

COMMITTEE OF THE WHOLE OCTOBER 25, 2011

**ZONING BY-LAW AMENDMENT FILE Z.09.043
DRAFT PLAN OF SUBDIVISION FILE 19T-11V002
SITE DEVELOPMENT FILE DA.11.047
DUFFERIN RIDGE (ARH) LIMITED
WARD 4**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.09.043 (Dufferin Ridge (ARH) Limited) BE APPROVED, to amend Zoning By-law 1-88, specifically to:
 - a) rezone the portion of the subject lands shown on Attachments #2 and #3, currently zoned A Agricultural Zone to RVM1(A) Residential Urban Village Multiple Zone One (Street Townhouse) and OS2 Open Space Park Zone, in the manner shown on Attachment #6, to implement the proposed draft plan of subdivision consisting of 31 street townhouse (freehold) dwelling units within 6 townhouse blocks, a park block and a block for an existing residential townhouse dwelling unit (9148 Dufferin Street) as shown on Attachment #4, together with the zoning exceptions identified in Table 1 of this report; and,
 - b) delete Schedule "E-1136H" of site-specific Exception 9(1039) and substitute with the Schedule "E-1136H" shown on Attachment #7.
2. THAT Draft Plan of Subdivision File 19T-11V002 (Dufferin Ridge (ARH) Limited) as shown on Attachment #4, BE APPROVED, subject to the conditions of approval set out in Attachment #1.
3. THAT Council adopt the following resolution with respect to allocation of sewage and water servicing capacity:

"IT IS HERBY RESOLVED THAT Draft Plan of Subdivision File 19T-11V002 is allocated sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System for a total of 31 street townhouse (freehold) dwelling units."
4. THAT Site Development File DA.11.047 (Dufferin Ridge (ARH) Limited) BE APPROVED, to facilitate the development of 31 street townhouse units within 6 townhouse blocks as shown on Attachments #6, and #8 to #10, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) Draft Plan of Subdivision File 19T-11V002 shall be registered;
 - ii) the final site plan, building elevations and landscape plan shall be approved by the Vaughan Development Planning Department; and,
 - iii) the final site servicing and grading plan and stormwater management report shall be approved by the Vaughan Development/Transportation Engineering Department.

Contribution to Sustainability

The Owner has advised that the following sustainable features, but not limited to, will be included within the subdivision and townhouse unit design:

- i) pedestrian connection, permeable pavement, and planting of native species within the park block;
- ii) all homes will be built to Energy Star standards;
- iii) low flow plumbing fixtures; and
- iv) efficient Low-E Argon windows.

Economic Impact

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

Communications Plan

On December 7, 2010, a Public Hearing was held for Zoning By-law Amendment File Z.09.043 (original proposal) to amend Zoning By-law 1-88 to rezone the subject lands from A Agricultural Zone to RVM1(A)(H) Residential Urban Village Multiple Dwelling Zone One (Street Townhouse) with the Holding Symbol "H", to facilitate the development of 34 street townhouse (freehold) units within 7 townhouse blocks. Various deputations were received by Vaughan Council from residents of the area regarding the proposed townhouse development. Vaughan Council resolved that a Ward 4 Community Meeting be convened with the residents, Members of Council and Staff to discuss these concerns.

On February 10, 2011, a Ward 4 Community Meeting was held at the North Thornhill Community Centre at 7:00 pm, which was attended by the Owner, Agent, 7 area residents, the Ward 4 Councillor, Regional Councillor Schuite, and Vaughan Development Planning Staff. At the meeting, the Owner was asked to consider including a park fronting onto Forest Run Boulevard together with a pedestrian walkway to this road for access to the commercial development to the immediate north. The residents were satisfied that the park would address traffic, safety, and accessibility concerns by removing the individual townhouse driveways previously fronting onto Forest Run Boulevard and adjacent to the commercial development driveway directly to the north, and permit residents to easily access the commercial development to the north.

After the Community Meeting, the Owner amended the proposal to remove the 4 townhouse units fronting onto Forest Run Boulevard and replaced them with a 0.094 ha park as shown on Attachments #4 (Block 8) and #5. The revised plan now includes 31 townhouse dwelling units within 6 townhouse blocks and a park block. The Owner has also submitted Draft Plan of Subdivision File 19T-11V002 to facilitate the creation of the 6 townhouse blocks (Blocks 1 to 6 inclusive) and a park block as shown on Attachment #4.

The Owner has included Block 7 within the proposed subdivision plan, which is an existing townhouse unit in the Registered Plan of Subdivision (65M-3367) to the south, which they have acquired, in order to reconfigure the lot lines to facilitate a proper frontage and access for the proposed townhouse dwellings in Block 6.

On May 20, 2011, a Notice of Public Hearing was circulated to an extended polling area, to all property owners within 200 m of the subject lands. Comments were received from area residents and those in attendance at the Public Hearing held on June 14, 2011, particularly with respect to existing traffic conditions, parking, sidewalks, number of units, design and siting of the townhouses and the proposed park block. The recommendation of the Committee of the Whole, to receive the Public Hearing report of June 14, 2011, and to forward a comprehensive report to a future Committee the Whole meeting was ratified by Council on June 28, 2011.

After the Public Hearing, the Owner amended the draft plan of subdivision to include a sidewalk from Benjamin Hood Crescent to the park and a widened laneway west of Benjamin Hood Crescent to address further safety concerns of the area residents. The concerns identified with respect to the existing parking conditions are associated with the existing residential development to the south. The proposed development provides the minimum required parking for each proposed townhouse dwelling unit in accordance with the City's Zoning By-law 1-88.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #2 and #3:

1. Zoning By-law Amendment File Z.09.043 to rezone the portion of the subject lands currently zoned A Agricultural Zone as shown on Attachment #3 to RVM1(A) Residential Urban Village Multiple Dwelling Zone One (Street Townhouse) and OS2 Open Space Park Zone in the manner shown on Attachment #6, and to permit the zoning exceptions listed in Table 1 of this report, to facilitate the development of 31 street townhouse dwelling units within 6 townhouse blocks, a park block and a block for an existing residential dwelling unit (9148 Dufferin Street) as shown on Attachment #6.
2. Draft Plan of Subdivision File 19T-11V002 to facilitate the development of the subject lands with the following, as shown on Attachment #4:

a)	6 residential blocks for 31 townhouse dwellings (Blocks 1-6)	0.588 ha
b)	1 existing residential dwelling block (Block 7)	0.027 ha
c)	1 park block (Block 8)	0.094 ha
d)	<u>Regional and municipal road widenings (Blocks 9, 10 and 11)</u>	<u>0.032 ha</u>
	Total Area	0.741 ha
3. Site Development File DA.10.107 to facilitate the development of the subject lands with 31, two storey freehold townhouse dwelling units within 6 blocks as shown on Attachments #6 and #8 to #10.

Background - Analysis and Options

Location

The subject lands shown on Attachments #2 and #3 are located south of Rutherford Road, on the west side of Dufferin Street, through to Forest Run Boulevard, with frontage on Elderbrook Crescent and Benjamin Hood Crescent, City of Vaughan. The surrounding land uses are shown on Attachment #3.

Official Plan

The subject lands are designated "Medium Density Residential" by OPA #600 as amended by OPA #651 (Carrville District Centre Plan). The subject lands are also designated "Low-Rise Mixed-Use" by the new City of Vaughan Official Plan 2010, which was adopted by Vaughan Council on September 7, 2010, and is pending approval from the Region of York. OPA #600 and the City's new Official Plan permit the proposed residential use and a maximum density of 2.0 FSI. The proposed development density of 0.6 FSI, the proposed draft plan of subdivision, and rezoning of the subject lands conforms to the Official Plans.

Zoning

The subject lands are zoned A Agricultural Zone and RVM1(A) Residential Zone by Zoning By-law 1-88, as shown on Attachment #3. To implement the proposed draft plan of subdivision

shown on Attachment #4, an amendment to Zoning By-law 1-88 is required to rezone the subject lands from A Agricultural Zone to RVM1(A) Residential Urban Village Multiple Dwelling Zone One (Street Townhouse) and OS2 Open Space Park Zone in the manner shown on Attachment #6.

The Owner is also proposing the following site-specific exceptions to the RVM1(A) Residential Urban Village Multiple Dwelling Zone One requirements to permit the development:

Table 1

	By-law Standard	By-law 1-88 RVM1(A) Zone Requirements	Proposed Exceptions to RVM1(A) Zone
a.	Minimum Lot Depth (Lots 1 to 28)	30 m	23 m
b.	Minimum Lot Area (Lots 1 to 28)	180 m ²	135 m ²
c.	Minimum Rear Yard Setback	i) 7.5 m (Lots 1 to 28) ii) 7.5 m (Lot 29) iii) 7.5 m (Lot 31)	i) Ranges from 6.0 m to 7.21 m (Lots 1 to 28) ii) 1.13 m (Lot 29) iii) 5.8 m (Lot 31)
d.	Dimensions of Driveways	<ul style="list-style-type: none"> ▪ Lots with a frontage of 7.0 m to 8.99 m are permitted to have a maximum driveway width of 3.75 m. 	<ul style="list-style-type: none"> ▪ Lots 29-31 (Attachment #5) inclusive, shall be permitted a maximum driveway width of 5.65 m to 6.0 m.
e.	Definition of Front Lot Line	<ul style="list-style-type: none"> ▪ Means the street line 	<ul style="list-style-type: none"> ▪ The most easterly lot line adjacent to Dufferin Street shall be deemed to be the front lot line for Lots 29-31 (Attachment #6) inclusive.
f.	Accessory Building and Structures	<ul style="list-style-type: none"> ▪ The percentage of the lot area covered by all accessory buildings and structures other than those attached to the main building shall not exceed 10% or 67 m², whichever is less. 	<ul style="list-style-type: none"> ▪ The percentage of the lot area covered by all accessory buildings and structures other than those attached to the main building shall not exceed 15% or 67 m², whichever is less for Lots 29-31 (Attachment #6) inclusive.

The proposed exceptions for minimum lot depth, minimum lot area and reduced rear yard setback (listed as a, b and c i) in Table 1) are to accommodate the siting and development of proposed townhouse dwellings for Lots 1 to 28. The proposed reductions are considered minor and are consistent with the surrounding existing townhouse development.

The proposed rear yard setbacks for Lots 29 and 31 (listed as c. ii) and iii) in Table 1) are to accommodate for the proposed double car garages in the rear yard, as shown on Attachment #6. Lots 29 and 31 (as well as 30) which front onto Dufferin Street are accessed by the rear of the property from Elderbrook Crescent. Although Lots 29 and 31 have significant rear yards, the proposed location of the double car garages does not meet the minimum rear yard setback because of the irregular lot configuration. The Development Planning Department is of the opinion that the proposed rear yard setbacks for Lots 29 and 31 facilitate development that is compatible with the surrounding existing and proposed townhouse development.

The proposed exceptions for dimensions of driveways, definition of front lot line and accessory buildings and structures (listed as d, e, and f in Table 1), are to accommodate the proposed townhouses fronting onto Dufferin Street, Lots 29 to 31, but are accessed by a rear driveway from Elderbrook Crescent with proposed rear yard garages. The proposed exceptions are considered to be appropriate, as they result from the irregular configuration of Lots 29 to 31, and facilitate townhouse dwelling units fronting onto Dufferin Street.

In addition, the end unit of the existing row of townhouses (Block 7 on Attachment #4) is subject to site-specific Exception 9(1039). A portion of the existing lot will be reconfigured to be included in the frontage for lots in Block 6. As a result, Schedule "E-1136H" of site-specific Exception 9(1039), as shown on Attachment #7, will be amended to exclude the reconfigured portion of the lands. Furthermore, a portion of Block 11 also lies in Exception 9(1039), which will be reconfigured to provide frontage for the townhouse dwelling lots in Block 1. Similarly, Schedule "E-1136H" must be amended to delete the lands from this Schedule as shown on Attachment #7. A condition to this effect is included in the recommendation of this report.

The Development Planning Department can support the approval of Zoning By-law Amendment File Z.09.043 as the proposed zoning would implement the medium density residential policies of the Official Plan and would facilitate a development that is consistent with the existing development and would result in lots and a building form that is compatible with the surrounding residential area.

Subdivision Design

The proposed plan of subdivision is considered an infill form of development within an existing community area. The draft plan of subdivision is comprised of 11 blocks in total. Blocks 1 to 6, will be developed with 31 street townhouse dwelling units. Block 7 is an existing residential townhouse dwelling owned by the applicant. Block 8 will be developed as a park. Blocks 9 to 11 are required for road widening along Dufferin Street, Elderbrook Crescent and Benjamin Hood Crescent and will be conveyed to the City and Region. The proposal is consistent with the existing townhouse development to the south.

The draft plan proposes a widening of the existing laneway located to the west of Benjamin Hood Crescent to accommodate the frontage of 5 proposed townhouse units within Block 1, which will be assigned municipal addresses on Benjamin Hood Crescent. The width of the widened laneway will be consistent with the width of Benjamin Hood Crescent and Elderbrook Crescent. A sidewalk has also been included for access to the 0.094 ha park (Block 8).

The concept landscape plan for the proposed park (Block 8) is shown on Attachment #5. The park will feature a concrete pedestrian walkway which will connect the proposed residential development and the existing residential development to Forest Run Boulevard and the commercial development to the north. The park will also feature a shaded area with benches.

The park will be constructed to City Standards and to the satisfaction of the Vaughan Parks Development Department, which is discussed further in the "Parkland Dedication" section of this report.

Site Plan Review

The Vaughan Development Planning Department is generally satisfied with the proposed site plan and landscape plan (typical) shown on Attachments #6 and #8. The Development Planning Department is also generally satisfied with the building elevations (typical) shown on Attachments #9 and #10. The Development Planning Department will continue to work with the Owner to finalize the details. The final site plan, elevation plans and landscape plans must be approved to the satisfaction of the Vaughan Development Planning Department. A condition to this effect has been included in the recommendation of this report.

The subject lands are located within Planning Block 17 and are subject to Architectural Control. The final building elevations must be in accordance with the approved Architectural Design Guidelines for Block 17, to the satisfaction of the Development Planning Department.

Energy Star

On November 12, 2007, Vaughan Council adopted Energy Star conditions to be included in all draft plan of subdivision approvals. The proposed draft plan (File 19T-11V002) will be subject to the Energy Star requirements, included as conditions of approval in Attachment #1.

Vaughan Development/Transportation Engineering Department

The Vaughan Transportation/Engineering Department provides the following comments:

i) Servicing Capacity Allocation

On May 24, 2011, in accordance with the City's Servicing Capacity Distribution Protocol, Council approved the recommendation to reserve water and wastewater servicing capacity in the amount of 31 street townhouse (freehold) dwelling units to this Plan. The said servicing capacity is unrestricted regional servicing capacity and therefore, in conjunction with Draft Plan Approval, may be formally allocated to the Plan.

ii) Environmental Site Assessment (ESA)

Prior to final approval of the Plan, and/or 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, to the satisfaction of the Department. The conditions of approval are included in Attachment #1.

iii) Municipal Servicing

This Plan of Subdivision is serviced by sanitary sewers, storm sewers and watermains that connect to existing services on Benjamin Hood Crescent and Elderbrook Crescent.

iv) Sanitary Servicing

A new sanitary sewer will be constructed along Benjamin Hood Crescent, and will be connected the existing sewer system to service the proposed development.

v) Storm Drainage

A new storm sewer will be constructed along Benjamin Hood Crescent, and will be connected to the existing sewer system to service the units in Blocks 1 to 5. It will eventually discharge to stormwater management facilities that service the entire Planning Block 17 (OPA #600) lands. Units in Block 6 will be connected to an existing storm sewer located beneath the west boulevard of Dufferin Street. This existing storm sewer was constructed as part of the Dufferin Street widening, which discharges to an existing watercourse east of Dufferin Street and north of Apple Blossom Way.

vi) Water Supply

In order to provide proper connectivity within the water distribution network / pressure district and to promote water quality, a watermain shall be constructed / extended on Benjamin Hood Crescent / Elderbrook Crescent to connect to the existing watermain on Forest Run Boulevard.

vii) Road Network

Benjamin Hood Crescent and Elderbrook Crescent have an existing road allowance of 15.0 m. The applicant has proposed to increase the existing road allowance by 2.5 m to a width of 17.5 m, which will provide additional spacing for utilities on the north side of the street. However, the pavement width will remain 7.0m per the existing condition and will not be increased to 8.0m, which is the standard pavement width for a 17.5 metre right-of-way. In a road allowance of 15.0m, a pavement width of 7.0m is designed to accommodate two travel lanes with no parking in accordance with City of Vaughan Design Criteria and Standard Drawings. Therefore, it is recommended that a warning clause be included in the agreement of purchase and sale advising purchasers of the parking limitations on Benjamin Hood Crescent and Elderbrook Crescent. The pavement width on the north leg of Lane 'A' will be widened from 5.0m to 7.0m to provide additional space for primary driveway access to the proposed townhouses on the north side of Lane 'A'. New utilities and a sidewalk will be accommodated on the north side of Benjamin Hood Crescent and Elderbrook Crescent.

viii) Noise Attenuation

Due to the proximity of the subject lands to Dufferin Street and the abutting commercial site to the north, the Owner is required to submit a noise report for review and approval by the City as part of the detailed engineering submission. The City requires all dwelling units that abut or face an arterial road such as Dufferin Street or commercial development to be constructed with mandatory central A/C. All required acoustic barriers abutting public lands shall be constructed with all berming and/or fencing material, including foundations, completely on private lands and totally clear of any 0.3m road reserve.

The Vaughan Development/Transportation Engineering Department is working with the applicant to finalize the grading and servicing plans and stormwater management report for the Site Development Application (File DA.11.047) for the proposed townhouse units. The final plans and report must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department.

Vaughan Cultural Services Division

The Vaughan Cultural Services Division has no objections to the approval of the subject applications and advises that the lands have been cleared of concern for archaeological resources.

Parkland Dedication

The Owner will be providing a 0.94 ha park (Block 8). The Owner is responsible for the construction of the park including landscaping, seating and shade structures. The Owner is required to construct the park in accordance with the approved plans and City standards. A Letter of Credit must be posted for the full estimated amount of the park construction. The Vaughan Parks Development Department has provided conditions of subdivision approval which are included in Attachment #1.

Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority (TRCA) has no objections to the approval of Zoning By-law Amendment File Z.09.043 and Draft Plan of Subdivision File 19T-11V002, and have provided no conditions.

School Boards

The York Region District School Board, York Catholic District School Board, and Conseil Scolaire de District Catholique Centre-Sud, have no objections to the Zoning By-law Amendment and Draft Plan of Subdivision Applications, and have provided no conditions.

Canada Post

Canada Post Corporation has no objection to the Zoning By-law Amendment and Draft Plan of Subdivision Applications, subject to the conditions of subdivision approval provided in Attachment #1.

Enbridge Gas Distribution Inc.

Enbridge Gas Distribution Inc. has no objection to the Zoning By-law Amendment and Draft Plan of Subdivision Applications, subject to the conditions of subdivision approval provided 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 and Economic Well-being".

Regional Implications

The Region of York has no objection to the approval of the Draft Plan of Subdivision and Zoning By-law Amendment Applications, subject to the conditions of subdivision approval provided in Attachment #1.

Conclusion

The Vaughan Development Planning Department has reviewed Draft Plan of Subdivision File 19T-11V002, Zoning By-law Amendment File Z.09.043 and Site Development File DA.11.047, in accordance with the applicable policies of the City's Official Plan, the new Vaughan Official Plan 2010, the requirements of the Carrville District Centre Plan, Zoning By-law 1-88, and the area context. The applications will facilitate a residential development form that is consistent and compatible with the surrounding land uses, and conforms to the density, land use and applicable policies of the Official Plan.

Accordingly, the Development Planning Department can support the approval of the Draft Plan of Subdivision, Zoning By-law Amendment, and Site Development Applications, subject to the conditions of approval set out in the recommendation of this report.

Attachments

1. Conditions of Draft Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Subdivision (File 19T-11V002)
5. Park Landscape Plan (19T-11V002)
6. Site Plan and Proposed Zoning (File Z.09.043)
7. Revised Schedule "E-1136H"
8. Landscape Plan (File DA.11.047)
9. Typical Elevations File DA.11.047 (Block 1 South and West Elevations)
10. Typical Elevations File DA.11.047 (Block 1 North and East Elevations)

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Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEVAMA
Director of Development Planning

/CM

ATTACHMENT NO. 1

STANDARD CONDITIONS OF DRAFT APPROVAL

DRAFT PLAN OF SUBDIVISION 19T-11V002 DUFFERIN RIDGE (ARH) LIMITED PART OF LOT 15, CONCESSION 3, 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-11V002, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to the draft plan of subdivision, prepared by KLM Planning Partners Inc., drawing # 11:1, dated May 5, 2011 and revised August 3, 2011.
2. The lands within this Plan shall be appropriately zoned by a zoning by-law which has come into effect in accordance with the provisions of the Planning Act. Particular zoning categories to be applied are as follows:
 - i) RVM1(A) Residential Urban Village Multiple Zone One; and,
 - ii) OS2 Open Space Park Zone.
3. The Owner shall pay any and all outstanding application fees to the Development Planning Department, in accordance with Tariff of Fees By-law 48-2011.
4. Prior to final approval of any part of the Plan, the Owner shall submit a revised Block Plan, if required, to reflect any significant alterations caused from this draft plan approval.
5. The Owner shall enter into a subdivision agreement with the City to satisfy all financial and other conditions, with regard to such matters as the City may consider necessary, including payment of development levies, the woodlot development charge, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
6. The Owner shall agree to create easements for maintenance purposes for all lots providing less than 1.2 m side yards, or having roof encroachments, prior to transfer of land.
7. 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.
8. Prior to application for building permit, site plan approval is required for certain types of development under the City's Site Plan Control By-law, for draft approved Blocks 1 to 6.
9. The road allowances included within this draft plan of subdivision shall be dedicated as public highways without monetary consideration and free of all encumbrances.

10. The road allowances included within this draft plan of subdivision shall be named to the satisfaction of the City, in consultation with the Regional Planning and Development Services Department.

11. The road allowances included in the Plan shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylight 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.

12. Any dead ends or open sides of road allowances created by this draft plan of subdivision shall be terminated in 0.3 m reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.

13. Final engineering design(s) may result in minor variations to the Plan (ie., 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 the subdivision agreement that construction access shall be provided only in a location approved by the City.

15. Prior to final approval, a soils report prepared at the Owner's expense shall be submitted to the City for review and approval. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.

16. Prior to the initiation of grading, and prior to the registration of this draft plan of subdivision or any phase thereof, the Owner shall submit to the City for review and approval the following:

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

i) plans illustrating how this drainage system will tie into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;

ii) the location and description of all outlets and other facilities;

iii) storm water management techniques which may be required to control minor or major flows; and,

iv) proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction.

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.

17. The Owner shall agree in the subdivision agreement that no building permits will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed development.
18. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost of any external municipal services that have been designed and oversized by others to accommodate the development of the Plan.
19. Prior to final approval, an environmental noise impact study, prepared 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. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in the approved noise report to the satisfaction of the City.
20. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots and/or Blocks within the Plan:

"Purchasers and/or tenants are advised that despite the inclusion of noise control features within the development area and within individual units, noise levels from construction activity may continue to be of concern occasionally interfering with some activities of the building occupants."
21. Prior to final approval of the Plan, the City and Region of York Transportation and Works Department Water and Wastewater Branch shall confirm that adequate water supply and sewage treatment capacity are available to accommodate the proposed development.
22. 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, has to 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.
23. Prior to final approval of the Plan, the Owner shall certify to the City that they are not aware of any soil, groundwater or sediment contamination on or within lands to be conveyed to the municipality which could interfere with its intended use.
24. Prior to initiation of grading or stripping of topsoil and prior to final approval of the Plan, the Owner shall prepare and implement a detailed erosion and sedimentation control plan(s) addressing all phases of the construction of the municipal services and house building program including stabilization methods, topsoil storage locations and control measures to the satisfaction of the City. The Owner shall prepare the erosion and sediment control plan(s) for each stage of construction (pre-stripping/earthworks, pre-servicing, post-servicing) in accordance with the Toronto and Region Conservation Authority (TRCA) Erosion and Sediment Control Guidelines for Urban Construction, dated December 2006 and implement a monitoring and reporting program to the satisfaction of the City.
25. Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of PowerStream Inc. (former Hydro Vaughan Distribution Inc.), its successors and assigns, regarding the design, installation, connection and/or expansion of electric distribution services, or any other related matters; the Owner shall enter into a development agreement with PowerStream Inc. which addresses the foregoing requirements.
26. Prior to final approval, the Owner shall submit to the satisfaction of the City, a listing prepared by an Ontario Land Surveyor of the block areas, frontages and depths in accordance with the approved Zoning By-law for all the blocks within the Plan.
27. The Owner shall agree to erect fencing in the locations and of the types as shown on the approved construction drawing and as required by the City, in accordance with Block 17 Urban Design and Architectural Design Guidelines.
28. The Owner shall 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, as per Schedule "I".

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.

29. Prior to final approval of the Plan, the Owner shall provide a copy of the fully executed subdivision agreement to:
 - a) York Region District School Board;
 - b) York Region Catholic District School Board;
 - c) Canada Post;
 - d) The appropriate telecommunication provider;
 - e) Region of York Planning Department; and
 - f) Region of York Transportation Services Department.
30. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunication provider to provide their services underground at the approved locations and to the satisfaction of the City.
31. Prior to final approval of the Plan, the Owner shall permit any telephone or telecommunications service provider to locate its plant in a common trench within the proposed Plan of Subdivision prior to release of the plan for registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its plant so as to permit connection to individual dwelling units within the subdivision as and when each dwelling unit is constructed.
32. Prior to final approval, the Owner shall not remove any vegetation or topsoil or start any grading of the lands, without a fill permit issued by the City, and a development agreement, if necessary.
33. Prior to final approval of the Plan, the Owner shall remove any driveways and buildings on site, which are not approved to be maintained as part of the Plan; any modification to off-site driveways required to accommodate this Plan shall be coordinated and completed at the cost of the Owner.
34. The Owner shall cause the following warning clauses to be included in a schedule to all Offers of Purchase and Sale, or Lease for all lots/blocks within the entire Plan:
 - a) "Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the City and a conceptual location Plan is included in the subdivision agreement. While every

attempt will be made to plant trees as shown, the City reserves the right to relocate or delete any boulevard tree without further notice.

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

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

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

- c) “Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the CRTC authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs.”

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

- i) 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.
- ii) Driveways in either front or exterior side yards shall be constructed in accordance with the following requirements:

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

¹ The Lot Frontage for Lots between 6.0 – 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.

² The Lot Frontage for Lots 12.0m and greater shall be comprised of a Minimum of 50% Landscaped Front or Exterior side yard and a minimum sixty percent

(60%) of the Minimum Landscaped Front or Exterior side yard shall be soft landscaping in accordance with Paragraph 4.1.2.”

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

The maintenance of the 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 of the Plan. Thereafter, the maintenance of the noise attenuation features or fencing shall be the sole responsibility of the lot Owner. Landscaping provided on Regional Road right-of-ways by the Owner or the City for aesthetic purposes shall be approved by the Region and maintained by the City with the exception of the usual grass maintenance.”

- f) “Purchasers and/or tenants are advised that this plan of subdivision is designed to include rear lot catchbasins. The rear lot catchbasin is designed to receive and carry only clean stormwater. It is the homeowner’s responsibility to maintain the rear lot catchbasin in proper working condition by ensuring that the grate is kept clear of ice, leaves and other debris that would prevent stormwater from entering the catchbasin. The rear lot catchbasins are shown on the Construction Drawings and the location is subject to change without notice.”
- g) “Purchasers and/or tenants are advised that the Owner has made a contribution towards recycling containers for each residential unit as a requirement of this subdivision agreement. The City has taken this contribution from the Owner to off-set the cost for the recycling containers; therefore, direct cash deposit from the Purchasers to the Owner for recycling containers purposes is not a requirement of the City of Vaughan. The intent of this initiative is to encourage the home Purchasers to participate in the City’s waste diversion programs and obtain their recycling containers from the Joint Operation Centre (JOC), 2800 Rutherford Road, Vaughan, Ontario, L4K 2N9, (905) 832-8562; the JOC is located on the north side of Rutherford Road just west of Melville Avenue.”
- h) “Purchasers and/or tenants are advised that given the non-standard pavement width on Elderbrook Crescent and Benjamin Hood Crescent there will be limited parking available on these streets.”

- 35. Prior to the transfer of any Lot or Block on the Plan, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses required by this agreement have been included in the Offer of Purchase and Sale or Lease for such Lot or Block.

36. Prior to final approval of the Plan, the Owner shall submit a detailed landscape plan(s) that describes the grading and drainage design for the proposed park within the draft plan of subdivision, to the satisfaction of the City.
37. The Owner is required to construct the park in accordance with the approved plan and the City of Vaughan Standards and that a letter of credit be submitted for the full estimated amount of the park construction, to the satisfaction of the City.
38. Where the Owner and the City determine that the Owner will develop the park block(s), the Owner shall agree that the design, securities and construction for the park(s) will be addressed through an agreement in accordance with the City's "Developer Build/Parks Development Policy, OPA #600 and future lands."
39.
 - a) Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit an environmental site assessment report(s) in accordance with the "Ministry of Environment and Energy's Guidelines for Use at Contaminated Sites in Ontario, June 1996", as amended, and shall reimburse the City for the cost of peer review of the reports.
 - b) Should site remediation be required to meet the applicable soil and ground water criteria set out in the above Guidelines, the Owner shall submit to the City prior to final approval, a copy of the Record of Site Condition acknowledged by a Provincial Officer of the Ministry of the Environment.
 - c) The Owner shall provide a certificate by a qualified professional that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City, meet the applicable soil and ground water criteria noted above.
 - d) Where lands are being conveyed to the municipality for parkland purposes, the Owner shall agree that prior to issuance of any building permits, the Owner shall submit a Phase 2 Environmental Site Assessment report(s) addressing all park blocks in the Plan, in accordance with the Ministry of Environment Guideline for Use at Contaminated Sites in Ontario (June 1996 as amended), to the satisfaction of the City. On-site sampling contained in the reports shall be conducted following completion and certification of the rough grading of the park block(s). Testing may include but not be limited to surface and subsurface soil, ground water, soil vapour, plant and aquatic species sampling and testing of building materials. The Owner shall reimburse the City for the cost of peer review of said report(s).
40. The Owner shall convey the following lands to the City or the Region, where appropriate, free of all charge and encumbrances:
 - a) Block 8 for open space purposes;
 - b) Block 9 for Regional road widening; and,
 - c) Blocks 10 and 11 for municipal road widening.

41. The Owner shall agree to design, purchase materials and install a street lighting system, compatible with the existing and/or proposed systems in surrounding plans, all in accordance with City standards and specifications.
42. The Owner shall agree to pay the City at the time of registration of the Plan, payment at the rate of \$1,000.00 per residential unit, plus \$500.00 per future unit on each part lot, as per Schedule "I", in accordance with the Special Area Woodlot Development Charge By-law.
43. The Owner shall agree that on lots with flankages on a collector or primary road, as identified by the Architectural Design Guidelines and the City, a front elevation featuring a main entrance or in some cases, an upgraded elevation, shall face the flankage. The flankage elevation for such lots shall be approved by the Control Architect, and the Director of Development Planning, prior to issuance of a building permit.
44. The Owner shall agree in the subdivision agreement that all development shall proceed in accordance with the approved Block 17 Architectural Design Guidelines prepared by Watchorn Architect Inc.
45. Prior to final approval, the Owner shall provide boulevard trees along Dufferin Street and Forest Run Boulevard.
46.
 - a) Should any archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism and Culture and the City of Vaughan's Recreation and Culture Department shall be notified.
 - b) In the event that human remains are encountered during construction activities, the proponent must immediately cease all construction activities. The proponent shall contact the City of Vaughan's Police Department, the Regional Coroner and the registrar of the Cemeteries Regulation Unit of the Ministry of Consumer Business Services.
47. The Owner shall agree to the ENERGY STAR® conditions as follows:
 - a) The Owner agrees that wording will be included in the subdivision agreement requiring all residential units to be built to ENERGY STAR® for New Homes Technical Specifications (Version 2.0 or most current) standards, and agrees to comply with the ENERGY STAR® for New Homes Administrative Procedures (September 2006 or most current) process requirements for design, inspection and certification.
 - b) Prior to the issuance of a building permit, the Owner/builder shall have prepared, by a Certified Energy Evaluator, an ENERGY STAR® for New Homes "Building Option Package" or develop a custom package using EnerGuide for New Houses (EGNH) software with respect to housing design and construction techniques and implementation methods to ensure that all the residential units within the draft plan are ENERGY STAR® qualified. Such package shall be prepared at the Owner's expense and submitted to the Chief Building Official for information.

- c) Prior to the issuance of a building permit, the developer and/or builder and/or applicant for the building permit is to provide the Chief Building Official with verification that the proposed homes have been enrolled with EnerQuality Corporation in the ENERGY STAR® for New Homes program, including signing an ENERGY STAR® Participant Administrative Agreement for Builders of ENERGY STAR® Qualified New Houses.
- d) Prior to the issuance of an occupancy permit (provisional occupancy certificate), the Owner shall provide testing verification for each dwelling unit to the City to ensure that all homes have been ENERGY STAR® qualified at the completion of construction. ENERGY STAR® labeling shall be affixed to the home.

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

- the Block Plan for the broader area, showing surrounding land uses, arterials/highways, railways and hydro lines, etc. ;
- the location of street utilities, community mailboxes, entrance features, fencing and noise attenuation features, together with the sidewalk plan approved in conjunction with draft plan approval;
- the location of parks, open space, stormwater management facilities and trail;
- 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, L6A 1T1; (905)832-8585."

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

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

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

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

49. Where the Owner proposes to proceed with the construction of a model home(s) prior to registration of the Plan, the Owner shall enter into an agreement with the City, setting out the conditions, and shall fulfill relevant conditions of that agreement prior to issuance of a building permit.

Region of York Conditions

50. 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.
51. Prior to final approval York Region shall confirm that adequate water supply and sewage servicing capacity are available and have been allocated by the City of Vaughan for the development proposed within this draft plan of subdivision or any phase thereof. Registration of the plan of subdivision shall occur in phases based on the availability of water supply and sewage servicing allocation.
52. The Owner shall agree in the Subdivision Agreement that the Owner shall save harmless the City of Vaughan and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
53. Prior to final approval, the Owner shall agree to dedicate 22.5 m (or 45 m right-of-way) from the centreline of construction on Dufferin Street, and any additional lands required for turn lanes at intersections will be conveyed to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of York Region Solicitor.
54. Prior to final approval, the Owner shall agree that no vehicular access is permitted onto Dufferin Street.
55. Prior to final approval, the Owner shall agree to provide direct pedestrian and cycling connections to the boundary roads, nearby transit stops, adjacent developments where appropriate, and facilities on the site (e.g. sufficient, convenient, and secure bike racks) to promote the usage of non-auto travel modes. Both York Region and the City of Vaughan will not assume any financial responsibility for implementing the provision of these connections and facilities.
56. 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 Regional Transportation Services Department for review and approval, shall explain all transportation issues and shall recommend mitigative measures for these issues.
57. Prior to final approval, the Owner shall provide a written undertaking, to the satisfaction of the Regional Transportation Services Department that the Owner agrees to implement the recommendations of the functional transportation report/plan as approved by the Regional Transportation Services Department.

58. Prior to final approval, the Owner shall submit detailed engineering drawings, to the Regional Transportation Services Department for review and approval, that incorporate the recommendations of the functional transportation report/plan as approved by the Regional 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.
59. Prior to final approval, the Owner shall provide a set of engineering drawings, approved by the area municipality, which indicates the storm drainage system, the overall grading plans and all proposed accesses onto York Region roads, for all lands within this plan of subdivision to the Regional Transportation Services Department for verification that all York Region's concerns have been satisfied.
60. Prior to final approval and concurrent with the submission of the subdivision servicing application (MOE) to the area municipality, the Owner shall provide a set of engineering drawings, for any works to be constructed on or adjacent to the York Region road, to the Roads Branch, Attention: Manager, Development Approvals, that includes the following drawings:
 - a) Plan and Profile for the York Region road;
 - b) Grading and Servicing;
 - c) Construction Access Design;
 - d) Utility and underground services Location Plans;
 - e) Traffic Control/Management Plans;
 - f) Erosion and Siltation Control Plans;
 - g) Landscaping Plans, including tree preservation, relocation and removals; and,
 - h) Requirements of York Region Transit.
61. 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 Regional Transportation Services Department, Attention: Mrs. Eva Pulnicki, P.Eng.
62. Prior to final approval, the location and design of the construction access for the subdivision work shall be completed to the satisfaction of the Regional Transportation Services Department and illustrated on the Engineering Drawings.
63. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Regional Transportation Services Department, that elevations along the street line shall set by striking a positive 2% grade from the top of the curb to the property line.
64. Prior to final approval, the Owner shall provide a copy of the Subdivision Agreement to the Regional Planning and Development Services Department.
65. Prior to final approval, the Owner shall submit drawings depicting the following to the satisfaction of York Region staff:

- a) All existing woody vegetation within the York Region road right of way;
- b) Tree protection measures to be implemented on and off the York Region 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.

- 66. 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 Regional Transportation Services Department recommending noise attenuation features.
- 67. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Regional Transportation Services Department, to implement the noise attenuation features as recommended by the noise study and to the satisfaction of the Regional Transportation Services Department.
- 68. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Regional Transportation Services Department, that where 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.
- 69. 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".
- 70. Where noise attenuation features will abut a York Region right-of-way, the Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Regional 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 0.3 m reserve 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 Regional Transportation Services Department and shall be maintained by the area municipality with the exception of the usual grass maintenance.
71. Prior to final approval, the Owner shall agree that the following lands will be conveyed to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of York Region Solicitor:
- a) A widening across the full frontage of the site where it abuts Dufferin Street of sufficient width to provide a minimum of 22.5 m from the centreline of construction of Dufferin Street, and,
 - b) A 0.3 m reserve across the full frontage of the site adjacent to the above noted widening, where it abuts Dufferin Street, and adjacent to the above noted widenings.
72. Prior to final approval, in order to determine the property dedications (if any) required to achieve the ultimate right-of-way width of Dufferin Street abutting the subject site, the Owner shall submit a recent plan of survey for the property that illustrates the existing centre line of construction of Dufferin Street.
73. Prior to final approval, the Owner shall provide a solicitor's certificate of title in a form satisfactory to the York Region Solicitor, at no cost to York Region with respect to the conveyance of the above noted lands to York Region.
74. Prior to final approval, York Region requires the Owner to submit to it, in accordance with the requirements of the Environmental Protection Act and O. Reg. 153/04 Records of Site Condition Part XV.1 of the Act (as amended), a Phase I Environmental Site Assessment prepared and signed by a qualified professional, of the Owner's lands and more specifically of the lands to be conveyed to York Region (the "Assessment"). Based on the findings and results of the Assessment, York Region may require further study, investigation, assessment and delineation to determine whether any remedial or other action is required. The Assessment and any subsequent environmental reports or other documentation prepared in respect of the environmental condition of the lands to be conveyed must to be addressed to York Region, contain wording to the effect that York Region shall be entitled to rely on such reports or documentation in their entirety, and such reports or documentation shall be satisfactory to York Region.
75. Prior to final approval, the Owner shall certify, in wording satisfactory to the Regional 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.

76. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Regional 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.
77. The Owner shall agree, prior to the development approval of Block 6 that access to Block 6 shall be via Elderbrook Crescent. No direct access shall be permitted to Dufferin Street.
78. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Regional 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.
79. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Regional 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.
80. Prior to final approval, the Owner shall satisfy the Regional Transportation Services Department that the services to be installed within or in conjunction with the Plan will provide for sidewalks on both sides of the roadway listed below, unless only one side of the street lies within the limits of the subject lands. The sidewalks shall meet the local municipality's standards, and be provided by the Owner along the subject lands' frontage onto roadway that have transit services.

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

- Dufferin Street

81. Prior to final approval, the Owner shall submit drawings showing, as applicable, the sidewalk location to the satisfaction of the Regional Transportation Services Department.
82. The Owner shall agree in the Subdivision Agreement to advise all potential purchasers of the existing and future introduction of transit services in this development as identified in Condition 81. This includes current and potential transit routes, bus stops and shelter locations. This shall be achieved through distribution of information/marketing materials (YRT route maps, Future Plan maps & providing YRT website contact information) at sales offices and appropriate notification clauses in purchase agreements. The YRT route maps and the Future Plan maps are available from YRT upon request.
83. The Owner shall satisfy the Regional Transportation Services Department that the services to be installed within or in conjunction with the Plan will include illumination in accordance with the local municipality's design standards along all street[s] which have transit services, sidewalks, pedestrian access and bus stop location[s].
84. The Owner shall make provision for continuous flow-through circulation for YRT's Mobility Plus specialized vehicles within the property. Since the subject site will likely become a destination for residents/visitors with disabilities, servicing provision for passenger boarding and disembarking shall be provided at/near the primary entrance of the facility. Internal driveways and designated pick-up areas should be identified and to facilitate movement and circulation of Mobility Plus smaller buses/vehicles. Due to safety concerns, Mobility Plus fleet will not maneuver in reverse direction.
85. 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, as amended by By-law # 2010-49.

Enbridge Gas Distribution Inc.

86. The Owner is responsible for preparing a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities.
87. The roads are to be constructed in accordance with the composite utility plans previously submitted and approved by all utilities.
88. The Owner shall grade all streets to final elevation prior to the installation of the gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information required for the installation of the gas lines.

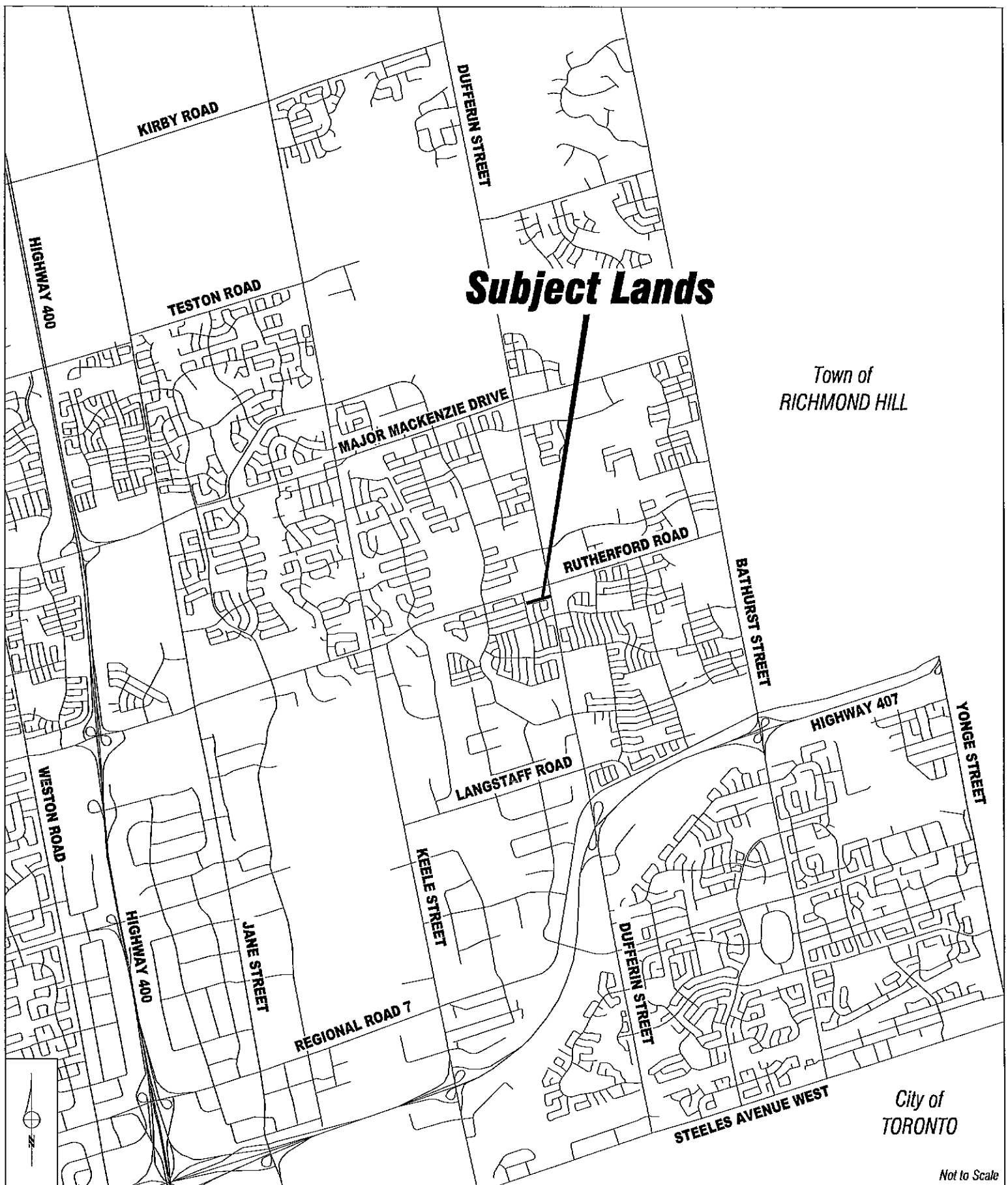
Canada Post

89. The Owner/developer agrees to include on all offers of purchase and sale, a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
90. The Owner/developer will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to closing of any home sale.

91. The Owner/developer will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailbox and to indicate these locations on the appropriate servicing plan.
92. The Owner/developer will provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:
 - a) An appropriate sized sidewalk section (concrete pad) as per municipal standards, to place the Community Mailboxes on;
 - b) An required walkway across the boulevard, as per municipal standards; and,
 - c) Any required curb depressions for wheelchair access.
93. The Owner/developer further agrees to determine and provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail delivery to new residence as soon as the homes are occupied.

Other Conditions

94. The City shall advise that Conditions 1 to 49 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
95. The Region of York shall advise that Conditions 50 to 85 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
96. Enbridge Gas Distribution Inc. shall advise that Conditions 86 to 88 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
97. Canada Post shall advise that Conditions 89 to 93 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



Context Location Map

LOCATION:
Part Lot 15, Concession 3

APPLICANT:
Dufferin Ridge (ARH) Limited

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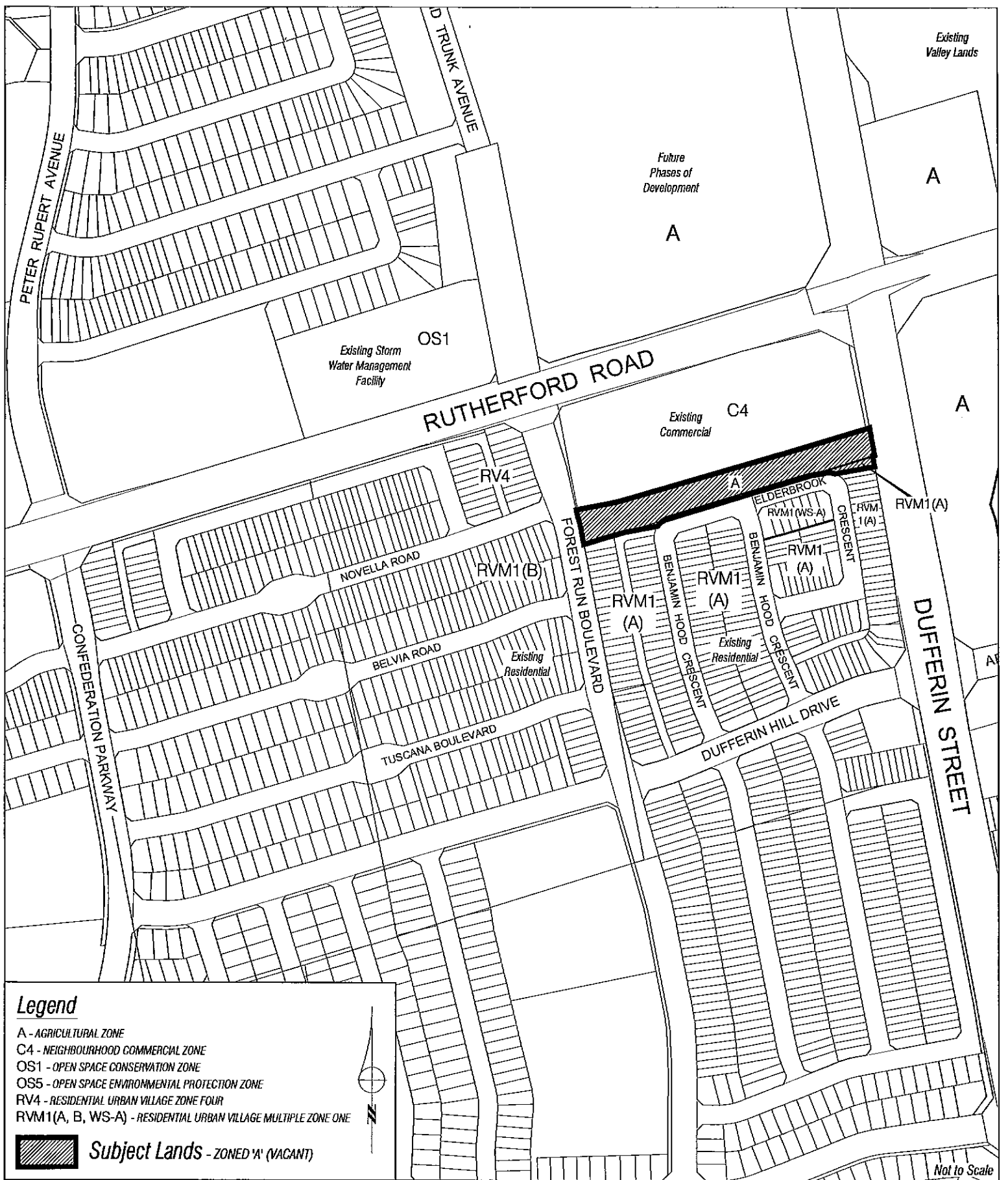


Attachment

FILE:
Z.09.043, 19T-11V002 & DA.11.047

DATE:
September 21, 2011

2



Location Map

LOCATION:
Part Lot 15, Concession 3

APPLICANT:
Dufferin Ridge (ARH) Limited

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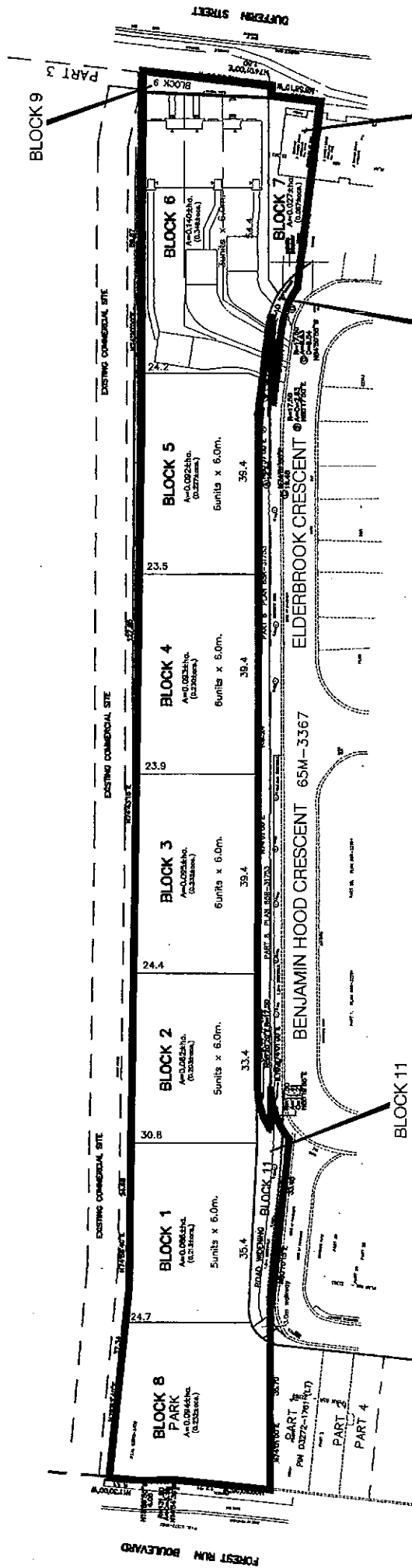


Attachment

FILE:
Z.09.043, 19T-11V002 & DA.11.047

DATE:
September 21, 2011

3



EXISTING
RESIDENTIAL
TOWNHOUSE
DWELLING

SUBJECT LANDS

PROPOSAL

RESIDENTIAL BLOCKS FOR 31 TOWNHOUSE DWELLING UNITS (Blocks 1-6)	0.588 ha
EXISTING RESIDENTIAL TOWNHOUSE DWELLING (Block 7)	0.027 ha
PARK (Block 8)	0.094 ha
REGIONAL & MUNICIPAL ROAD WIDENINGS (Blocks 9, 10, 11)	0.032 ha
TOTAL AREA	0.741 ha

Not to Scale

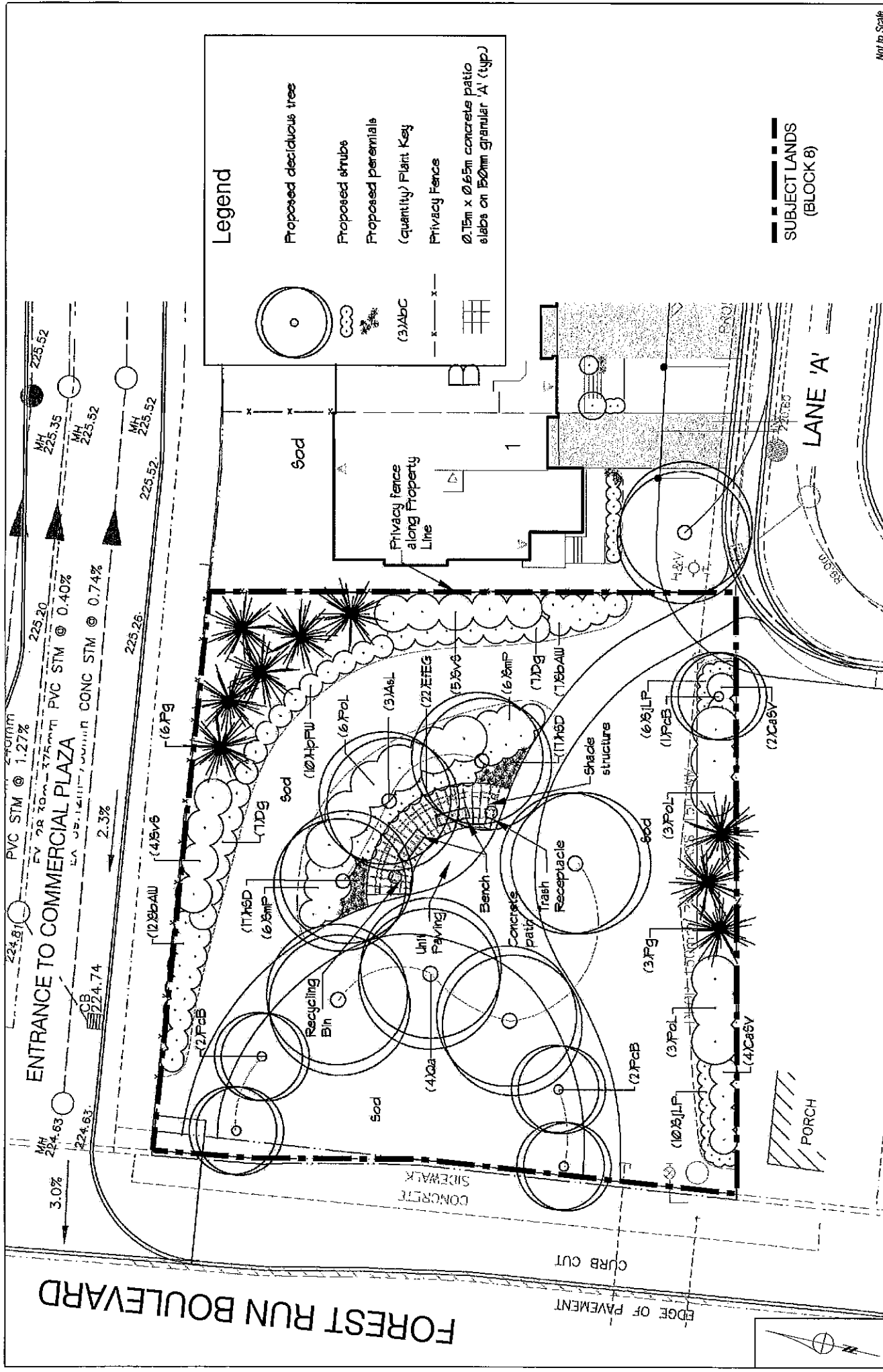
Draft Plan of Subdivision
File 19T-11V002

Attachment

FILE: Z.09.043, 19T-11V002 & DA.11.047
DATE: September 21, 2011



APPLICANT: Dufferin Ridge (ARH) Limited
LOCATION: Part Lot 15, Concession 3



Not to Scale

Legend

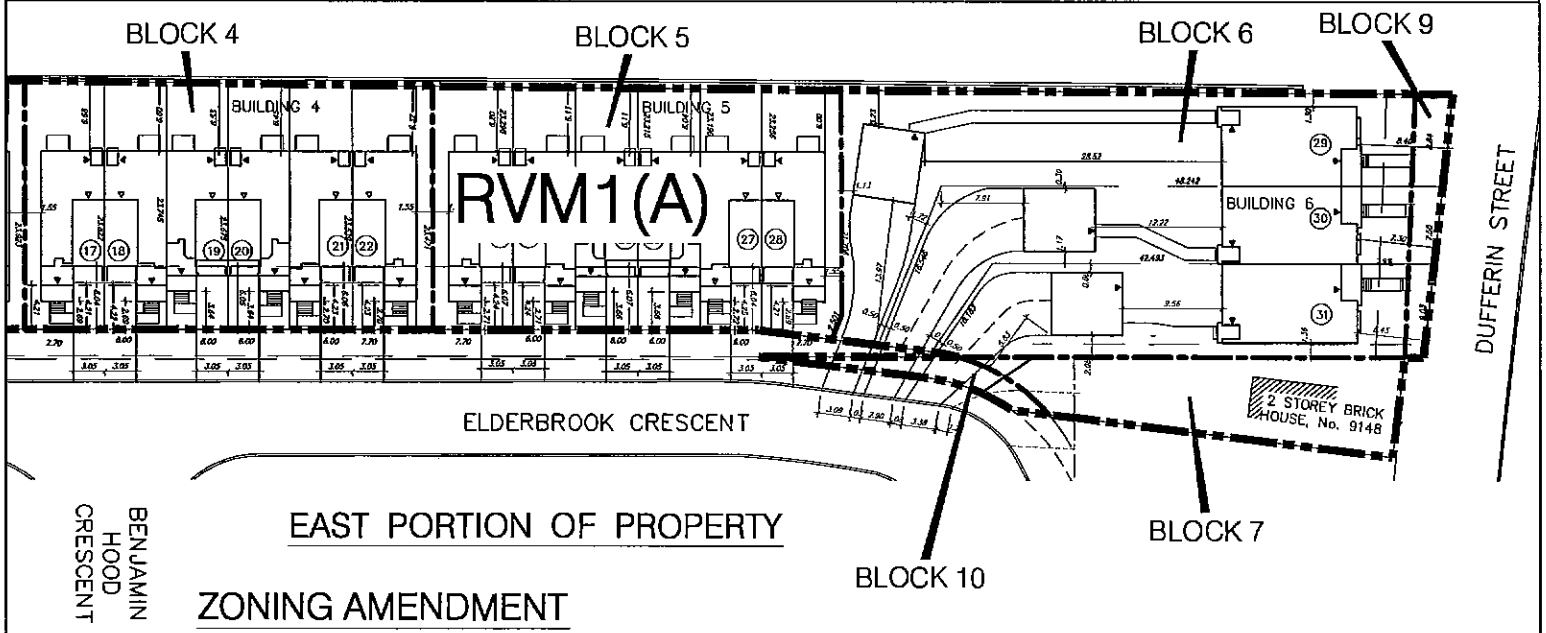
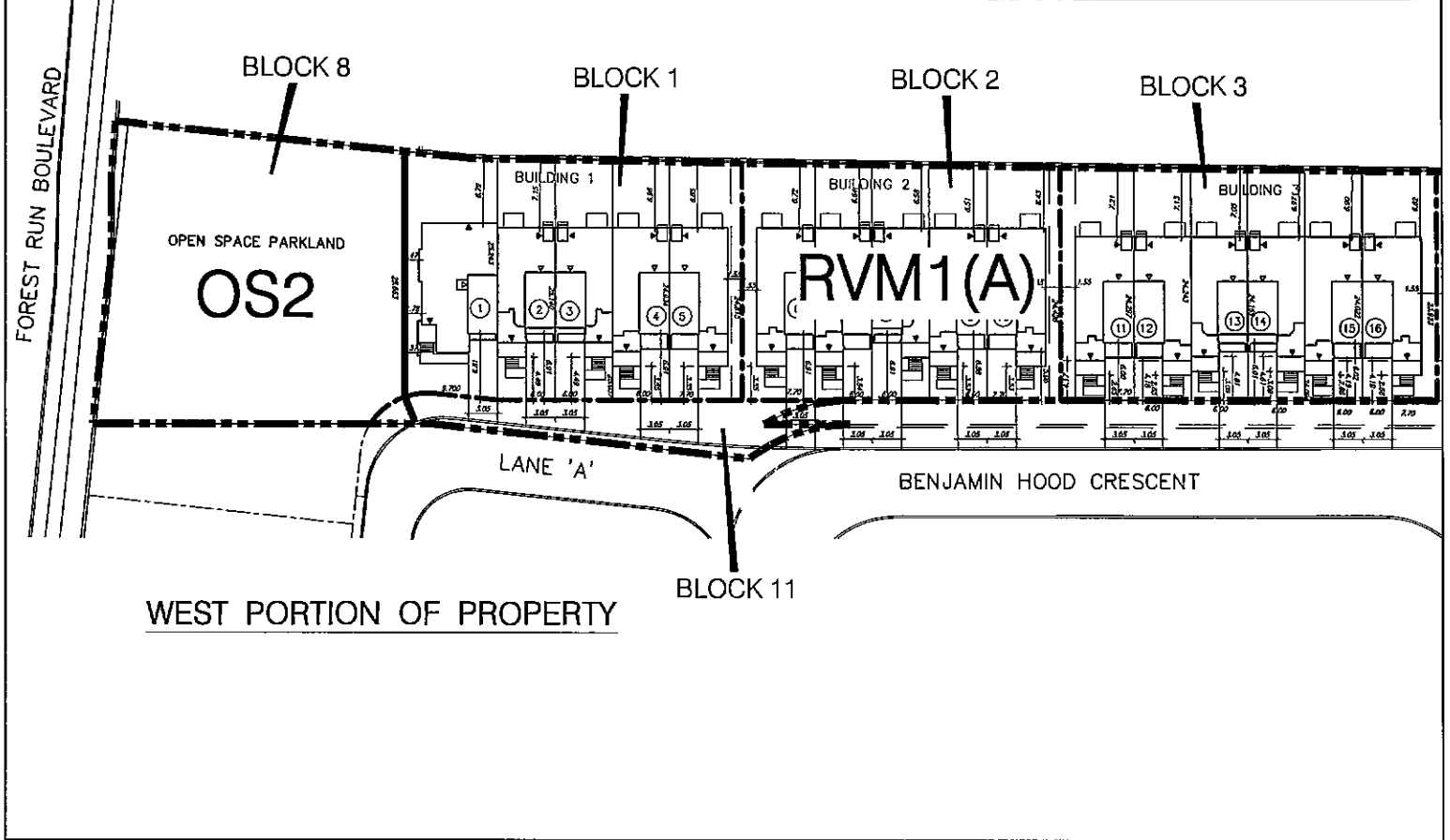
- Proposed deciduous tree
- Proposed shrubs
- Proposed perennials
- (quantity) Plant Key
- Privacy Fence
- 0.15m x 0.65m concrete patio slabs on 150mm granular 'A' (typ.)

--- SUBJECT LANDS (BLOCK 8)



Park Landscape Plan (File 19T-11V002)

LOCATION: Part Lot 15, Concession 3
 APPLICANT: Dufferin Ridge (ARH) Limited
 MAP: ATTACHMENTS\A.09.043.dwg



ZONING AMENDMENT

TO AMEND ZONING BY-LAW 1-88, SPECIFICALLY TO REZONE THE SUBJECT LANDS FROM A AGRICULTURAL ZONE TO RVM1(A) RESIDENTIAL URBAN VILLAGE MULTIPLE ZONE ONE AND OS2 OPEN SPACE PARK ZONE TO PERMIT 31 TOWNHOUSE (FREEHOLD) UNITS WITHIN 6 TOWNHOUSE BLOCKS, A PARK AND A BLOCK FOR AN EXISTING RESIDENTIAL TOWNHOUSE DWELLING (BLOCK 7).

SUBJECT LANDS

Not to Scale

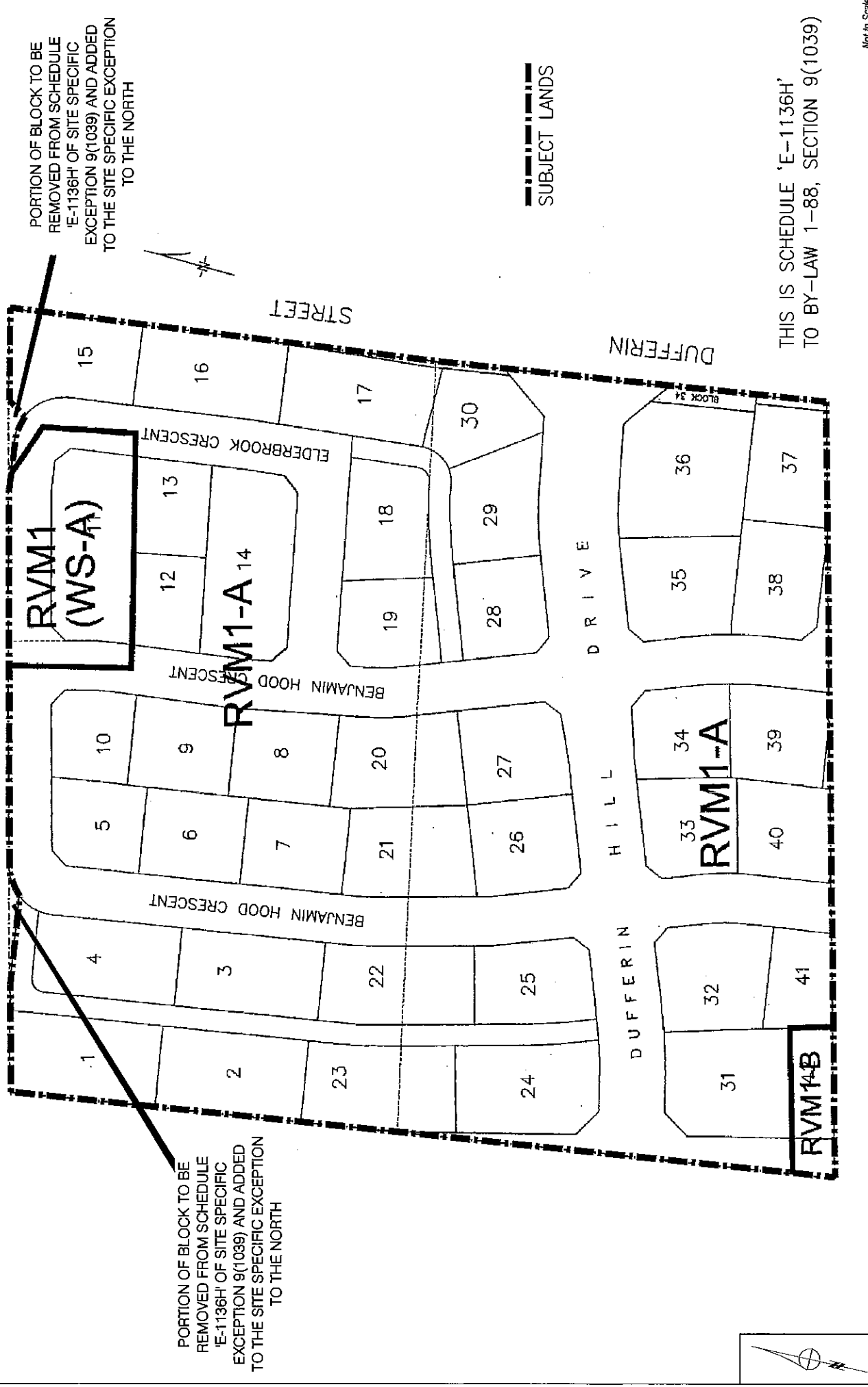
Site Plan & Proposed Zoning (File Z.09.043)

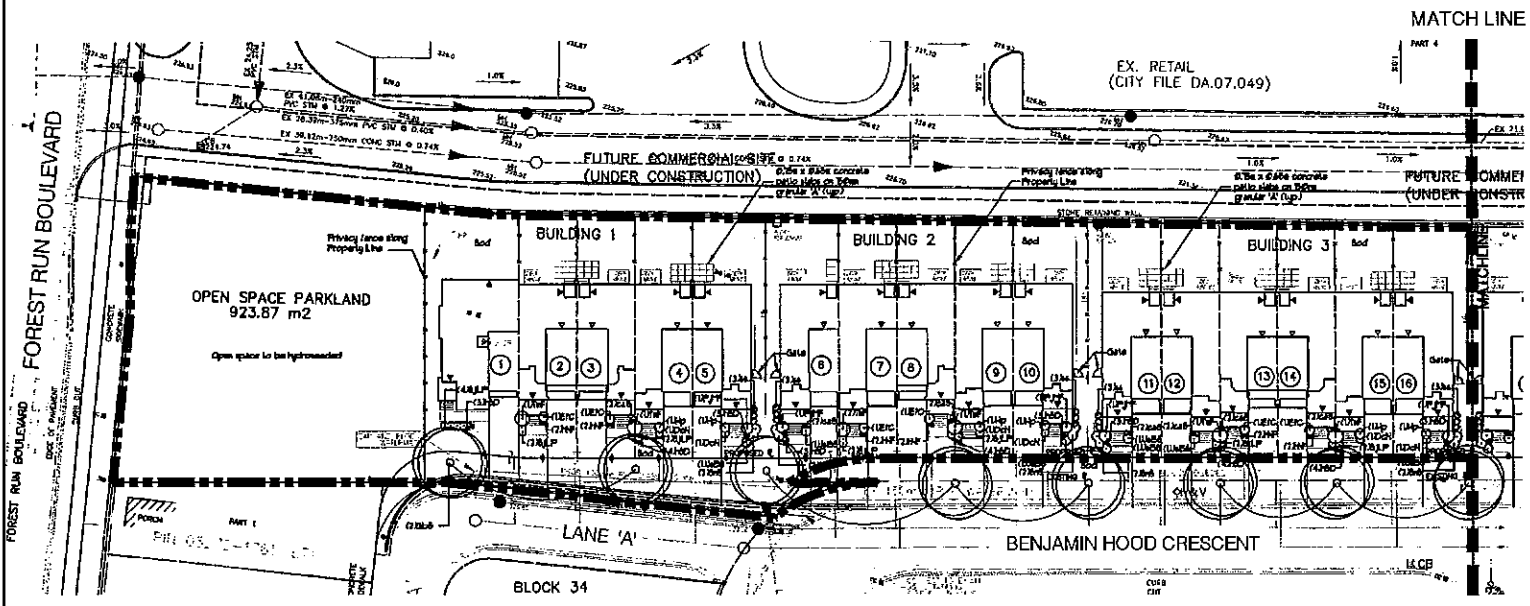


Attachment
 FILE:
 Z.09.043, 19T-11V002 & DA.11.047
 DATE:
 September 21, 2011
6

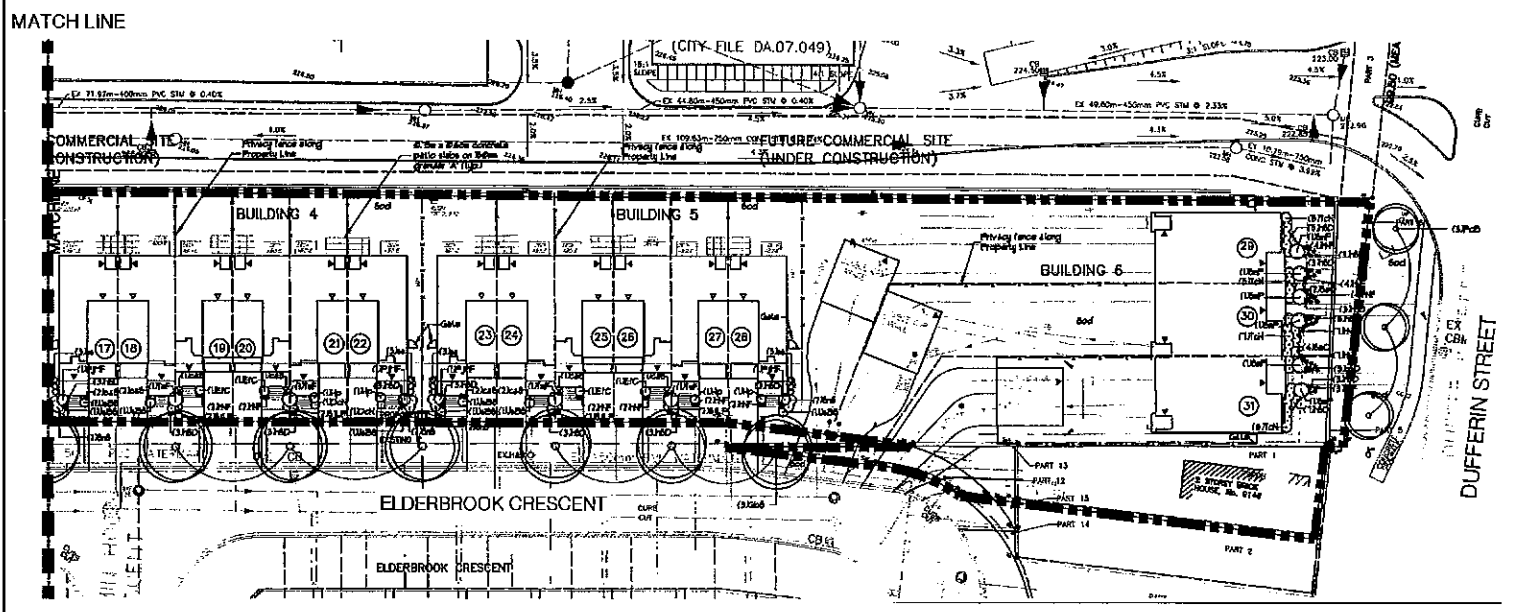
APPLICANT:
 Dufferin Ridge (ARH) Limited
 LOCATION:
 Part Lot 15, Concession 3

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WEST PORTION OF PROPERTY



EAST PORTION OF PROPERTY

----- Subject Lands

Not to Scale

Landscape Plan (DA.11.047)

LOCATION:
Part Lot 15, Concession 3

APPLICANT:
Dufferin Ridge (ARH) Limited

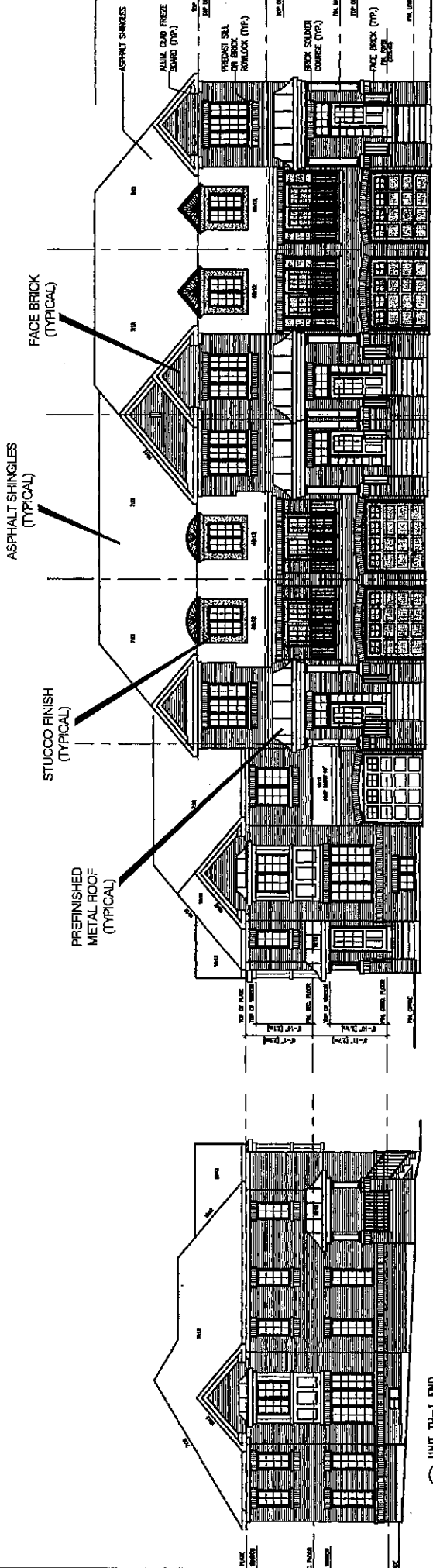
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Attachment
FILE:
Z.09.043, 19T-11V002 & DA.11.047

DATE:
September 21, 2011

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① UNIT TH-1 END
ELEV. 'A'

WEST (SIDE) ELEVATION

① UNIT TH-1 END
ELEV. 'A'

② UNIT TH-2
ELEV. 'A'

③ UNIT TH-2
ELEV. 'A'

④ UNIT TH-4
ELEV. 'A'

⑤ UNIT TH-5 END
ELEV. 'A'

SOUTH (FRONT) ELEVATION (FACING BENJAMIN HOOD CRESCENT)

Not to Scale

**Typical Elevations (File DA.11.047)
(Block 1 South & West Elevations)**

APPLICANT:
Dufferin Ridge (ARH) Limited

LOCATION:
Part Lot 15, Concession 3

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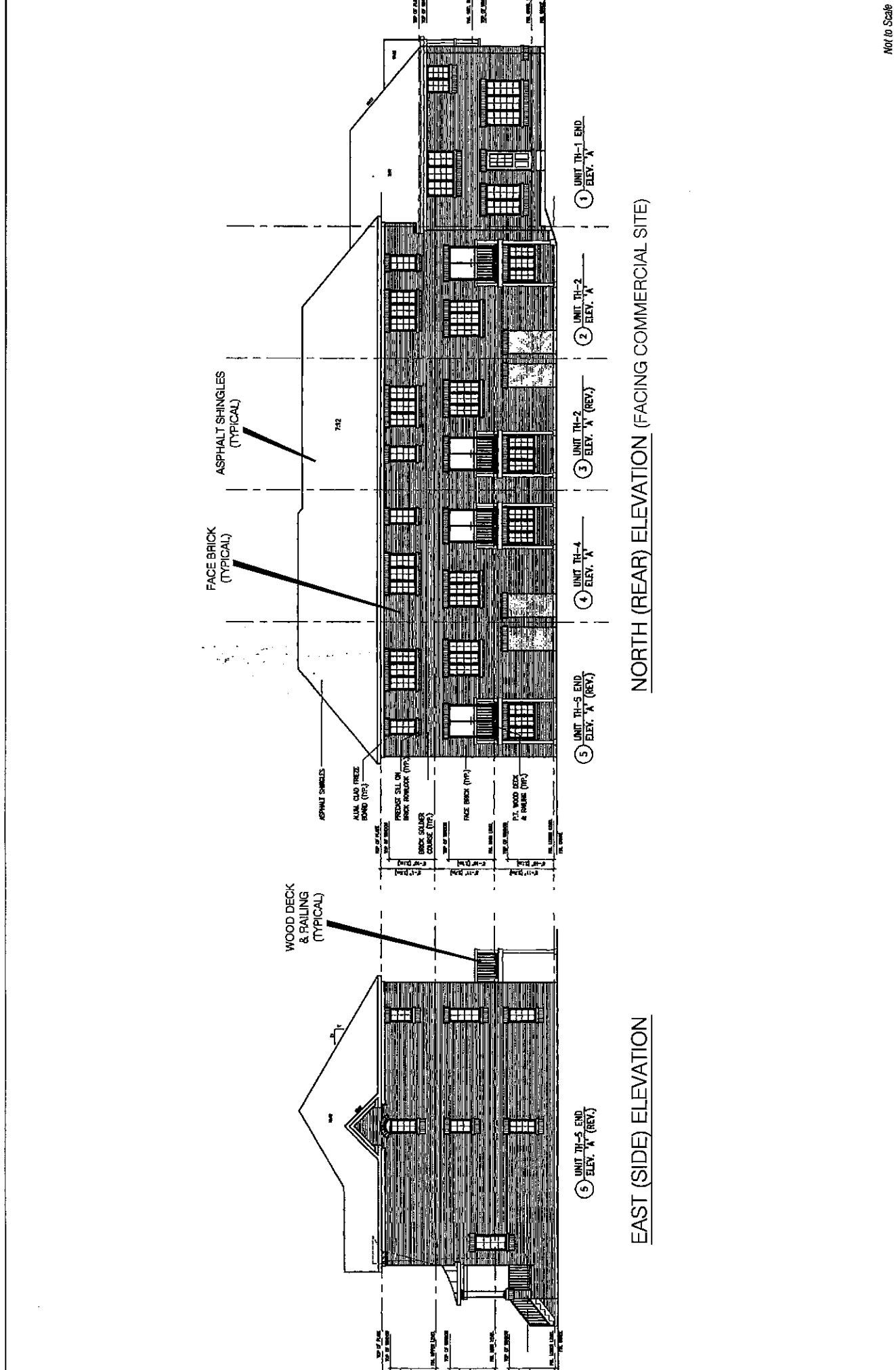


Attachment

9

FILE:
Z.09.043, 19T-11M002 & DA.11.047

DATE:
September 21, 2011



Not to Scale

EAST (SIDE) ELEVATION

NORTH (REAR) ELEVATION (FACING COMMERCIAL SITE)

Typical Elevations (File DA.11.047)
(Block 1 North & East Elevations)

APPLICANT:
 Cufferin Ridge (ARR) Limited

LOCATION:
 Part Lot 15, Concession 3

