

COMMITTEE OF THE WHOLE MARCH 31, 2009

**ZONING BY-LAW AMENDMENT FILE Z.07.061
DRAFT PLAN OF SUBDIVISION FILE 19T-07V06
MAJORMACK INVESTMENTS INC., 4074 MM INC.
AND M3DC CAPITAL CORPORATION AND ROCCO BUSIELLO
WARD 1**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.07.0061 (Majormack Investments Inc. et. al) BE APPROVED, specifically to amend By-law 1-88 to rezone the subject lands shown on Attachment #2, in the manner shown on Attachment #4 as follows:
 - i) rezone Lots 1-53 inclusive, Lots 68-71 inclusive, Block 72, Blocks 76-104 inclusive from A Agricultural Zone to RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "(H)", to provide for 57 single detached dwelling units and 30 blocks (15 units) on lots with a minimum frontage of 12m;
 - ii) rezone Blocks 105 and 106 from A Agricultural Zone to RD2(H) Residential Detached Zone Two with the addition of the Holding Symbol "(H)", to provide for 2 blocks to be combined with the adjacent subdivision to the west File (19T-07V04) to create 2 lots with a minimum 15 m frontage;
 - iii) rezone Blocks 54-67 inclusive and Blocks 73-75 inclusive from A Agricultural Zone to RT1(H) Residential Townhouse Zone with the addition of the Holding Symbol "(H)", to provide for 14 street townhouse blocks (67 units) and 3 townhouse blocks (7.5 units) to be combined with the adjacent subdivision to the west (File 19T-07V04);
 - iv) rezone school Block 107 from A Agricultural Zone to RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "(H)";
 - v) rezone stormwater management Block 108, and Buffer Blocks 109 and 110 from A Agricultural Zone to OS1 Open Space Conservation Zone; and,
 - vi) include a zoning exception to permit an exterior side yard of 2.6 m for Block 92 on the proposed draft plan of subdivision.
2. THAT prior to the removal of the Holding Symbol "(H)" from Lots 1-53 inclusive, Lots 68-71 inclusive, Blocks 54-67 inclusive, Blocks 72-107 inclusive, the Region of York confirms that adequate water supply and sewage treatment capacity are available and the City has allocated same.
3. THAT prior to or concurrent with draft plan approval for the initial 103 units, the Owner shall enter into an agreement with the City of Vaughan, 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:
 - i) that York Region has advised, in writing, that it is no earlier than twelve (12) months prior to the expected completion of the Bathurst Langstaff Trunk Sewer, Duffin Creek Water Pollution Control Plant expansion project, the YDSS Flow Control Structures project; and,

- ii) the Council of the City of Vaughan has reserved adequate available water supply and sewage servicing capacity to the subject development.
 - B) Not enter into any agreements of purchase and sale with non end users for the subject lands unless the agreement of purchase and sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the City of Vaughan, which agreement shall be registered on title, committing the Owner to the same terms as set out in item A) above;
4. THAT prior to or concurrent with draft plan approval beyond the 103 units (remaining 44.5 units), 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 the Region of York confirms that adequate water supply and sewage treatment capacity are available and the Council of the City of Vaughan has reserved adequate water supply and sewage servicing capacity to the subject development for the remaining units or phase thereof;
 - 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.
- (*) 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.
5. THAT Draft Plan of Subdivision File 19T-07V06 (Majormack Investments Inc. et. al) and shown on Attachment #3, BE APPROVED, subject to the pre-conditions and conditions set out in Attachment #1 to this report.
6. THAT for the purposes of notice, the implementing subdivision agreement for Draft Plan of Subdivision File 19T-07V06 (Majormack Investments Inc. et. al) shall contain a provision that the parkland shall be dedicated and/or cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands be paid, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". The Owner shall submit an approved appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.
7. THAT the Owner shall 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 purchasers until water supply and sewage servicing capacity has been identified and allocated by the City.
8. THAT the Revised Block 40 South Plan as shown on Attachment #5, respecting the changes made to the subject lands only, be approved.

Economic Impact

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

Communications Plan

On January 25, 2008, a Notice of a Public Meeting was circulated to all property owners within 120m of the subject lands, and to the Millwood Woodend Ratepayers' Association. As of March 18, 2009, no responses respecting the applications were received by the Development Planning Department. The recommendation of the Committee of the Whole to receive the Public Hearing report of February 19, 2008, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on February 25, 2008.

Purpose

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

1. Zoning By-law Amendment Application (File Z.07.061), specifically to amend By-law 1-88, to rezone the subject lands shown on Attachment #2, from A Agricultural Zone to the following zone categories in the manner shown on Attachment #4:
 - i) RD2(H) Residential Detached Zone Two with the addition of the Holding Symbol "(H)" for 2 blocks (2 units);
 - ii) RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "(H)" for 72 units;
 - iii) RT1(H) Residential Townhouse Zone with the addition of the Holding Symbol "(H)" for 14 townhouse blocks (67 units) and 3 blocks (7.5 units) to be combined with the adjacent draft plan of subdivision (File 19T-07V04) to the west;
 - iv) RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "(H)" for Block 107 (school block); and,
 - v) OS1 Open Space Conservation Zone for Blocks 108 (Stormwater Management Pond) and Blocks 109 and 110 (Landscape Buffer Blocks).

2. An Application for Draft Plan of Subdivision approval (File 19T-07V06) as shown on Attachment #3 consisting of the following:
 - i) 57 lots and 32 blocks for single detached dwelling units on lots with a minimum frontage of 12m;
 - ii) 14 townhouse blocks for 67 street townhouse units;
 - iii) 3 townhouse blocks (7.5 units) to be joined with blocks within the adjacent draft plan of subdivision (File 19T-07V04) to the west;
 - iv) 1 elementary school block to be combined with the school block within the adjacent residential subdivision to the west (File 19T-07V04);
 - v) 1 stormwater management block; and,
 - vi) 2 landscape buffer blocks.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the north side of Major Mackenzie Drive, east of Pine Valley Drive, municipally known as 4040, 4052 and 4074 Major Mackenzie Drive, within Planning Block 40, City of Vaughan. The surrounding land uses are shown on Attachment #1.

Block 40 South Plan

The Development Planning Department has reviewed the proposed draft plan of subdivision in the context of the Block 40 South Block Plan, approved by Council on April 24, 2006, as shown on Attachment #5. The landowners have amended the Council approved Block 40 South Plan in the location of the subject lands, as shown on Attachment #6. The changes include: the removal of a Neighbourhood Commercial Block and replacing it with street townhouse blocks; and, the removal of a Neighbourhood Park due to the over dedication of parkland within the Block 40 South Plan. As a result of these changes, additional north-south local roads are included at this location. The landowners are requesting that the revisions proposed to be made to the Block 40 South Block Plan at this location as shown on Attachment #6, be approved. The Development Planning Department has no objection to the proposed amendments to the Block Plan. Should Council concur, a condition of approval to this affect is included in the Recommendation section of the report.

The Policy Planning Department has provided an update on the status of the April 24, 2006 Council approved Block 40 South Plan conditions, and all outstanding block plan conditions have been included as conditions of draft plan of subdivision approval in Attachment #1.

Official Plan

The subject lands are designated "Low Density Residential" and "Medium Density Residential/Commercial" and "Elementary School" by OPA #600, which permits the proposed single detached and street townhouse uses on the subject lands. The "Low" and "Medium Density Residential" designations permit a maximum residential density of 22 and 40 units per hectare respectively. The proposed draft plan of subdivision proposes 73 single detached residential units and 74.5 street townhouse units yielding low and medium densities of 17.16 units/ha and 21.22 units/ha respectively, which conforms to OPA #600.

Zoning

The subject lands shown on Attachment #2 are currently zoned A Agricultural Zone by By-law 1-88. To facilitate the proposed plan of subdivision shown on Attachment #3, an Amendment to By-law 1-88 is required to rezone the subject lands to the following Residential and Open Space Zones in accordance with the standard requirements of Schedule "A3" in By-law 1-88, as shown on Attachment #4:

- i) rezone Lots 1-53 inclusive, Lots 68-71 inclusive, Block 72, Blocks 76-104 inclusive from A Agricultural Zone to RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "(H)", to provide for 57 units and 30 blocks (15 units) on lots with a minimum frontage of 12m;
- ii) rezone Blocks 105 and 106 from A Agricultural Zone to RD2(H) Residential Detached Zone Two with the addition of the Holding Symbol "(H)", to provide for 2 blocks (1 unit) with a minimum frontage of 15m;
- iii) rezone Blocks 54-67 inclusive and Blocks 73-75 inclusive from A Agricultural Zone to RT1(H) Residential Townhouse Zone with the addition of the Holding Symbol "(H)", to provide for 67 units on 14 street townhouse blocks, and 7.5 units on 3 townhouse blocks to be combined with Blocks the adjacent subdivision to the west (File 19T-07V04);
- iv) rezone elementary school Block 107 from A Agricultural Zone to RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "(H)"; and,
- v) rezone stormwater management Block 108 and Landscape Buffer Blocks 109 and 110 from A Agricultural Zone to OS1 Open Space Conservation Zone.

These residential lands will be zoned with the Holding Symbol "(H)", as shown on Attachment #4, as the residential dwelling units do not have water and sewage servicing allocation. A clause will be included in the implementing zoning by-law limiting the use of the lands zoned with the Holding Symbol "(H)" to a use legally existing as of the date of enactment of the implementing by-law. The Holding Symbol "(H)" shall not be removed until the water and sewage servicing capacity has been identified and allocated by the City.

Zoning Exception

The applicant is requesting a zoning exception for a Block 92, a partial residential block within the proposed draft plan of subdivision. This block, as shown on Attachment #3, is adjacent to "Street 2", at the north east end of the plan. The applicant is requesting an exterior side yard of 2.6m, whereas a 3.0m setback to a site triangle is required by By-law 1-88. The Development Planning Department is of the opinion that due to the Engineering Department's requirement for a road taper at this location, a reduction of 0.4m to the 3.0m requirement is considered minor and acceptable.

Subdivision Design

The proposed draft plan of subdivision as shown on Attachment #3 provides a north-south collector road accessing Major Mackenzie Drive, and two single loaded streets adjacent to Major Mackenzie Drive that include a landscape buffer block along the Major Mackenzie Drive frontage. A partial school block (Block 107) is provided at the westerly portion of the draft plan of subdivision, which will be combined with a separate block on the proposed draft plan of subdivision to the west (File 19T-07V04) to provide for an elementary school block approximately 2.578 ha in size. The development details for the draft plan of subdivision are as follows:

57 single detached units	2.331 ha
32 part blocks (16 units)	0.743 ha
14 townhouse blocks (67 units)	1.608 ha
3 part townhouse blocks (7.5 units)	0.198 ha
Elementary School Block 107	0.873 ha
Landscape Buffer Blocks 109 & 110	0.103 ha
SWM Pond Block 108	0.011 ha
Road Widening Block 111	0.113 ha
0.3m Reserves (Blocks 112-142)	0.007 ha
<u>Roads</u>	<u>2.885 ha</u>
Total Draft Plan Area	8.872 ha

All development within the Block 40 South Planning Area is subject to architectural approval. Prior to final approval, the Owner is required to submit Architectural Guidelines, which are to be approved by the control architect and Council. A condition respecting this has been included in Attachment #1.

The Owner shall convey Buffer Blocks 109 and 110 to the City free of all cost and encumbrances for landscaping purposes.

Prior to final approval, the Owner shall prepare a Streetscape Landscape Master Plan in accordance with the approved Block 40 Urban Design Guidelines and OPA #600 policies. The plan shall address but not be limited to the following issues:

- i) co-ordination of the urban design/streetscape elements as they relate to the approved Urban Design Guidelines including entrance features and fencing; and,
- ii) community edge treatments along Major Mackenzie Drive.

The Development Planning Department is satisfied with the proposed subdivision design subject to the comments in this report, and the conditions of approval in Attachment #1.

Parkland/Cash-in-Lieu

The parkland dedication for the draft plan of subdivision shall be dedicated and/or cash-in-lieu of the dedication of parkland paid, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy".

Energy Star

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

City Engineering Department

The Engineering Department has reviewed the proposed draft plan of subdivision and provides the following comments:

i) Water Servicing

The draft plan of subdivision is located within City of Vaughan Pressure District 6. A watermain loop for fire protection and water quality assurance shall be provided. Connection as per the approved Master Environmental Servicing Plan (MESP) shall be from the south end of Street "1" at Major Mackenzie Drive and the north end of Street "1" to abutting Draft Plan of Subdivision File 19T-06V07. In the event that this Plan and the adjacent Plan 19T-07V04 develop independently from 19T-06V07 to the north, the second connection to loop the system shall be from the south end of the cul-de-sac in Plan 19T-07V04 described as Street "1" of the Plan at Major Mackenzie Drive.

ii) Sanitary Servicing

According to the Block 40 MESP and the City's sanitary master plan, the subject draft plan is to be serviced through the Maple Sanitary Drainage System via a proposed pumping station located in Block 40 (Proposed Pine Valley North Pumping Station) that discharges to the sanitary sub-trunk on Fossil Hill Road within the eastern portion Block 39. The Owner is however, proposing an alternate sanitary servicing scheme which would direct sanitary flows to the sanitary sewer on Sant Agostino within the west portion of Block 39 which outlets to the Woodbridge Sanitary Drainage System via the Regional Pine Valley Pumping Station. This alternate servicing scheme is outlined in an Addendum to the MESP from Schaeffer Engineering dated October 22, 2008. Before this alternate servicing scheme can be accepted, the Block 40 engineering consultant must confirm that there is sufficient conveyance and pumping capacity in the downstream wastewater collection system to accommodate the additional sewage flows, and there are no impacts to the sanitary servicing scheme for the block and surrounding area to the satisfaction of the City and Region. The Engineering Planning and Studies Section of Development/Transportation Engineering has provided comments to the applicant's Consultant and are awaiting a reply to finalize this matter.

The Owner shall contribute their proportionate share of the cost to design and construct the future Block 40/47 Pine Valley North Pumping Station as well as the downstream sanitary sewers in the eastern portion of Block 39 (original sanitary drainage scheme) that have been oversized by the Block 39 Developer Group to accommodate flows from this plan. The Owner is required to pay their proportionate share for the over-sizing of the downstream sanitary sewers in addition to any required downstream improvement or over-sizing costs for the proposed alternative outlet.

iii) Stormwater Drainage

In accordance with the approved Master Environmental and Servicing Plan (MESP), in order to convey storm water from the proposed development, Storm Water Management Pond #2 located in a future phase of 19T-06V07 (Belmont) to the north and partially in Plan 19T-07V04 to the west, shall be constructed. The Storm Water Management Pond is a permanent wet facility designed to control storm water quantity and quality. This storm water management facility is located on lands owned by participating landowners in the Block so the construction of this facility should be constructed as a spine service by the Block 40 South Developers Group.

iv) Engineering Planning Studies

On April 24, 2006 the Block Plan for Block 40 South was approved by Council with a number of Block Plan Approval Conditions, which were to be addressed prior to the approval of any draft plans of subdivision. The Engineering Department is requesting that all outstanding Engineering related Block Plan conditions be transferred to draft plan approval conditions, and will clear individual draft plan conditions as appropriate.

v) Transportation

The development of this plan would provide for the construction of a collector road access (Street "1") to Major Mackenzie Drive in accordance with the approved Block Plan. The proposed road is to be constructed as 23 m right-of-way flaring to 26 m right-of-way at the intersection with Major Mackenzie Drive. The pavement of Street "1" shall be designed to be on a common tangent with Vellore Avenue in draft plan of subdivision 19T-03V24 as approved by the Ontario Municipal Board. The subject subdivision and the adjacent subdivision to the west (19T-07V04) require two road accesses.

The Region of York is currently undertaking the Western Vaughan Transportation Improvements Individual Environmental Assessment (IEA) to identify preferred transportation improvements in the south-west corner of the City of Vaughan to support planned growth to the year 2031. More specifically, the study covers the area west of Highway 400, and south of Teston Road to Highway 407. The widening and realignment of Major Mackenzie Drive is included in the study. The IEA is currently scheduled to be submitted to the MOE in the Summer of 2010.

As per the latest Region's 10 Year Roads Capital Program approved by Regional Council on December 18, 2008, Major Mackenzie Drive improvements in the vicinity of the subject lands are scheduled as follows:

- i) between Keele Street and Highway 400 – 2013;
- ii) between Weston Road and Pine Valley Drive – 2011; and,
- iii) between Pine Valley Drive and Highway 27 – 2012.

The aforementioned dates are subject to completion of the IEA, followed by planning and design stage before improvements commence. If development is to proceed prior to the completion of the approved improvements to Major Mackenzie Drive, the Owner shall demonstrate to the Region and City that there is sufficient transportation capacity available on the existing two-lane Major Mackenzie Drive.

vi) Allocation of Servicing Capacity

On March 31, 2008, Council assigned 600 residential units of servicing capacity to Block 40 South to facilitate the second phase of the development. Based on correspondence from the Block 40 South Trustee, the Cal-Wood Developments Inc. Draft Plan of Subdivision File 19T-07V04 and the Majormack Investments Inc. & 4074 MM Inc. & M3DC Capital Corporation, Draft Plan of Subdivision File 19T-07V06 were distributed 70 residential units and 103 residential units

respectively from the 600 residential unit assignment. The balance of the 600 units is being distributed to the second phase of the Belmont and Greenbrooke draft plans, which are already draft approved.

The availability of this servicing capacity is linked to the completion of the Duffin Creek Water Pollution Control Plant upgrades and the flow control structures as temporary alternatives to the Southeast Collector Sewer improvements, which aren't expected to be completed and in-service until the fourth quarter of 2010.

According to the Region's infrastructure-allocation procedure, the earliest that these 600 units could be released for house sales would be the fourth quarter of 2009, one year prior to the current estimated in-service date for the above noted infrastructure. In addition, the earliest possible date that registration of these units could be permitted would be the second quarter of 2010. It is important to note that these dates are only estimates at this time and are subject to change. Written confirmation/clearance from the Region of York is required in order for pre-sales and plan registration to occur.

As part of the "Servicing Capacity Allocation Strategy – Annual Update", March 31, 2009 which is included on the Committee of the Whole Meeting Agenda concurrently with this report, the Engineering Department is recommending the adoption of a new protocol to address the timing of development approvals in relation to the availability of future servicing capacity. If this protocol is adopted by Council, the subject draft plan of subdivision could be draft approved with the Holding Symbol "(H)" on the entire plan together with a requirement for the Owner to enter into an agreement of no-sale with the City and Region. The allocation of the servicing capacity for the first phase of this draft plan would occur concurrently with the removal of the Holding Symbol "(H)", which should occur around Q2-2010.

The subject Draft Plan is being recommended for approval earlier than 6 months before the pre-sale trigger being met in Q4-2009 in order to facilitate the orderly development and servicing of the second phase of the development in Block 40 South. The development of this plan would also provide for the construction of a collector road access to Major Mackenzie Drive in accordance with the approved Block Plan and provide a sanitary sewer outlet to the second phase of the development. Accordingly, it is considered in the best interest of the City to permit the approval of these plans earlier than six months before the pre-sale trigger date to facilitate the orderly and timely development of the second phase of the Block 40 South development.

Archaeological Assessment

The Cultural Services Department has reviewed the proposal and advised that prior to final approval of a plan of subdivision or prior to the initiation of any grading, an archaeological evaluation is to be undertaken in accordance with the Ministry of Citizenship, Culture and Recreation's approved Archaeological Assessment Technical Guidelines, for approval by the City and Ministry.

Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority (TRCA) has advised that the Block 40 MESP was submitted for their review and has been approved. The TRCA also advises they have no objections to the approval of the Draft Plan of Subdivision and Zoning By-law Amendment applications and have issued conditions of draft plan approval, included in Attachment #1 of this report.

York Region District School Board

The proposed draft plan of subdivision proposes an Elementary School Block with an area of 0.873 ha in size (Block 107), which is to be combined with a school block within the proposed

draft plan of subdivision to the west (Cal-wood Developments Inc. – File 19T-07V04) for a combined area of approximately 2.578 ha. The York Region District School Board has provided conditions of approval requiring that the School Board provides clearance prior to final approval of the plan. These conditions are included in Attachment #1.

Agency Comments

Canada Post and PowerStream have advised that they have no objections to the draft plan of subdivision, subject to the conditions of approval, set out in Attachment #1.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The Region of York has provided the following comments:

In November, 2007, Regional Council approved an additional one year supply of servicing allocation for draft plans to the City of Vaughan in the amount of 2,130 units. The development received an assignment of capacity from the City on March 31, 2008, in the amount of 103 units from this additional one year supply. In order for the units to be occupied it is anticipated that all of the following Regional infrastructure will be required:

- i) Bathurst Langstaff Trunk Sewer – Q3 2009 expected completion;
- ii) YDSS Flow Control Structures Q4 2009 expected completion; and,
- iii) Duffin Creek WPCP – Q4 2010 expected completion.

The remaining 44.5 units in this draft plan may have to further rely upon completion of the following infrastructure:

- i) Southeast Collector Sewer – Q4 2012 expected completion.

The timing of the above infrastructure is the current estimate and may change as each infrastructure project progresses and is provided for information purposes only.

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 all residential lands be subject to various restrictions (i.e. Holding Symbol “(H)”) to ensure that water and sewer servicing are available prior to occupancy. In addition, York Region requests that the City of Vaughan apply a lapsing provision to the draft plan, pursuant to Section 51(32) of the Ontario Planning Act, and that York Region be provided an opportunity to comment on any proposed extensions of approval.

The Region of York has no objection to the approval of the proposed draft plan of subdivision subject to the Owner satisfying the Region’s Pre-conditions and Conditions set out in Attachment #1.

Conclusion

The Development Planning Department has reviewed the Zoning Amendment Application File Z.07.0061 and Draft Plan of Subdivision 19T-07V06 (Majormack Investments Inc. et. al) in accordance with the applicable policies of the Official Plan, the requirements of Zoning By-law, and the area context. The proposed draft plan of subdivision consisting of 57 single detached lots, 32 residential blocks (16 units), 14 townhouse blocks (67 units), 3 townhouse blocks (7.5

units), a school block and a stormwater management block, as shown on Attachment #3 is an appropriate form of development for the subject lands and conforms to the policies of OPA #600.

The Development Planning Department can support the approval of the Zoning By-law Amendment Application and the proposed draft plan of subdivision, subject to the pre-conditions and conditions of approval as set out in Attachment #1.

Attachments

1. Pre Conditions and Conditions of Approval
2. Location Map
3. Draft Plan of Subdivision 19T-07V06
4. Proposed Zoning
5. Approved Block 40 South Plan – April 24, 2006
6. Proposed Revisions to the Block 40 South Plan

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEVAMA
Director of Development Planning

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ATTACHMENT NO. 1

PRE-CONDITIONS & CONDITIONS OF APPROVAL

**DRAFT PLAN OF SUBDIVISION 19T-07V06
MAJORMACK INVESTMENTS INC., 4074 MM INC., M3DC CAPITAL CORPORATION
AND ROCCO BUSIELLO
PART OF LOT 21, CONCESSION 6, 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-07V06, ARE AS FOLLOWS:

PRE-CONDITIONS OF APPROVAL

City of Vaughan and Region of York Pre-Conditions

1. Prior to or concurrent with draft plan approval for the initial 103 units, 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:
 - 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 YDSS Flow Control Structures project; and,
 - ii) The Council of the City of Vaughan has reserved adequate available water supply and sewage servicing capacity to the subject 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.

2. Prior to or concurrent with draft plan approval beyond the initial 103 units, 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 York Region confirms that adequate water supply and sewage treatment capacity are available and the Council of the City of Vaughan has reserved adequate available water supply and sewage servicing capacity to the subject development for the remaining units or phase thereof;

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.

3. 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 releasing conditions and pre-conditions of draft approval as part of the draft approval of Plan of Subdivision 19T-07V06 by the City of Vaughan, 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.

CONDITIONS OF APPROVAL

Block 40 South Plan Conditions

4. That the timing for the necessary Regional infrastructure/transportation improvements required including the reconstruction and widening of Major Mackenzie Drive to provide for development in Block 40 South must be established to the satisfaction of the Engineering Department.
5. That the final Block Plan, together with supporting reports be revised and updated to reflect modifications arising from the resolution of all conditions identified in the Engineering Department memoranda dated December 19, 2005 and March 14, 2006, to the satisfaction of the Engineering and Policy Planning Department.
6. That prior to final plan approval, the Owner shall provide a phasing plan for the review and approval of the York Region District School Board with final development phasing plans.
7. That the post-development hydrologic modeling be revised to reflect future development conditions for the Block 39 lands to the south, to the satisfaction of the Toronto and Region Conservation Authority.
8. As a condition of final approval, as per the City's Policy and Procedure for Dealing with Contaminated or Potentially Contaminated Sites, Phase I Environmental Site Assessments and if necessary, Phase II assessments be completed and the findings acted upon in accordance with the recommendations of the said Assessment to the satisfaction of the City of Vaughan Engineering Department.
9. That prior to final approval the Environmental Noise Analysis be updated to the satisfaction of the City's Engineering Department.
10. A mitigation strategy for the terrestrial resources be prepared to the satisfaction of the City of Vaughan and included as part of the revised Environmental Impact Statement.
11. As a condition of approval of the Block Plan the Owner provide confirmation that a lot has been reserved for the building located at 3930 Major Mackenzie Drive in the Greenbrooke Developments Draft Plan of Subdivision and that the details of how this building will be preserved or restored are submitted and approved by the City's Cultural Services Department.
12. That a Development and Infrastructure Phasing Plan be provided to identify the infrastructure required to adequately service all phases of the Block development including sanitary, water, storm water management facilities, and Regional infrastructure such as road widening and water and wastewater system improvements to the satisfaction of the City. The phasing plan should also address the impact of the non-participating landowners on the overall servicing of the Block,

and what interim servicing measures will be required. Details of each phase are to be outlined on the Phasing Plan.

City of Vaughan Conditions

13. The Plan shall relate to the Draft Plan of Subdivision, prepared by KLM Planning Partners Inc., dated, December 15, 2008 (Red-line revised).
14. 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. The particular zone categories to be applied are as follows:
 - i) rezone Lots 1-53 inclusive, Lots 68-71 inclusive, Block 72, Blocks 76-104 inclusive from A Agricultural Zone to RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "(H)";
 - ii) rezone Blocks 105 and 106 from A Agricultural Zone to RD2(H) Residential Detached Zone Two with the addition of the Holding Symbol "(H)";
 - iii) rezone Blocks 54-67 inclusive and Blocks 73-75 inclusive from A Agricultural Zone to RT1(H) Residential Townhouse Zone with the addition of the Holding Symbol "(H)";
 - iv) rezone school Block 107 from A Agricultural Zone to RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "(H)";
 - v) rezone Stormwater Management Block 108, and Buffer Blocks 109 and 110 from A Agricultural Zone to OS1 Open Space Conservation Zone; and,
 - vi) include a zoning exception to permit an exterior side yard setback of 2.6m for Block 92 on the draft plan of subdivision.
15. Lots 1 to 53 inclusive and Lots 68 to 71 inclusive and Blocks 54-67 inclusive, Blocks 72 to 106 inclusive, are subject to a separate agreement restricting the sale of said Lots and Blocks by the Owner or subsequent purchasers of all the Lots and Blocks pending allocation of servicing capacity by the City.
16. 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.
17. The Owner shall enter into a subdivision agreement with the City to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payment of development levies, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
18. The road allowances included within this Plan shall be dedicated as public highways without monetary consideration and free of all encumbrances.
19. 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.
20. The road allowances included in the Plan shall be designed in accordance with City standards for road and intersection design, temporary turning circles, daylighting triangles and 0.3 m reserves.

The pattern of streets, and the layout of lots and blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.

21. Any dead ends or open sides of road allowances within this 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.
22. The Owner shall agree in a subdivision agreement that construction access shall be approved only in a location approved by the City.
23. Prior to final approval, easements required for utility, drainage and construction purposes shall be created and granted to the appropriate authority(ies), free of all charge and encumbrances.
24. Prior to final approval, the Owner shall submit a soils report, and the Owner shall agree to implement the recommendations of such report, as approved by the City. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.
25. Prior to the initiation of grading, and prior to registration of this draft plan of subdivision or any phase thereof, the Owner shall submit to the City for approval the following:
 - a) a detailed engineering report that describes the storm drainage system for the proposed development within this draft plan of subdivision, which report shall include:
 - i) plans illustrating how this drainage system will tie into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
 - 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; and,
 - iv) proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction.

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

26. The Owner shall agree in the subdivision agreement that no building permits will be applied for or issued for any Lot or Block, until the City is satisfied that adequate road access, municipal water supply, sanitary sewer and storm drainage, and stormwater management is provided for the proposed development to the satisfaction of the City.
27. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost of any external municipal services, temporary and/or permanent built or proposed that have been designed and oversized by others to accommodate the development of the Plan.
28. Prior to final approval of the Plan, the Owner shall make the necessary arrangements at the expense of the Owner for the relocation of any utilities required by the development of the Plan to the satisfaction of the City.

29. The Owner shall agree in the subdivision agreement to design, purchase material and install a streetlighting system in the Plan in accordance with City Standards and specifications. This Plan shall be provided with decorative streetlighting to the satisfaction of the City.
30. The Owner shall agree in the subdivision agreement to construct a 1.5 metre high black vinyl chain link fence along the limits of the residential lots where they abut the open space, valley/woodlot, storm water management, and/or park blocks to the satisfaction of the City.
31. The Owner acknowledges that the final engineering design(s) may result in amendments to the Plan (e.g., in the configuration of road allowances and lotting, number of lots, Block configuration and size, etc.), which may be reflected in the final plan to the satisfaction of the City.
32. The Owner shall agree in the subdivision agreement to inspect, evaluate and monitor all wells within the zone of influence prior to, during and after construction has been completed. Progress reports should be submitted to the City as follows:
 - i) A base line well condition and monitoring report shall be submitted to the City prior to the pre-servicing or registration of the plan (whichever occurs first) and shall include as a minimum requirement the following tests:
 - a) Bacteriological Analysis – total coliform and E-coli counts;
 - b) Chemical Analysis – Nitrate Test; and,
 - c) Water level measurement below existing grade.
 - ii) In the event that the test results are not within the Ontario Drinking Water Standards, the Owner shall notify in writing, the Purchaser, the Regional Health Department and the City within twenty-four (24) hours of the test results.
 - iii) Well monitoring shall continue during construction and an interim report shall be submitted to the City for records purposes.
 - iv) Well monitoring shall continue for one year after the completion of construction and a summary report shall be submitted to the City prior to Completion Approval.
 - v) If the private well systems in the zone of influence deteriorate due to the servicing of the plan of subdivision, the Owner will provide temporary water supply to the affected residents upon notice by the City. If the quantity and quality of water in the existing wells is not restored to its original condition within a month after first identification of the problem, the Owner will engage the services of a recognized hydro geologist to evaluate the wells and recommend solutions including deepening the wells or providing a permanent water service connection from the municipal watermain system.
33. The Owner shall agree in the subdivision agreement to maintain adequate chlorine residuals in the watermains within the Plan, from the time the watermains are connected to the municipal system until such time as the City issues Completion Approval. In order to maintain adequate chlorine residuals, the Owner will be required to either install automatic flushing devices or retain City Staff or a qualified consultant to carry out manual flushing. City Staff will conduct the monitoring and testing for chlorine residual. The Owner shall be responsible for the costs associated with the monitoring and flushing of the watermain system.
34. 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.

35. The Owner shall convey the following lands to the City or TRCA, where appropriate, free of all charge and encumbrances:
 - (i) Block 108 for stormwater management purposes.
36. Prior to the initiation of the grading or striping of topsoil and final approval, the Owner shall submit a top soil storage plan detailing the location, size, 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 the park, walkway or school Blocks.
37. Prior to final approval, an environmental noise and/or vibration study, prepared by a qualified consultant, at the Owner's expense shall be submitted to the City for review and approval. The preparation of the noise/vibration report shall include the ultimate traffic volumes associated with the surrounding road network and Canadian Pacific Railway line according to the Ministry of Environment and Energy Guidelines. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendation set out in the approved noise/vibration report, to the satisfaction of the City.
38. Prior to final approval of the Plan, the Owner shall prepare a traffic management plan for the development in Block 40 South including the Plan for the review and approval of the City. The Owner shall carry out or cause to carry out the design and construction of the traffic calming/management measures that are identified on the approved Block 40 South Traffic Management Plan for the Plan in accordance with the approved Construction Drawings and the provisions of the Agreement to the satisfaction of the City. In the event that these traffic calming measures are found to be insufficient and/or ineffective by the City prior to the assumption of the municipal services on the Plan, then the Owner shall design and construct additional traffic calming measures and/or modify existing traffic calming measures to the satisfaction of the City.
39. The Owner shall agree in the subdivision agreement to implement the recommendation of the approved Pedestrian and Bicycle Master Plan within the Plan and the development in Block 40 South. The Owner shall carry out or cause to carry out at no cost to the City the recommendations of the approved Pedestrian and Bicycle Master Plan as it pertains to the Plan and Block 40 South to the satisfaction of the City.
40. The Owner shall not apply for building permits and the City shall not issue building permits until the City is satisfied that the temporary vehicular turn-arounds and/or hammerheads are constructed in accordance with the approved Construction Drawings. The Owner shall maintain and not remove the vehicular turn-arounds and/or hammerheads until the development of the adjacent lands and the extension of the road allowance. Following the extension of the road allowance, the Owner shall remove the vehicular turn-arounds and/or hammerheads and restore the affected road allowance at the Owner's cost and to the satisfaction of the City.
41. Prior to final approval of the Plan the Owner shall provide documented proof of the satisfactory registration of the Record of Site Condition (RSC), for the valleylands and other sensitive lands (i.e. lands other than the tablelands), with the Environmental Site Registry (ESR) of the Ministry of Environment (MOE), which includes a hard copy/copies of the RSC signed by a Qualified Person and the Acknowledgement(s) from the MOE, has to be submitted to the Development/Transportation Engineering Department for review and approval.
42. Prior to final approval, the Owner shall provide a detailed 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.
43. The Owner shall convey Blocks 109 and 110 (buffer) to the City free of all cost and encumbrance for landscaping purposes.

44. Prior to final approval, architectural design guidelines shall be submitted for Council's approval;
- a) The Owner shall provide upgraded and enhanced rear elevations for all townhouse units in Block 60 to 67 inclusive, to the satisfaction of the City;
 - b) The approved Block 40 Architectural Design Guidelines shall be amended to include architectural design built form for townhouse units that rear lot onto a public road;
 - c) The Owner shall provide enhanced streetscape design for the rear lotting townhouse Blocks 60 to 67 inclusive to the satisfaction of the City. The enhanced streetscape design may include but not be limited to: planted median; enhanced noise wall with masonry columns; enhanced planting design and appropriate pedestrian scale streetscape furniture;
 - d) a control architect satisfactory to the City shall be retained at the cost of the Owner, to ensure that all development proceeds in compliance with the approved architectural design guidelines;
 - e) prior to the submission of individual building permit applications, the control architect shall have stamped and signed the drawings certifying compliance with the approved architectural guidelines; and,
 - f) the City may undertake periodic reviews to ensure compliance with the architectural 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.
45. Prior to final approval, the Owner shall prepare a Streetscape Landscape Master Plan in accordance with the approved Block 40 Urban Design Guidelines and OPA #600 policies, the Master Plan shall address but not be limited to the following issues:
- a) co-ordination of the urban design/streetscape elements as they relate to the approved urban design guidelines including entrance features and fencing; and,
 - b) community edge treatment along Major Mackenzie Drive.
46. The Owner shall agree to the ENERGY STAR[®] conditions as follows:
- a) The Owner agrees that wording will be included in the subdivision agreement requiring all residential units to be built to ENERGY STAR[®] for New Homes Technical Specifications (Version 2.0 or most current) standards, and agrees to comply with the ENERGY STAR[®] for New Homes Administrative Procedures (September 2006 or most current) process requirements for design, inspection and certification.
 - b) Prior to the issuance of a building permit, the Owner/builder shall have prepared, by a Certified Energy Evaluator, an ENERGY STAR[®] for New Homes "Building Option Package" or develop a custom package using EnerGuide for New Houses (EGNH) software with respect to housing design and construction techniques and implementation methods to ensure that all the residential units within the draft plan are ENERGY STAR[®] qualified. Such package shall be prepared at the Owner's expense and submitted to the Chief Building Official for information.
 - c) Prior to the issuance of a building permit, the developer and/or builder and/or applicant for the building permit is to provide the Chief Building Official with verification that the proposed homes have been enrolled with *EnerQuality Corporation in the ENERGY STAR[®] for New Homes program, including signing an ENERGY STAR[®] Participant Administrative Agreement for Builders of ENERGY STAR[®] Qualified New Houses.*

- d) Prior to the issuance of an occupancy permit (provisional occupancy certificate), the Owner shall provide testing verification for each dwelling unit to the City to ensure that all homes have been ENERGY STAR® qualified *at the completion of construction*. ENERGY STAR® labeling shall be affixed to the home.
47. The Owner shall ensure that the final Plan shall depict all telecommunication structure locations and hydro switch gear easements.
48. 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, frontages and depths in accordance with the approved Zoning By-law for all the Lots and Blocks within the Plan.
49. Notwithstanding the provisions (Subsection 5.1) generally included within the subdivision agreement, the City may issue model home building permits provided that the land is zoned to the satisfaction of the City and the relevant conditions (Subsection 5.18) of the subdivision agreement are fulfilled.
50. Prior to the issuance of a building permit for any Lot or Block, the Owner's consulting engineering shall certify, to the satisfaction of the Engineering Department and the Building Standards Department that the lot grading complies with the 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 or block conforms in terms of location and geometry (i.e., width, etc.) with the approved or amended and subsequently approved Construction Drawings.
51. 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 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; and,
 - the following notes in BOLD CAPITAL TYPE on the map:

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

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

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

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

52. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunications provider to provide their services underground at the approved locations and to the satisfaction of the City. The Owner shall provide a copy of the fully executed subdivision agreement to the appropriate telecommunication provider.
53. No building permit shall be issued until the Owner has provided proof that a restriction has been registered that prevents the transfer of the Lot or Block without the consent of the City where such transfer is to be restricted by any other provision of this agreement.
54. In the event that remediation is required, a Remediation Action Plan will be submitted for review and approval by the City and an acknowledged Record of Site Condition shall be received from the Owner prior to issuance of a building permit.
55. Prior to final approval of the Plan, the Owner shall covenant and certify to the City that they are not aware of any soil, groundwater or sediment contamination on or within lands to be conveyed to the municipality which could interfere with its intended use.
56. Prior to final approval of the Plan, the Lots and/or Blocks, if any, to be serviced by improvements beyond the interim allocation capacity shall remain zoned with the Holding Symbol "(H)" and identified as such on the Plan.
57. 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 the subdivision agreement have been included in the offers of purchase and sale or lease for such Lot or Block.
58. Prior to final approval of the Plan, the City and Region of York Environmental Services Department shall confirm that adequate water supply and sewage treatment capacity are available to accommodate the proposed development.
59. Prior to final approval of the plan, the Owner shall confirm that the necessary provisions of the Environmental Assessment Act and the Municipal Class Environmental Assessment for Municipal Roads, Water and Wastewater Projects as they may apply to the proposed primary roads and related infrastructure matters, have been met.
60. The Owner shall agree that if there is any phasing in the Plan, all disturbed lands within phases other than the first phase of the subject 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.
61. The Owner shall agree to remove any driveways and buildings on site, which are not approved to be maintained as part of the Plan. Any modification to off-site driveways required to accommodate this Plan shall be co-ordinated and completed at the cost of the Owner.
62. No part of any noise attenuation feature or any other fence shall be constructed partly on or within any public highway, park or open space. Fences adjacent to public lands shall be constructed entirely on private lands. The maintenance of noise attenuation features 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 in the Plan. Thereafter, the maintenance by the noise attenuation fence shall be the sole responsibility of the lot owner. Landscaping provided on the 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.

63. a) Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of PowerStream Inc. its successors and assigns, regarding the design, installation, connection and/or expansion of electric distribution services, or any other related matters; the Owner shall enter into a development agreement with PowerStream Inc. which addresses the foregoing requirements.
- b) The Owner shall agree to design, purchase materials, and install a buried hydro distribution system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of PowerStream Inc. and the City.

64. 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 the planting of trees on City boulevards in front of residential units is a requirement of the subdivision agreement. A drawing depicting conceptual locations for boulevard trees is included as a schedule in this subdivision agreement. This is a conceptual plan only and while every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete the boulevard tree without further notice.”
 - “Purchasers and/or tenants are advised that the City has not imposed a “tree fee”, or any other fee, which may be charged as a condition of purchase, for the planting of trees. Any “tree fee” paid by a purchaser for boulevard trees does not guarantee that a tree will be planted on the boulevard adjacent to their residential dwelling.”
 - “Purchasers and/or tenants are advised that 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 driveway widths and curb cut widths are governed by City of Vaughan By-law 1-88, as amended, as follows:
 - a) The maximum width of a driveway shall be 6m measured at the street curb, provided circular driveways shall have a maximum combined width of 9m measured at the street curb.
 - b) 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 ¹	6.0m
12.0 m and greater ²	9.0m

¹The 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.

²The Lot Frontage for Lots 12.0 m 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.”

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

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

- “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.”

- “Purchasers and/or tenants are advised that fencing and/or noise attenuation features along the lot lines of lots and blocks abutting public lands, including public highway, laneway, walkway or other similar public space, is a requirement of this subdivision agreement and that all required fencing and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3m reserve, as shown on the Construction Drawings.

The City has taken a Letter of Credit from the Owner for 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.”

- “Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings.”

b) abutting or in proximity of either a primary roadway, collector roadway, arterial roadway or commercial block:

- “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, may be of concern and occasionally interfere with some activities of the dwelling occupants.”

- c) abutting or in proximity of any open space, valleylands, woodlots 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."
65. That prior to final approval of a plan of subdivision, and prior to the initiation of any grading to any lands included in the plan of subdivision, a preliminary archaeological evaluation of the entire area within the proposed plan of subdivision shall be carried out at the Owner's expense, and the same report shall identify any significant archaeological sites found as a result of the assessment. The archaeological assessment report shall be carried out by a licensed archaeologist and prepared according to the Ministry of Citizenship, Culture and Recreation approved Archaeological Assessment Technical Guidelines, dated 1993. The archaeological assessment shall be submitted to the municipality and the said Ministry for review and approval.
66. Prior to final approval or registration of the development or plan of subdivision, the Owner by way of development application or subdivision agreement, shall agree that no development or grading shall occur on any site identified as being archaeologically significant as a result of the archaeological evaluation carried out on the property, until such time as protective and mitigative measures of all significant archaeological sites have been fulfilled to the satisfaction of the Ministry of Citizenship, Culture and Recreation (Archaeological Unit) and the municipality.

Region of York Conditions

67. 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.
68. 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.
69. Prior to the final approval of the initial 103 residential units 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 Bathurst Langstaff Trunk Sewer, Duffin Creek Water Pollution Control Plant expansion project, 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.
70. Prior to the final approval of any residential lands beyond the initial 103 units 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 Bathurst Langstaff Trunk Sewer, Duffin Creek Water Pollution Control Plant expansion project, the YDSS Flow Control Structures project and the Southeast Collector Sewer; 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.
71. For the initial 103 residential units, the Holding Symbol "(H)" provisions of Section 36 of the Ontario Planning Act shall be used in conjunction with all residential zone categories in order to ensure that development of these lands does not occur until such time as the Holding Symbol "(H)" is removed in accordance with the provisions of the Ontario Planning Act. The Zoning By-law shall specify the terms under which Council may consider the removal of the Holding Symbol "(H)". Said terms shall include a minimum of the following:
- York Region has advised in writing that it is no earlier than six (6) months prior to the expected completion of the Bathurst Langstaff Trunk Sewer, Duffin Creek Water Pollution Control Plant expansion project, 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.
72. For any units beyond the initial 103 residential units, the Holding Symbol "(H)" provisions of Section 36 of the Ontario Planning Act shall be used in conjunction with all residential zone categories in order to ensure that development of these lands does not occur until such time as the Holding Symbol "(H)" is removed in accordance with the provisions of the Ontario Planning Act. The Zoning By-law shall specify the terms under which Council may consider the removal of the Holding Symbol "(H)". Said terms shall include a minimum of the following:
- York Region has advised in writing that it is no earlier than six (6) months prior to the expected completion of the Bathurst Langstaff Trunk Sewer, Duffin Creek Water Pollution Control Plant expansion project, the YDSS Flow Control Structures project and the Southeast Collector Sewer; 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.
73. Prior to final approval, the Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required Regional road improvements for this subdivision. The report/plan, submitted to the Transportation Services Department for review and approval, shall explain all transportation issues and shall recommend mitigative measures for these issues.
74. Prior to final approval, the Owner shall provide a written undertaking to the satisfaction of the Transportation Services Department that the Owner agreed to implement the recommendation of the functional transportation report/plan as approved by the Transportation Services Department.

75. Prior to final approval, the Owner shall submit detailed engineering drawings, to the Transportation Services Department for review and approval, that incorporate the recommendations of the functional transportation report/plan as approved by the Transportation Services Department. Additionally, the engineering drawings shall include the subdivision storm drainage system, erosion and siltation control plans, site grading and servicing, plan and profile drawings for the proposed intersections, construction access and mud mat design, utility and underground servicing location plans, pavement makings, electrical drawings for intersection signalization and illumination design, traffic control/construction staging plans and landscape plans.
76. Prior to final approval and concurrent with the submission of the subdivision servicing application (MOE) to the area municipality, the Owner shall provide a set of engineering drawings, for any works to be constructed on or adjacent to the York Region road, to the Roads Branch, Attention: Manager, Development Approvals, that includes the following drawings:
- a) Plan and Profile for the York Region road and intersections;
 - b) Grading and Servicing;
 - c) Intersection/Road Improvements, including the recommendations of the Traffic Report;
 - d) Construction Access Design;
 - e) Utility and Underground Services Plans;
 - f) Signalization and Illumination Designs;
 - g) Line Painting;
 - h) Traffic Control/Management Plans;
 - i) Erosion and Siltation Control Plans;
 - j) Landscaping Plans, including tree preservation, relocation and removals; and,
 - k) Requirements of York Region Transit/Viva.
77. Prior to Final Approval, the Owner shall provide drawings for the proposed servicing of the site to be reviewed by the Engineering Department of the area municipality. Three (3) sets of engineering drawings (stamped and signed by a professional engineer), and MOE forms together with any supporting information, shall be submitted to York Region Transportation Services Department, Attention: Mrs. Eva Pulnicki, P.Eng.
78. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation Services Department, that all existing driveway(s) along the Regional road frontage of this subdivision will be removed as part of the subdivision work, at no cost to York Region.
79. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation Services Department that the elevations along the Major Mackenzie Drive West streetline shall be 0.2 metres above the future centreline elevation of Major Mackenzie Drive West, unless otherwise specified by the Transportation Services Department.
80. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation Services Department, that the Owner will provide the installation of visual screening between Streets "4" and "6" and Major Mackenzie Drive West, conditions of either a screening fence or a combination of a berm and appropriate planting, to a maximum of 1.8 metres in height, to be located within the right-of-way for Streets "4" and "6". The Owner shall submit to the Transportation Services Department for review and approval, landscape plans showing the proposed planting for headlight screening purposes.
81. Prior to final approval, the Owner shall submit drawings depicting the following to the satisfaction of the Region of York:
- a) all existing woody vegetation within the York Region road right-of-way;

- b) tree protection measures to be implemented on and off the York Region road right-of-way to protect right-of-way vegetation identified for preservation;
 - c) any woody vegetation within the York Region road right-of-way that is proposed to be removed or relocated. However, it is to be noted that tree removal within York Region road right-of-ways shall be avoided to the extent possible/practical. Financial or other compensation may be sought based on the value of trees proposed for removal; and,
 - d) a planting plan for all new and relocated vegetation to be planted within the York Region road right of way, based on the following general guideline:
 - Tree planting shall be undertaken in accordance with York Region standards as articulated in Streetscaping Policy and using species from the Regional Street Tree Planting List. These documents may be obtained from the Forestry Section. If any landscaping or features other than tree planting (e.g. flower beds, shrubs) are required, as a condition of approval set out by the City of Vaughan, it is our explicit understanding that the City of Vaughan will assume responsibility for the maintenance for the enhanced landscaping.
82. Prior to final approval, the Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of the Transportation Services Department recommending noise attenuation features.
 83. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Transportation Services Department, to implement the noise attenuation features as recommended by the noise study and to the satisfaction of the Transportation Services Department.
 84. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Transportation Services Department, that where a noise berm, noise wall, window and/or oversized forced air mechanical systems are required, these features shall be certified by a professional engineer to have been installed as specified by the approved Noise Study and in conformance with the Ministry of Environment guidelines and the York Region Noise Policy.
 85. 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 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 and/or 0.3 metre reserve as applicable;
 - ii) that noise fences adjacent to York Region roads shall be constructed on the private side of the buffer block and 0.3 metre reserve and may be a 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 York Region; and,
 - iv) that landscaping provided on the Regional right-of-way by the Owner or the area municipality for aesthetic purposes must be approved by the Transportation Services Department and shall be maintained by the area municipality with the exception of the usual grass maintenance.
 86. Prior to Final Approval, the Owner shall agree that the following lands will be conveyed to the Regional Municipality of York for public highway purposes, free of all costs and encumbrances, to the satisfaction of the Regional Solicitor:
 - a widening across the full frontage of the site where it abuts Major Mackenzie Drive West of sufficient width to provide a minimum of 18 metres from the centreline of construction of Major Mackenzie Drive West;

- 15 metre by 15 metre daylighting triangles at the northwest and northeast corner of Major Mackenzie Drive West and Street "1";
 - an additional 2.0 metre widening, 40.0 metres in length, together with a 60.0 metre taper for the purpose of a westbound right turn lane at the intersection of Major Mackenzie Drive West and Street "1"; and,
 - a 0.3 metre reserve across the frontage of Blocks 64 and 65 of the site, adjacent to the daylighting triangles, noted above.
87. In order to determine the property dedication required to achieve the ultimate right-of-way width of Major Mackenzie Drive West abutting the subject site, the applicant shall submit a recent plan of survey for the property that illustrates the existing right-of-way of Major Mackenzie Drive West.
 88. 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.
 89. Prior to final approval, the Owner shall certify, in wording satisfactory to the 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.
 90. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Transportation Services Department, to be responsible for decommissioning any existing wells on the owner's lands in accordance with all applicable Provincial legislation and guidelines and to the satisfaction of the area municipality.
 91. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation Services Department, that the pavement of Street "1" shall be designed to be on a common tangent with Vellore Avenue in draft plan of subdivision File 19T-03V24 as approved by the Ontario Municipal Board.
 92. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation Services Department, that pedestrian access to Major Mackenzie Drive West shall be provided from Streets '4' and '6'.
 93. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation Services Department, that all local underground services will be installed within the area of the development lands and not within the York Region's road allowance. If a buffer or easement is

needed to accommodate the local services adjacent to York Region's right-of-way, then the Owner shall provide a satisfactory buffer or easement to the area municipality, at no cost to the Region.

94. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Transportation Services Department that the Owner will be responsible for determining the location of all utility plants within the York Region right-of-way and for the cost of relocating, replacing, repairing and restoring any appurtenances damaged during construction of the proposed site works. The Owner must review, or ensure that any consultants retained by the Owner, review, at an early stage, the applicable authority's minimum vertical clearances for aerial cable systems and their minimum spacing and cover requirements. The Owner shall be entirely responsible for making any adjustments or relocations, if necessary, prior to the commencement of any construction.

95. Prior to final approval, the Owner shall satisfy the Transportation Services Department that the services to be installed within or in conjunction with the Plan will provide for sidewalks on both sides of the roadways listed below, unless only one side of the street lies within the limits of the subject lands. The sidewalks shall meet the local municipality's standards, and be provided by the Owner along the subject lands' frontage onto roadways that will have transit services.

Existing YRT transit services operate on the following roadway in the vicinity of the subject lands:

- Major Mackenzie Drive West

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

- Street "1"

The Owner shall submit drawings showing the sidewalk locations to the satisfaction of York Region.

96. Prior to final approval, the Owner shall satisfy the Regional Transportation Services Department and the area municipality that the services to be installed by the Owner within or in conjunction with the Plan will provide a concrete pedestrian access connection from the internal roadways to the Regional roadway as follows:

- connecting Street "4" with the sidewalk on the north side of Major Mackenzie Drive West; and,
- connecting Street "6" with the sidewalk on the north side of Major Mackenzie Drive West.

The concrete pedestrian access connection shall meet the local municipality's standards for sidewalks and shall be owned and maintained by the area municipality.

97. The Owner shall agree in the subdivision agreement to convey lands to the local municipality to provide for such pedestrian access connection referred to in Condition 97 above.

98. The Owner shall satisfy the Regional Transportation Services Department that the services to be installed within or in conjunction with the Plan will provide the passenger standing areas/shelter pads identified below and shall be installed to the satisfaction of the local municipality and York Region Transit. The Region confirms that all such passenger standing areas/shelter pads shall be owned and maintained by the Region and that the local municipality shall have no responsibility for those, notwithstanding that they may be included in the subdivision agreement.

Subject to approval by YRT, passenger standing areas and shelter pads shall be provided at the following locations:

ON Street	AT Street	Location	Standard	Traffic Signal Request
Major Mackenzie Drive West (westbound)	Street 1 (near-side)	NE corner	YRT-1.02 or 1.03	-
Street 1 (southbound)	Major Mackenzie Dr. (near-side)	NW corner	YRT-1.01	-
Street 1 (northbound)	Street 3 – north leg (near-side)	SE corner (adjacent to Lot 23)	YRT-1.01	-
Street 1 (southbound)	Street 3 – north leg (near-side)	NW corner (adjacent to BL-107)	YRT-1.01	-

The passenger standing areas/shelter pads shall be provided at no cost to York Region and shall be provided concurrently with construction of necessary sidewalks. The Owner may apply for a development charge credit, in accordance with the York Region - Road Works development charge credit guideline for passenger standing areas and shelter pads.

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 locations determined during the design phase are subject to change. Prior to construction of the passenger standing areas/shelter pads, the Owner/consultant shall confirm with YRT the final bus stop locations/requirements. The Owner/consultant is to contact YRT Facilities Supervisor (tel. 905-762-2111) to confirm final details.

99. Prior to final approval, the Owner shall submit drawings showing, as applicable, the sidewalk locations, concrete pedestrian access, passenger standing areas and shelter pads to the satisfaction of York Region.
100. "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.
101. The Owner shall agree in the subdivision agreement to advise all potential purchasers of the existing and future introduction of transit services in this development as identified in Condition 98. This includes current and potential transit routes, bus stops and shelter locations. This shall be achieved through distribution of information/marketing materials (YRT route maps, Future Plan maps & providing YRT website contact information) at sales offices and appropriate notification clauses in purchase agreements. The YRT route maps and the Future Plan maps are available from YRT upon request.
102. The Owner shall satisfy the Regional Transportation Services Department that the services to be installed within or in conjunction with the Plan will include illumination in accordance with the local municipality's design standards along all streets which have or will have transit services, sidewalks, pedestrian access and bus stop locations.
103. The Owner shall agree in the Subdivision Agreement to advise all potential purchasers of the existing and future introduction of transit services in this development. This includes potential

transit routes, bus stops and shelter locations. This shall be achieved through distribution of information/marketing materials (YRT route maps, Future Plan maps & providing YRT website contact information) at sales offices and appropriate notification clauses in purchase agreements. The YRT route maps and the Future Plan maps are available from YRT upon request.

104. The Owner shall satisfy the Transportation Services Department that the services to be installed within or in conjunction with the Plan will include illumination in accordance with the local municipality's design standards along all streets which will have transit services, sidewalks, pedestrian access and/or bus stop locations.
105. Prior to final approval, the Owner shall provide a copy of the duly executed local subdivision agreement to the Transportation Services Department outlining all Regional requirements.
106. Prior to Final Approval, the Owner shall provide a solicitor's certificate of title, in a form satisfactory to the Regional Solicitor and at no cost to York Region, regarding the conveyance of required lands to York Region.
107. The Owner shall enter into an agreement with the Region of York, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law DC-0007-2007-040.

Toronto and Region Conservation Authority (TRCA)

108. That prior to the initiation of grading and prior to the registration of this plan or any phase thereof, the Owner shall submit for the review and approval of the Toronto and Region Conservation Authority (TRCA) a detailed engineering report that describes the storm drainage system (quantity and quality), in accordance with the Master Environmental Servicing Report for Planning Block 40 South. This report should 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;
 - grading plans for the subject lands; and,
 - supplementary measures including additional source and conveyance measures to enhance infiltration and reduce runoff volumes.
109. The Owner shall submit a detailed and comprehensive Erosion and Sediment Control Plan, which complies with the TRCA's Erosion and Sediment Control Guidelines for Urban Construction, prior to the application and issuance of a municipal fill/grading permit approvals.

110. The Owner shall complete the monitoring plan, including the final scope of the Terms of Reference, future responsibility, timing and budgeting agreements, to the satisfaction of the TRCA
111. That the Owner agrees 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 reports referenced in Conditions 108;
 - b) to maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period, in a manner satisfactory to the TRCA;
 - c) to obtain all necessary permits from the TRCA pursuant to Ontario Regulation 166/06 from the TRCA; and,
 - d) to implement the finalized monitoring plan for Block 40 South, as noted in the above Condition 110;
112. That this draft plan of subdivision be subject to red-line revision(s) in order to meet the requirements of TRCA conditions, if necessary.
113. That a copy of the fully executed subdivision agreement be provided to the TRCA when available, in order to expedite the clearance of conditions of draft approval.

Canada Post

114. The Owner shall agree to:
- a) provide the following for each community mailbox site, as shown on the servicing plans:
 - i) a sidewalk section (concrete pad), as per municipal and Canada Post standards, to support the mailboxes;
 - ii) any required walkway across the boulevard, as per municipal standards; and,
 - iii) any required curb depressions.
 - b) provide a suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s); and,
 - c) provide a copy of the executed subdivision agreement to Canada Post.

York Region District School Board

115. That prior to final approval, the Owner shall have made Agreement satisfactory to the York Region District School Board for the transfer of Block 107 being one partial public elementary school site. The public elementary school site shall contain not less than 0.873 ha. That the Owner shall agree in the subdivision agreement in wording satisfactory to the York Region District School Board that prior to final approval:
- i) to grade the school block 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 the specifications determined by the Board;

- ii) to remove any buildings on Block 80, and to remove any trees, as required to accommodate school layout;
 - iii) to provide a letter of credit pertaining to stockpiling and removal of topsoil as established in the latest version of Hanscomb's Yardsticks for Cosing Cost Date for the Canadian Construction Industry to the satisfaction of the Board;
 - iv) 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;
 - v) to construct a galvanized chain link fence, Type 11 1 1/2 " mesh, 1.8 m high along all boundaries of the school block, including road frontage(s) at the discretion of the Board;
 - vi) to construct the fence prior to the issuance of building permits for Phase 1 of the subdivision;
 - vii) 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;
 - viii) to provide the foregoing at no cost to the Board;
 - ix) to provide a geotechnical investigation and Phase 1 and Phase 2 environmental site assessment conducted by a qualified engineer. For an elementary school site a minimum of six boreholes shall be required; and,
 - x) to assume any upstream and downstream charges.
116. 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:
- i) the suitability of Block 107 for school construction purposes relating to soil bearing factors, surface drainage, topography and environmental contaminants; and,
 - ii) the availability of natural gas, electrical, water, storm sewer and sanitary sewer services.
117. That the Owner shall submit, at no cost to the Board, a certificate from the City of Vaughan confirming the following as they relate to a new school facility:
- i) the availability of a satisfactory water supply (both domestic and fire); and,
 - ii) an acceptable method of sewage disposal.
118. 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.
119. That prior to final approval, the local hydro authority shall have confirmed in writing to the Board that adequate electrical capacity will be supplied to the site frontage by the developer at no cost to the Board.
120. 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.

121. That the York Region District School Board shall advise that the above conditions have been met to its satisfaction. The clearance letter shall include a brief statement detailing how each condition has been satisfied or carried out.
122. That the subdivision agreement include warning clauses advising the City, property owners and purchasers of lots 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.

Clearances

123. 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 Pre-Conditions 1 to 3 inclusive, Conditions 4 to 122 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
124. The Policy Planning Department shall advise that Block Plan Conditions 4 to 12 have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
125. The City shall advise that Pre-Conditions 1 to 3 inclusive and Conditions 13 to 66 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
126. The Region of York shall advise that Pre-Conditions 1 to 3 inclusive and Conditions 67 to 107 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
127. The Toronto and Region Conservation Authority shall advise that Conditions 108 to 113 have been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.
128. Canada Post shall advise that Condition 114 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.
129. The York District School Board shall advise that Conditions 115 to 122 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.



Location Map

Part of Lot 21,
Concession 6
 APPLICANT: MAJORMACK INVESTMENTS INC., 4074 MM INC.,
 M3DC CAPITAL CORPORATION, & ROCCO BUSIELLO

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The City Above Toronto

Development Planning Department

Attachment

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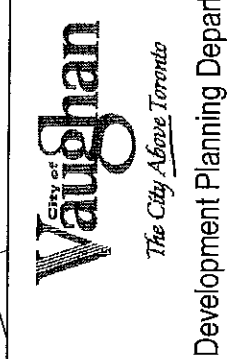
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February 11, 2009

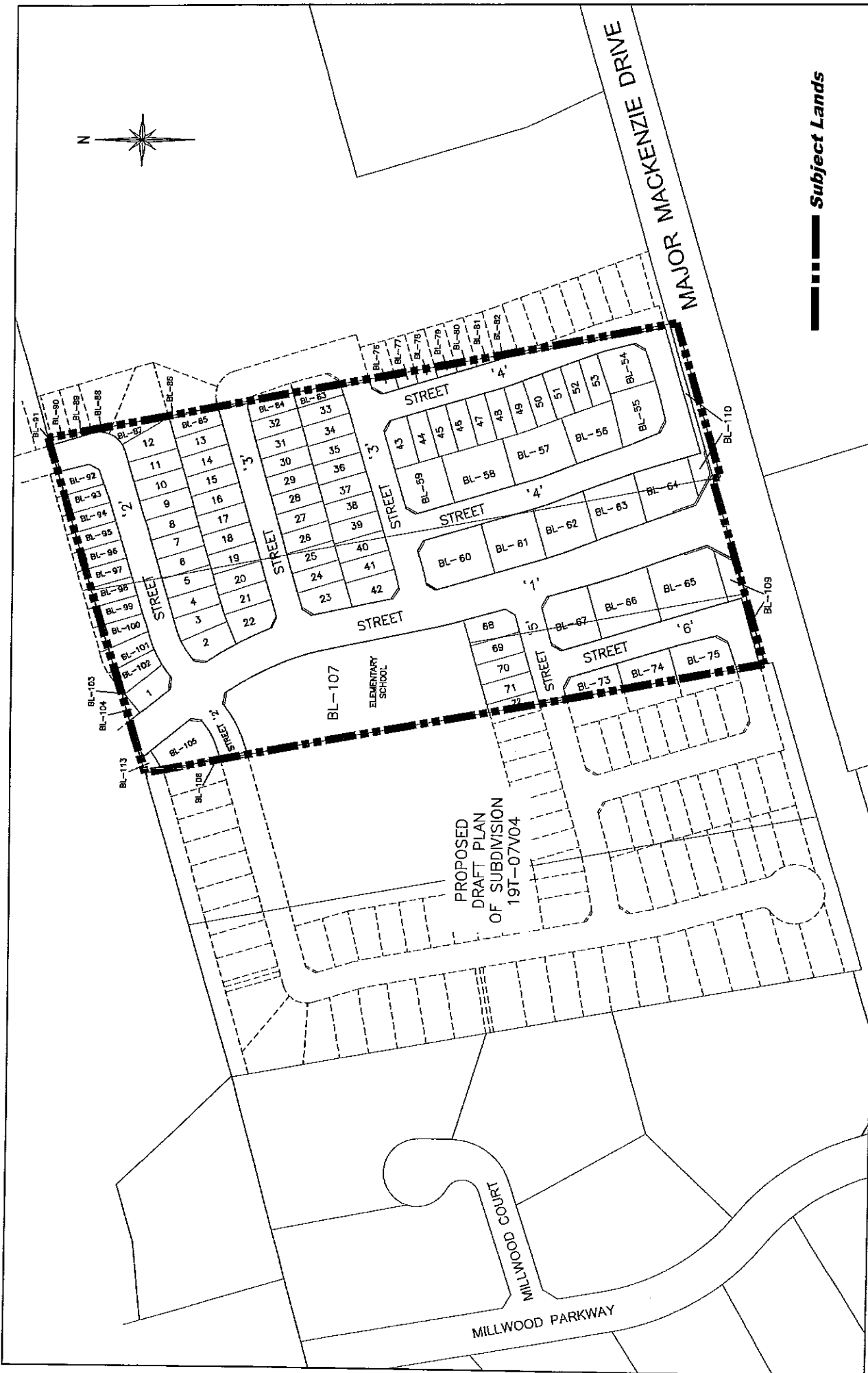
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February 11, 2009



**Draft Plan of Subdivision
19T-07V06**
Part of Lot 21,
Concession 6
APPLICANT: MAJORMACK INVESTMENTS INC., 4074 MM INC.,
M3DC CAPITAL CORPORATION, & ROCCO BUSIELLO

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Subject Lands

Zoning Amendment Application

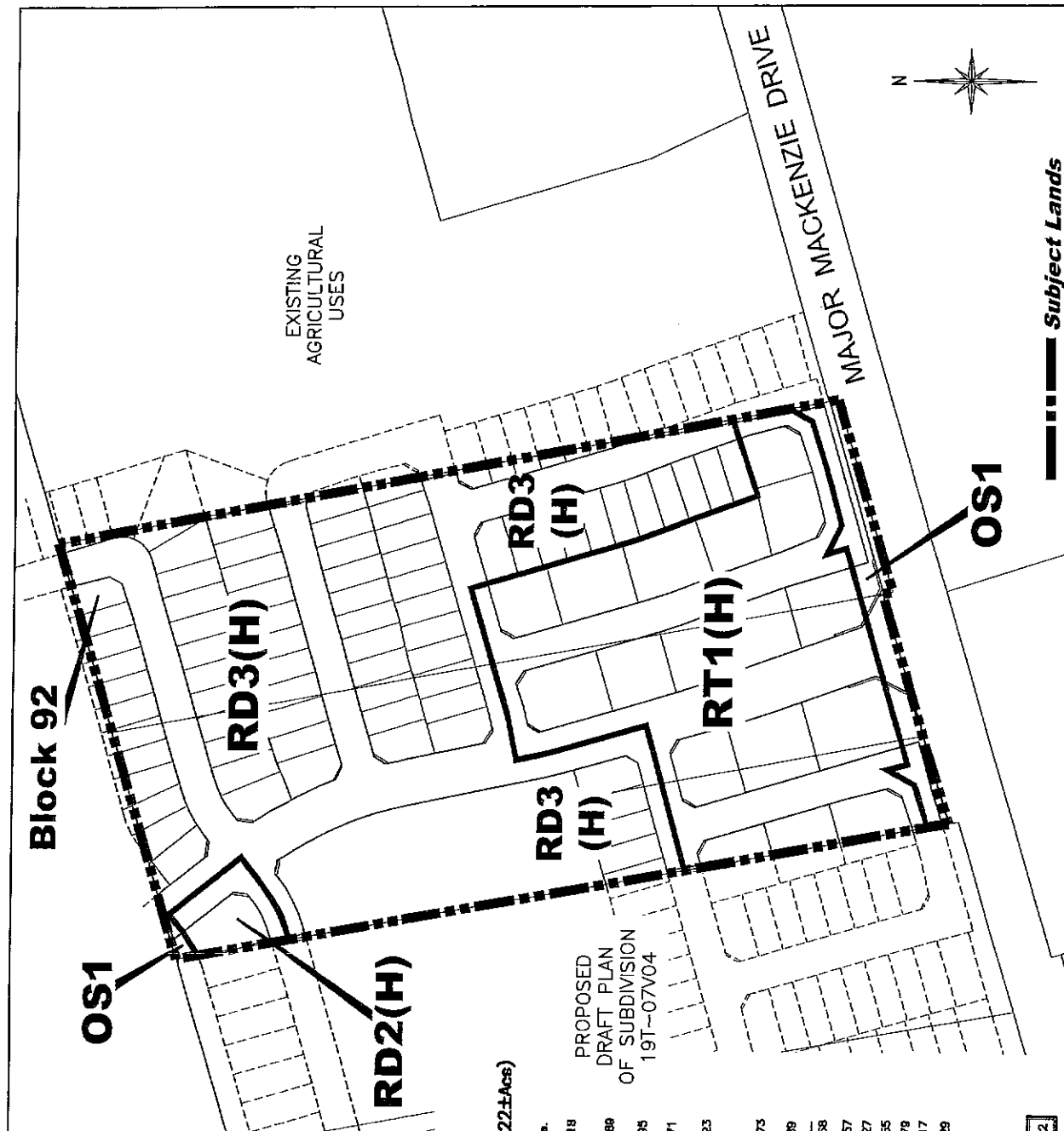
Rezone the Subject Lands from 'A' Agricultural Zone to 'RD2(H)' Residential Detached Zone Two, 'RD3(H)' Residential Detached Zone Three, 'RT1(H)' Residential Townhouse Zone, each with the addition of holding symbol (H), 'OS1' Open Space Conservation Zone and to provide a 2.7m exterior side yard setback for Block 92, whereas 3.0m is required.

SCHEDULE OF LAND USE

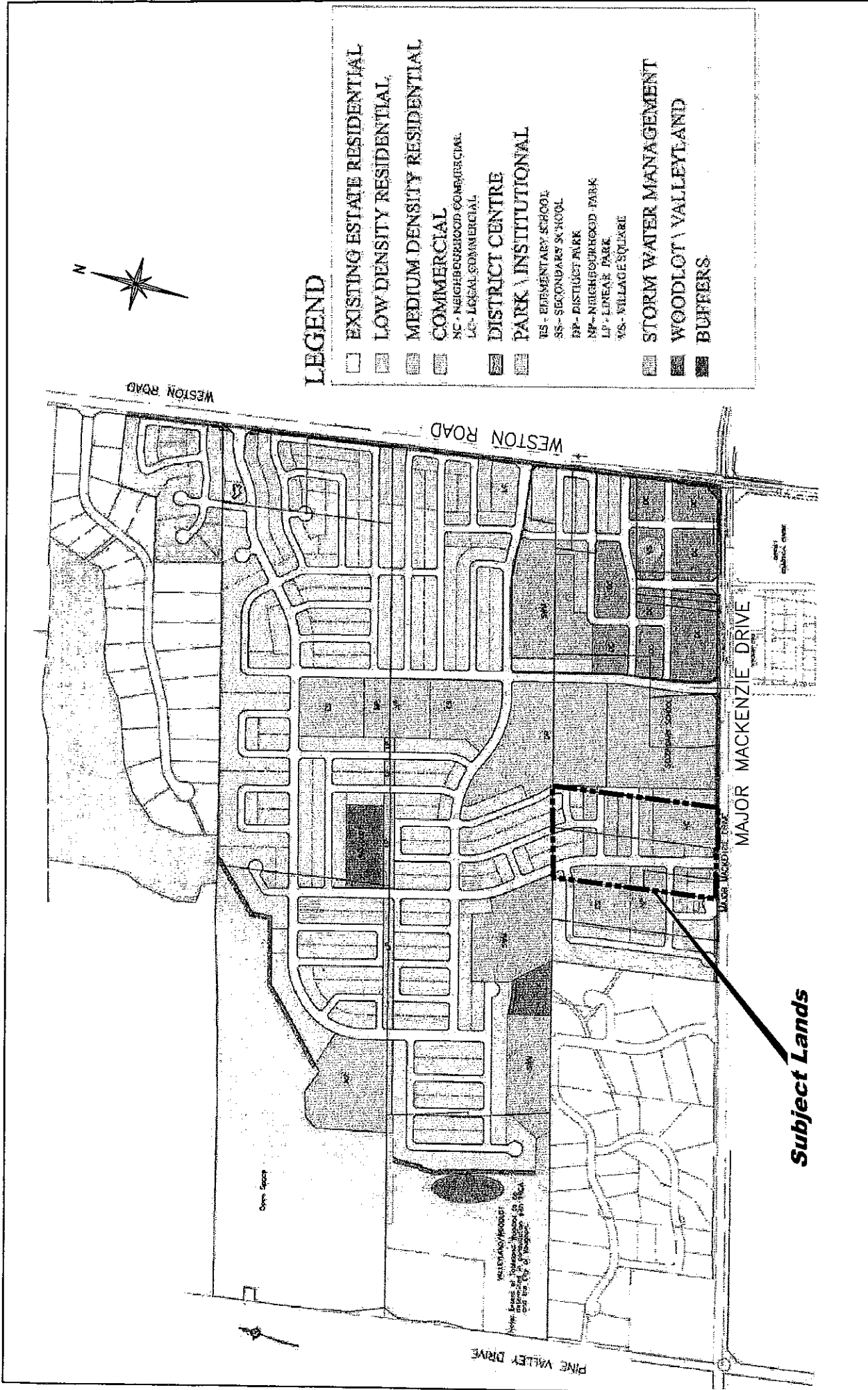
TOTAL AREA OF LAND TO BE SUBDIVIDED = 8,872±Ha. (21,922±Acres)

DETACHED DWELLINGS	BLOCKS	LOTS	UNITS	±Ha.	±Acres
plus BLOCKS 105 and 106 see lot 105-106-107, see lot 105-106-108	2	1 *	0.088	0.218	
LOTS 2-27, 34-50 and 66-71 see lot 2-27-33, see lot 34-50-51, see lot 66-71-72		47	1.938	4.789	
plus BLOCKS 72, 76-82 and 85-90 see lot 72-82-83, see lot 76-82-83, see lot 85-90-91	14	7 *	0.160	0.389	
LOTS 1, 28-33 AND 51-53 see lot 1-28-33, see lot 51-53-54		10	0.363	0.871	
plus BLOCKS 63, 84 and 91-104 see lot 63-83-84, see lot 91-104-105	16	8 *	0.485	1.223	
STREET TOWNHOUSES					
BLOCKS 54-67 see lot 54-67-68	14	67	1.808	3.973	
plus BLOCKS 73-75 see lot 73-75-76	3	7.5 *	0.198	0.489	
SUBTOTAL	49	57	147.5 *	4.880	12.058
BLOCK 107 - ELEMENTARY SCHOOL	1		0.873	2.157	
BLOCK 108 - S.W.A.	1		0.011	0.027	
BLOCKS 109 and 110 - BUFFER	2		0.103	0.255	
BLOCK 111 - ROAD WORKING	1		0.113	0.278	
BLOCKS 112-142 - 0.2m. RESERVE	31		0.007	0.017	
STREETS			2.885	7.129	
26.0m. WIDE TOTAL LENGTH 1000m. AREA 0.260Ha. 12.0m. WIDE TOTAL LENGTH 2000m. AREA 0.240Ha. 17.0m. WIDE TOTAL LENGTH 1000m. AREA 0.170Ha. 15.0m. WIDE TOTAL LENGTH 2000m. AREA 0.300Ha. TOTAL LENGTH 1000m. AREA 0.200Ha.					
TOTAL	85	57	147.5 *	8.872	21.922

PROPOSED DRAFT PLAN OF SUBDIVISION 19T-07V04



Subject Lands



LEGEND

- EXISTING ESTATE RESIDENTIAL
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- COMMERCIAL
- DISTRICT CENTRE
- PARK \ INSTITUTIONAL
- STORM WATER MANAGEMENT
- WOODLOT \ VALLEYLAND
- BUFFERS

FILE No(s):
19T-07V06 & Z.07.061
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February 11, 2009

LOCATION:
Part of Lot 21,
Concession 6



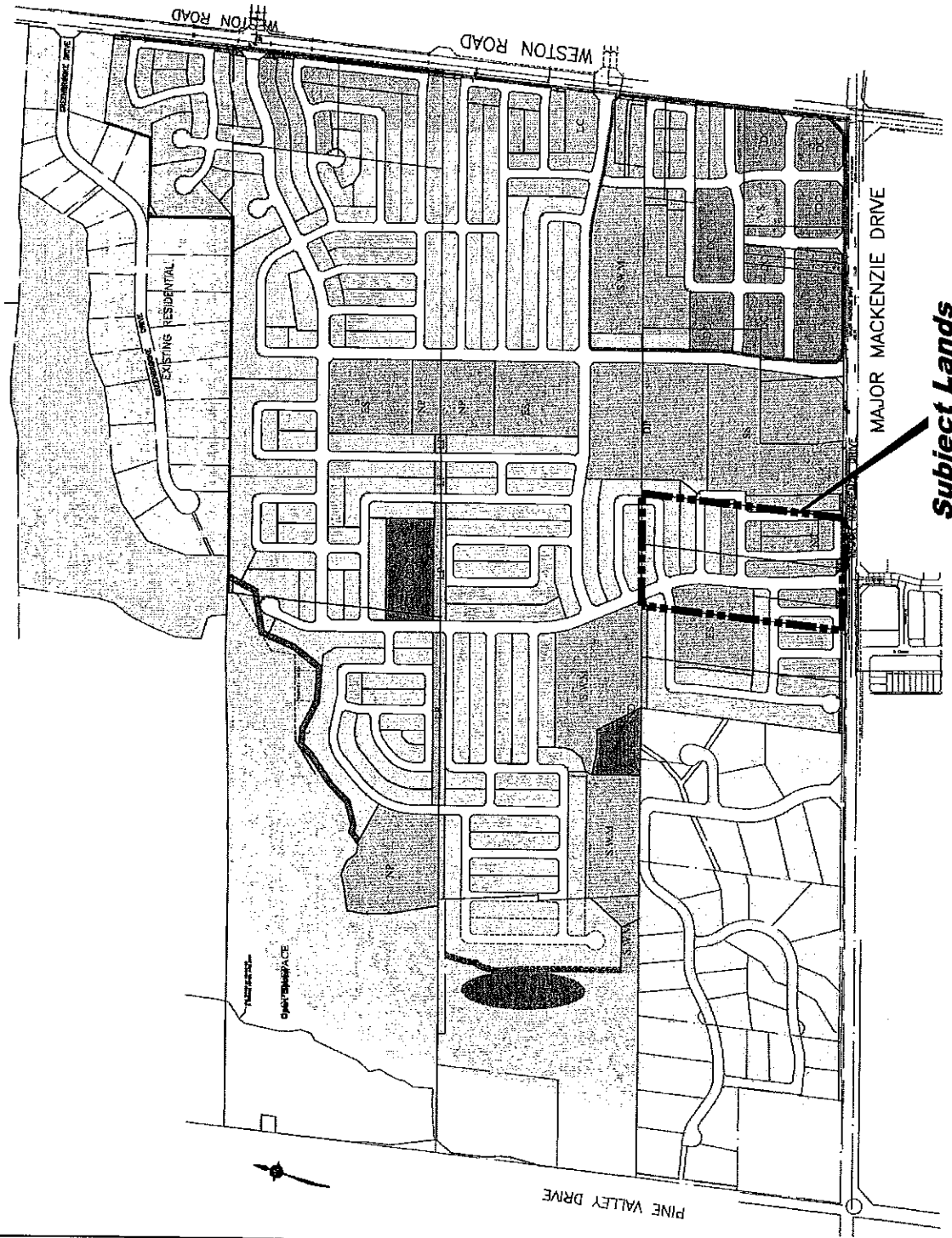
The City Above Toronto

Development Planning Department

**Approved Block 40 South
Plan - April 24, 2006**

APPLICANT: MAJORMACK INVESTMENTS INC., 4074 MM INC.,
M3DC CAPITAL CORPORATION, & ROCCO BUSIELLO

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LEGEND

- EXISTING ESTATE RESIDENTIAL
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- COMMERCIAL
- NC - NEIGHBOURHOOD COMMERCIAL
- LC - LOCAL COMMERCIAL
- DISTRICT CENTRE
- PARK \ INSTITUTIONAL
- ES - ELEMENTARY SCHOOL
- SS - SECONDARY SCHOOL
- DP - DISTRICT PARK
- NP - NEIGHBOURHOOD PARK
- LP - LINEAR PARK
- VS - VILLAGE SQUARE
- STORM WATER MANAGEMENT
- WOODLOT \ VALLEYLAND
- BUFFERS

**Proposed Revisions to the
Block 40 South Plan**

APPLICANT: MAJORMACK INVESTMENTS INC., 4074 MM INC.,
M3DC CAPITAL CORPORATION, & ROCCO BUSIELLO

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The City Above Toronto

Development Planning Department

Location:
Part of Lot 21,
Concession 6

Attachment 6

FILE No(s):
19T-07V06 & Z.07.061

Not to Scale

February 11, 2009