

**COMMITTEE OF THE WHOLE SEPTEMBER 13, 2011**

**ZONING BY-LAW AMENDMENT FILE Z.03.008  
DRAFT PLAN OF SUBDIVISION FILE 19T-03V02  
1321362 ONTARIO INC.  
WARD 1**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.03.008 (1321362 Ontario Inc.) BE APPROVED, specifically to amend Zoning By-law 1-88, to rezone the subject lands shown on Attachments #2 and #3, from A Agricultural Zone to the following zone categories shown on Attachment #5, and with the following exceptions:
  - a) rezone Lots 1 to 8 inclusive, Lots 13 to 31 inclusive and Lots 42 to 49 inclusive, to R1(H) Residential Zone with the addition of the Holding Symbol "(H)" to facilitate 35 lots with a minimum lot frontage of 18 m, a minimum lot area of 720 m<sup>2</sup> and a minimum lot depth of 40 m for detached dwelling units;
  - b) rezone Lots 11 and 12 to R1(H) Residential Zone with the addition of the Holding Symbol "(H)" to facilitate the following:
    - i) 2 lots with a minimum lot frontage of 18 m, a minimum lot area of 720 m<sup>2</sup> and a minimum lot depth of 40 m for detached dwelling units; or,
    - ii) park and/or open space uses on approximately 0.185 ha in accordance with the OS2 Open Space Park Zone use and requirements in Sub-section 7.3 and Schedule "A" in Zoning By-law 1-88;
  - c) rezone Lots 32 to 41 inclusive to R1(H) Residential Zone with the addition of the Holding Symbol "(H)" to facilitate 10 lots with a minimum lot frontage of 18 m, a minimum lot area of 655 m<sup>2</sup> and a minimum lot depth of 36.5 m for detached dwelling units;
  - d) rezone Lots 9 and 10 to R1(H) Residential Zone with the addition of the Holding Symbol "(H)" and OS4 Open Space Woodlot Zone to facilitate 2 lots with a minimum lot frontage of 18 m and a minimum lot area of 540 m<sup>2</sup> for detached dwelling units, subject to the following:
    - i) a restrictive covenant on a portion of the lands zoned OS4 Open Space Woodlot Zone and shall not permit any buildings or structures;
    - ii) the lot area for Lots 9 and 10 shall include the area of the land with the restrictive covenant zoned OS4 Open Space Woodlot Zone; and,
    - iii) the zoning requirements for the R1 Residential Zone shall be used to permit the detached dwelling unit, notwithstanding the OS4 Open Space Woodlot Zone requirements;
  - e) rezone Blocks 50 and 51 to R1(H) Residential Zone with the Holding Symbol "(H)" to facilitate 2 future residential lots with a minimum lot frontage of 18 m, a minimum lot area of 720 m<sup>2</sup> and a minimum lot depth of 40 m for future residential to be developed with the adjacent lands;

- f) rezone Block 52 to R1(H) Residential Zone with the Holding Symbol "(H)" to facilitate 1 future residential lot with a minimum lot frontage of 18 m, a minimum lot area of 655 m<sup>2</sup> and a minimum lot depth of 36.5 m to be developed with the adjacent lands;
- g) rezone Block 53 to OS4 Open Space Woodlot Zone to maintain the existing tableland woodlot on 0.63 ha;
- h) rezone Block 54 to OS1 Open Space Conservation Zone to facilitate a 5 m wide ecological buffer on 0.05 ha;
- i) rezone Block 55 to OS1 Open Space Conservation Zone to facilitate a 10 m wide ecological buffer on 0.08 ha;
- j) rezone Blocks 56 and 57 to OS2 Open Space Park Zone to facilitate a 24 m wide landscaped community edge buffer with an acoustical berm/barrier on 0.47 ha, the lands of which are not included as part of any parkland dedication;
- k) enactment of the implementing zoning by-law shall not occur until the detailed Noise Study establishes the requirements for noise attenuation and the ultimate width of the berm within the Landscaped Community Edge Noise Attenuation Buffer (Blocks 56 and 57) and is approved to the satisfaction of the City;
- l)
  - i) require that prior to the removal of the Holding Symbol "(H)" from Lots 1 to 49 inclusive, and Blocks 50 to 52 inclusive, the following conditions shall be addressed:
    - A. that the City approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
    - B.
      - 1) that York Region has advised, in writing, that it is no earlier than six (6) months prior to the expected completion of the Kleinburg Additional Water Supply Works in Kleinburg, and the Kleinburg Water Pollution Control Plant (WPCP) Expansion; and,
      - 2) the City of Vaughan has allocated adequate available water supply and sewage servicing capacity to the subject development; or,
    - C. that the Regional Commissioner of Environmental Services confirms servicing capacity for this development by a suitable alternative method and the City of Vaughan allocates adequate water supply and sewage servicing capacity to the subject development;
  - ii) require that prior to the removal of the Holding Symbol "(H)" from Lots 9 and 10, that the restrictive covenants are registered on title for Lots 9 and 10 to the satisfaction of the City and the Toronto and Region Conservation Authority; and,
  - iii) require that prior to the removal of the Holding Symbol "(H)" from Lots 11 and 12, should the linear park shown as "Proposed Linear Park" on Attachment #8 located within Draft Plan of Subdivision File 19T-08V06 (1422174 Ontario Ltd.- Lea Vivot) at the southerly limit of the Humber North Extension - West of Regional Road 27 not be conveyed to the City

as parkland within two (2) years of the first Draft Plan of Subdivision approval of Draft Plan of Subdivision File 19T-03V02 (1321362 Ontario Inc.), Draft Plan of Subdivision File 19T-08V04 (11336 Highway 27 Limited Partnership) or Draft Plan of Subdivision File 19T-08V05 (Kleinvit Estates Inc.), within the Humber North Extension Area, shown on Attachment #8, then Lots 11 and 12, along with the lands to the north in Draft Plan of Subdivision 19T-08V04, shown as the "Proposed Alternative Park" on Attachment #8 or another location acceptable to the City of Vaughan will be developed as open space and conveyed to the City as parkland. Should parkland be conveyed from Draft Plan of Subdivision File 19T-08V06 within two (2) years of the first Draft Plan Approval of any of Draft Plan of Subdivision Files 19T-03V02, 19T-08V04 and 19T-08V05, then Lots 11 and 12, can be developed for residential detached dwelling units; and,

- m) include any necessary zoning exceptions required to implement the approved Draft Plan of Subdivision.
2. THAT Draft Plan of Subdivision 19T-03V02 (1321362 Ontario Inc.), as red-line revised (September 13, 2011), and shown on Attachment #4, BE APPROVED, subject to the pre-conditions and conditions set out in Attachment #1 to this report.
  3. THAT the Notice of Approval of Plan of Subdivision File 19T-03V02 (1321362 Ontario Inc.) not be issued until such time as the implementing Official Plan Amendment (OPA #719) is in full force and effect.
  4. THAT for the purpose of notice, the implementing subdivision agreement for Draft Plan of Subdivision File 19T-03V02 (1321362 Ontario Inc.), shall contain the provisions as follows:
    - a) parkland shall be dedicated equivalent to 5% or 1 ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the Planning Act, and that the Owner shall enter into a Developer's Group Agreement to convey Lots 11 and 12, or other lands to the satisfaction of the City, to be developed as open space and conveyed to the City as parkland, free of all costs and encumbrances, to the satisfaction of the City, should the linear park identified in Draft Plan of Subdivision 19T-08V06 not be conveyed to the City within two (2) years of the first Draft Plan of Subdivision approval of Draft Plan of Subdivision File 19T-03V02, File 19T-08V04 or File 19T-08V05; or,
    - b) parkland shall be dedicated and/or cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units 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" should the linear park identified in Draft Plan of Subdivision 19T-08V06 be conveyed to the City within two (2) years of the first Draft Plan of Subdivision approval of Draft Plan of Subdivision File 19T-03V02, File 19T-08V04 or File 19T-08V05. 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.
  5. THAT prior to the first final approval of any of Draft Plan of Subdivision File 19T-03V02, File 19T-08V04, File 19T-08V05 or File 19T-08V06, the Subdivision Owners shall execute a Developer's Group Agreement to convey lands to be developed as open space and

conveyed to the City as parkland or as a linear park, free of all costs and encumbrances, to the satisfaction of the City.

6. THAT Council adopt the following resolution with respect to the allocation of water and sewage servicing capacity:

“NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision 19T-03V02 (1321362 Ontario Inc.), be allocated sewage capacity from the Kleinburg Servicing Scheme and water supply from the York Water Supply System for a total of 50.5 detached residential dwelling units.”

### **Contribution to Sustainability**

The sustainable features for the development of the subject lands shown on Attachment #2 will be finalized through the Plan of Subdivision stage. The development of the subject lands will involve using innovative Low Impact Development Design (LID) measures which have been reviewed by the City, and the Toronto and Region Conservation Authority. The LID measures and/or sustainable features proposed are as follows:

- i) stormwater management strategies which include a rural inspired approach to stormwater management with bio-retention swales within the road allowance that provide for stormwater to collect and infiltrate into the groundwater system instead of the typical urban curb and gutter approach where stormwater is piped into a storm sewer system leading to a stormwater management pond;
- ii) balanced ground water infiltration on a pre-development and post-development basis due to treating stormwater at the source rather than at the end, i.e., in the pipe, as the impact of large rain events on receiving streams and outfalls is reduced as the volume and speed of stormwater is mitigated through the outfall process;
- iii) roof drains from the dwelling units will be connected to rain barrels to collect stormwater instead of the underground storm sewer, and the topsoil depths on the lot will be increased to provide for a greater pervious area to increase the amount of storage for stormwater infiltration and evapotranspiration thereby accommodating the stormwater collected in the rain barrels;
- iv) reduced road right-of-way with surface drainage swales and sub-surface infiltration trenches instead of a wider right-of-way with curbs and gutters; and,
- v) permeable pavement for the driveways with material as permeable interlocking pavers or porous asphalt.

### **Economic Impact**

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

### **Communications Plan**

On August 22, 2008, a Notice of Public Hearing was circulated to all property owners within 120 m of the subject lands, and to the Kleinburg and Area Ratepayers' Association. The Public Hearing was held on September 15, 2008, and the recommendation to receive the Public Hearing was ratified by Vaughan Council on September 22, 2008. Written comments, the concerns of which will be addressed, were received from:

- i) Charles Sjaarda, 6151 Kirby Road, correspondence dated September 15, 2008, respecting the impact of the proposed development on his property value, road safety, and safety of the water from his well during the construction of the development;
- ii) Stephen Cappe, on behalf of Michael and Dawn O'Leary, 6175 Kirby Road, correspondence dated September 15, 2008, respecting the impact of the proposed development, traffic, and valleylands/open space affecting 6175 Kirby Road and the surrounding community; and,
- iii) the Kleinburg and Area Ratepayers' Association, correspondence dated October 27, 2008, respecting the provision of a buffer between the proposed development and the existing residential community on Hedgerow Lane to the south, the provision of a 30 m naturally landscaped buffer without noise attenuation walls adjacent to Regional Road 27, and the development of trails for biking and walking and linkage to the Regional Road 27 and Humber Valley Trail System, along with other development matters.

### **Purpose**

The Owner has submitted the following applications on the subject lands shown on Attachment #3:

1. Zoning By-law Amendment File Z.03.008 to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #2 and #3 from A Agricultural Zone in the manner shown on Attachment #5 as follows:
  - i) rezone Lots 1 to 8 inclusive, Lots 13 to 31 inclusive and Lots 42 to 49 inclusive, to R1(H) Residential Zone with the addition of the Holding Symbol "(H)" to facilitate 35 lots with a minimum lot frontage of 18 m, a minimum lot area of 720 m<sup>2</sup> and a minimum lot depth of 40 m for detached dwelling units;
  - ii) rezone Lots 11 and 12 to R1(H) Residential Zone with the addition of the Holding Symbol "(H)" to facilitate the following:
    - a) 2 lots with a minimum lot frontage of 18 m, a minimum lot area of 720 m<sup>2</sup> and a minimum lot depth of 40 m for detached dwelling units; or,
    - b) park and/or open space uses on approximately 0.185 ha in accordance with the OS2 Open Space Park Zone use and requirements in Sub-section 7.3 and Schedule "A" in Zoning By-law 1-88;
  - iii) rezone Lots 32 to 41 inclusive to R1(H) Residential Zone with the addition of the Holding Symbol "(H)" to facilitate 10 lots with a minimum lot frontage of 18 m, a minimum lot area of 655 m<sup>2</sup> and a minimum lot depth of 36.5 m for detached dwelling units;
  - iv) rezone Lots 9 and 10 to R1(H) Residential Zone with the addition of the Holding Symbol "(H)" to facilitate 2 lots with a minimum lot frontage of 18 m, and a minimum lot area of 540 m<sup>2</sup> for detached dwelling units, subject to the following:
    - a) a restrictive covenant on a portion of the lands which shall be zoned OS4 Open Space Woodlot Zone and shall not permit any buildings or structures;
    - b) the lot area for Lots 9 and 10 shall include the area of the land with the restrictive covenant; and,

- c) the zoning requirements for the R1 Residential Zone shall be used to permit the detached dwelling unit, notwithstanding the OS4 Open Space Woodlot Zone requirements;
  - v) rezone Blocks 50 and 51 to R1(H) Residential Zone with the Holding Symbol "(H)" to facilitate 2 future residential lots with a minimum lot frontage of 18 m, a minimum lot area of 720 m<sup>2</sup> and a minimum lot depth of 40 m to be developed with the adjacent lands;
  - vi) rezone Block 52 to R1(H) Residential Zone with the Holding Symbol "(H)" to facilitate 1 future residential lot with a minimum lot frontage of 18 m, a minimum lot area of 655 m<sup>2</sup> and a minimum lot depth of 36.5 m to be developed with the adjacent lands;
  - vii) rezone Block 53 to OS4 Open Space Woodlot Zone to maintain the existing tableland woodlot on 0.63 ha;
  - viii) rezone Block 54 from A Agricultural Zone to OS1 Open Space Conservation Zone to facilitate a 5 m wide ecological buffer on 0.05 ha;
  - ix) rezone Block 55 from A Agricultural Zone to OS1 Open Space Conservation Zone to facilitate a 10 m wide ecological buffer on 0.08 ha; and,
  - x) rezone Blocks 56 and 57 to OS2 Open Space Park Zone to facilitate a 24 m wide landscaped community edge buffer with an acoustical barrier on 0.47 ha, the lands of which shall not be included as part of any parkland dedication.
2. Draft Plan of Subdivision File 19T-03V02 to facilitate a residential plan of subdivision consisting of a total of 49 lots and blocks for future lots for detached dwellings with lot frontages of 18 m and lot areas ranging from 655 m<sup>2</sup> to 854 m<sup>2</sup>, except for 2 lots with lot areas of 540 m<sup>2</sup>, and valleylands/open space on 7.29 ha for the subject lands shown on Attachment #4. The plan of subdivision development statistics, prior to the red-line revisions, are as follows:

<u>Land Use</u>	<u>Units</u>	<u>Area (ha)</u>
Detached Dwellings	49	4.18
Future Residential Blocks*	1.5	0.17
Tableland Woodlot**		0.63
Valley Buffers		0.13
24 m Community Edge (Landscape) Buffer**		0.39
Regional Road 27 Widening**		0.07
0.3 m Reserves		0.01
<u>Roads</u>		<u>1.72</u>
<b>Total</b>	<b>50.5</b>	<b>7.29</b>

\* The Blocks are to be developed with the Blocks in adjacent lands to the north in Plan of Subdivision 19T-08V04 to create 3 full lots for detached dwelling units resulting in 50.5 units for the subject lands.

\*\* Land uses excluded from the calculation of residential density: 1.09 ha

Net residential area: 6.2 ha

Density for Plan 19T-03V02: 8.25 units per net residential area

Density for the Humber North Extension Area: 7.36 units per net residential area

Population estimate: 174 people (based on 3.44 people per unit)

## **Background - Analysis and Options**

### Location

The subject lands shown on Attachments #2 and #3 are located on the west side of Regional Road 27, south of Kirby Road, in Part of Lot 29, Concession 9, City of Vaughan. The subject lands have an area of 7.29 ha, with a frontage of 225 m along Regional Road 27.

### Supporting Documents

The following supporting reports were submitted in support of the applications within the Humber North Extension Area:

- *Planning Analysis - Humber North Extension*, dated June 2008 by Humphries Planning Group Inc., and revised March 15, 2010 and October 22, 2010;
- *North Humber Extension Development Functional Servicing Report*, dated June 2008 by The Municipal Infrastructure Group Ltd., and revised March 2010;
- *Geotechnical Investigation - Proposed Residential Subdivision, Part of East Half of Lot 29, Concession 9*, dated January 9, 2008 by Terraprobe Limited;
- *Geotechnical Investigation - Proposed Residential Subdivision - 11336 Regional Road 27, Village of Kleinburg*, dated February 20, 2008 by Terraprobe Limited;
- *Hydrogeological Investigation - Proposed Residential Development, 11336 & 11270 Regional Road 27*, dated June 23, 2008 by Terraprobe Limited;
- *Phase I Environmental Assessment - 11336 Regional Road 27 & 11270 Regional Road 27*, dated December 10, 2007 by Try Environmental Services Inc.;
- *Environmental Report - Humber North Extension Area*, dated May 20, 2008 by Ages Limited, and revised as *Environmental Impact Report*, dated October 2010;
- *Traffic Impact Assessment - Proposed Street "A" Intersection At Regional Road 27*, dated May 30, 2007 by Sernas Transtech;
- *Noise Feasibility Study - Residential Development, West side of Regional Road 27, South of Kirby Road*, dated June 2008 by Howe Gastmeier Chapnik (HGC) Engineering Ltd.; and,
- *North Humber Extension Area - Community Design Guidelines*, dated August 17, 2010 by the Sorbara Development Group, and revised November 26, 2010.

The subject lands are zoned A Agricultural Zone by Zoning By-law 1-88, which permits agricultural uses. The subject lands are currently used for agricultural and residential purposes.

### Recent Committee of the Whole - Official Plan Amendment

On June 7, 2011, Council adopted the following May 31, 2011, Committee of the Whole recommendation (in part), as amended, to approve File OP.03.007 to redesignate the subject lands shown on Attachment #6:

- "1. THAT Official Plan Amendment File OP.03.007 (1321362 Ontario Inc., 11336 Highway 27 Limited Partnership and Kleinvit Estates Inc.) BE APPROVED, specifically to amend OPA #601 (Kleinburg-Nashville Community Plan) for the subject lands shown on Attachments #1 and #2, in accordance with the designations indicated on Attachments #4A, #4B and #4C as follows:
  - a) redesignate from "Future Residential - Humber North Extension" to "Residential Area - Humber North Extension" and redesignate from "Valley and Stream Corridor" to "Residential Area - Humber North Extension" to permit detached dwelling units, parks and open space including buffer areas, acoustical

barrier/berming, and private home daycare; and, to maintain the "Valley and Stream Corridor" designation for the areas confirmed as valleylands; and,

- b) amend Table "A" Kleinburg-Nashville Community Plan Population Estimates to indicate a population of 389 instead of 220 for the Humber North Residential Area (shown on Table "A" as "Future Residential 2B - West of Regional Road 27 - Fully Serviced).
2. THAT the implementing Official Plan Amendment include, but not be limited to, the following provisions:
- a) permit a density of between 5 to 7.55 units per ha for the "Residential Area - Humber North Extension" lands, whereas the Official Plan specifies the density at between 5 to 7.5 units per ha for the "Future Residential - Humber North Extension Area" for the subject lands;
  - b) require that the community edge buffer along Regional Road 27 shall be a minimum width of 24 m, which shall include naturalized landscaping and an acoustical barrier/berming to the satisfaction of the City of Vaughan, and the community edge buffer shall not form part of the parkland dedication and shall be dedicated to the City free of all costs and encumbrances, to the satisfaction of the City;
  - c) require that sustainable community objectives be implemented through neighbourhood designs that support cycling and walking, ensures neighbourhood connectivity to the broader community, and provides transit opportunities, water and energy efficiencies, energy alternatives, and green building design and site development;
  - d) the provision of a low maintenance acoustical earth berm of 20-24 m in width be located within the minimum 24 m wide community edge buffer along Highway 27, and be well landscaped with large caliper coniferous and deciduous tree planting and other naturalized landscaping at a 3:1 slope and height of 3.9 m in accordance with City standards; and,
  - e) the implementing Official Plan Amendment include policies and mapping to permit either single detached residential or open space park uses on the lots identified by the Parks Development Department on Attachment #6 (hatched area approximately 1.8 ac). If the linear park identified in the southern subdivision (1422174 Ontario Ltd. (Lea Vivot), 19T-08V06) is not conveyed to the City within two (2) years of the first Draft Plan of Subdivision Approval on the lands subject to this Official Plan Amendment (the 3 subdivisions to the north), this area (hatched) will be developed as open space and conveyed to the City as parkland. Should parkland be conveyed from the southern subdivision (19T-08V06) within 2 years of the first Draft Plan Approval of the 3 subdivisions to the north, these lands (hatched) shall be developed for low-density residential uses."

The recommendation also directed that the Region of York, the approval authority, modify the designations from "Residential Area - Humber North Extension" to "Low-Rise Residential", and from "Valley and Stream Corridor" to "Natural Areas", in accordance with the new City of Vaughan Official Plan 2010, which was adopted by Vaughan Council on September 7, 2010, and which is subject to York Region approval.



On June 28, 2011, Vaughan Council adopted the implementing Official Plan Amendment (OPA #719), which was forwarded to the Region of York, the approval authority, for final approval. The Region has recommended approval of OPA #719, and the final date of appeal is September 5, 2011. If there are no appeals, OPA #719 will come into full force and effect.

Kleinburg-Nashville Community Plan (OPA #601, as amended by OPA #719)

i) Land Use Designation

The subject lands have been redesignated to "Residential Area (Humber North Extension)", "Residential Area "A" (Humber North Extension)", "Tableland Woodlot" and "Open Space" by OPA #601 (Kleinburg-Nashville Community Plan), as amended by OPA #719, which was adopted by Vaughan Council on June 28, 2011 and forwarded to the Region of York, for final approval, as discussed earlier in this report. The valleylands are also identified as being in the "Kirby Road Plantation Forest South", Schedule "B4" - Significant Woodlands, in OPA #601. The Toronto and Region Conservation Authority (TRCA) has reviewed the supporting documentation as identified earlier in this report, to address the Official Plan policies respecting the natural environmental features. The TRCA has required the establishment of ecological buffers, and restoration and enhancement of the valleylands, as well as, supported the implementation of a Low Impact Development (LID) design concept for a more sustainable community, and is satisfied that the ecological matters have been addressed, which allowed for OPA #719 to be adopted by Vaughan Council in June 2011.

A portion of the subject lands fall within the "Natural Heritage System of the Protected Countryside" of the *Greenbelt Plan*. In a letter dated November 9, 2006, the Ministry of Municipal Affairs and Housing accepted the City's position that Section 5.2.1 (Decisions on Applications Related to Previous Site-specific Approvals) of the *Greenbelt Plan* applied to OPA #601, as the Official Plan was amended prior to December 16, 2004, and stated in the letter, "that approval may continue to be recognized and that any further applications to implement the Official Plan approval are not required to conform with the Greenbelt Plan".

The Official Plan (OPA #719) redesignates the subject lands from "Future Residential - Humber North Extension" to "Residential Area (Humber North Extension)", "Residential Area "A" (Humber North Extension)", "Tableland Woodlot" and "Open Space" to permit detached dwelling units, schools, parks and open space, including buffers areas, acoustical berm/barrier, and private home daycare. Should OPA #719 come into full force and effect on September 5, 2011, the subject lands would be designated as shown on Attachment #6. Should the related implementing Zoning By-law Amendment be approved, it will not be in effect until the Official Plan Amendment is in effect. The subject lands are proposing a development that is in accordance with the intensification policies in the *Provincial Policy Statement* and *Places To Grow-Growth Plan*.

ii) Residential Density/Uses

The proposed Draft Plan of Subdivision, as red-line revised, is located within the North Humber Extension Area as shown on Attachment #3. This area includes a total of 113 units on 14.96 ha of land yielding an overall density of 7.55 units per net residential hectare (Subdivisions 19T-03V02, 19T-08V04 and 19T-08V05). The subject Draft Plan of Subdivision includes 49 lots and 3 Blocks (to be developed with 3 blocks on the adjacent Draft Plan of Subdivision to form full lots) on 6.12 ha of land yielding a density of 8.25 units per net residential hectare. However, when the density is averaged over the entire North Humber Extension Area, the overall density of all the draft plans of subdivision is 7.55 units per net residential hectare, in accordance with OPA #719. The Official Plan will permit residential detached dwelling units, environmental linkages located on tablelands, tableland valley buffer areas, and stormwater management facilities. The uses and density proposed for the subject lands conform to the Official Plan.

iii) Community Edge Buffer

Subsection 4.7 "Community Edge Buffer" of the Official Plan requires that a naturalized community edge buffer in the range of a minimum of 30 m to 50 m in width be provided on lands abutting Regional Road 27 to address urban design issues. As discussed earlier in this report, OPA #719 requires a 24 m wide buffer along Regional Road 27, shown on Attachment #7, which will include a naturalized landscaped earth berm, with a width ranging between 20 m to 24 m and an approximate height of 3.9 m to be located within the 24 m wide buffer. The proposed 24 m wide buffer is appropriate for the area as the naturalized landscaped earth berm will screen the development from Regional Road 27 and provide for a rural landscape setting in keeping with the Official Plan. In order to delineate the residential lands from the buffer lands and for safety purposes, where the buffer abuts the residential lots, a fence will be provided. The fence will not be visible from Regional Road 27 as the 3.9 m berm will be between it and this road. The 24 m wide buffer will be in public ownership and dedicated to the City free of all costs and encumbrances. Conditions will be included in the plan of subdivision respecting the details for fencing (type and design), landscaping (naturalized plantings), and dedication of the buffer into public ownership.

The 24 m buffer width facilitates a community design that includes the provision of Low Impact Development (LID) features as discussed earlier in the Contribution to Sustainability section of this report, which includes measures such as stormwater management strategies with a rural inspired approach to stormwater management with bio-retention swales within the road allowance that provides for stormwater to collect and infiltrate into the groundwater system instead of the typical urban curb and gutter approach, to facilitate a development with a high degree of sustainable features and that incorporates rural elements.

iv) Valleylands/Open Space

The development limits, as well as, the ecological buffers, shown on Attachment #4 have been approved by the Toronto and Region Conservation Authority (TRCA). In certain locations the ecological buffer is less than 10 m, generally 5 m in exchange for a greater buffer width and/or area in another location to the satisfaction of the TRCA. The subject lands include a 0.63 ha tableland woodlot, at the west of the development shown on Attachment #4. A restrictive covenant for the long-term protection of the natural feature (tableland woodlot) and restrictions on the use of the residential lands are to be placed on Lots 9 and 10 in Plan of Subdivision 19T-03V02 (1321362 Ontario Inc.) through the Zoning By-law, as well as, restoration and enhancement of the natural feature to the satisfaction of the TRCA.

v) Transportation

The development standard for local roads in accordance with the Official Plan is 18.5 m to 20 m. The City Design Standard is 20 m for a local road right-of-way and 18.5 m for cul-de-sac and single-loaded roads. The proposal originally requested a 17.5 m local road right-of-way and 15 m single-loaded local road right-of-way instead, which were not accepted. Modifications were made to the proposal resulting in road rights-of-way of 19 m being accepted by the Vaughan Development/Transportation Engineering Department in accordance with the Official Plan.

vi) Servicing Infrastructure

The Official Plan servicing policies require all development to be on full municipal water supply and sanitary sewer services and that the appropriate reviews of the servicing strategies are undertaken to accommodate growth. The City, through its Kleinburg-Nashville Water and Wastewater Servicing Strategy Master Plan Class Environmental Assessment (EA) Study, which is nearing completion, will address the servicing infrastructure improvements and requirements for the Kleinburg-Nashville Area. Through the EA Study, the preferred option has determined that a new sanitary pump station on the west side of Regional Road 27, in Plan of Subdivision File

19T-08V05 (Kleinvit Estates Inc.), within the Humber North Extension Area, will accommodate the proposed population for the subject lands and planned population for the Kleinburg-Nashville Area.

### Zoning

The subject lands are currently zoned A Agricultural Zone by Zoning By-law 1-88. To facilitate the proposed plan of subdivision, as shown on Attachment #5, a zoning by-law amendment is required to rezone the subject lands.

#### i) Residential Lands

The draft plan of subdivision is proposed to be zoned R1 Residential Zone, utilizing Schedule "A", of Zoning By-law 1-88 as follows:

- a) rezone Lots 1 to 8 inclusive, and Lots 13 to 49 inclusive, from A Agricultural Zone to R1(H) Residential Zone with the addition of the Holding Symbol "(H)" to facilitate 45 lots;
- b) rezone Lots 9 and 10 from A Agricultural Zone to R1(H) Residential Zone with the addition of the Holding Symbol "(H)" and OS4 Open Space Woodlot Zone to facilitate 2 lots, subject to the following:
  - i) a restrictive covenant on a portion of the lands zoned OS4 Open Space Woodlot Zone and shall not permit any buildings or structures;
  - ii) the lot area for Lots 9 and 10 shall include the area of the land with the restrictive covenant zoned OS4 Open Space Woodlot Zone; and,
  - iii) the zoning requirements for the R1 Residential Zone shall be used to permit the detached dwelling unit, notwithstanding the OS4 Open Space Woodlot Zone;
- c) rezone Lots 11 and 12 from A Agricultural Zone to R1(H) Residential Zone with the addition of the Holding Symbol "(H)" to facilitate 2 lots, subject to the following:
  - i) should the linear park shown as "Proposed Linear Park" on Attachment #8 located within Draft Plan of Subdivision File 19T-08V06 (1422174 Ontario Ltd.-Lea Vivot) at the southerly limit of the Humber North Extension - West of Regional Road 27 not be conveyed to the City as parkland within two (2) years of the first Draft Plan of Subdivision approval of Draft Plan of Subdivision File 19T-03V02 (1321362 Ontario Inc.), Draft Plan of Subdivision File 19T-08V04 (11336 Highway 27 Limited Partnership) or Draft Plan of Subdivision File 19T-08V05 (Kleinvit Estates Inc.), within the Humber North Extension Area, shown on Attachment #8, then Lots 11 and 12, along with the lands to the north in Draft Plan of Subdivision 19T-08V04, shown as the "Proposed Alternative Park" on Attachment #8 or another location acceptable to the City of Vaughan will be developed as open space and conveyed to the City as parkland. Should parkland be conveyed from Draft Plan of Subdivision File 19T-08V06 within two (2) years of the first Draft Plan Approval of any of Draft Plan of Subdivision Files 19T-03V02, 19T-08V04 and 19T-08V05, then Lots 11 and 12, can be developed for residential detached dwelling units; and,
  - ii) should park and/or open space uses on approximately 0.185 ha be developed it will be in accordance with the OS2 Open Space Park Zone use and requirements in Subsection 7.3 and Schedule "A" in Zoning By-law 1-88; and,

- d) rezone Blocks 50 to 52 inclusive from A Agricultural Zone to R1(H) Residential Zone with the Holding Symbol "(H)" to facilitate 3 future residential lots to be developed with the adjacent lands.

The following are the zoning standards for the R1 Residential Zone:

Standard	Zoning By-law 1-88 R1 Residential Zone Requirements
Minimum Lot Frontage	18 m
Minimum Lot Area	540 m <sup>2</sup>

The proposed zoning is illustrated on Attachment #5. The following zoning exceptions to the R1 Residential Zone of Zoning By-law 1-88 are required to facilitate the proposal:

Table 1: Proposed Zoning Exceptions

Standard	Zoning By-law 1-88 R1 Residential Zone Requirements	Exceptions to the R1 Residential Zone
Minimum Lot Area (Lots 1 to 8 inclusive, Lots 11 to 31 inclusive, Lots 42 to 49 inclusive, and Blocks 50 and 51)	540 m <sup>2</sup>	720 m <sup>2</sup>
Minimum Lot Area (Lots 32 to 41 inclusive, and Block 52 inclusive)	540 m <sup>2</sup>	655 m <sup>2</sup>
Minimum Lot Area (Lots 1 to 8 inclusive, Lots 11 to 31 inclusive, Lots 42 to 49 inclusive, and Blocks 50 and 51)	No Standard in the By-law	40 m
Minimum Lot Area (Lots 32 to 41 inclusive, and Block 52 inclusive)	No Standard in the By-law	36.5 m
Minimum Lot Area (Lots 9 and 10)	Only lands zoned R1 Residential Zone are used to calculate lot area	Permit the lands zoned R1 Residential Zone and OS4 Open Space Woodlot Zone to be used to calculate the lot area for Lots 9 and 10

The exceptions to the R1 Residential Zone for Lots 9 and 10 are due to protecting the tableland woodlot on these lots. The area of the tableland woodlot on the lots will be included in the overall lot area for the respective lots, as supported by the TRCA. As a condition of draft approval, the specific area dimensions of the tableland woodlot and remaining tableland for Lots 9 and 10 shall

be required. In addition, a restrictive covenant shall be required to be registered on Lots 9 and 10 to protect the woodlot.

The exceptions to the minimum lot area is to provide for large lots in keeping with the 2005 "Principles of Development Concepts" respecting the terms of development, where lot areas of approximately 929 m<sup>2</sup> (10,000 ft<sup>2</sup>) were to be provided for the subject lands, as proposed by the applicant's and adopted by Council at its December 12, 2005 meeting. The development, excluding Lots 9 and 10, provides for lots which range in lot size from 655 m<sup>2</sup> to 931.5 m<sup>2</sup>, which are in keeping the "Principles of Development Concepts". The minimum lot depth facilitates a sufficient lot size to provide front and rear yards, and address urban design requirements.

The smaller lot sizes of 655 m<sup>2</sup> are limited to those lots abutting the 24 m wide landscaped buffer along Regional Road 27, which will be screened with a 3.9 m high landscaped earth berm. A condition of draft plan approval requires that a Noise Study be undertaken. If the recommendations of the Noise Study conclude that the 24 m wide landscape community edge buffer shown on Attachment #5 must be increased in width to address noise attenuation requirements, such as the berm, then modifications to the proposed zoning and/or lotting will be required. Accordingly, it is recommended that the implementing zoning by-law not be enacted until the Noise Study is approved by the City to confirm the final width of the buffer blocks.

Lots 1 to 49 inclusive, and Blocks 50 to 52 inclusive, will be zoned with the addition of the Holding Symbol "(H)", as shown on Attachment #5, and the implementing Zoning By-law will require that prior to the removal of the Holding Symbol "(H)" that water supply and sewage servicing capacity shall be identified and allocated by the City.

Lots 11 and 12 will be zoned with the addition of the Holding Symbol "(H)", as shown on Attachment #5, and the implementing Zoning By-law will require that prior to the removal of the Holding Symbol "(H)", the linear park identified as "Proposed Linear Park" on Attachment #8 in the southern subdivision (Draft Plan of Subdivision File 19T-08V06) be conveyed to the City as parkland within two (2) years of the first Draft Plan of Subdivision approval of Draft Plan of Subdivision File 19T-03V02, File 19T-08V04 or File 19T-08V05, or Lots 11 and 12, along with the lands to the north in Draft Plan of Subdivision 19T-08V04, shown as the "Proposed Alternative Park" on Attachment #8 or another location acceptable to the City of Vaughan shall be developed as open space and conveyed to the City as parkland should the linear park not be conveyed to the City within the two (2) year time frame.

ii) Non-Residential Lands

The draft plan of subdivision will be developed in accordance with Schedule "A" in Zoning By-law 1-88. The proposed draft plan, as shown on Attachment #5, provides for open space uses, which will be zoned as follows:

- a) rezone Block 53 from A Agricultural Zone to OS4 Open Space Woodlot Zone to maintain the existing tableland woodlot on 0.63 ha;
- b) rezone Block 54 from A Agricultural Zone to OS1 Open Space Conservation Zone to facilitate a 5 m wide ecological buffer on 0.05 ha;
- c) rezone Block 55 from A Agricultural Zone to OS1 Open Space Conservation Zone to facilitate a 10 m wide ecological buffer on 0.08 ha; and,
- d) rezone Blocks 56 and 57 from A Agricultural Zone to OS2 Open Space Park Zone to facilitate a 24 m wide landscaped community edge buffer with an acoustical berm/barrier on 0.47 ha, the lands of which are not included as part of any parkland dedication.

## Subdivision Design

The 7.29 ha draft plan of subdivision, as red-line revised, is shown on Attachment #4. The draft plan of subdivision includes a primary road (Street "A") with a 23 m wide right-of-way which intersects with Regional Road 27 and which tapers to a 19 m wide right-of-way on the west side of Street "C", as shown on Attachment #4. The draft plan also includes north-south traversing road connections to Plan of Subdivision 19T-08V04 to the north and Plan of Subdivision 19T-08V06 to the south, as shown on Attachment #4.

The draft plan has been red-line revised (Attachment #4) to provide for a 24 m wide landscaped community edge buffer, which includes an earth berm to address noise attenuation requirements, along Regional Road 27, instead of a 20 m wide buffer. A condition of draft plan approval requires that a Noise Study be undertaken. If the recommendations of the Noise Study conclude that the 24 m wide landscape community edge buffer shown on Attachment #5 is insufficient to address noise attenuation requirements, such as the berm, then additional lands may be required and modifications to the proposed zoning and/or lotting may be required, including additional lands from Lots 32 to 41 inclusive and Block 52.

At the west portion of the draft plan is a 0.63 ha tableland woodlot (Block 53). A portion of the tableland woodlot will be on the residential lands for Lots 9 and 10. The limits of the woodlot will need to be provided. A condition in this respect is included in Attachment #1. Along the west limits of the development are 10 m and 5 m wide ecological buffers from the valleylands to protect the valleylands/open space, which are outside of the limits of the draft plan. A park is proposed for Lots 11 and 12, which are to be developed with the lands to the north in Plan of Subdivision 19T-08V04, should the proposed linear park identified in Draft Plan of Subdivision 19T-08V06 on Attachment #8 not be conveyed to the City within two (2) years of the first Draft Plan of Subdivision approval of Draft Plan of Subdivision File 19T-03V02, File 19T-08V04 or File 19T-08V05, to which Lots 11 and 12 will be developed as open space and conveyed to the City as parkland. Should parkland be conveyed from the southern subdivision (19T-08V06), then Lots 11 and 12 can be developed for detached residential dwelling units.

All development within the draft plan is subject to architectural approval. Prior to final approval, the Owner is required to submit architectural guidelines, prepared in conjunction with the Humber North Extension Area Plan of Subdivision Files 19T-08V04 and 19T-08V05. The architectural guidelines, and the control architect, are to be approved by Council. A condition in this respect is included in Attachment #1.

Prior to final approval, the Owner is required to submit urban design guidelines, and a streetscape and open space landscape master plan, prepared in conjunction with Humber North Extension Area Plan of Subdivision Files 19T-08V04 and 19T-08V05, in accordance with the Kleinburg-Nashville Community Plan (OPA #601) policies. The urban design guidelines, and streetscape and open space landscape master plan are to address items, including but not limited to, the urban design/streetscape elements including entrance features, parkettes, trail heads, medians and fencing, community edge treatment along Regional Road 27 including a berm and landscaping details for low maintenance plantings on the buffer/berm and fencing details for the fence along the rear of the lots and block abutting the buffer/berm, valleylands/woodlot edge management rehabilitation planting, pedestrian trail system and access points into the valleylands in consultation with TRCA, a continuous pedestrian/bicycle route with urban connections between the streets and within the neighbourhood, as well as, incorporate sustainability design elements into the overall urban fabric, and the telecommunication and hydro utility buildings and easements. Any telecommunication and hydro buildings and easements will be required to be included in the draft plan.

The Vaughan Development Planning Department has reviewed the proposal and requires the following red-lined revisions to the proposed draft plan of subdivision, as shown on Attachment #4:

- a) confirm the exact size of the lands for the restrictive covenant on Lots 9 and 10 to protect the woodlot;
- b) indicate the lands and size for the proposed alternative park on Lots 11 and 12;
- c) indicate that additional lands within Lots 32 to 41 inclusive and Block 52, which may be required for noise attenuation purposes, pending the recommendations of the Noise Report;
- d) increase the width of the landscaped Community Edge Buffer Blocks 56 and 57 to 24 m instead of 20 m, and incorporate an acoustical berm for noise attenuation purposes and fencing along the limits of the lands to delineate the residential lands from the buffer/berm; and,
- e) identify the telecommunication and hydro buildings and easements.

The Development Planning Department is satisfied with the proposed subdivision design, subject to the comment and red-line revisions in this report, and the pre-conditions and conditions of approval in Attachment #1.

#### Vaughan Development/Transportation Engineering Department

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

##### i) Water Servicing/Sanitary Servicing

The draft plan is part of the North Humber Extension Development and located within the Kleinburg-Nashville service area. In 2007, the Region of York conducted a Class Environmental Assessment (EA) to identify the preferred method of providing sewage and water servicing capacity for the growth in the Kleinburg-Nashville area identified by OPA #601. The approved Class EA Study concluded that growth would be serviced by expanding the existing Kleinburg Water Pollution Control Plant and the conversion of the communal water system from a well to a lake based supply through a connection to Pressure District No. 6 of the York Water System. This new system will require the construction of a new large diameter regional supply watermain along Huntington Road from Rutherford Road to a new elevated storage tank in Nashville together with system improvements. The Region has anticipated that the completion of the watermain along Huntington Road, and associated works, will be Q2-2012. Sewage and water servicing capacity for the North Humber Extension Development area will not be available until the proposed water and wastewater system improvements have been constructed to the satisfaction of the Region of York.

The City is currently undertaking a supplementary Class EA entitled, "Kleinburg-Nashville Servicing Strategy Master Plan", to identify the necessary local water and sanitary sewer system improvements required to service the planned development under OPA #601 and the conclusions of the City-wide OP review and associated Focus Area Studies. This Class EA is scheduled to be completed in Q2-2011.

The water distribution system preferred servicing alternative as detailed in AECOM's Master Plan conclusions/recommendations requires a 600 mm diameter watermain (ultimate) be constructed along Nashville Road, from Huntington Road, to the existing elevated water storage tank site on Regional Road 27, in order to supply water to the future higher pressure district (PD-KN). In addition, a 400 mm diameter watermain (PD-KN) will be constructed along Regional Road 27 north to Kirby Road, east on Kirby Road, south on Kipling Avenue and west along Stegman's Mill Road to the existing watermain on Islington Avenue to complete a proper watermain loop. This

development is tributary to the proposed 400 mm diameter watermain on Regional Road 27 and contains an internal looped system.

The wastewater collection system preferred servicing alternative as detailed in AECOM's Master Plan conclusions/recommendations requires improvements/upgrade to the existing Nashville pumping station, a 300 mm diameter sanitary sewer to be constructed along Regional Road 27 initiating at the existing Nashville pumping station site at the south-east corner of Nashville Road and Regional Road 27 and extending north to service the North Humber Extension lands, and a new pumping station, and associated sanitary forcemain works.

Accordingly, the servicing of the North Humber Extension lands is dependant on the expansion of the Kleinburg Water Pollution Control Plant, the extension of the Pressure District No. 6 lake based water system to the Kleinburg-Nashville area and local water/wastewater system improvements, as well as, the recommendations/conclusions for the on-going Kleinburg-Nashville Servicing Strategy Master Plan.

The Owner shall contribute its proportionate share of financial contribution and/or front-end for the construction of the municipal services that are required for the development of the North Humber Extension lands in accordance with the approved Master Plan.

ii) Storm Drainage

The site is currently used as an estate residential property and naturally drains westerly towards the Humber River.

According to the Functional Servicing Report (FSR), the existing drainage patterns within the developments will generally be maintained under a post-development condition. Rather than the use of stormwater management ponds, the FSR proposes the implementation of innovative solution and stormwater management techniques, Low Impact Development Guidelines (LID) to provide the water quantity and quality controls and erosion controls, that includes roof leaders to be drained in rear yards and into rainwater barrels, and increased topsoil depth within the lot limits. Also, the FSR proposes LID techniques, such as infiltration trenches and swales, permeable pavement and stormwater tree clusters to be constructed within a proposed 19.0 m wide right-of-way.

The LID design concept is part of the study entitled, "Low Impact Development Evaluation", commissioned by Environmental Canada and supported by the Toronto and Region Conservation Authority (TRCA). The general approach of the study was to assemble an evaluation matrix to select the most appropriate LID practice that could be employed on the lands such that a more sustainable community is established, and to demonstrate to the development community, as a whole that LID is an attainable method of urban growth with benefits to the entire community and the authorities having jurisdiction.

As part of the engineering design and prior to initiation of any grading on the draft plan, the Owner shall provide an engineering report for the review and approval of the City that describes the proposed storm drainage system to develop the subject lands, and include, but not be limited to, the following items:

- a) plans illustrating the proposed system and its connection into the existing storm system;
- b) stormwater management techniques that may be required to control minor or major flows;
- c) ground water balance;



- d) detail all external tributary lands, include the existing residence(s); and,
- e) proposed methods for controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction.

iii) Sewage and Water Allocation

On May 20, 2008, the Region confirmed that water and sanitary servicing from the planned development under OPA #601 would be made available through the improvement of the existing water pollution control plant and planned watermain design works. The lands encompassing the North Humber Extension (Future Residential 2B) were assigned a population of about 790 persons (214 units) under OPA #601.

In April 2011, the Vaughan Development/Transportation Engineering Department's Planning and Studies Division advised that it is anticipated that the draft plan will be allocated servicing capacity from the Kleinburg Servicing Scheme for a total of 50.5 detached residential dwelling units.

On May 24, 2011 Vaughan Council ratified the May 10, 2011 Committee of the Whole recommendation for the City's Servicing Capacity Protocol, where capacity from the Kleinburg-Nashville Sewage Servicing/Water Supply System was reserved for a total of 50.5 detached residential dwelling units for the draft plan. The subject staff report includes a recommendation to formally allocate sewage capacity and water supply for 50.5 detached residential dwelling units for Subdivision File 19T-03V02.

iv) Environmental Site Assessment

In December 2010, the Vaughan Development/Transportation Engineering Department's Environmental Engineer confirmed the acceptance of the Environmental Site Assessment report for the proposed residential development.

v) Environmental Noise Impact

The Preliminary Noise Feasibility Study, dated June 3, 2008 prepared by HGC Engineering for the North Humber Extension Residential Development recommends the construction of an approximate 3.9 m high acoustic barrier to reduce the noise level to 55 dBA in the outdoor living area (OLA) for the lots abutting Regional Road 27. In keeping with past practice in the Kleinburg-Nashville Community, the Vaughan Development/Transportation Engineering Department recommends that an earth berm be used as the acoustic barrier in this development area rather than the more traditional berm/fence combination. The design of the earth berm should have side slopes no steeper than 3:1 to permit ease of maintenance, and the berm width varies from 20 m to 24 m to accommodate the berm height for noise attenuation measures on the subject development. The noise barrier could be located entirely or in part within the buffer block next to Regional Road 27 and be appropriately landscaped. The applicant will be required to submit a detailed noise report for review and approval by the City as part of the detailed design stage of the development.

vi) Road Network

The FSR proposes one road access (Street "A") with no centre median requirement to Regional Road 27 for the draft plan and a 6 m wide clear emergency access within the adjacent development north of the draft plan for the entire North Humber Extension Development which satisfies the fire route requirement as consulted with the Fire Department. Further, the roads within the draft plan are proposed as 19 m wide right-of-way cross section, including ditch and infiltration swale, to accommodate the proposed LID design, which is an exception to the current City road standards. However, the proposed 19 m right-of-way cross section meets the City

criteria with regards to location of under/above ground utilities, sidewalk, municipal servicing and pavement design.

vii) Streetlighting

The streetlighting design shall meet the City criteria within the draft plan. Also, the streetlighting at the intersection of Street "A" and Regional Road 27 shall meet the City and/or Region of York criteria.

The Vaughan Development/Transportation Engineering Department has no objections to the development, subject to the red-line revisions on the plan, the pre-conditions, and the conditions of approval in Attachment #1.

Vaughan Cultural Services Division

The Cultural Services Division has received the Ministry of Citizenship, Culture and Recreation's clearance of archaeological concerns respecting the subject lands. As such, the Cultural Services Division has no objection to the approval of the draft plan of subdivision.

Vaughan Parks Development Department

The Vaughan Parks Development Department has reviewed the proposal, and in consultation with the Vaughan Development Planning Department, provides the following comments:

i) Developer's Group Agreement

It is a standard condition of draft plan of subdivision approval that the participating owners execute a developer's group agreement which addresses the provision of services and community use lands. Based on the land area (59.98 ha) for the 4 proposed draft plans of subdivision (19T-03V02, 19T-08V04, 19T-08V05 and 19T-08V06), the preliminary estimate of the net developable area is 53.84 ha, and based on the City's requirement of 5% net developable land, this would yield a requirement of 2.69 ha of parkland. The "Proposed Linear Park", shown on Attachment #8 is approximately 2.35 ha. The shortfall of parkland (0.34 ha) must be accounted for as land (not cash-in-lieu) within the proposed subdivision. The southerly portion of the proposed linear park is encumbered by a Bell Telephone easement. This easement area is not recommended to be included in the parkland dedication calculation.

In the past, the City of Vaughan has required a developer's group to convey parkland upon the registration of the first Plan of Subdivision (e.g., Woodbridge Neighbourhood 3 North (Velmar Downs Park)). This request can be made to the developer's group.

ii) Proposed Alternative Park

The lands shown as "Proposed Alternative Park" (Lots 11 and 12 in 19T-03V02, along with the lands to the north in Draft Plan of Subdivision File 19T-08V04) on Attachment #8 to this report, or other lands to the satisfaction of the City, should be zoned in the implementing Zoning By-law Amendment to permit approximately 0.185 ha open space/park uses, in addition to the residential use. If the linear park identified in the southern subdivision (19T-08V06) as "Proposed Linear Park" on Attachment #8 is not conveyed to the City within two (2) years of the first Draft Plan of Subdivision approval of Draft Plan of Subdivision File 19T-03V02, File 19T-08V04 or File 19T-08V05, then Lots 11 and 12 will be developed as open space and conveyed to the City as parkland. Should parkland be conveyed from the southern subdivision (19T-08V06), Lots 11 and 12 shall be developed for detached residential dwelling units.

iii) Linear Park

In Official Plan Amendment #601 (Kleinburg-Nashville Community Plan), Subsection 4.6 permits linear parks subject to certain criteria, including creating linkages to connect parks, open spaces and environmental features of a minimum of 25 m wide and includes public trails, bicycle paths, seating areas, signage and lighting. The linear park is proposed to be developed with a playground, public walkway connections from Highway 27 to the Humber Valley and from the Hedgerow Subdivision to the proposed subdivisions to the north, seating areas, signage and lighting. The provision of the linear park in the southern subdivision (19T-08V06) would be in accordance with the Official Plan.

The Vaughan Parks Development Department has no objections to the development, subject to the red-line revisions on the plan and the conditions of approval in Attachment #1.

Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that the Owner will be required to pay cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy", should the linear park identified in Draft Plan of Subdivision 19T-08V06 be conveyed to the City within two (2) years of the first Draft Plan of Subdivision Approval of Draft Plan of Subdivision File 19T-03V02, File 19T-08V04 or File 19T-08V05. This is included in the recommendation of this report and conditions of approval in Attachment #1.

School Boards

The York Region District (Public) School Board, the York Catholic District School Board and the Conseil Scolaire de District Catholique Centre-Sud have reviewed the proposal and advise that they have no objection to the proposal.

Toronto and Region Conservation Authority (TRCA)

The TRCA has reviewed the proposed draft plan of subdivision, including establishing the development limits and the ecological buffer widths, as well as allowing portions of the natural feature (tableland woodlot) to be within the property lines of the proposed development lots for the subject Plan of Subdivision. The TRCA is satisfied that the ecological matters respecting the buffers to protect the natural features, land use encroachments into and modifications to the top-of-bank, and geotechnical concerns respecting long-term slope stability have been addressed subject to the conditions of draft approval in Attachment #1. The TRCA has provided the following comments:

- a) an appropriate open space zoning category is to be applied to the small portion of the vegetation (tableland woodlot) which is located on Lots 9 and 10;
- b) a restrictive covenant will be place on title for Lots 9 and 10, to ensure the long-term protection of this vegetation;
- c) a 5 m wide buffer from the top-of-bank line is required along the rear of Lots 4 to 9 inclusive;
- d) in due consideration of the above, extensive restoration and enhancement of the valleylands within the associated Plans of Subdivisions 19T-08V04 and 19T-08V05 will be implemented, and will be enshrined as a condition of draft plan approval; and,

- e) there will be a net environmental gain as there will be additional tablelands in Plans of Subdivisions 19T-08V04 and 19T-08V05 that will be rezoned into an appropriate open space category and dedicated into public ownership.

#### Canada Post

Canada Post has no objections to the proposal subject to the Owner installing mail facilities and equipment to the satisfaction of Canada Post, which will be subject to the conditions of approval 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 Well-being".

#### Regional Implications

The Region of York provides the following comments:

- i) Water and Sanitary Servicing

This development will be serviced by municipal water supply and sanitary sewage treatment. However, there is currently no additional municipal water supply or wastewater treatment capacity available for this development. York Region is currently undertaking projects to increase the water supply and wastewater treatment capacity in the Kleinburg-Nashville area. In order for developments in Kleinburg-Nashville to use any of this future capacity, it is anticipated that all of the following Regional infrastructure will be required:

- a) Additional Water Supply Works in Kleinburg - Q1 2012 expected completion; and,
- b) Kleinburg WPCP Expansion - Q3 2011 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. Prior to the registration of this draft plan or any phase thereof, the Region will confirm that the required infrastructure has been completed to a satisfactory point that ensures servicing will be online upon occupancy and that sufficient water and wastewater servicing capacity has been allocated by the City.

- ii) Water Supply

The Environmental Assessment (EA) for increasing the Regional water servicing capacity in Kleinburg-Nashville was recently completed to service a planned community up to approximately 7,700 people including those hooked up to the current system. The preferred solution in the EA for water involves connecting to the York Water System. A Regional Official Plan Amendment was approved on November 9, 2007, to permit this connection. The City is currently undertaking the Kleinburg-Nashville Servicing Strategy Master Plan for the Kleinburg-Nashville area to determine how the Humber North Extension Area Plans of Subdivisions 19T-03V02, 19T-08V04 and 19T-08V05 and other developments can access the expanded Regional water supply system.

- iii) Wastewater Servicing

The Environmental Assessment (EA) for increasing the Regional wastewater servicing capacity in Kleinburg was recently completed to service a planned community up to approximately 7,500 people, including those hooked up to the current system. The preferred solution in the EA for wastewater is an expanded treatment plant. The City is currently undertaking the Kleinburg-

Nashville Servicing Strategy Master Plan to determine how the Humber North Extension Area Plans of Subdivisions 19T-03V02, 19T-08V04 and 19T-08V05 and other developments can access the expanded sewage treatment plant.

Approximately 220 units were estimated in the existing Official Plan (OPA #601) for the Humber North Extension Area. This proposal lies within the Humber North Extension Area. These 220 units were accounted for within the recently approved EA for wastewater servicing. However, with the increased densities proposed in the Kleinburg-Nashville area, additional servicing capacity may be required. Although this site may be serviced by the infrastructure identified in the current EA, the City must allocate to it. If the City does not fully allocate to it, the plan of subdivision will have to be phased, based on a further expansion to the sewage treatment plant, a connection to the YDSS or another feasible alternative. This has been identified in the Region's 2009 Water and Wastewater Master Plan.

In accordance with York Region's new servicing protocol respecting draft plans receiving approval prior to servicing allocation being available, the Region requires that all residential lands be subject to various restrictions, i.e., zoned with the Holding Symbol "(H)" to ensure that the water and sewer servicing are available prior to occupancy. These restrictions are found within the requested pre-conditions, to be satisfied prior to or concurrent with draft plan approval, and conditions of approval in Attachment #1. In addition, the Region requests that the City apply a lapsing provision to the draft plan, pursuant to Section 51(32) of the Ontario Planning Act, and that the Region be provided an opportunity to comment on any proposed extensions of approval.

iv) Functional Servicing Report

The *North Humber Extension Development Functional Servicing Report*, submitted for the development, proposed an extension of sanitary infrastructure to service the northern section of Kleinburg will most likely be constructed within the Regional Road 27 right-of-way. The Region requires that only one municipal gravity sewer or forcemain be proposed within the Regional right-of-way to service all existing and proposed development in the Kleinburg-Nashville area.

The Functional Servicing Report does not include the catchment area and sewage volumes attributable to the Copper Creek Golf Course. There is an existing sanitary forcemain from the golf course draining southerly within the Regional Road 27 right-of-way to the existing gravity sewers. The Region requests that the sanitary flows discharging via this forcemain be picked up into the proposed gravity sewers at the golf course access road and the existing forcemain within Regional Road 27 be removed. This request has been identified in the conditions of draft approval in Attachment #1. In addition, the Functional Servicing Report does not present options on how the existing estate subdivision south of the proposed development (Hedgerow Lane subdivision) is to be serviced by the proposed extended gravity sewers. As was previously stated, the Region will not allow multiple municipal sanitary infrastructures within the Regional Road 27 right-of-way. The Region requires an addendum or updated Functional Servicing Report to be submitted for review prior to final approval of the subdivision to address these items. Also the Region has identified a number of drainage culverts crossing Regional Road 27 that may affect the profile of the proposed sanitary sewers. The Region will not permit construction of deep sanitary sewers (if selected as preferred alternative) via open cut method within Regional Road 27 right-of-way.

v) Regional Road 27

The Region advises that 18.0 m (or 36.0 m right-of-way) from the centreline of construction on Regional Road 27 and any additional lands required for turn lanes at the access intersections be provided and conveyed to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of the York Region Solicitor.

York Region has no objection to draft plan approval of the plan of subdivision subject to the attached schedule of pre-conditions and conditions of approval in Attachment #1.

### **Conclusion**

The Zoning By-law Amendment and Draft Plan of Subdivision applications propose to implement a residential development which meets the objectives of the Provincial, Regional and City Official Plan policies for the efficient use of developable land, which provides sustainable community objectives that can be implemented through neighbourhood designs that provide bicycling and walking opportunities, ensures neighbourhood connectivity to the broader community, and provides water and energy efficiencies, energy alternatives and green building design and site development. The sustainable objectives for the subject lands propose low impact development (LID) measures such as; a reduced road right-of-way with surface drainage swales and sub-surface infiltration trenches instead of a wider right-of-way with curbs and gutters; residential lots with increased topsoil depths to increase the pervious area and the amount of storage for stormwater infiltration and evapotranspiration; and, permeable pavements for the driveways with material as permeable interlocking pavers or porous asphalt.

A total of 49 lots for detached dwelling units and blocks to develop 3 detached dwelling units with the adjacent lands to the north are proposed on the subject lands. The subject lands have a net developable area of 7.16 ha and are within the Humber North Extension Area, which would permit a maximum density of 7.55 units per net residential area. The uses and density proposed for the subject lands conform to the Official Plan. The implementing Zoning By-law will zone the development with the Holding Symbol "(H)", which will not be removed until the water supply and sewage servicing capacity is identified, and the parkland requirement addressed. Conditions of draft plan of subdivision approval are included in Attachment #1 to ensure the protection of ecological features including the valleylands, buffers, land use encroachments into and modifications to the top-of-bank, and restrictive covenants, and geotechnical matters such as long-term slope stability have been addressed, subject to the conditions of draft approval in Attachment #1.

The Vaughan Development Planning Department is satisfied that the proposed residential development as shown on Attachment #4 is appropriate and compatible with the existing and permitted uses in the surrounding area and can be developed in a manner that is appropriate and compatible with the existing community. The Development Planning Department can support the approval of the Zoning By-law Amendment Application and the proposed Draft Plan of Subdivision as red-line revised, subject to the recommendations in this report, and the pre-conditions and conditions of approval as set out in Attachment #1.

### **Attachments**

1. Pre-Conditions and Conditions of Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Subdivision 19T-03V02 - Red-line Revised
5. Proposed Zoning - Plan of Subdivision 19T-03V02
6. OPA #719 Site Specific Official Plan Amendment
7. Cross-Section of Earth Berm/Barrier
8. Consolidated Plan with Alternative Park

**Report prepared by:**

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Respectfully submitted,

JOHN MACKENZIE  
Commissioner of Planning

GRANT UYEVAMA  
Director of Development Planning

/CM

# **ATTACHMENT NO. 1**

## **PRE-CONDITIONS AND CONDITIONS OF APPROVAL**

**DRAFT PLAN OF SUBDIVISION 19T-03V02 (AS RED-LINED REVISED, SEPTEMBER 13, 2011)  
1321362 ONTARIO INC.  
PART OF LOT 29, CONCESSION 9, 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 FILE 19T-03V02, ARE AS FOLLOWS:**

### **PRE-CONDITIONS OF APPROVAL**

#### **City of Vaughan and Region of York Pre-Conditions**

1. Pre-Conditions which are to be satisfied prior to or concurrent with draft plan approval:
  - a) Prior to or concurrent with draft plan approval, for Lots 1 to 49 inclusive, and Blocks 50 to 52 inclusive, the Owner shall enter into an agreement with the City of Vaughan, which agreement shall be registered on title, committing the Owner to:
    - A. Not enter into any agreements of purchase and sale with end users (\*) for the subject lands until such time as:
      - a) The City approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
      - b)
        - i) York Region has advised, in writing, that it is no earlier than six (6) months prior to the expected completion of the Kleinburg Additional Water Supply Works in Kleinburg and the Kleinburg Water Pollution Control Plant (WPCP) Expansion; and,
        - ii) The City of Vaughan has allocated adequate available water supply and sewage servicing capacity to the subject development; or
      - c) The Regional Commissioner of Environmental Services confirms servicing capacity for this development by a suitable alternative method and the City of Vaughan allocates adequate water supply and sewage servicing capacity to the subject development; and,
  - 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 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-03V02 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.

## CONDITONS OF APPROVAL

### City of Vaughan Conditions

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by Humphries Planning Group Inc., dated March 10, 2008, and revised to February 14, 2011, incorporating red-line revisions as follows:
  - a) confirm the exact size of the lands for the restrictive covenant on Lots 9 and 10 to protect the woodlot;
  - b) indicate the lands and size for the proposed alternative park on Lots 11 and 12;
  - c) indicate additional lands within Lots 32 to 41 inclusive and Block 52, may be required for noise attenuation purposes, pending the recommendations of the Noise Report;
  - d) increase the width of the landscape Community Edge Buffer Blocks 56 and 57 to 24 m instead of 20 m, and incorporate an acoustical berm for noise attenuation purposes and fencing along the limits of the lands to delineate the residential lands from the buffer/berm; and,
  - e) identify telecommunication and hydro buildings and easements.
2. The lands within this Plan shall be appropriately zoned by a zoning by-law, which has come into effect in accordance with the provisions of the Planning Act.
3. Lots 1 to 49 inclusive, and Blocks 50 to 52 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 the allocation of servicing capacity by the City.
4. The Owner shall pay any and all outstanding application fees to the Vaughan Development Planning Department, in accordance with Tariff of Fees By-law 48-2011.
5. 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.
6. The road allowances included within this Plan shall be dedicated as public highways without monetary consideration and free of all encumbrances.
7. The road allowances within this Plan shall be named to the satisfaction of the City, in consultation with the Regional Planning and Development Services Department. Proposed street names shall be submitted by the Owner for approval by Council and shall be included on the first engineering drawings.

8. 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.
9. That collector and/or primary roads in the Plan are to be located so as to intersect and connect with the approved location of roads in abutting blocks, to the satisfaction of the City.
10. Prior to final approval of the Plan, the Owner shall design the intersection of Street "A" to provide a 90 degree centre-line match at Regional Road 27, and to provide a 15 m x15 m daylighting triangle and associated 0.3 m reserves and return, to the satisfaction of the City.
11. Any dead end or open side of a road allowance within the Plan shall be terminated in a 0.3 m 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.
12. The Owner agrees that all part blocks within the Plan shall only be developed in conjunction with abutting part blocks of adjacent draft plans.
13. The Owner shall agree in the subdivision agreement that the final engineering design(s) may result in minor variations to the Plan (e.g., in the configuration of road allowances and lotting, number of lots, etc.), which may be reflected in the final Plan to the satisfaction of the City.
14. The Owner shall agree in a subdivision agreement that the location and design of the construction access shall be approved by the City and the Region of York.
15. 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 coordinated and completed at the cost of the Owner.
16. 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.
17. 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.
18. The Owner shall ensure that the final Plan shall depict all telecommunication structure locations and hydro switch gear easements.
19. 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 telecommunications provider.
20.
  - a) Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of PowerStream Inc. (formerly Hydro Vaughan Distribution Inc.), its successors and assigns, regarding the design, installation, connection and/or expansion of electric distribution services, or any other related matters; the Owner shall enter into a development agreement with PowerStream Inc. which addresses the foregoing requirements.
  - b) The Owner shall agree to design, purchase materials, and install a buried hydro distribution system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of PowerStream Inc. and the City.

21. 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.
22. Prior to final approval and/or commencement of construction within the Plan, the Owner shall agree in the subdivision agreement to submit a detailed hydrogeological impact study that identifies, if any, local wells that may be influenced by construction, and if necessary, outline a monitoring program to be undertaken, before, during and after construction of the Plan has been completed. Progress reports should be submitted to the City as follows:
  - a) 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:
    - i) Bacteriological Analysis - total coliform and E-coli counts;
    - ii) Chemical Analysis - Nitrate Test; and,
    - iii) Water level measurement below existing grade.
  - b) 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.
  - c) Well monitoring shall continue during construction and an interim report shall be submitted to the City for records purposes.
  - d) 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.
  - e) 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 hydrogeologist to evaluate the wells and recommend solutions including deepening the wells or providing a permanent water service connection from the municipal watermain system.
23. The Owner shall agree in the subdivision agreement to maintain adequate chlorine residuals in the watermains within the Plan after successful testing and connection to the potable municipal water system and continue until such time as determined by the City or until assumption of the Plan. In order to maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.

The Owner shall provide the City with a report showing the chlorine residual results on a weekly basis. If at any time the water quality test results do not comply with the Safe Drinking Water Act, the Owner shall notify the City immediately and take corrective action as directed by the City and prepare a report of all actions taken.

The City will charge the Owner the current retail water and sewer rates for the water consumed in this program. The Owner's licensed water operator will meter the consumption of water for each flush and report the readings to the City on a monthly basis. The City will audit the consumption reports and inspect the flushing points periodically to ensure that the water consumption reported accurately reflects the program.
24. 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 Plan.

25. Prior to final approval of the Plan, the Owner shall submit for review and approval a final Functional Servicing Report (FSR) to the satisfaction of the City. The final Functional Servicing Report (FSR) to be coordinated with the recommendations and conclusions of the Kleinburg-Nashville Servicing Strategy Master Plan Class Environmental Assessment. The Owner shall implement the recommendations of the approved Final Functional Servicing Report (FSR) to the satisfaction of the City.
26. Prior to final approval of the Plan, the Owner shall provide a phasing plan to the City, if required for review and approval to the satisfaction of the City.
27. The Owner shall agree in the subdivision agreement to design and construct the municipal services in the Plan in accordance with the recommendations and conclusions of the final Functional Servicing Report (FSR) and Kleinburg-Nashville Servicing Strategy Master Plan Class Environmental Assessment to the satisfaction of the City.
28. The Owner shall agree in the subdivision agreement to provide its proportionate share of financial contribution towards the ultimate Kleinburg-Nashville Servicing Strategy to the satisfaction of the City.
29. The Owner shall agree in the subdivision agreement to provide its proportionate share of financial contribution towards the "Nashville Watermain Local Improvement" to the satisfaction of the City.
30. Prior to final approval of the Plan, a Water Supply Analysis Report shall be submitted for review and approval to the satisfaction of the City. It shall include a comprehensive water network analysis of the water distribution system and shall demonstrate that adequate water supply is available to service the proposed development including the fire flow demands.
31. The Owner shall agree in the subdivision agreement to convey any lands and/or easements, free of all costs and encumbrances, to the City that may be necessary for development of the Plan, which may include any required municipal easements and/or additional lands within and/or external to the Plan to the satisfaction of the City, including executing a Developer's Group Agreement to convey Lots 11 and 12, or other lands to the satisfaction of the City, to be developed as open space and conveyed to the City as parkland, free of all costs and encumbrances, to the satisfaction of the City, should the linear park identified in the Draft Plan of Subdivision 19T-08V06 not be conveyed to the City within two (2) years of the first Draft Plan of Subdivision Approval of Draft Plan of Subdivision File 19T-03V02, File 19T-08V04 or File 19T-08V05.
32. The Owner shall agree in the subdivision agreement to provide its proportionate share of financial contribution, if required, towards municipal infrastructure as recommended in the following Environmental Assessment Studies to the satisfaction of the City:
  - a) City-Wide Water/Wastewater Master Plan EA and associated final servicing strategy for the West Vaughan Employment Area Secondary Plan;
  - b) City-Wide Storm Drainage/Stormwater Management Master Plan EA; and,
  - c) City-Wide Transportation Master Plan EA.
33. a) Prior to final approval of the Plan, the Owner shall enter into a Developer's Group Agreement with the other participating landowners within the Plan and external to the Plan to the satisfaction of the City. The agreement shall be regarding but not limited to all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services within the Plan and external to the Plan. This agreement shall also include a

provision for additional developers to participate within the Developer's Group Agreement when they wish to develop their lands.

- b) Prior to final approval of the Plan, the Trustee for the Developer's Group shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Developer's Cost Sharing Agreement to the satisfaction of the City.
34. 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.
  35. Prior to final approval of the Plan, the Owner shall retain the services of a qualified Transportation Consultant to re-evaluate, oversee and finalize the intersections design/roadway network. The Owner acknowledges that the engineering design(s) for alternative road network/design, traffic calming measures and designated transit route(s) as per the recommendations of the Traffic Management Plan/updated Traffic Study may result in variation to the road and lotting pattern to the satisfaction of the City.
  36. Prior to final approval of the Plan, the Owner shall carry out or cause to be carried out the design and construction of the traffic calming/management measures that are identified on the preliminary traffic management plan/updated TMP. 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 to the satisfaction of the City.
  37. Prior to final approval of the Plan, a detailed environmental noise 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 report shall include the ultimate traffic volumes associated with the surrounding road network 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 report, to the satisfaction of the City.
  38. Prior to final approval of Plan, the Owner shall submit a detailed noise report for review and approval by the City. The Owner shall implement the design, and construct the noise berm on Blocks 56 and 57 and on any additional lands/buffer blocks necessary to construct the noise berm on Lots 32 to 41 inclusive and Block 52 on the draft plan as per the recommendation of the approved noise report to the satisfaction of the City.
  39. 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.
  40. 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) 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 be tied into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
      - ii) stormwater management techniques which may be required to control minor or major flows;

- iii) appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to ensure no negative impact on the quality and quantity of ground and surface water resources at it relates to fish and their habitat;
  - iv) the location of description of all outlets and other facilities which may require permits under Ontario Regulation 166/06 and/or the Lakes and Rivers Improvement Act;
  - v) proposed methods of controlling and preventing erosion and siltation on-site and in downstream areas during and after construction;
  - vi) retain an environmental monitor and report on the implementation and on-going maintenance of erosion and sediment controls; and,
  - vii) overall grading plans for the Plan.
- b) 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.
- 41 Prior to final approval for any lot or block within the Plan, the Owner shall submit for review and approval a Phase I Environmental Site Assessment in accordance with the Ministry of Environment's Ontario Regulation 153/04, "Soil, Ground Water and Sediment Standards" and the City's "Policy and Procedures for Contaminated or Potentially Contaminated Sites", and if necessary, a Phase II Environmental Site Assessment to the satisfaction of the City.
42. Prior to final approval of the Plan, and/or any conveyance of land, and/or any initiation of grading or construction, the Owner shall submit the Environmental Site Assessment (ESA) Phase 1 Report, and if required, Phase 2 Report and the Remedial Action Plan for the lands within the Plan, in accordance with the Ontario Regulation 153/04, "Soil, Ground Water and Sediment Standards" for Use Under Part XV.1 of the Environmental Protection Act. In addition, for park blocks and open space blocks, a Phase II Environmental Site Assessment (ESA) report is to be carried out in accordance with the "Guideline Phase II Environmental Assessment, Proposed Parkland, City of Vaughan" and submitted to the City for review and approval. This said ESA is to be conducted following the completion of rough grading, but prior to the placement of topsoil and landscaping. Prior to final approval of the Plan, and/or any conveyance of lands, and/or any initiation of grading or construction, the Owner shall implement the following to the satisfaction of the City:
- a) Should site remediation be required to meet the applicable soil and ground water criteria set out in the above noted regulation, the Owner shall submit to the City the report delineating the successful implementation of the approved Remediation Action Plan with verifying samplings and chemical analysis for review and approval by the Vaughan Development/Transportation Engineering Department;
  - b) Provide a certificate by a qualified professional that all lands within the Plan, and any lands and easements external to the Plan to be dedicated to the City and the Region, meet the applicable soil and groundwater criteria noted above;
  - c) Documented proof of the satisfactory registration of the Record of Site Condition (RSC) with the Environmental Site Registry (ESR) of the Ministry of Environment (MOE), which includes the acknowledgement from MOE and a signed copy of the RSC by a qualified person, must be submitted to the Vaughan Development/Transportation Engineering Department for review and approval; and,

- d) Reimburse the City for the costs of peer review of the above-noted reports.
43. In the event that remediation is required, a Remediation Action Plan will be submitted for review and approval by the City.
  44. The Owner shall reimburse the City for the cost of the City's peer review of any Environmental Site Assessment report(s).
  45. 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.
  46. Prior to final approval, the Owner shall submit a Record of Site Condition acknowledged by an Officer of the Ministry of the Environment.
  47. 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.
  48. 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 100 mm, seeded, maintained and signed to prohibit dumping and trespassing, to the satisfaction of the City.
  49. 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 shall 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.
  50. 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, recycling pickup, garbage pickup, snow removal, fire

service and emergency service inclusive, is provided for the proposed development to the satisfaction of the City.

51. 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.
52. 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.
53. Prior to the issuance of a building permit for any lot or block, the Owner's consulting engineer shall certify, to the satisfaction of the Vaughan Department/Transportation Engineering Department and the Vaughan 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.
54. 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 the subdivision agreement.
55. 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.
56. 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.]*

57. Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit an erosion and sedimentation control plan including topsoil storage plan detailing the location, size, side slopes, stabilization methods and time period, for approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on park, parkette, school or walkway blocks.
58. 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.
59. 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 roads within the Plan may have been constructed using Alternative Development Standards. In April 1995, the Ministry of Housing and the Ministry of Municipal Affairs published the Alternative Development Standards as a guideline to municipalities. The Province of Ontario has been promoting the use of these guidelines which provide for reduced pavement widths."
    - "Purchasers and/or tenants are advised that traffic calming measures may have been incorporated into the road allowances."
    - "Purchasers and/or tenants are advised that public transit routes have not been determined for the area within the Plan, however, internal streets may be subject to public transit bus traffic."
    - "Purchasers and/or tenants are advised that the collector and primary roads within the development area are expected to support more traffic than local roads and, if demand warrants, transit routes in the future."
    - "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 Zoning By-law 1-88, as amended, as follows:
  - a) The maximum width of a driveway shall be 6 m measured at the street curb, provided circular driveways shall have a maximum combined width of 9 m 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 – 6.99 m	3.5 m
7.0 – 8.99 m	3.75 m
9.0 – 11.99 m <sup>1</sup>	6.0 m
12.0 m and greater <sup>2</sup>	9.0 m

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

<sup>2</sup>The Lot Frontage for Lots 12.0 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 0.3 m 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.”
- “Purchasers and/or tenants are advised that all of the residential units within this Plan will be built to ENERGY STAR<sup>®</sup> standards, and shall be ENERGY STAR<sup>®</sup> qualified prior to the issuance of an occupancy permit (provisional occupancy certificate). The design, inspection, and certification process for the ENERGY STAR<sup>®</sup> program is the responsibility of the developer and/or builder.”
- “Purchasers and/or tenants are advised that any roads ending in a dead end or cul-de-sac may be extended in the future to facilitate development of adjacent lands, without further notice.”

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

- “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, stormwater facility or noise berm/landscape buffer:

- “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.”

d) abutting a public highway, laneway, walkway, park, open space, valleylands, woodlots, stormwater facility, noise berm/landscape buffer or other similar public space:

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

The City has taken a Letter of Credit from the Owner for the security to ensure all fencing including, but not limited to privacy fencing, chain link fencing and acoustic fencing, are constructed to the satisfaction of the City. Direct cash

deposit from the Purchasers to the City and/or Owner, for fencing, is not a requirement of this subdivision agreement.”

- e) abutting a park block or open space:
    - “Purchasers and/or tenants are advised that the lot abuts Lots 11 and 12, which may become a “Neighbourhood Park”, and that noise and lighting should be expected from the designed active use of the park.”
60. 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/vegetation, without written approval by the City.
61. The Owner shall agree in the subdivision agreement that:
- a) prior to final approval, urban design guidelines shall have been prepared in accordance with Council Policy and approved by Council;
  - b) all development shall proceed in accordance with the Council approved urban design guidelines; and,
  - c) a qualified consultant shall be retained at the cost of the Owner with concurrence of the City to ensure compliance with the urban design guidelines.
62. Prior to final approval, the Owner shall prepare a landscape master plan, in conjunction with Plan of Subdivision 19T-08V04 (11336 Regional Road 27 Limited Partnership) and Plan of Subdivision 19T-08V05 (Kleinvit Estates Inc.), in accordance with the Kleinburg-Nashville Community Plan (OPA #601) policies. The plan shall address, but not limited to, the following:
- a) co-ordination of the urban design/streetscape elements as they relate to approved urban design guidelines, including entrance features, parkettes, trail heads, medians and fencing;
  - b) the appropriate integration with the urban design policies outlined in the Kleinburg-Nashville Community Plan;
  - c) the submission of an environmental report for the open space lands;
  - d) the provision valleylands/woodlot/open space edge management restoration/rehabilitation planting plan;
  - e) the appropriate landscape edge treatment along Regional Road 27, with low maintenance plant material;
  - f) the provision of a pedestrian trail system and access points into the valleylands in consultation with TRCA;
  - g) a continuous pedestrian/bicycle route with urban connections between streets and within the neighbourhood, including throughout the community, in addition to complying with the Council approved Pedestrian Bicycle Master Plan;
  - h) the provision of comprehensive pedestrian urban connections between streets, built forms, promenades, parks, open spaces, and woodlots through the entire plan;
  - i) the incorporation of sustainability design elements into the overall urban fabric; and,

- j) the appropriate landscape/streetscape design for telecommunication and hydro easements.
63. The Owner shall agree in the subdivision agreement that:
- a) prior to final approval, architectural design guidelines shall have been prepared, in accordance with Council Policy and approved by Council;
  - b) all development shall proceed in accordance with the Council approved architectural design guidelines;
  - c) a control architect be retained at the cost of the Owner with concurrence of the City to ensure compliance with the architectural design guidelines;
  - d) prior to the submission of individual building permit applications, the control architect shall have stamped and signed the drawings certifying compliance with the approved architectural guidelines; and,
  - e) the City may undertake periodic reviews to ensure compliance with the architectural design guidelines. Should inadequate enforcement be evident, the City may cease to accept drawings stamped by the control architect and retain another control architect, at the expense of the Owner.
64. The Owner shall agree in the subdivision agreement to erect a permanent 1.5 m high black galvanized chain-link fence or approved equal along the limits of the residential lots that abut the woodlot, valleylands, open space or buffer with an acoustical berm/barrier.
65. Prior to final approval of the Plan, the Owner shall convey ecological buffers abutting the open space and woodlot blocks along Lots 1 to 10 inclusive to the City or TRCA free of all costs and encumbrances to the satisfaction of the City and TRCA.
66. Prior to final approval of the Plan, the Owner shall convey the tableland woodlot (Block 53) and ecological buffers (Blocks 54 and 55) to the City or TRCA, free of all cost and encumbrances, to the satisfaction of the City or TRCA.
67. Prior to final approval of the Plan, the Owner shall convey to the City, the buffer and acoustic berm/barrier (Blocks 56 and 57), and any additional lands that may be required as buffer blocks on Lots 32 to 41 inclusive and Block 52 on the Plan for the construction of an acoustic berm/barrier and landscaping purposes, free of all costs and encumbrances, to the satisfaction of the City.

#### Region of York Conditions

68. The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the area municipality and the Regional Planning and Development Services Department.
69. Prior to registration, 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.
70. Prior to the registration of any residential lands the following shall occur:

- a) the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
  - b) York Region has advised in writing that it is no earlier than six (6) months prior to the expected completion of the Kleinburg Additional Water Supply Works in Kleinburg and the Kleinburg WPCP Expansion; or,
  - c) the Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the Council of the City of Vaughan has allocated adequate water supply and sewage servicing capacity to the subject development.
71. That all residentially zoned lands shall be placed under a Holding Symbol "(H)" pursuant to the provisions of Section 36 of the Ontario Planning Act, which shall prohibit the development of the lands until the "(H)" symbol has been lifted. The conditions for lifting the "(H)" symbol shall include:
- a) the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure; or,
  - b) York Region advises in writing that it is no earlier than six (6) months prior to the expected completion of the Kleinburg Additional Water Supply Works in Kleinburg and the Kleinburg WPCP Expansion; or,
  - c) the Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the Council of the City of Vaughan has allocated adequate water supply and sewage servicing capacity to the subject development.
72. The Owner shall agree in the subdivision agreement that the Owner shall save harmless the area municipality and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
73. Prior to final approval, satisfactory arrangements for conveyance of the water tower lands to York Region shall be established to the satisfaction of the Regional Infrastructure Planning Branch.
74. The Owner shall agree that additional lands required to provide 18.0 m (or 36.0 m right-of-way) from the centreline of construction on Regional Road 27 and any additional lands required for turn lanes at the access intersections will be conveyed to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of the York Region Solicitor.
75. Prior to final approval, the Owner shall provide pedestrian and cycling connections from the development to existing/future facilities on Regional Road 27 to the satisfaction of the Regional Infrastructure Planning Branch.
76. 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. This report/plan may be prepared in association with files 19T-08V04, 19T-08V05 and 19T-08V06.
77. Prior to final approval, the Owner shall provide a written undertaking, to the satisfaction of the Transportation Services Department that the Owner agrees to implement the recommendations of the functional transportation report/plan as approved by the Transportation Services Department.

78. 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 markings, electrical drawings for intersection signalization and illumination design, traffic control/construction staging plans and landscape plans.
79. 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 the Transportation Services Department, Attention: Mrs. Eva Pulnicki, P.Eng.
80. Prior to final approval, the Owner shall submit an updated functional servicing report for review and approval to the satisfaction of the Regional Transportation Services Department.
81. The Owner shall agree in the subdivision agreement, to implement the recommendations of the functional servicing report as approved by the Regional Transportation Services Department.
82. Prior to final approval, the Owner shall incorporate sanitary flows discharging from the Copper Creek Golf Course into the proposed sanitary servicing on the west side of Regional Road 27 at the golf course entrance and abandon the existing forcemain servicing the Copper Creek Golf Course located on the east side of Regional Road 27, to the satisfaction of the Regional Transportation Services Department.
83. The Owner shall agree in the subdivision agreement, that prior to the commencement of any site works such as site preparation, site servicing, grading and internal road construction, that the intersection works required at the intersection of Regional Road 27 and Street "A" shall be designed, approved, secured and constructed to the satisfaction of the Transportation Services Department. The intersection of Regional Road 27 and Street "A" or an area immediately adjacent to Street "A" shall act as the construction access for the properties identified in Plans 19T-03V02, 19T-08V04, 19T-08V05 and 19T-08V06. Independent construction access for this development will not be permitted.
84. 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 not approved as part of the final subdivision will be removed as part of the subdivision work, at no cost to York Region.
85. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation Services Department that elevations along the streetline shall be 0.2 m above the centreline elevations of the York Region roadway, unless otherwise specified by the Transportation Services Department.
86. Prior to final approval, the Owner shall provide a copy of the subdivision agreement to the Transportation Services Department, outlining all requirements of the Transportation Services Department.
87. 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 to be preserved,
- c) Any woody vegetation within the York Region road right of way that is proposed to be removed or relocated. However, it is to be noted that tree removal within York Region road right's of way shall be avoided to the extent possible/practical. Financial or other compensation may be sought based on the value of trees proposed for removal; and,
- d) A planting plan for all new and relocated vegetation to be planted within the York Region road right of way, based on the following general guideline:

Tree planting shall be undertaken in accordance with York Region standards as articulated in Streetscaping Policy and using species from the 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.

- 88. 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.
- 89. 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.
- 90. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Transportation Services Department, that where a 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.

The following warning clause shall be included in a registered portion of the subdivision agreement with respect to the lots or blocks affected:

"Purchasers are advised that despite the inclusion of noise attenuation features within the development area and within the individual building units, noise levels will continue to increase, occasionally interfering with some activities of the building's occupants".

- 91. Where noise attenuation features will abut a York Region right-of-way, the Owner shall agree in the subdivision agreement, in wording satisfactory to York Region's Transportation Services Department, as follows:
  - a) that no part of any noise attenuation feature shall be constructed on or within the York Region right-of-way;
  - b) that noise fences adjacent to York Region roads may be constructed on the private side of the Regional Road 27 right-of-way and may be a maximum 2.5 m in height, subject to the area municipality's concurrence;
  - c) that maintenance of the noise barriers and fences bordering on York Region right-of-ways shall not be the responsibility of York Region; and,
  - d) that any landscaping provided on York Region 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.

92. 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 York Region Solicitor:
  - a) Block 58 as shown on the Plan;
  - b) A 15.0 m by 15.0 m daylight triangle at the northwest and southwest corners of Regional Road 27 and Street "A".
93. Prior to final approval, the Owner shall provide a solicitor's certificate of title in a form satisfactory to York Region Solicitor, at no cost to York Region with respect to the conveyance of the above noted lands to York Region.
94. 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 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.
95. 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.
96. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Transportation Services Department, to be responsible to decommission any existing wells on the Owner's lands in accordance with all applicable provincial legislation and guidelines and to the satisfaction of the area municipality.
97. 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 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.
98. 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 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.

99. The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law DC-0007-2007-040.

Toronto and Region Conservation Authority (TRCA) Conditions

100. a) That prior to the initiation of grading and prior to the registration of this plan or any phase thereof, the Owner shall submit a detailed engineering report for the review and approval of the Toronto and Region Conservation Authority (TRCA) that describes the storm drainage system (quantity and quality), in accordance with the Functional Servicing Report for the North Humber Extension Proposed Low Impact Subdivision (prepared by The Municipal Infrastructure Group). This report shall include:
- i) 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?;
  - ii) stormwater management techniques which may be required to control minor or major flows;
  - iii) 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;
  - iv) proposed method for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction;
  - v) 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;
  - vi) overall grading plans for the subject lands; and,
  - vii) supplementary measures including additional source and conveyance measures to enhance infiltration and reduce runoff volumes.
- b) The Owner shall agree to implement the recommendations set out in the aforementioned report(s) to the satisfaction of the City and TRCA.
- c) That the draft plan of subdivision be red-line revised in order to meet the requirements of this Condition, if necessary.
101. That the Owner submit a finalized draft plan, incorporating the red-line revisions as indicated in the TRCA's letter of January 25, 2011.
102. That the Owner submit a finalized Constraints and Opportunities Plan, incorporating the red-line revisions as indicated in the TRCA's letter of January 25, 2011.

103. That the Owner successfully obtain permits under Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) for site grading, development, and for any infrastructure relating to the proposed Low Impact Development Measures for the Humber North Extension Area.
104. That the Owner submit a detailed and comprehensive Erosion and Sediment Control Plan, which complies with the TRCA's Erosion and Sediment Control Guidelines for Urban Construction ([www.sustainabletechnologies.ca](http://www.sustainabletechnologies.ca)).
105. That the implementing zoning by-law recognize Open Space Block 53 (including additional lands located at the rear of Lots 9 and 10 inclusive) and Buffer Blocks 54 and 55 in an open space, or other suitable zoning category, which has the effect of prohibiting development, to the satisfaction of the TRCA.
106. That a restrictive covenant be placed on title for Lots 9 and 10 protecting the vegetation located at the rear of the Lots.
107. That a copy of the adopted implementing zoning by-law be provided to the TRCA, when available, to facilitate the clearance of conditions of draft approval.
108. That Open Space Block 53 (including additional lands located at the rear of Lots 9 and 10 inclusive) and Buffer Blocks 54 and 55 be set aside for acquisition or dedication to either the TRCA or City, free of all charges or encumbrances, to the satisfaction of the TRCA or City.
109. That the Owner submit Edge Management/Restoration Planting Plans for Buffer Blocks 54 and 55, which consist of native, non-invasive species and complies with the TRCA's Planting Guidelines.
110. 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 technical report referenced respecting the detailed engineering report above;
  - b) to maintain all stormwater management and erosion and sediment control structures operating and in good repair during the construction period, in a manner satisfactory to the TRCA;
  - c) to obtain all necessary permits pursuant to Ontario Regulation 166/06 from the TRCA;
  - d) to erect a permanent fence to the satisfaction of the TRCA for Lots 1 to 10 inclusive;
  - e) that no grading works will take place within Buffer Blocks 54 and 55, and should minimal grading be proposed, the applicant will clearly provide an analysis exploring options to minimize grading to the furthest extent and effectively demonstrate a net environmental gain; and,
  - f) that no retaining wall structures or systems be erected on Buffer Blocks 54 and 55 and/or on the property limit for lots abutting Buffer Blocks 54 and 55.
111. That a copy of the executed subdivision agreement be provided to the TRCA when available, in order to expedite the clearance of conditions of draft approval.
112. That the Owner submit a detailed assessment of how each TRCA condition of draft plan approval has been satisfied, in order to expedite the clearance of conditions of draft approval.

### Canada Post Conditions

113. The Owner shall agree to:

- a) consult with Canada Post to determine the locations of the community mailboxes and indicate the community mailbox locations on the appropriate servicing plans and provide Canada Post with 2 copies of the utility co-ordination plan for use in identifying the community mailbox location;
- b) 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;
- c) provide a suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s);
- d) include in all offers of purchase and sale, or lease for all lots/blocks that mail delivery shall be from a designated community mailbox, and notify the purchasers and/or tenants of the exact community mailbox locations prior to the closings of any dwelling unit; and,
- e) provide a copy of the executed subdivision agreement to Canada Post.

### York Region School Boards Conditions

114. Prior to final approval, the City shall be advised by the School Board(s) that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the Owner and the School Boards.

### Clearances

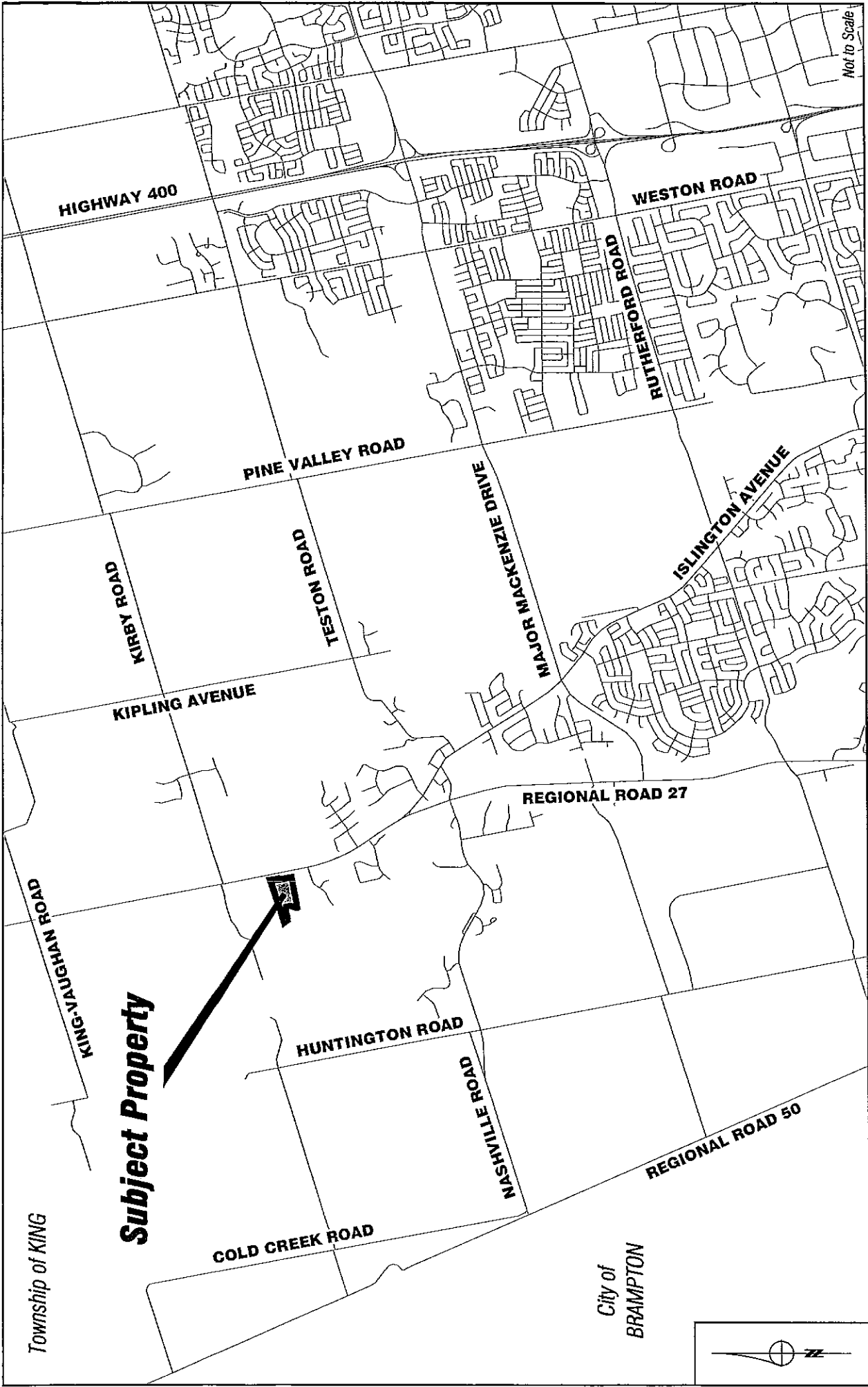
115. Final approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees provided that:

- 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 and 2, and Conditions 1 to 114 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.

116. The City shall advise that Pre-Conditions 1 and 2, and Conditions 1 to 67 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.

117. The Region of York shall advise that Pre-Conditions 1 and 2, and Conditions 68 to 99 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.

118. The Toronto and Region Conservation Authority shall advise that Conditions 100 to 112 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
119. Canada Post shall advise that Condition 113 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.
120. The York Catholic District School Board shall advise that Condition 114 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.
121. The York Region School Board shall advise that Condition 114 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.
122. The Conseil Scolaire de District Catholique Centre - Sud shall advise that Condition 114 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.



# Attachment

FILES: Z.03.008 / 19T-03V02  
 DATE: August 10, 2011

RELATED FILES:  
 OP.03.007  
 Z.08.035 / 19T-08V04  
 Z.08.036 / 19T-08V05



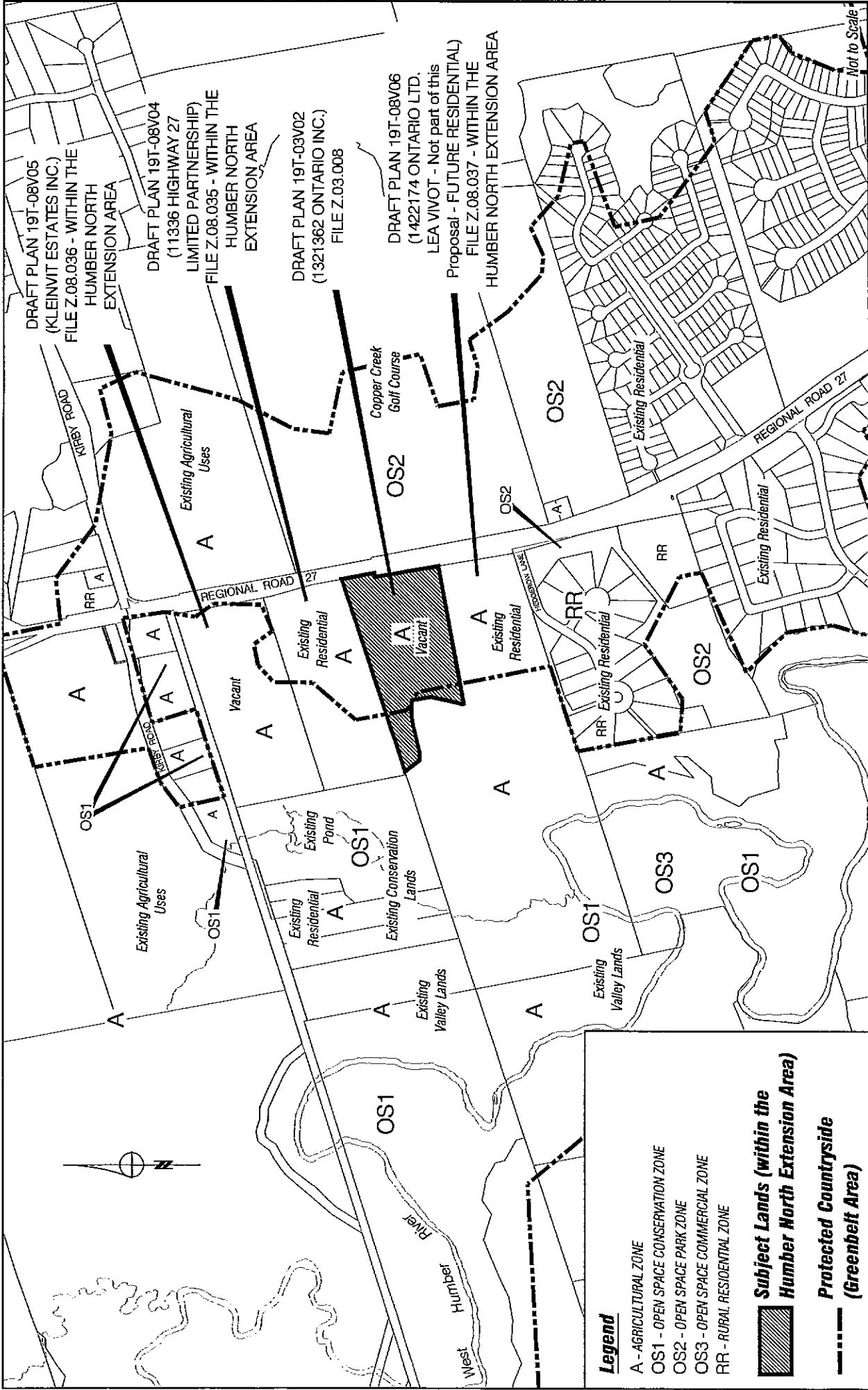
Development Planning Department

# Context Location Map

LOCATION:  
 Part of Lot 29, Concession 9

APPLICANT:  
 1521562 Ontario Inc.

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# Attachment 3

RELATED FILES:  
 OP.03.007  
 Z.08.035 / 19T-08V04  
 Z.08.036 / 19T-08V05

FILES:  
 Z.03.008 / 19T-03V02

DATE:  
 August 10, 2011



Development Planning Department

## Location Map

LOCATION:  
 Part of Lot 29, Concession 9

APPLICANT:  
 1321362 Ontario Inc.

**Legend**

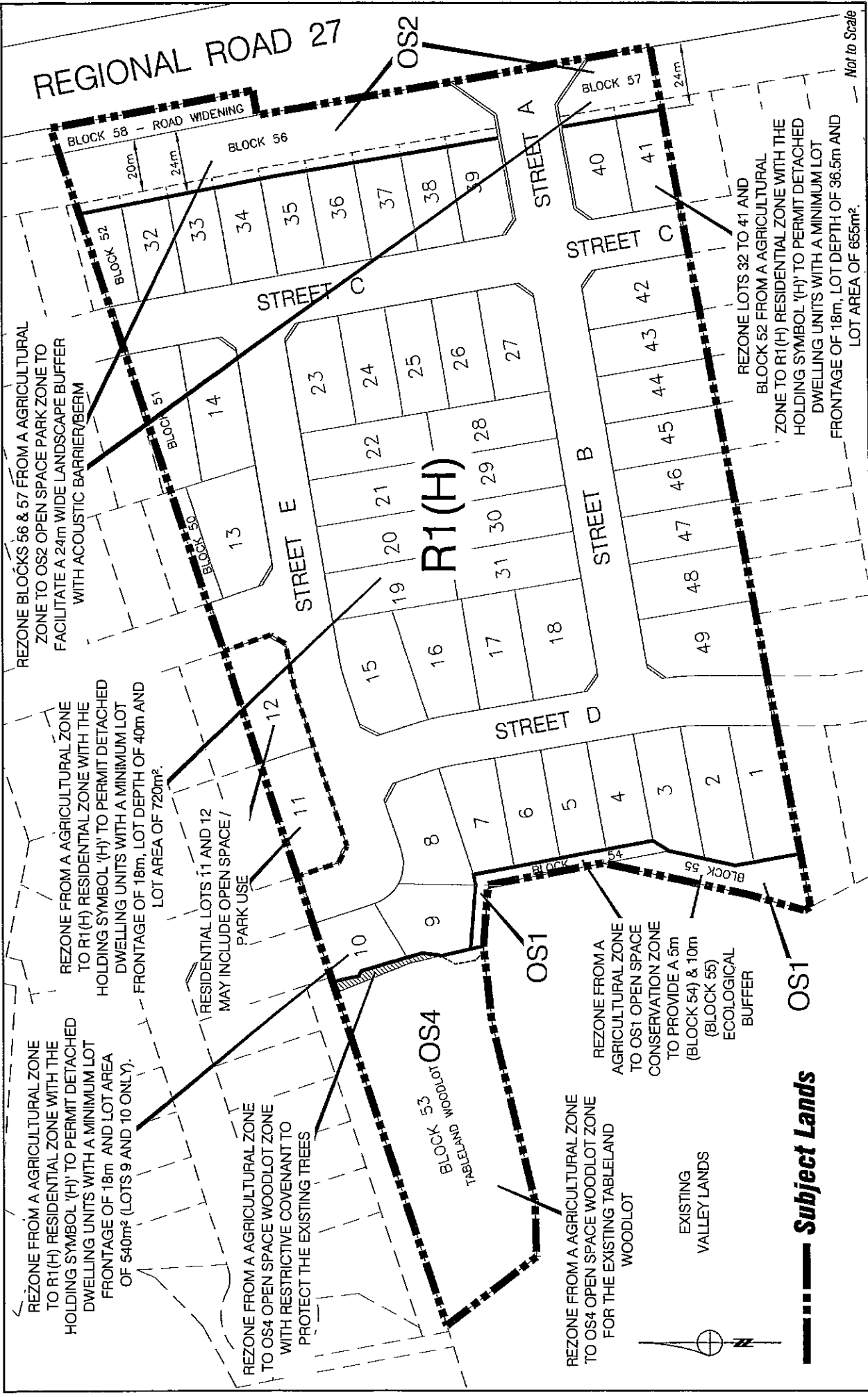
- A - AGRICULTURAL ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- OS2 - OPEN SPACE PARK ZONE
- OS3 - OPEN SPACE COMMERCIAL ZONE
- RR - RURAL RESIDENTIAL ZONE

**Subject Lands (within the Humber North Extension Area)**

**Protected Countryside (Greenbelt Area)**







**Proposed Zoning - Plan**  
**of Subdivision 19T-03V02**

**VAUGHAN**  
 Development Planning Department

**Attachment 5**

RELATED FILES: OP.03.007  
 Z.08.035 / 19T-08V04  
 Z.08.036 / 19T-08V05

FILES: Z.03.008 / 19T-03V02






DATE: August 10, 2011

APPLICANT: 1321362 Ontario Inc.  
 LOCATION: Part of Lot 29, Concession 9

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# KLEINBURG-NASHVILLE COMMUNITY PLAN

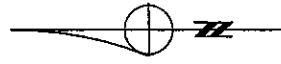
Humber North Extension Area  
(West Side of Regional Road 27)

-  Tableland Woodlot
-  Valley and Stream Corridor
-  Open Space
-  Residential Area (Humber North Extension)
-  Residential Area "A" (Humber North Extension)

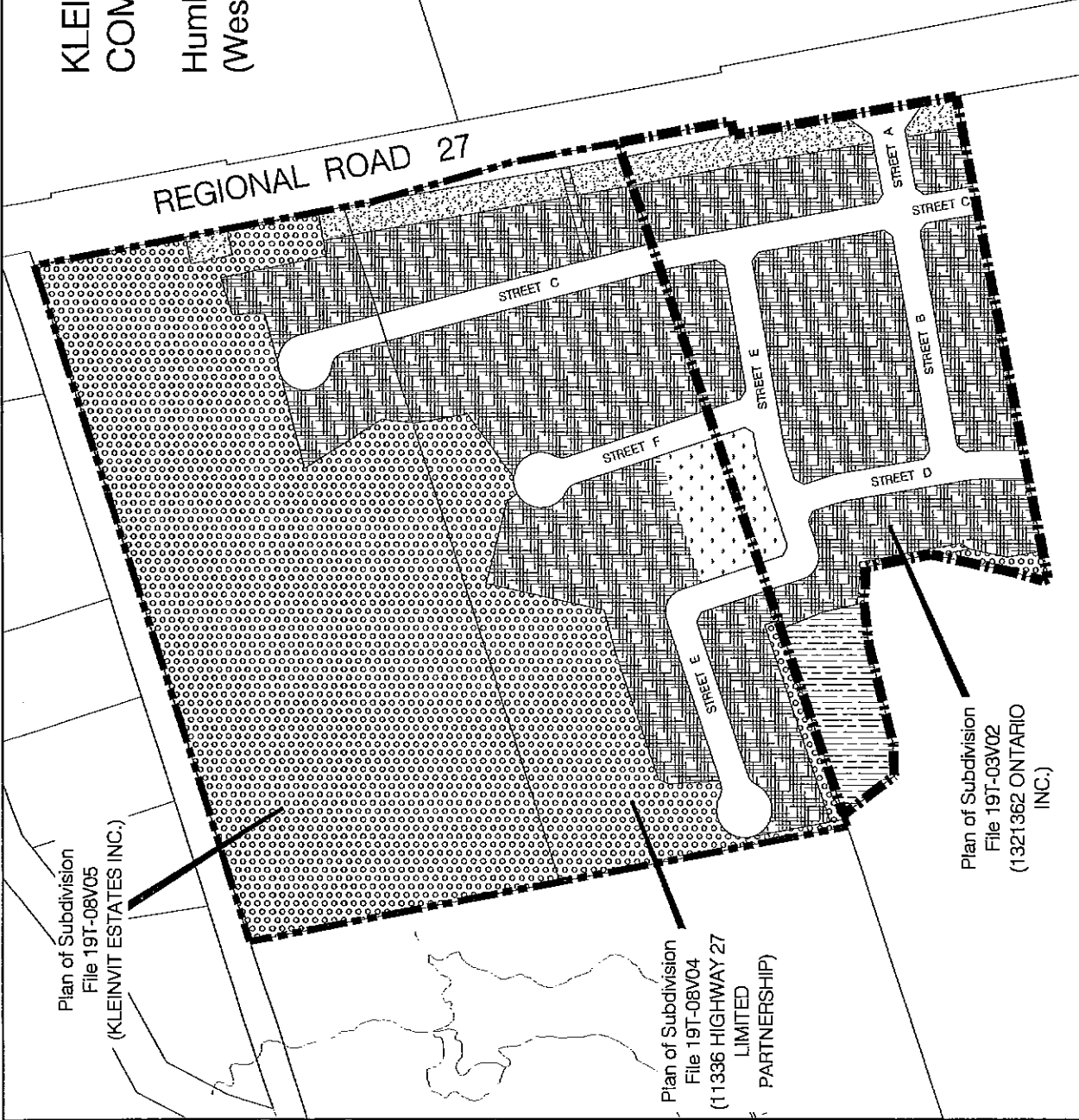
**AREA SUBJECT TO  
AMENDMENT No.719  
(SUBJECT TO REGION OF YORK APPROVAL)**

**SUBJECT LANDS**

**THIS IS SCHEDULE 'A3'  
TO OPA No. 601**



Not to Scale



Plan of Subdivision  
File 19T-08V05  
(KLEINVIT ESTATES INC.)

Plan of Subdivision  
File 19T-08V04  
(11336 HIGHWAY 27  
LIMITED  
PARTNERSHIP)

Plan of Subdivision  
File 19T-03V02  
(1321362 ONTARIO  
INC.)

## OPA 719 Site Specific Official Plan Amendment



Development Planning Department

APPLICANT:  
1321362 Ontario Inc.

LOCATION:  
Part of Lot 29, Concession 9

N:\DFT\1 ATTACHMENTS\Z\z.03.008.dwg

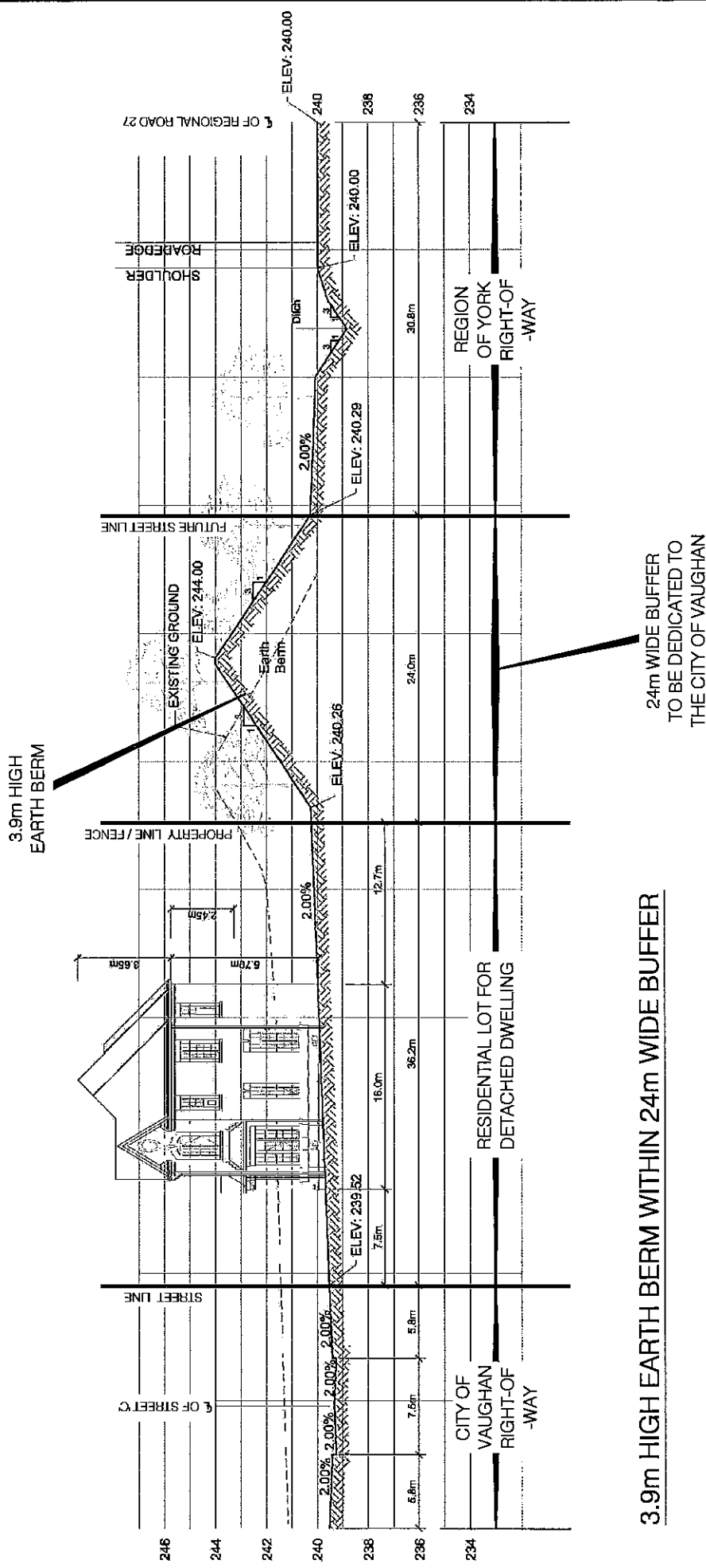
## Attachment

RELATED FILES:  
OP.03.007  
Z.03.035 / 19T-08V04  
Z.03.036 / 19T-08V05

FILES:  
Z.03.008 / 19T-03V02

DATE:  
August 10, 2011

# 6



**3.9m HIGH EARTH BERM WITHIN 24m WIDE BUFFER**

24m WIDE BUFFER TO BE DEDICATED TO THE CITY OF VAUGHAN

Not to Scale

# Cross Section of Earth Berm / Buffer

APPLICANT: 1321362 Ontario Inc.  
 LOCATION: Part of Lot 29, Concession 9

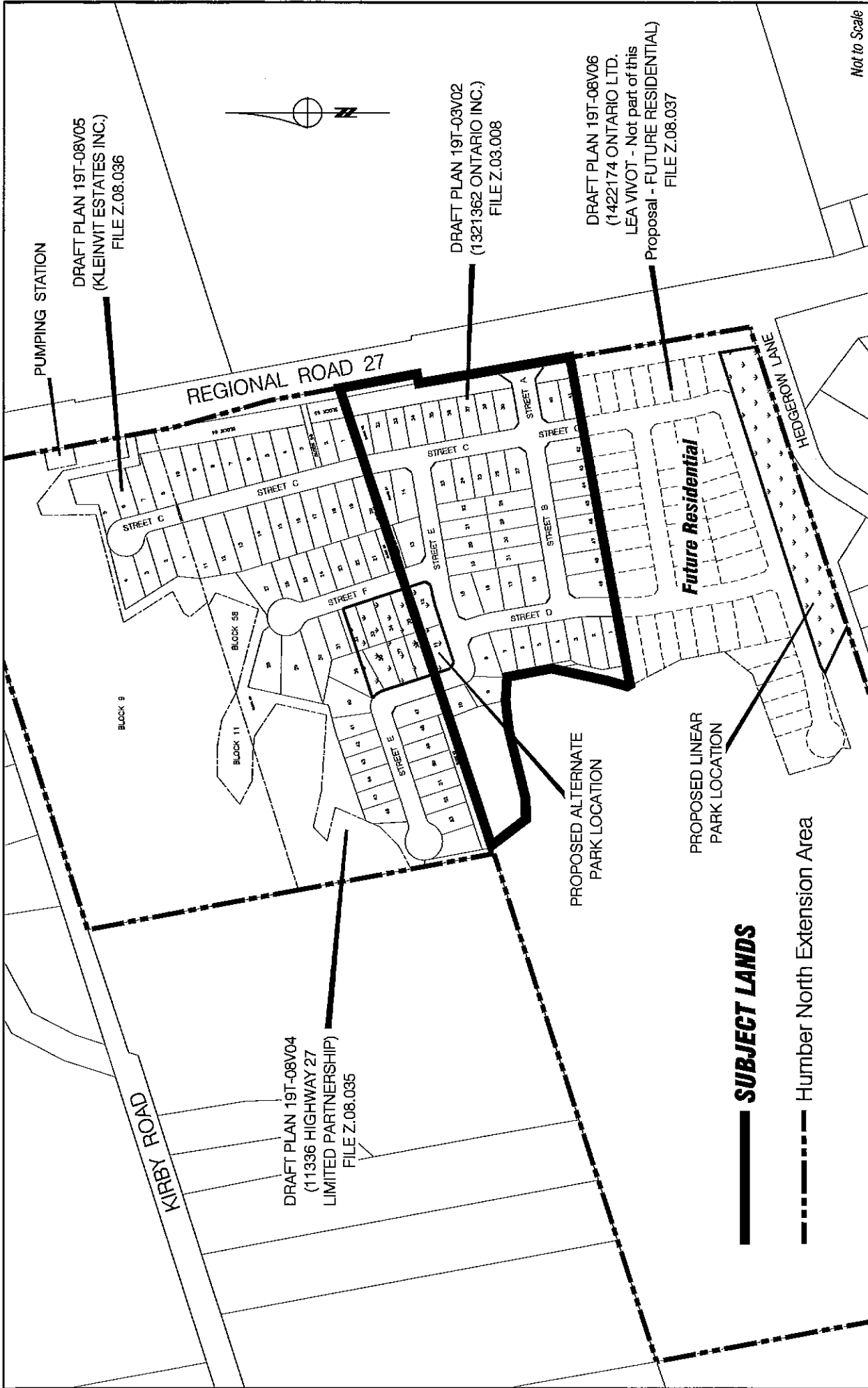


Development Planning Department

# Attachment 7

RELATED FILES:  
 OP.03.007 Z.08.035 / 19T-08V04  
 Z.08.036 / 19T-08V02 Z.08.036 / 19T-08V05

FILES: Z.08.036 / 19T-03V02  
 DATE: August 10, 2011



# Attachment

# 8

FILES: Z.08.008 / 19T-03V02  
DATE: August 10, 2011

RELATED FILES:  
OP.03.007  
Z.08.035 / 19T-08V04  
Z.08.036 / 19T-08V05



Development Planning Department

# Consolidated Plan with Alternate Park

APPLICANT: 1321362 Ontario Inc.  
LOCATION: Part of Lot 29, Concession 9