained by the area municipality, with the exception of the usual grass maintenance.
126. The Owner shall provide the following to the Region of York:
- a) a copy of the executed subdivision agreement; and
  - b) a Solicitor's Certificate of Title to the Region of York 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.
127. The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law DC-0005-2003-050.
128. The York Region Planning and Development Services Department shall advise that Conditions 88 to 128 inclusive, have been satisfied.

Toronto & Region Conservation Authority

129. That 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 Block 12. 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; and
  - overall grading plans for the subject lands.
130. That the draft plan of subdivision be red-line revised in order to meet the requirements of Condition 129, if necessary.
131. That a Restoration Plan be prepared and implemented through the subdivision agreement, for the meadow area and for the woodlot, in addition to the Edge Management Plan requirements for the Block, to the satisfaction of the TRCA.
132. That additional comprehensive and extensive plantings be provided in the Edge Management Plan, in lieu of the proposed road alignment on the west side of the draft plan.

133. That Future Residential Block 800, as shown on the draft plan dated April 28, 2008, have an easement in favour of the TRCA and with wording acceptable to the TRCA, to be applied to the portion of the block subject to the 10 metre buffer, to allow existing uses until such time as the block moves forward for development and ultimate disposition of the existing residence is decided, and lands conveyed into public ownership.
134. That the implementing zoning by-law recognize Open Space Blocks 787 to 790 inclusive and Buffer Blocks 796 to 799 inclusive in an open space, or other suitable zoning category, which has the effect of prohibiting development, to the satisfaction of the TRCA.
135. That a copy of the adopted implementing zoning by-law be provided to the TRCA, when available, to facilitate the clearance of conditions of draft approval.
136. That Open Space Blocks 787 & 788 and Buffer Blocks 796 to 799 inclusive, be set aside for acquisition or dedication to either the TRCA or the City of Vaughan, free of all charges or encumbrances.
137. That the applicant successfully obtain permits under Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) for site grading and for the construction of the stormwater management ponds & their associated outfalls.
138. That the applicant submit a detailed and comprehensive Erosion and Sediment Control Plan, which complies with the TRCA's Erosion and Sediment Control Guidelines for Urban Construction ([www.sustainabletechnologies.ca](http://www.sustainabletechnologies.ca)).
139. That the applicant submit Edge Management/Restoration Planting Plans for Buffer Blocks 796 to 799 inclusive, which consist of native, non-invasive species and complies with the TRCA's Planting Guidelines.
140. That the owner agree in the subdivision agreement, in wording acceptable to the TRCA:
  - a. to carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the technical report referenced in Condition No. 129;
  - 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 166/06 from the TRCA;
  - d. to erect a permanent fence to the satisfaction of the TRCA for Lots 17 to 21 inclusive, 266 to 272 inclusive, 275 to 291 inclusive, 619 to 642 inclusive and Block 793;
  - e. that no grading works will take place within Buffer Blocks 796 to 799 inclusive; and
  - f. that no retaining wall structures or systems be erected on Buffer Blocks 796 to 799 inclusive and/or on the property limit for lots abutting Buffer Blocks 796 to 799 inclusive.
141. That a copy of the executed subdivision agreement be provided to the TRCA when available, in order to expedite the clearance of conditions of draft approval.

### York Region School Boards

142. Prior to final approval, the City shall be advised by the School Board(s) that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the Owner and the School Board(s).
143. That prior to final approval, the Owner shall have made Agreement satisfactory to the York Region District School Board for the transfer of one public elementary school site. The public elementary school site, Block 784, shall contain not less than 2.39 hectares.
144. That the Owner shall agree to the following:
  - a. To grade Block 784 and in doing so compact, fill with clean material, replace any topsoil disturbed in the grading process and at the same time sod/seed the same lands to specifications determined by the Board;
  - b. To remove any building on Block 784;
  - c. To remove trees, as required to accommodate school layout;
  - d. To provide a letter of credit pertaining to stockpiling and removal of topsoil as established in the latest version of Hanscomb's Yardsticks for Costing Cost Data for the Canadian Construction Industry to the satisfaction of the Board;
  - e. To remove stockpiled topsoil within 30 days of written notice by the Board and in doing so compact, fill with clean material, replace any topsoil disturbed in the grading process and at the same time sod/seed the same lands to specifications determined by the Board;
  - f. To construct a galvanized chain link fence, Type II 1 1/2" mesh, 1.8m high along all boundaries of the school blocks, including road frontage(s) at the discretion of the Board;
  - g. To construct the fences prior to the issuance of building permits for Phase 1 of the subdivision;
  - h. To erect and maintain a sign on the public school site at such time as the relevant access roads are constructed, indicating that the date has not been set for the construction of the school;
  - i. To provide the foregoing at no cost to the Board;
  - j. To provide a geotechnical investigation and Phase 1 and 2 environmental site assessment conducted by a qualified engineer. For an elementary school site a minimum of six boreholes shall be required and for a secondary school site a minimum of twelve boreholes shall be required; and,
  - k. To assume any upstream and downstream charges.
145. That the Owner shall submit to the York Region District School Board, at no cost to the Board, a report from a qualified consultant concerning:
  - a) the suitability of Block 784 for school construction purposes, relating to soil bearing factors, surface drainage, topography and environmental contaminants; and,
  - b) the availability of natural gas, electrical, water, storm sewer and sanitary sewer services.



146. That the Owner shall agree in the Subdivision Agreement, in wording acceptable to the York Region District School Board, that the services referred to in Condition 145 b) shall be installed to the mid-point of the frontage of the elementary school site and positioned as designated by the Board, at no cost to the Board.
147. That the City of Vaughan shall submit to the York Region District School Board a certificate concerning:
  - a) The availability of a satisfactory water supply; and,
  - b) An acceptable method of sewage disposal.
148. That prior to final approval, the Owner shall submit to the York Region District School Board for review and approval, a copy of the final engineering plans as approved by the City of Vaughan which indicate the storm drainage system and the overall grading plans for the complete subdivision area.
149. That prior to final approval, the local hydro authority shall have confirmed in writing to the Board that they are satisfied that adequate electrical capacity will be supplied to the school site frontage by the developer at no cost to the Board,
150. That prior to final approval, the local hydro authority shall have confirmed in writing to the Board that they are satisfied that payment for any upstream and downstream charges will be made by the original developer.
151. That the York Region District School Board shall advise that conditions 144 to 150 inclusive have been met to its satisfaction. The clearance letter shall include a brief statement detailing how each condition has been satisfied or carried out.
152. That the subdivision agreement include warning clauses advising the City, property owners and purchasers of within the draft plan that unless the provincial funding model provides sufficient funds to construct new schools, there can be no assurance as to the timing of new school construction nor a guarantee that public school accommodation will be provided within the subject plan notwithstanding the designation of the school site.

#### Canada Post

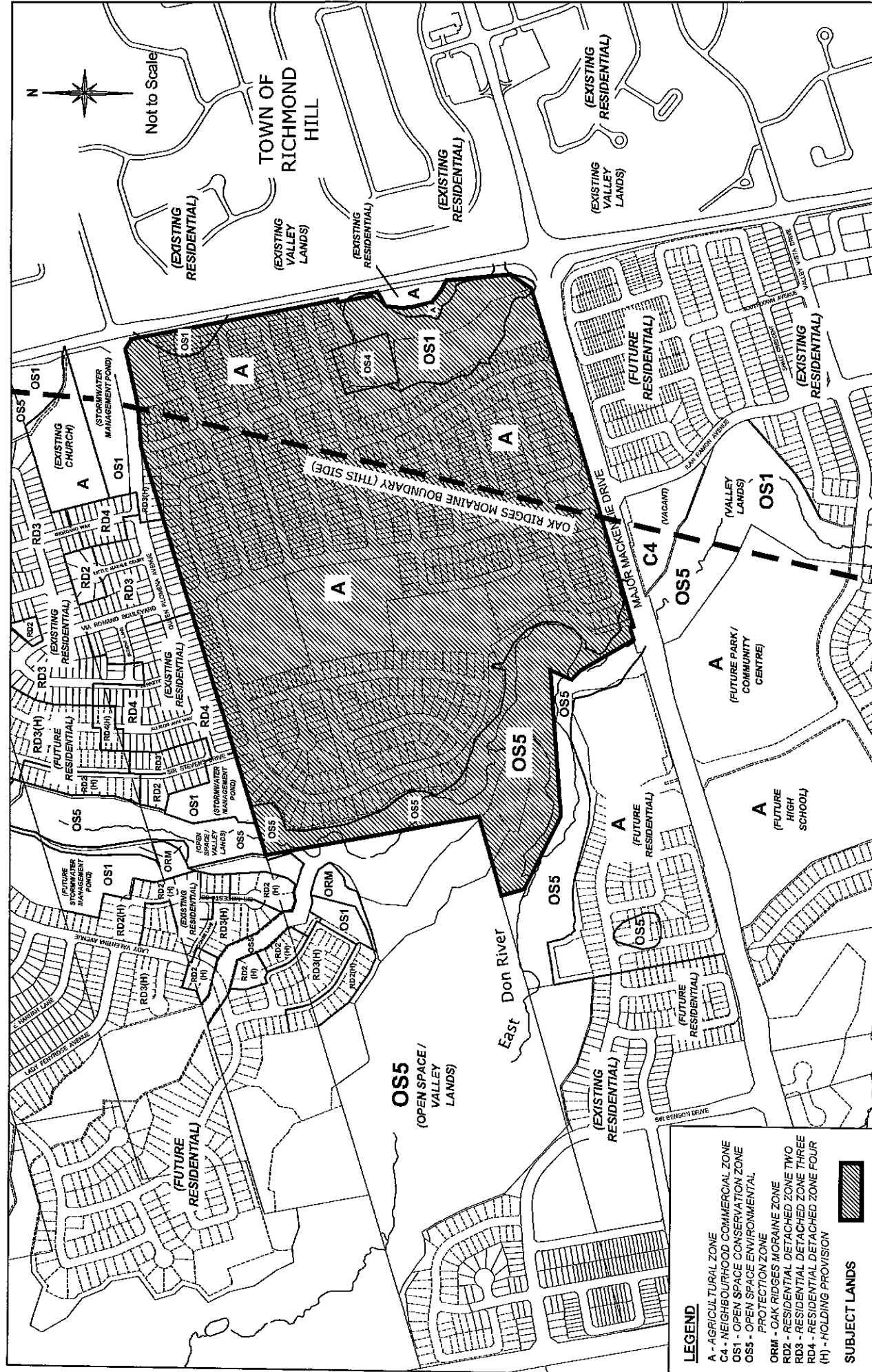
153. The Owner agrees to include on all offers of purchase and sale a statement that advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
154. The Owner will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer on which the homeowners does a sign off.
155. The Owner will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
156. 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 (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 requirements;
  - Any required curb depressions for wheelchair access; and,
  - Multiple Blocks will have the appropriate Canada Post Delivery Policy applied as the required information becomes available and it is requested that information be provided to Canada Post by the Developer.
157. 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.
158. Canada Post Corporation's Multi Unit Policy will be in effect for any Multi Unit Buildings. It will be the Owner's responsibility to purchase and maintain Centralized Mail Boxes for this development type.
159. Any institutions in this plan will be treated as a single business and will be provided mail delivery to 1 Point of Call.
160. Any Condominiums will be required to sign a License to Occupy Land.
161. The Owner further agrees to determine, 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 - spec to be provided). This is will enable Canada Post to provide mail service to new residences as soon as homes are occupied. The Owner 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).

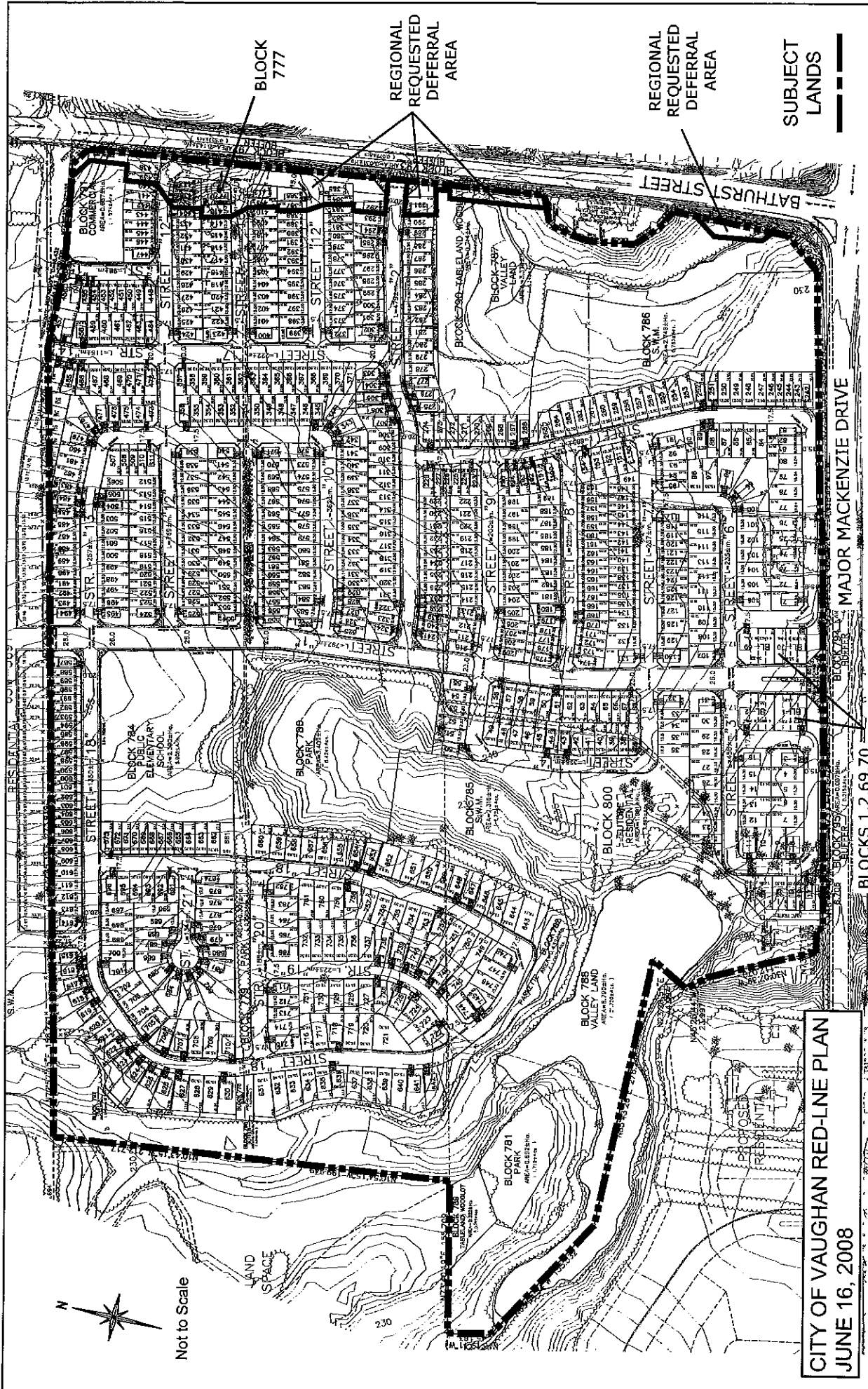
#### Other Conditions

162. 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 161 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
163. The City shall advise that Conditions 1 to 87 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
164. The Region of York shall advise that Conditions 88 to 128 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
165. The Toronto and Region Conservation Authority shall advise that Conditions 129 to 141 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.

166. The York Region School Boards shall advise that Conditions 142 to 152 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
167. Canada Post shall advise that Conditions 153 to 161 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



- LEGEND**
- A - AGRICULTURAL ZONE
  - C4 - NEIGHBOURHOOD COMMERCIAL ZONE
  - OS1 - OPEN SPACE CONSERVATION ZONE
  - OS5 - OPEN SPACE ENVIRONMENTAL PROTECTION ZONE
  - ORM - OAK RIDGES MORaine ZONE
  - RD2 - RESIDENTIAL DETACHED ZONE TWO
  - RD3 - RESIDENTIAL DETACHED ZONE THREE
  - RD4 - RESIDENTIAL DETACHED ZONE FOUR
  - (H) - HOLDING PROVISION
- SUBJECT LANDS**
-



CITY OF VAUGHAN RED-LINE PLAN  
 JUNE 16, 2008

**Draft Plan of Subdivision**  
**19T-03V13 (Red-Lined)**

APPLICANT: HELMHORST INVESTMENTS LTD.  
 Part of Lots 21 & 22, Concession 2



*The City Above Toronto*

Development Planning Department

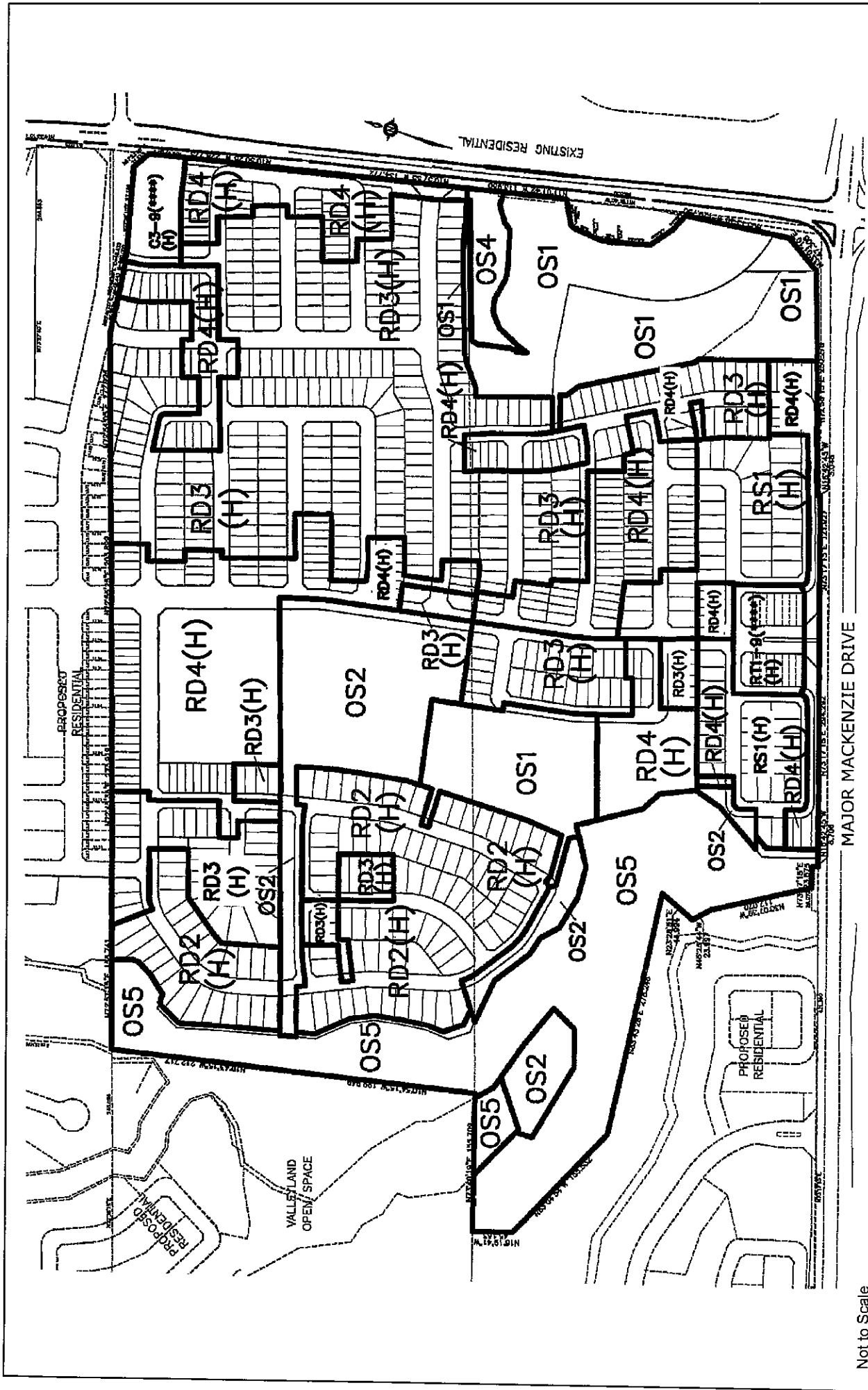
**Attachment**

**3**

FILE No's:  
 19T-03V13 &  
 Z.03.076

June 12, 2008

MAP/PT.1 ATTACHMENTS/19T-03V13Z.03.076/04



Not to Scale

# Proposed Zoning

Part of Lots 21 & 22,  
Concession 2

APPLICANT:  
HELMHORST INVESTMENTS LTD.

FILE NO'S: 19T-03V13 & Z.03.076



*The City Above Toronto*

Development Planning Department

# Attachment

# 4

May 12, 2008

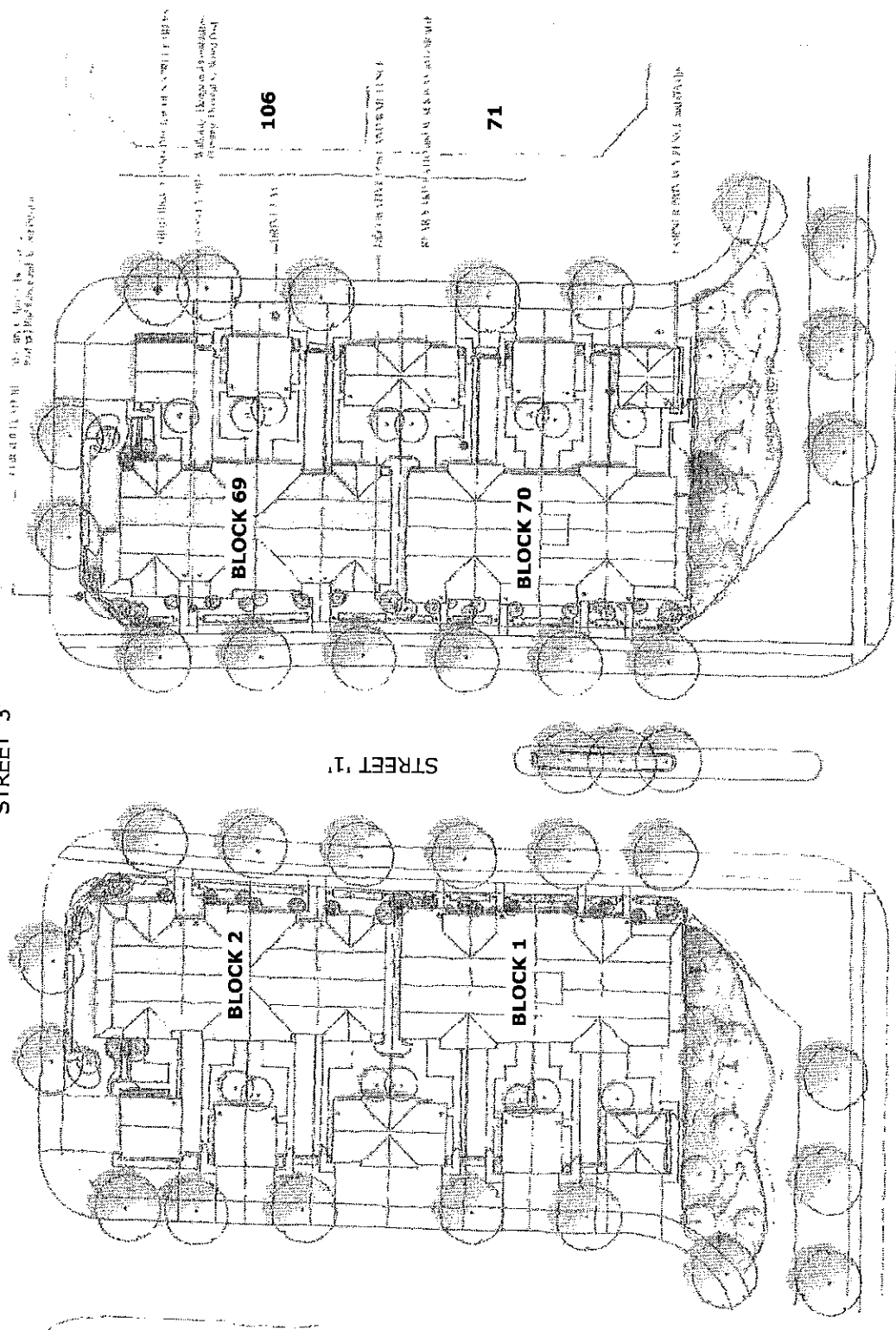
102 103 104 105 106

33 34 35 36



Not to Scale

STREET '3'



MAJOR MACKENZIE DRIVE

# Detached Garages

Part of Lots 21 & 22,  
Concession 2

APPLICANT:  
HELMHORST INVESTMENTS LTD.

NA\OPT\1 ATTACHMENTS\191-03-13\2-03-07Rev



Development Planning Department

# Attachment 5

FILE NO'S:  
19T-03V13 &  
Z.03.076

May 14, 2008

