COMMITTEE OF THE WHOLE DECEMBER 6, 2011

ZONING BY-LAW AMENDMENT FILE Z.11.039 SITE DEVELOPMENT FILE DA.09.089 DRAFT PLAN OF CONDOMINIUM FILE 19CDM-09V02 1231674 ONTARIO INC. WARD 2

Recommendation

The Commissioner of Planning recommends:

- 1. THAT Zoning By-law Amendment File Z.11.039 (1231674 Ontario Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically to remove the Holding Symbol "H" from the subject lands shown on Attachment #2, thereby effectively zoning the subject lands R5 Residential Zone.
- 2. THAT Site Development File DA.09.089 (1231674 Ontario Inc.) BE APPROVED, to permit an infill residential development consisting of 8 lots (Lots 1 to 8 inclusive) for freehold detached dwellings to be served by a common element condominium road including 2 visitor parking spaces (Block 10), and common element blocks that will be used for landscaping purposes (Blocks 9, 11 and 12) as shown on Attachments #5, #6, #7 and #8, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking:
 - the final site plan, landscape plan, and building elevations shall be approved to the satisfaction of the Vaughan Development Planning Department;
 - ii) the final site grading and servicing plans, storm water management report, functional servicing report, access, parking and on-site circulation shall be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department;
 - the Owner shall enter into an engineering Development Agreement and any other agreement as required, to provide for the necessary municipal services for the proposed development, to the satisfaction of the Vaughan Development/Transportation Engineering Department;
 - the Owner shall obtain a letter from 1668135 Ontario Inc. (the landowner to the south of the subject lands) to confirm that the external flows from the Hydro Corridor lands will be considered for external drainage within the storm drainage plan and stormwater management report in the next phase of their subdivision, to the satisfaction of the Vaughan Development/Transportation Engineering Department;
 - the Owner shall satisfy all requirements of the Vaughan Fire and Rescue Services Department;
 - vi) the Owner shall satisfy all requirements of Hydro One Networks Inc.;
 - vii) the Owner shall satisfy all requirements of the TRCA (Toronto and Region Conservation Authority);

- viii) the Holding Symbol "H" applicable to the subject lands shall be lifted; and.
- ix) the Owner shall convey Block 13 (OS1 Zone) to either the City or Toronto and Region Conservation Authority (TRCA), free and clear of all charges and encumbrances; and,
- b) that the implementing Site Plan Letter of Undertaking include the following provisions:
 - the design and character of the housing shall vary and avoid repetition (ie. not result in 2 identical looking (veneer, façade, style, etc.) residential models side-by-side);
 - ii) Hydro One Networks Inc. advises that the transmission lines abutting this subdivision operate at 500,000, 230,000 or 115,000 volts. Section 186 Proximity of the Regulations for Construction Projects in the Occupational Health and Safety Act, require that no object be brought closer than 6 metres (20 feet) to an energized 500 kV conductor. The distance for 230 kV conductors is 4.5 metres (15 feet), and for 115 kV conductors it is 3 metres (10 feet). It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the conductors can raise and lower without warning, depending on the electrical demand placed on the line; and.
 - the Owner shall pay to the City of Vaughan by way of certified cheque, 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 Planning Act and the City's Cash-in-lieu Policy. The Owner shall submit an 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.
- 3. THAT Vaughan Council adopt the following resolution with respect to the allocation of sewage and water servicing capacity:
 - "IT IS HEREBY RESOLVED THAT Site Development File DA.09.089 is allocated sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System for a total of 8 residential units subject to the execution of a Site Plan Letter of Undertaking or Agreement, whichever is in effect, to the satisfaction of the City."
- 4. THAT Draft Plan of Condominium (Common Elements) File 19CDM-09V02 (1231674 Ontario Inc.) as shown on Attachment #5, BE APPROVED, subject to the conditions set out in Attachment #1.

5. THAT the following street name for proposed Draft Plan of Condominium (Comment Elements) File 19CDM-09V02 (1231674 Ontario Inc.) as shown on Attachment #5, BE APPROVED:

STREET

PROPOSED NAME

Block "10"

Izzy Court

Contribution to Sustainability

The Owner has advised that the following sustainable features will be provided within the buildings and site design:

- buildings will be constructed to achieve Energy Star (R80) standards as a purchaser option;
- interlocking pavers and landscape vegetation in the turning circle island will increase the potential for evapotranspiration and infiltration;
- locally sourced building materials will be used; and,
- greater use of surface swales and overland flow to reduce demand on storm sewers.

Economic Impact

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

Communications Plan

On January 29, 2010, a Notice of Public Hearing regarding Draft Plan of Condominium (Common Elements) File 19CDM-09V02 was circulated to all property owners within 150m of the subject lands, including the Owners of 55 Sicilia Street, 15 Genova Court, and 26 Campania Court. The recommendation of the Committee of the Whole to receive the Public Hearing report of February 23, 2010, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on March 9, 2010.

A Notice of this subject Committee of the Whole meeting was mailed to those individuals who had requested notice of any meetings with regard to this proposal.

Purpose

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

- Zoning By-law Amendment File Z.11.039, specifically to remove the Holding Symbol "H" from the subject lands shown on Attachments #2 and #3, thereby effectively zoning the subject lands R5 Residential Zone.
- 2. Site Development File DA.09.089 to permit an infill residential development consisting of 8 lots (Lots 1 to 8 inclusive) for freehold detached dwellings to be served by a common element condominium road including 2 visitor parking spaces (Block 10), and common element blocks that will be used for landscaping purposes (Blocks 9, 11and 12). The proposed site plan is shown on Attachment #4.
- Draft Plan of Condominium (Common Elements) File 19CDM-09V02 consisting of a common element condominium road including 2 visitor parking spaces (Block 10), and common element blocks for landscaping purposes (Blocks 9, 11 and 12). The proposed draft plan of condominium is shown on Attachment #5. The draft plan also includes Block

13 (vegetated water course) which will be conveyed to either the City or Toronto and Region Conservation Authority.

Background - Analysis and Options

Location

The subject lands shown on Attachments #2 and #3 are located south of Sicilia Street and east of Genova Court, northeast of Martin Grove Road and Langstaff Road, being Blocks 120 and 121 within Registered Plan 65M-2984, City of Vaughan. The surrounding land uses are shown on Attachment #2.

Official Plan and Zoning

The subject lands are designated "Low Density Residential" and "Utility" by OPA #240 (Woodbridge Community Plan), and are designated "Low-Rise Residential", "Infrastructure and Utilities" and "Natural Areas" by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011) and is pending approval from the Region of York. The proposal conforms to the Official Plans.

On March 23, 2009, Council approved Zoning By-law Amendment File Z.07.010 to rezone the subject lands from A Agricultural Zone to R5(H) Residential Zone with the Holding Symbol "(H)", A Agricultural Zone and OS1 Open Space Conservation Zone as shown on Attachment #3, together with site-specific exceptions to Zoning By-law 1-88 to facilitate the proposed site plan shown on Attachment #4. The Holding Symbol "(H)" is to be removed upon servicing capacity being allocated and the approval of a Site Development Application for the property. The implementing zoning by-law (By-law 126-2011) was enacted by Vaughan Council on June 28, 2011. The proposal complies with Zoning By-law 1-88, as amended. Should Council approve the Site Development Application and the resolution to allocate servicing capacity to the development, the Holding Symbol "(H)" can be removed from the property, thereby effectively zoning the tableland portion of the site to R5 Residential Zone.

Site Plan Review

The proposed site plan is shown on Attachment #4, and includes 8 lots (Lots 1 to 8 inclusive) for freehold detached dwellings to be served by a common element condominium road including 2 visitor parking spaces (Block 10), and common element blocks (Blocks 9, 11 and 12) that will be used for landscaping purposes. The proposed landscape plan shown on Attachment #6 includes a mix of trees and shrubs to be planted within the common element landscape blocks, and will be maintained by the condominium corporation. The landscaping is proposed to integrate the development with the existing residential community. The Development Planning Department has requested that a 1.8 m high privacy fence be erected along the perimeter of the property where it abuts existing residential lots as shown on Attachment #6.

The proposed elevations (Attachments #7 and #8) vary in material and colours for the brick and stone veneers. The location of a particular model on each lot has not been determined at this point in time. The Development Planning Department will be including a provision in the Site Plan Letter of Undertaking, indicating that the design and character of the housing must vary and avoid repetition (i.e. not result in 2 identical looking (veneer, façade, style, etc.) residential models located side-by-side).

The site plan proposes 2 parking spaces per dwelling unit (1 space in garage and 1 on driveway) in compliance with the Zoning By-law. The site plan also proposes 2 visitor parking spaces, which are not required by the Zoning By-law but have been provided.

The Development Planning Department will continue to work with the applicant to finalize the site and landscape plans. The final site plan, landscape plan and landscape cost estimate must be approved to the satisfaction of the Vaughan Development Planning Department.

Street Name

The Development Planning Department is in receipt of correspondence from the Owner requesting that the common element road, shown as Block 10 on Attachment #5, be assigned the name "Izzy Court". The proposed street name has been reviewed by the Vaughan Development Planning Department and the Vaughan Fire and Rescue Services Department, and the Region of York Planning Department, and is acceptable. A recommendation to name the street is provided in this report.

Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department has reviewed the applications and provides the following comments:

a) Servicing

The Owner has submitted a functional servicing plan, noise report, storm water management report, and site servicing and grading plans, which must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department, prior to the execution of the Site Plan Letter of Undertaking The Owner is also required to enter into an engineering Development Agreement and any other agreement required by the City, to provide for the necessary municipal services for the proposed development and facilitate the site plan prior to the execution of the Site Plan Letter of Undertaking. The Owner shall also provide the Development/Transportation Engineering Department with a letter from 1668135 Ontario Inc. (the landowner to the south of the subject lands) confirming that the external flows from the Hydro Corridor lands will be considered for external drainage within the storm drainage plan and the stormwater management report in the next phase of their subdivision. Conditions of approval respecting the above requirements are included in the recommendation of this report.

b) Servicing Capacity Allocation

In accordance with the City's Servicing Capacity Distribution Protocol as approved by Council on May 24, 2011, formal allocation of servicing capacity will be required by Council in conjunction with Site Plan approval. The recommended wording for allocation to File DA.09.089 is as follows:

"That Council pass the following resolution with respect to the allocation of sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System in accordance with the approved Servicing Capacity Distribution Protocol dated May 24, 2011:

IT IS HEREBY RESOLVED THAT Site Development File DA.09.089 is allocated sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System for a total of 8 residential units subject to the execution of a Site Plan Letter of Undertaking or Agreement, whichever is in effect, to the satisfaction of the City."

c) <u>Environmental Site Assessment (ESA)</u>

As part of the review of Zoning By-law Amendment File Z.07.010, the City received an acceptable Record of Site Condition (RSC) with the Environmental Site Registry of the Ministry of the Environment (MOE), which includes the acknowledgement from the MOE and a signed RSC by a qualified person.

d) Transportation Planning Division

The Transportation Policy Division has reviewed the subject applications. The proposed roadway design and requirements is not required to meet City roadway design standards, but must work for fire and emergency vehicles. The Transportation Planning Division, together with the Vaughan Fire and Rescue Services Department has reviewed the fire truck maneuvering plan provided by the applicant. The roadway is acceptable, subject to the conditions provided by the Vaughan Fire and Rescue Services Department that are provided below.

Vaughan Fire and Rescue Services Department

The Vaughan Fire and Rescue Department has provided the following comments:

- 1. The street and turning circle be designated as a fire route and no parking is allowed;
- 2. The street and turning circle be signed with appropriate signage to indicate fire route and no parking;
- 3. The curbs of the turning circle be of a mountable type (both inner and outer circle) to facilitate the truck over run and the event of a parked vehicle;
- 4. The sight lines in the inner circle be maintained for driver visibility;
- 5. The installations of utility poles and signs be strategically placed to allow for tail end swing and back up opportunity; and,
- 6. Snow should be completely removed and allow for the full width of the street and turning circle to facilitate extension of the outriggers.

Prior to the execution of the Site Plan Letter of Undertaking, the Owner will be required to satisfy the requirements of the Vaughan Fire and Rescue Services Department. A condition of approval has been included in the recommendation of this report.

Parkland Dedication

The Vaughan Real Estate Division has advised that the Owner shall pay to Vaughan by way of certified cheque, 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 Planning Act and the City's Cash-in-lieu Policy. The Owner shall submit an 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. A condition of approval is included in this report.

Garbage/Recycling Collection and Snow Removal

Snow removal and garbage and recycling pick-up will be privately administered and the responsibility of the Condominium Corporation.

Toronto and Region Conservation Authority (TRCA)

A vegetated watercourse feature traverses the southern limit of the subject lands and connects to Rainbow Creek to the south. As part of the previous related development applications (Files Z.06.010 and Z.07.010), the Toronto and Region Conservation Authority (TRCA), the Owner and City Staff visited the site on March 31, 2006 and July 20, 2006, to verify the extent and nature of the feature. Another site visit was conducted on August 24, 2007, and the TRCA had no objection to the subject application provided that the natural feature and a 5m buffer area was zoned in an appropriate open space category. This area was zoned OS1 Open Space Conservation Zone on June 28, 2011 and is shown as Block 13 on Attachment #5, and will be dedicated to either the City or the Region of York.

The TRCA has no objections to the subject applications and note that the applicant has already obtained a TRCA Permit under Ontario Regulation 166/06 for the construction of a drainage swale (Permit No. C-10792, issued September 10, 2010).

Hydro One Networks Inc. (HONI) Corridor

The proposed development will be accessed from Sicilia Street, through a hydro corridor, which is owned by the Applicant. Hydro One Networks Inc. (HONI) has indicated by correspondence dated July 22, 2009, that they are supportive of allowing an access through the hydro corridor, subject to the following:

- a) prior to final approval, a copy of the lot grading and drainage plan, showing existing and final grades, must be submitted to HONI for review and approval;
- b) any development in conjunction with the subdivision must not block vehicular access to any HONI facilities located on the right-of-way. During construction, there will be no storage of materials or mounding of earth, snow or other debris on the right-of-way;
- the subdivider shall make arrangements satisfactory to HONI for the use of the hydro right-of-way for the proposed common element access road;
- d) the costs of any relocations or revisions to HONI facilities which are necessary to accommodate this subdivision will be borne by the developer; and,
- the easement rights of HONI and its legal predecessors are to be protected and maintained.

The following Hydro One condition of approval will be included in the Site Plan Letter of Undertaking and in the Condominium Agreement as identified on Attachment #1:

"The transmission lines abutting this subdivision operate at 500,000, 230,000 or 115,000 volts. Section 186 – Proximity of the Regulations for Construction Projects in the Occupational Health and Safety Act, require that no object be brought closer than 6 metres (20 feet) to an energized 500 kV conductor. The distance for 230 kV conductors is 4.5 metres (15 feet), and for 115 kV conductors it is 3 metres (10 feet). It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the conductors can raise and lower without warning, depending on the electrical demand placed on the line."

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

N/A

Conclusion

Zoning By-law Amendment File Z.11.039 to remove the Holding Symbol "H" from the subject lands, and the Site Development and Draft Plan of Condominium Applications have been reviewed in accordance with the policies of OPA #240 (The Woodbridge Community Plan), the requirements of Zoning By-law 1-88, the comments received from City Departments and external public agencies, and the surrounding area context. The applications will facilitate development that conforms with the Official Plan, complies with Zoning By-law 1-88, and would be compatible with the surrounding land uses. Accordingly, the Development Planning Department has no objections to the approval of the Zoning By-law Amendment, Site Development and Draft Plan of Condominium Applications, subject to the conditions set out in this report.

Attachments

- 1. Conditions of Approval
- 2. Context Location Map
- 3. Location Map
- 4. Site Plan
- 5. Draft Plan of Common Elements Condominium
- 6. Landscape Plan
- 7. Typical Front Elevations
- 8. Typical Rear Elevations

Report prepared by:

Clement Messere, Planner, ext. 8409 Carmela Marrelli, Senior Planner, ext. 8791 Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN MACKENZIE Commissioner of Planning

GRANT UYEYAMA Director of Development Planning

/LG

ATTACHMENT NO. 1

CONDITIONS OF APPROVAL

DRAFT PLAN OF CONDOMINIUM 19CDM-09V02 (COMMON ELEMENTS) 1231674 Ontario Inc. Part of LOT 12, CONCESSION 8, 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 CONDOMINIUM 19CDM-09V02, ARE AS FOLLOWS:

City of Vaughan Conditions

- 1. The Plan shall relate to a draft plan of condominium, prepared by P. Salna Company Ltd., drawing # 94-94, dated April 20, 2011.
- 2. Prior to the execution of the condominium agreement, the Owner shall submit a preregistered plan of condominium to the Vaughan Development Planning Department, and the Holding "H" Symbol shall have been removed, and the related Site Plan Letter of Undertaking or Agreement shall have been registered on title.
- 3. The Owner shall enter into a condominium agreement with the City of Vaughan, and shall agree to satisfy any conditions with respect to such matters as landscaping and site development and any other matters that the City may consider necessary.
- 4. The following provision(s) shall be included in the condominium agreement and all Agreements of Purchase and Sale or Lease:
 - a) the Owner/Condominium Corporation shall be responsible to regularly clean and maintain all driveway catch basins; and,
 - b) snow removal and clearing, and garbage and recycling pick-up shall be privately administered, and shall be the responsibility of the Owner/Condominium Corporation
- 5. The condominium agreement shall be registered on title against the lands to which it applies, at the cost of the Owner.
- 6. Prior to final approval, the Owner shall submit an "as-built" survey to the satisfaction of the Vaughan Building Standards Department.
- 7. Prior to final approval, the Owner shall confirm to the Vaughan Development Planning Department that all required easements and rights-of-way for utilities, drainage and construction purposes have been granted to the appropriate authorities.
- 8. Prior to final approval, the Owner shall confirm that they have paid all outstanding taxes, development charges and levies, as may be required by the Vaughan Finance Department.

Hydro One Conditions

9. The following provision shall be included in the Condominium Agreement and all Agreements of Purchase and Sale or Lease:

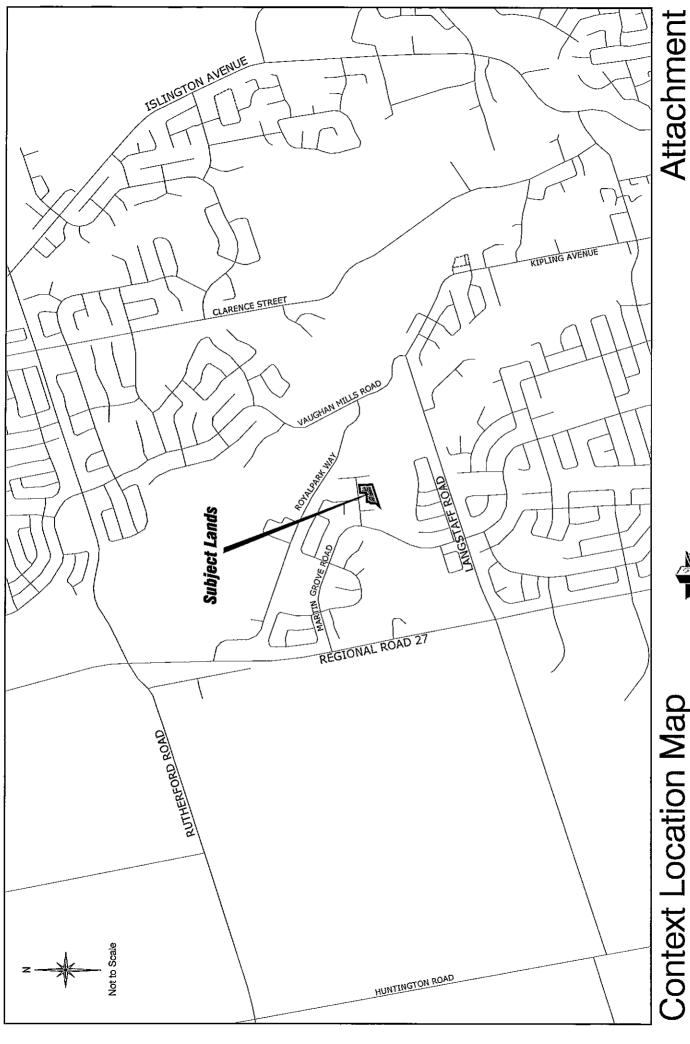
"The transmission lines abutting this subdivision operate at 500,000, 230,000 or 115,000 volts. Section 186 — Proximity of the Regulations for Construction Projects in the Occupational Health and Safety Act, require that no object be brought closer than 6 metres (20 feet) to an energized 500 kV conductor. The distance for 230 kV conductors is 4.5 metres (15 feet), and for 115 kV conductors it is 3 metres (10 feet). It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the conductors can raise and lower without warning, depending on the electrical demand placed on the line."

Canada Post Conditions

- 10. a) The Owner/developer shall include on all Offers of Purchase and Sale or Lease, a statement which advises the prospective purchaser or leasee that mail delivery will be from a designated Community Mailbox.
 - b) The Owner/developer shall be responsible for notifying the purchaser or leasee of the exact Community Mailbox locations prior to the closing of any home sale.
 - c) The Owner/developer shall consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailboxes and to include these locations on the appropriate servicing plans.
 - d) The Owner shall provide the following for each community mailbox site, as shown on the servicing plans:
 - i) a sidewalk section (concrete pad) as per municipal standards, to place the Community Mailboxes on;
 - ii) any required walkway across the boulevard, as per municipal standards; and.
 - iii) any required curb depressions for wheelchair access.
 - e) The Owner/developer shall agree 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 location(s).

Clearances

- 11. The City (Vaughan Development Planning Department) shall advise that Conditions 1 to 8 have been satisfied.
- 12. Hydro One shall advise that Condition 9 has been satisfied.
- 13. Canada Post shall advise that Condition 10 has been satisfied.



Attachment

FILES: DA.09.089, 19CDM-09V02, Z.11.039

DATE: November 01, 2011

VAUGHAN

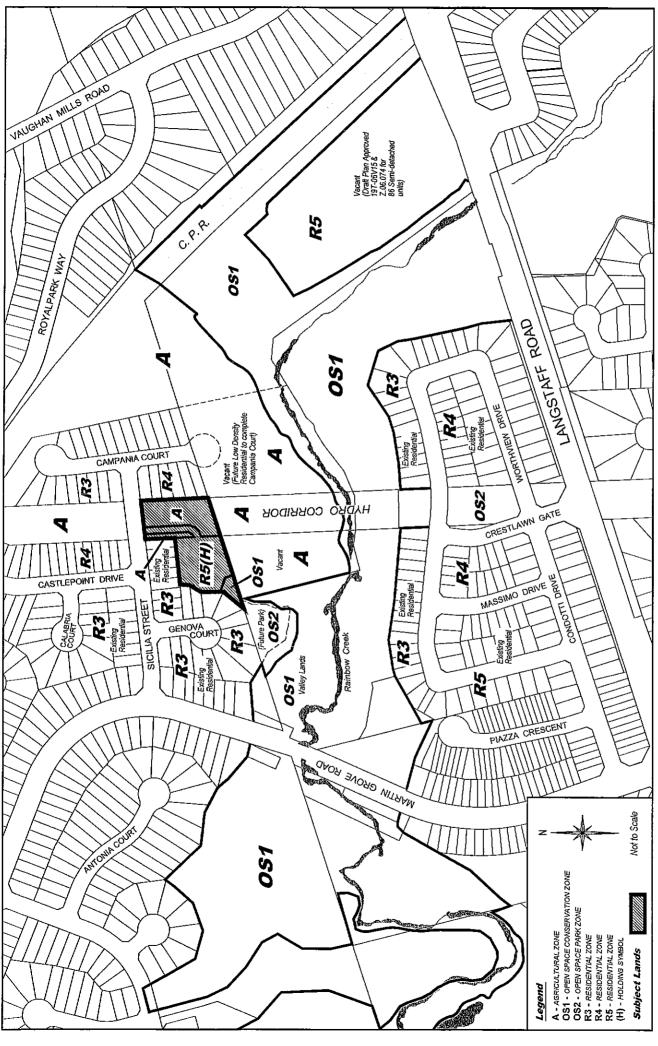
Development Planning Department

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1231674 Ontario Inc.

APPLICANT:

LOCATION: Part of Lot 12, Concession 8



Attachment

FILES: DA.09.089, 19CDM-09V02, Z.11.039

DATE:

Development Planning Department

VAUGHAN

November 01, 2011

1231674 Ontario Inc.

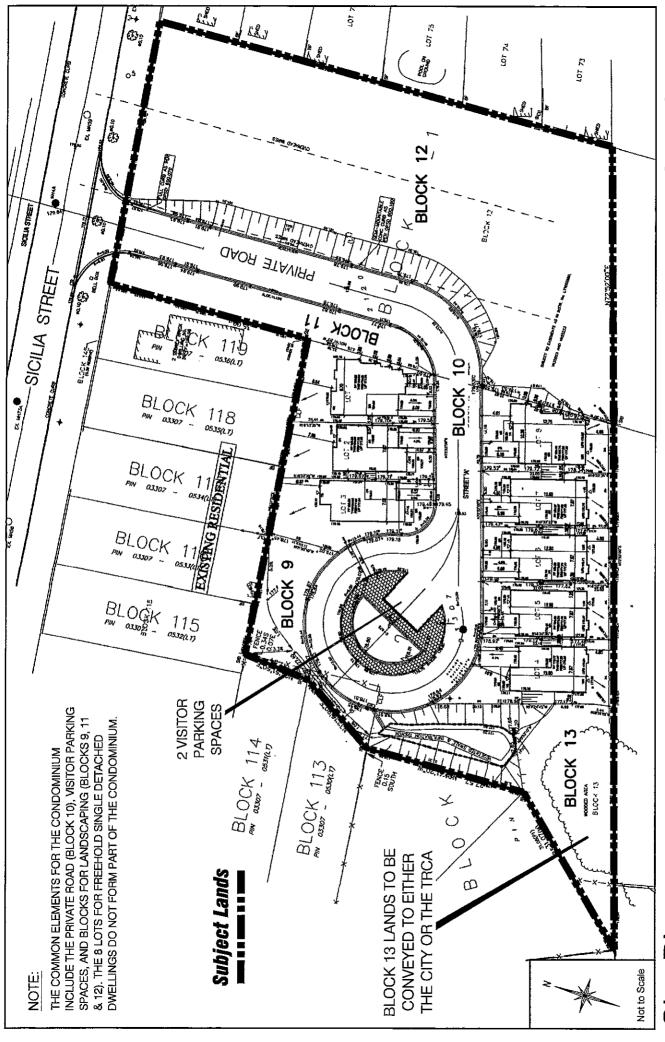
APPLICANT:

ocation Map

Part of Lot 12, Concession 8

LOCATION:

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Site Plan

LOCATION:

Part of Lot 12, Concession 8

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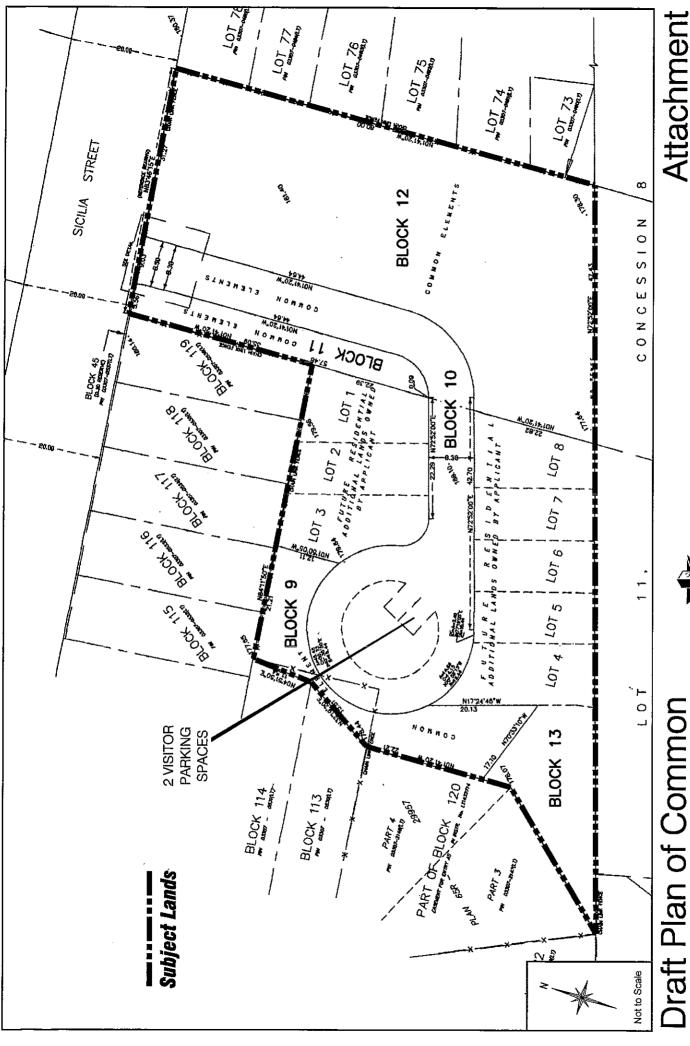
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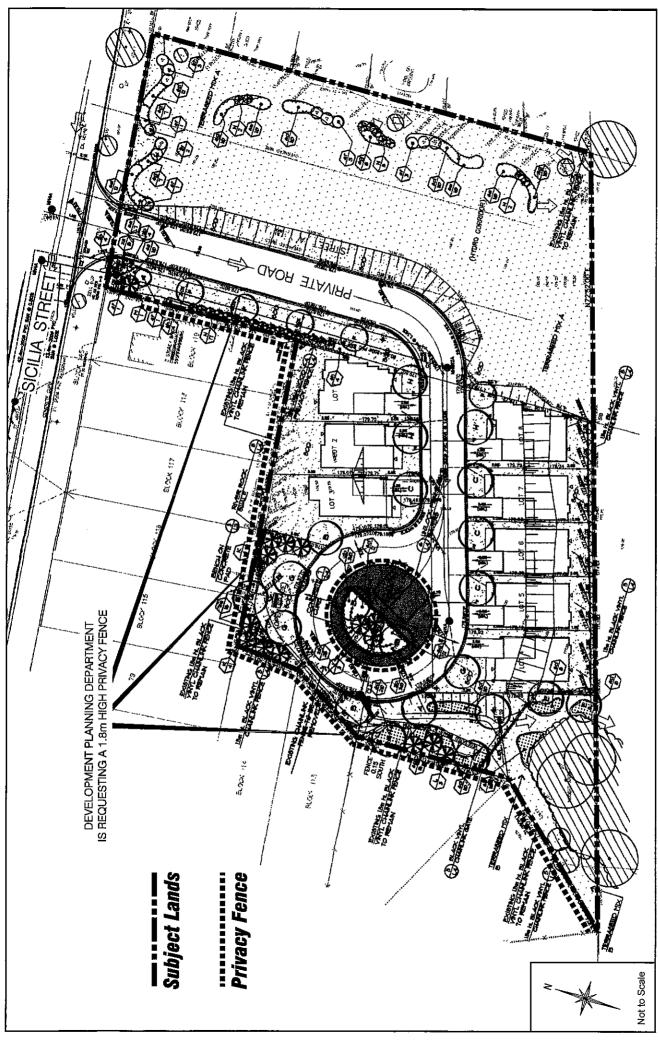
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LOCATION: Part of Lot 12, Concession 8

Elements Condominium

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APPLICANT:



Landscape Plan

LOCATION: Part of Lot 12, Concession 8

APPLICANT:

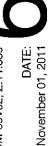
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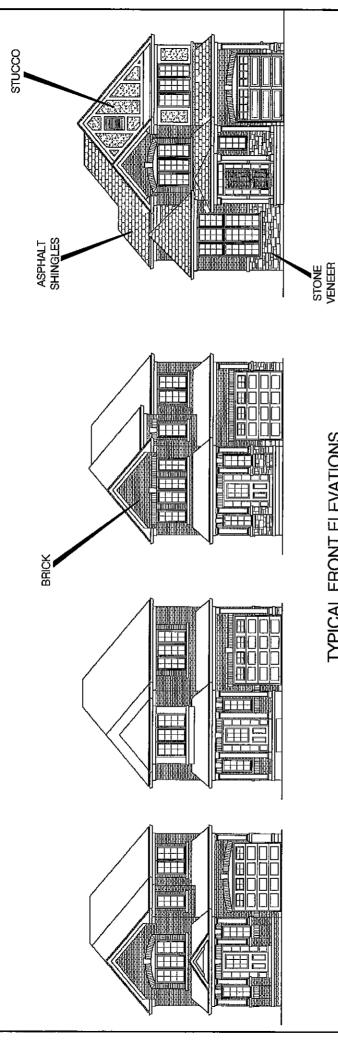
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Development Planning Department

Attachment

FILES: DA.09.089, 19CDM-09V02, Z.11.039





TYPICAL FRONT ELEVATIONS

Not to Scale

Typical Front Elevations

Part of Lot 12, Concession 8 LOCATION:

APPLICANT:

1231674 Ontario Inc.

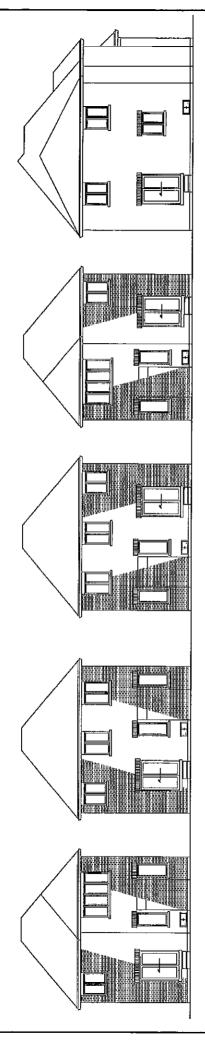
Development Planning Department VAUGHAN

Attachment

FILES: DA.09.089, 19CDM-09V02, Z.11.039

DATE: November 01, 2011

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TYPICAL REAR ELEVATIONS

Not to Scale

Typical Rear Elevations

LOCATION: Part of Lot 12, Concession 8

APPLICANT:

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Development Planning Department VAUGHAN

Attachment

FILES: DA.09.089, 19CDM-09V02, Z.11.039

DATE: November 01, 2011