

**COMMITTEE OF THE WHOLE JUNE 19, 2012**

**DRAFT PLAN OF SUBDIVISION FILE 19T-12V001  
KYLEMOUNT DEVELOPMENTS INC.  
WARD 4 - VICINITY OF RUTHERFORD ROAD AND PLEASANT RIDGE AVENUE**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Draft Plan of Subdivision File 19T-12V001 (Kylemount Developments Inc.) to facilitate the residential subdivision shown on Attachment #4, BE APPROVED, subject to the conditions of approval set out in Attachment #1.
2. 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 June 26, 2012:

"IT IS HEREBY RESOLVED THAT Subdivision Application 19T-12V001 is allocated sewage capacity from the York - Durham Servicing Scheme and water supply capacity from the York Water Supply System for a total of 38 residential units".

**Contribution to Sustainability**

N/A

**Economic Impact**

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

**Communications Plan**

On March 30, 2012, a Notice of Public Hearing was circulated to all property owners within 150m of the subject lands, and to the Thornhill Woods Community Association. The Committee of the Whole's recommendation to receive the Public Hearing report of April 24, 2012 and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on May 8, 2012. The following deputation and written comments have been received:

- i) Mr. Stan Korsunskiy, 145 Balsamwood Road, deputation made at the April 24, 2012 Public Hearing, respecting the lot premium he paid to Fieldgate Homes for lands abutting a school site;
- ii) Mr. Kenny Yang, 73 Daphnia Drive, correspondence dated April 24, 2012, respecting the change from a school site to a residential subdivision and the impact of the proposed development on the surrounding community; and,
- iii) Mr. Guangming Yi, 155 Balsamwood Road, correspondence dated April 30, 2012, respecting the builder, Mint Homes Inc., showing the site as a private school. Mr. Yi would not have purchased the property unless he backed onto a school site.

**Purpose**

The Owner has submitted Draft Plan of Subdivision File 19T-12V001 for the subject lands shown on Attachments #2 and #3, to facilitate a residential subdivision consisting of 38 lots for detached

dwellings with lot frontages of 11 m to 12 m as shown on Attachment #4. The plan of subdivision statistics are as follows:

a) 38 lots for single detached dwellings (11m and 12m frontages)	1.733 ha
b) Daylight triangle reserves	0.001 ha
c) <u>Road (Street 'A', 17.5 m)</u>	<u>0.297 ha</u>
Total Area	2.031 ha

The York Catholic District School Board no longer requires the property for school purposes, has declared it surplus, and sold the lands to the Applicant, Kylemount Developments Inc.

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

#### Location

The vacant subject lands shown on Attachments #2 and #3 are located on the northeast corner of Pleasant Ridge Avenue and Apple Blossom Drive, being Block 168 on Registered Plan 65M-4126, and Block 278 on Registered Plan 65M-3906, in Part of Lot 15, Concession 2, City of Vaughan. The subject lands have an area of 2.031 ha with 118.3 m of frontage on Apple Blossom Drive and 138.9 m of frontage along Pleasant Ridge Avenue. The approved Block 10 Plan shows the subject lands as an elementary school site forming part of a school/park campus that included Miriam Segal Park and Carrville Mills Public School existing to the immediate east, and abuts 8 m frontage lots developed with linked residential dwellings to the north. The surrounding land uses are shown on Attachment #3.

#### Supporting Documents

The Applicant has submitted the following reports in support of the application:

- Phase I Environmental Site Assessment, dated October 5, 2011, prepared by Soil Probe Limited;
- Geotechnical Investigation, dated September 29, 2011, prepared by Soil Probe;
- Environmental Noise Analysis Block 10, dated March 14, 2012, prepared by Valcoustics Canada Ltd.; and,
- Functional Servicing Report dated March 2012, prepared by Schaeffers Consulting Engineers.

#### OPA #600 - Carrville Urban Village 2

##### i) Land Use Designation

The subject lands are designated "Low Density Residential" by in-effect OPA #600 (Carrville – Urban Village 2), which permits the proposed single detached residential development.

##### ii) Residential Density

Section 4.2.1.1 iv) of OPA #600 states that the maximum permitted net density on a site shall be 22 units per hectare. The subject Draft Plan of Subdivision includes 38 lots on 2.031 ha of land yielding a density of 18.7 units per net residential hectare, in accordance with this policy.

#### City of Vaughan Official Plan 2010

The subject lands are designated "Low-Rise Residential" by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified on September 27, 2011 and April 17, 2012) and is pending approval from the Ontario Municipal Board (OMB). VOP 2010 permits the proposed single detached residential development.

## Zoning

The subject lands are zoned RV4 Residential Urban Village Zone Four, subject to Exception 9(1063) by Zoning By-law 1-88, which permits single detached residential dwellings with a minimum lot frontage of 9.75 m and minimum lot depths of 30 m. The proposed Plan of Subdivision consisting of 38 lots with 11 m and 12 m lot frontages, and lot depths of 30 m and greater, complies with the standards in the RV4 Zone. The Owner has not requested any site-specific exceptions to the RV4 Zone standards.

## Subdivision Design

The 2.031 ha, 38 lot Draft Plan of Subdivision shown on Attachment #4 includes 11 lots with frontage on Pleasant Ridge Avenue, 8 lots with frontage on Apple Blossom Drive, and 19 lots with frontage on Street 'A'. This north/south 17.5 m right-of-way cul-de-sac road (Street 'A') extends from Apple Blossom Drive, and is aligned with Daphnia Drive, which is opposite this road.

A hydro switchgear is currently located at the southeast corner of the property, as shown on Attachment #4. The Owner must relocate the hydro switchgear at their cost to a location in Miriam Segal Park to the satisfaction of Vaughan Parks Development Department and Powerstream Inc. A condition with respect to this is included in Attachment #1.

All development within the draft plan must proceed in accordance with the approved Block 10 Architectural Design Guidelines prepared by Watchorn Architect Inc. A condition with respect to this is included in Attachment #1.

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

## Vaughan Development/Transportation Engineering Department

The Development/Transportation Engineering Department provides the following comments:

### a) Environmental Site Assessment (ESA)

The Owner has submitted a Phase I ESA prepared by Soil Probe Ltd., dated October 5, 2011, which confirms that no actual or potential sources of soil or groundwater contamination was identified in association with this property.

### b) Roads

The Plan contains a 17.5 m right-of-way cul-de-sac that aligns at 90 degrees with Apple Blossom Drive, opposite of Daphnia Drive. The cul-de-sac is sloped towards Apple Blossom Drive. The road on the Plan must be designed in accordance with the City's standards and criteria.

### c) Municipal Services

The municipal services for this development must be in accordance with the approved Master Environmental Servicing Plan (M.E.S.P.) for Block 10.

### d) Water Supply

The Plan is part of Pressure District No. 6 of the York Water Supply System. The Plan can be serviced through multiple connections to the existing 400mm watermain on Pleasant Ridge Avenue and 400mm watermain on Apple Blossom Drive.

e) Sanitary Servicing

The Plan is tributary to the Bathurst Collector System. The Plan can be serviced through the existing 250mm sanitary sewer on Apple Blossom Road and the extension of the existing 250mm sanitary sewer on Pleasant Ridge Avenue.

f) Storm Drainage

The minor and major flows will be conveyed primarily through the proposed road allowances and rear lot catch basins which will drain into the existing storm sewers on Pleasant Ridge Avenue and Apple Blossom Drive, and ultimately drain into the existing stormwater management facilities located on the southwest corner of Rutherford Road and Pleasant Ridge Avenue and southwest corner of Bathurst Street and Ner Israel Drive.

The servicing of this Plan will require multiple service connections to be reinstated on Apple Blossom Drive and Pleasant Ridge Avenue. This will impact the road surface, and accordingly, the Owner will be required to restore the existing road to the satisfaction of the City, which may include the resurfacing of the roadway.

g) Sewage and Water Allocation

The City-Wide Servicing Capacity Allocation Strategy Annual Update was presented to the Committee of the Whole on June 5, 2012. The above-noted application was included in the 'Reservation Schedule' for 38 single family residential units. The following resolution will be ratified by Council on June 26, 2012. Assuming Council approves the Item, the following wording is applicable:

"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 June 26, 2012:

IT IS HEREBY RESOLVED THAT Subdivision Application 19T-12V001 is allocated sewage capacity from the York - Durham Servicing Scheme and water supply capacity from the York Water Supply System for a total of 38 residential units."

h) Noise Attenuation

The Owner has submitted a noise report titled "Environmental Noise Analysis, Block 10, Proposed Residential Development, Apple Blossom Drive and Pleasant Ridge Avenue, City of Vaughan", prepared by Valcoustics Canada Ltd., dated March 14, 2012. The noise report recommends a provision to add forced air heating system for certain lots, and a 1.8 m high acoustic fence for certain lots to achieve the permissible sound level at outdoor amenity areas.

i) Relocation of Street Utilities

A large hydro switchgear exists in front of Lot 38. The switchgear is to be relocated to an appropriate location, to clear the frontage of the above mentioned lot and any proposed residential lots. The Vaughan Parks Development Department has advised that the hydro switchgear can be relocated to the adjacent park, at the applicant's cost.

j) Streetlighting

The streetlighting must match the existing street lighting system in the adjacent developments and in accordance with the City of Vaughan standards and design criteria.

k) Sidewalk/Pedestrian System

The proposed cul-de-sac does not require a sidewalk since it contains only 19 units, which is less than the minimum 40 units in the City's Sidewalk Policy, and it is not a through street that leads to public amenities and transit.

Vaughan Cultural Services Division

The Vaughan Cultural Services Division has confirmed that there are no archeological concerns for the subject lands.

Vaughan Parks Development Department

The Vaughan Parks Development Department has reviewed the proposal and advises that the Owner must specify the location of the hydro switch gear to be relocated in Miriam Segal Park. The hydro switch gear site must be reviewed and approved to the satisfaction of the Vaughan Parks Development Department. A condition to this effect is included in Attachment #1.

Vaughan Real Estate Division

The Vaughan Real Estate Division has confirmed that the Owner is not required to join the Block 10 Cost Sharing Agreement and that cash-in-lieu of parkland dedication equivalent to 5% has been paid.

School Boards

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

Canada Post

Canada Post has no objections to the proposed subdivision, subject to the Owner installing mail facilities and equipment to the satisfaction of Canada Post, of which their conditions are included in Attachment #1.

Utilities

The Owner will be required to confirm that sufficient wire-line communications/telecommunications infrastructure is available with the proposed development. The Owner will also be required to grant any easements that may be required for telecommunication services. A condition to this effect is included in Attachment #1.

Enbridge Gas Distribution has no objections to the application. The Owner will be required to prepare a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities. Enbridge Gas Distribution has provided conditions to be included in the subdivision agreement.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Manage Growth & Economic Well-being".

Regional Implications

The development is located within the Bathurst Collector Service Area of the York-Durham Sewage System, and will be serviced from Water Pressure District No. 6. The development will

be serviced by municipal water supply and municipal wastewater collection. Prior to final approval, the City of Vaughan must grant servicing capacity allocation to the development within the limit of the Region's capacity assignment.

In addition, York Region requests that the City of Vaughan apply a lapsing provision to the draft plan, pursuant to Section 51(32) of the Ontario Planning Act, and that York Region be provided an opportunity to comment on any proposed extensions of approval.

York Region has no objection to draft plan approval of the plan of subdivision, subject to the conditions in Attachment #1.

### **Conclusion**

The York Catholic School Board no longer requires the subject lands for a school and declared the lands surplus, and sold the property to Kylemount Developments Inc., who has in turn submitted a Draft Plan of Subdivision application for 38 single detached residential lots.

The Vaughan Development Planning Department has reviewed Draft Plan of Subdivision File 19T-12V001, in accordance with the applicable policies of the City's Official Plan, Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The application will facilitate a low density 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, and the requirements of Zoning By-law 1-88. The Development Planning Department can support the approval of the proposed Draft Plan of Subdivision, subject to the recommendations in this report and the conditions of approval included in Attachment #1.

### **Attachments**

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Subdivision File 19T-12V001

### **Report prepared by:**

Carol Birch, Planner, ext. 8216  
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Respectfully submitted,

JOHN MACKENZIE  
Commissioner of Planning

GRANT UYEVAMA  
Director of Development Planning

/LG

## **ATTACHMENT NO. 1**

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

#### **DRAFT PLAN OF SUBDIVISION File 19T-12V001 KYLEMOUNT DEVELOPMENTS INC. PART OF LOT 15, CONCESSION 2, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION 19T-12V001, ARE AS FOLLOWS:**

#### **City of Vaughan Conditions**

1. The Plan shall relate to the draft plan of subdivision, prepared by Evans Planning, drawing, dated March 13, 2012.
2. 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.
3. Prior to final approval of any part of the Plan, the Owner shall submit a revised Block Plan, to reflect any alterations resulting from this draft plan approval of subdivision.
4. The Owner shall enter into a subdivision agreement with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payments of development levies, the provisions of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
5. The road allowances included within this draft plan of subdivision shall be dedicated as public highways without monetary consideration and free of all encumbrances.
6. The road allowances included within this draft plan of subdivision shall be named to the satisfaction of the City and the Regional Planning Department.
7. The road allowances included in the Plan shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 metre reserves.

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.

8. Any dead ends or open sides of road allowances created by this draft plan of subdivision shall be terminated in 0.3 metre 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.

9. The Owner shall agree in the subdivision agreement that construction access shall be provided only in a location approved by the City.
10. Easements as may be required for utility, drainage or construction purposes shall be granted to the appropriate authority(ies), free of all charge and encumbrance.
11. 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.
12. Prior to final approval of the Plan or any phase thereof, and prior to the initiation of grading, the Owner shall submit to the City for review and approval the following:

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

- a. 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;
- b. The location and description of all outlets and other facilities;
- c. Stormwater management techniques which may be required to control minor or major flows; and
- d. Proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction.

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



13. 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.
14. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost any external municipal services that have been designed and oversized by others to accommodate the development of the plan.
15. 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.
16. 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.”

#### Site Specific Conditions

17. The Owner shall agree in the subdivision agreement that the engineering design(s) of Alternative Design Standards for road design and traffic calming measures may result in variation to the road, lotting pattern and the number of lots, to the satisfaction of the City.
18. Prior to final approval of the Plan, the Owner shall covenant and certify to the City that they are not aware of any soil, groundwater or sediment contamination on or within lands to be conveyed to the municipality which could interfere with the intended use.
19. Prior to final approval of the Plan or prior to initiation of any grading or stripping of topsoil to any lands included in the Plan, whichever comes first, the Owner shall submit an Erosion and Sedimentation Control Plan including topsoil storage plan detailing the location, size, side-slopes, stabilization methods and time period, for approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either park or school blocks.

20. Prior to final approval of the Plan, the Trustee for Block 10 shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 10 Landowners Cost Sharing Agreement, if applicable.
21. The Owner shall agree in the subdivision agreement to erect a permanent 1.5m high black vinyl chain link fence along the limits of residential lots where they abut open space lands, park and public walkway to the satisfaction of the City.
22. The Owner shall agree in the subdivision agreement 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.
23. The Owner shall agree in the subdivision agreement that all part Blocks and Lots within the Plan shall only be developed in conjunction with abutting part Blocks and Lots of adjacent draft plans of subdivision.
24. The Owner shall agree in the subdivision agreement that the storm drainage works be carried out consistent with the concepts outlined within, and substantially in compliance with, the Master Environmental Servicing Plan, for Planning Block 10.
25. The Owner shall relocate the existing switchgear in front of Lot 38 to an appropriate location to the satisfaction of the City, at no cost to the City.
26. The Owner shall re-instate Apple Blossom Drive and Pleasant Ridge Avenue to the pre-construction conditions or better and to the satisfaction of the City.
27. The Owner shall agree in the subdivision agreement to include the following warning clause in all Offers of Purchase and Sale or Lease for all Lots, Blocks and/or Dwelling Units within the Plan:

“Purchasers and/or Tenants are advised that the roads within the Plan may have been constructed using Alternative Development Standards. In April 1995, the Ministry of Housing and the Ministry of Municipal Affairs published the Alternative Development Standards as a guideline to municipalities. The Province of Ontario has been promoting the use of these guidelines, which provide for reduced pavement widths that are narrower than City standards. Traffic calming measures have also been incorporated in the road design.”

28. The Owner shall agree in the subdivision agreement to include the following warning clause in all Offers of Purchase and Sale or Lease for Lots 27 to 34 inclusive and Lot 38 within the Plan in proximity of the Neighbourhood Park:

“Purchasers and/or tenants are hereby advised that the Lot abuts a Neighbourhood Park of which noise and lighting may be of a concern due to the nature of the Park for active recreation.”

29. 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.
30. The Owner shall agree that all development shall proceed in accordance with the approved Block 10 Architectural Design Guidelines prepared by Watchorn Architect Inc.
31. 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.
32. Prior to final approval, the Owner shall pay the proportionate share of the cost of any external municipal services, temporary and/or permanent built or proposed, that have been designed and oversized by others to accommodate the subject plan.
33. a) Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of PowerStream Inc., its successors and assigns regarding the design, installation, connection and/or expansion of electric distribution services, or any other related matters; the Owner shall enter into a development agreement with PowerStream Inc. which addresses the foregoing requirements.
- b) The Owner shall agree to design, purchase materials, and install a buried hydro distribution system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of PowerStream Distribution Inc. and the City.

34. 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.
35. Prior to final approval, the Owner shall erect permanent wood fence treatments for flanking residential Lots 12, 15, and 35, to be co-ordinated with the environmental noise report.
36. 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.
37. The Owner shall cause the following warning clauses to be included in a schedule to all Offers of Purchase and Sale, or Lease for all lots/blocks:
  - a) within the entire subdivision plan:
    - "Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the dwelling occupants."
    - "Purchasers and/or tenants are advised that the proposed finished lot and/or block grading may not meet City of Vaughan lot grading criteria in certain areas, to facilitate preservation of existing vegetation and to maintain existing adjacent topographical conditions."
    - "Purchasers and/or tenants are advised that traffic-calming measures may have been incorporated into the road allowances."
    - "Purchasers and/or tenants are advised that 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."
    - Purchasers and/or tenants are advised that the City has not imposed a "tree fee", or any other fee, which may be charged as a condition of purchase, for the planting of trees. Any "tree fee" paid by a purchaser for boulevard trees does not guarantee that a tree will be planted on the boulevard adjacent to their residential dwelling."
    - "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings."
    - "Purchasers and/or tenants are advised that any roads ending in a dead end or cul-de-sac may be extended in the future to facilitate development of adjacent lands, without further notice."

- b) abutting any open space, woodlot or stormwater facility:
- "Purchasers and/or tenants are advised that the adjacent open space, woodlot or stormwater management facility may be left in a naturally vegetated condition and receive minimal maintenance."
- c) abutting a park block:
- "Purchasers and/or tenants are advised that the lot abuts a "Neighbourhood Park", and that noise and lighting should be expected from the designed active use of the park."

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

- the Block Plan for the broader area, showing surrounding land uses, arterials/highways, railways and hydro lines, etc.
- the location of street utilities, community mailboxes, entrance features, fencing and noise attenuation features, together with the sidewalk plan approved in conjunction with draft plan approval.
- the location of parks, open space, stormwater management facilities and trails.
- the location of institutional uses, including schools, places of worship, community facilities.
- the location and type of commercial sites.
- colour-coded residential for singles, semis, multiples, and apartment units.
- the following notes in BOLD CAPITAL TYPE on the map:

"For further information, on proposed and existing land uses, please call or visit the City of Vaughan, Development Planning Department, at 2141 Major Mackenzie Drive, L6A 1T1; (905)832-8585."

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

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

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

39. 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.
40. Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit a topsoil storage plan detailing the location, size, side slopes, stabilization methods and time period, for approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either park or school blocks.
41. 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.
42. The Owner shall agree in the Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the Owner/Developer shall be responsible for the relocation of such facilities or easements.
43. Prior to final approval the Owner shall submit a plan to the City of Vaughan Parks Development Department showing the proposed location and dimensions of the hydro switch gear easement in relation to the Miriam Segal Park Property lines. The hydro switch gear shall be located a minimum of 4 m from all existing trees, fences and property lines. Screens shall be provided around the switch gear, that compliments the existing park and surrounding context. The final switch gear plan must be approved by the City of Vaughan Parks Development Department.

#### Region of York Conditions

44. Prior to or concurrent with draft plan approval, the Owner shall enter into an agreement with the City of Vaughan, which agreement shall be registered on title, committing the Owner to:
  - A. Not enter into any agreements of purchase and sale with end users (\*) for the subject lands until such time as:
    - a) the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure;or,
    - b) York Region has advised in writing that it is no earlier than twelve (12) months prior to the expected completion of Regional infrastructure required under the Region's capacity assignment to the City; and,

The Council of the City of Vaughan has allocated adequate available water supply and sewage servicing capacity to the subject development;

or,

- c) the Regional Commissioner of Environmental Services confirms servicing capacity for this development by a suitable alternative method and the City of Vaughan allocates the capacity to this development.

AND

- B. Not enter into any agreements of purchase and sale with non end users for the subject lands unless the Offers of Purchase and Sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the City of Vaughan, which agreement shall be registered on title, committing the Owner to the same terms as set out in item A above.
45. Prior to draft plan approval, the Owner shall enter into an indemnity agreement with York Region, which agreement shall be registered on title, agreeing to save harmless York Region from any claim or action as a result of York Region releasing conditions and pre-conditions of draft approval as part of the draft approval of Plan of Subdivision File 19T-12V001 by the City of Vaughan, including, but not limited to claims or actions resulting from, water or sanitary sewer service not being available when anticipated. The agreement shall include a provision that requires all subsequent purchasers of the subject lands, who are not end-users, to enter into a separate agreement with York Region as a condition of the agreement of purchase and sale, agreeing to indemnify York Region on the same terms and conditions as the Owner.
- (\*) the term 'end users' for the purpose of the above noted pre-conditions is defined as the eventual homeowner who is purchasing an individual lot containing a dwelling for the purpose of occupancy.
46. The road allowance included within the draft plan of subdivision shall be named to the satisfaction of the area municipality and the Regional Office of the Chief Administrative Officer.
47. Prior to registration, York Region shall confirm that adequate water supply and sewage servicing capacity are available and have been allocated by the City of Vaughan for the development proposed within this draft plan of subdivision.
48. Prior to the registration of any residential lands the following shall occur:
- the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
  - York Region has advised in writing that it is no earlier than six (6) months prior to the expected completion of Regional infrastructure required under the Region's capacity assignment to the City; or,

- the Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the Council of the City of Vaughan has allocated adequate water supply and sewage servicing capacity to the subject development.
49. The Owner shall agree in the subdivision agreement that the Owner shall save harmless the area municipality and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
  50. Prior to final approval, the Owner shall provide a copy of the Subdivision Agreement to the Regional Transportation and Community Planning Department.
  51. 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.

#### Canada Post

52. The Owner agrees to include in all Offers of Purchase and Sale or Lease a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
53. The Owner will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any home sale.
54. The Owner will consult with Canada Post Corporation to determine suitable locations for the placement of the Community Mailbox and to indicate these locations on the appropriate servicing plan.
55. The Owner will provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:
  - i) an appropriately sized 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.
56. The Owner 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 location(s). This will enable Canada Post to provide mail delivery to new residence as soon as the homes are occupied.

#### Enbridge Gas Distribution

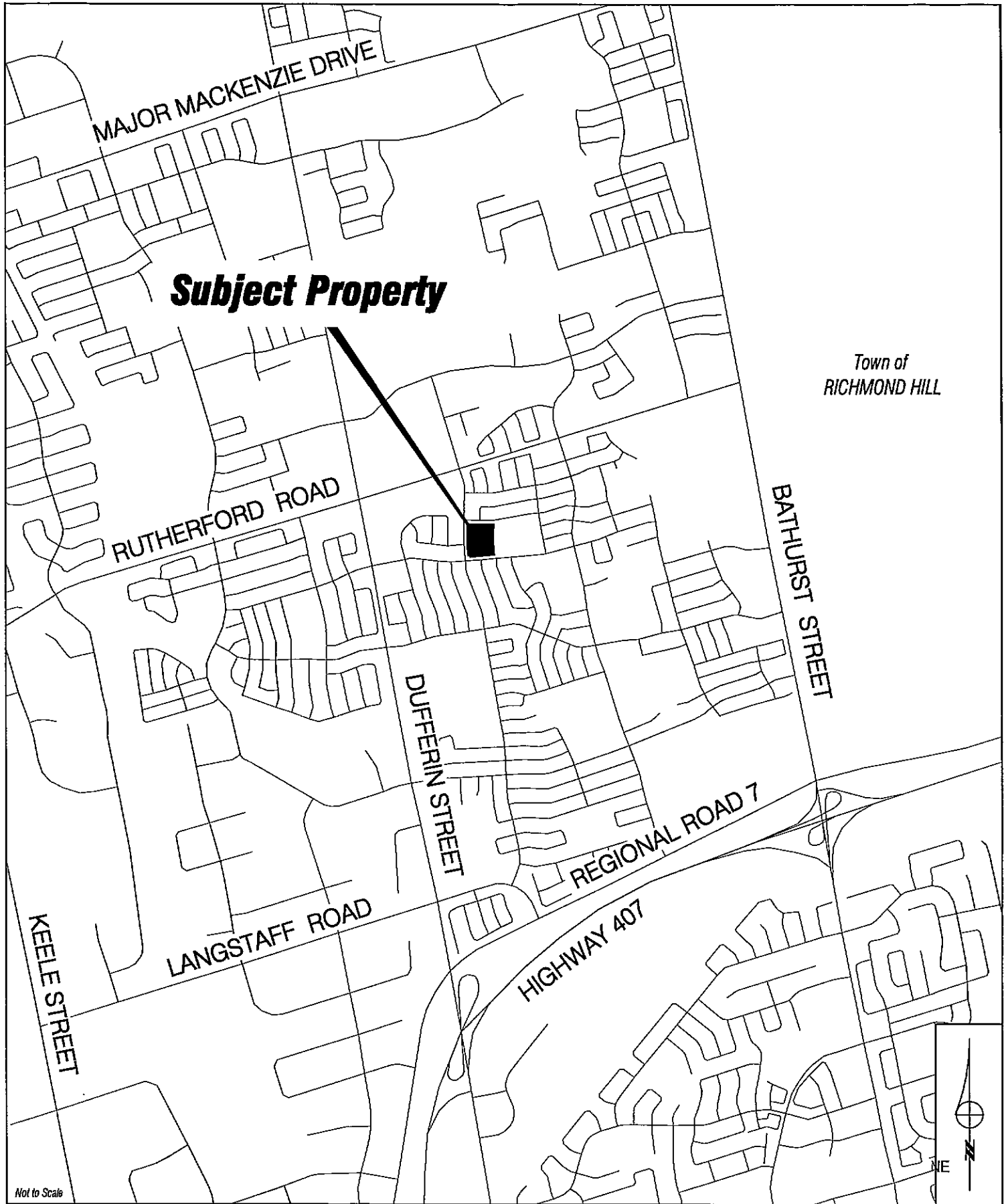
57. The Owner/Developer is responsible for preparing a composite utility plan that allows for a safe installation of all utilities, including required separation between utilities.



58. The Owner/Developer shall construct the streets in accordance with composite utility plans previously submitted and approved by all utilities.
59. The Owner/Developer 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.

Other Conditions

60. Final approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees provided that:
  - a) phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services; and,
  - b) all government agencies agree to registration by phases and provide clearances, as required in Conditions 1 to 59 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
61. The City shall advise that Conditions 1 to 43 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
62. The Region of York shall advise that Conditions 44 to 51 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
63. Canada Post shall advise that Conditions 52 to 56 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
64. Enbridge Gas Distribution Inc. shall advise that Conditions 57 to 59 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 2

APPLICANT:  
Kylmount Development Inc.

H:\P\1 ATTACHMENTS\19T-12V001.dwg



## Attachment

FILE:  
19T-12V001

DATE:  
May 28, 2012

# 2



# Location Map

LOCATION:  
Part Lot 15, Concession 2

APPLICANT:  
Kylemount Development Inc.

H:\07\11 ATTACHMENTS\19\19-12\001.dwg



# Attachment

FILE:  
19T-12V001

DATE:  
May 28, 2012

# 3

BALSAMWOOD ROAD

EXISTING RESIDENTIAL

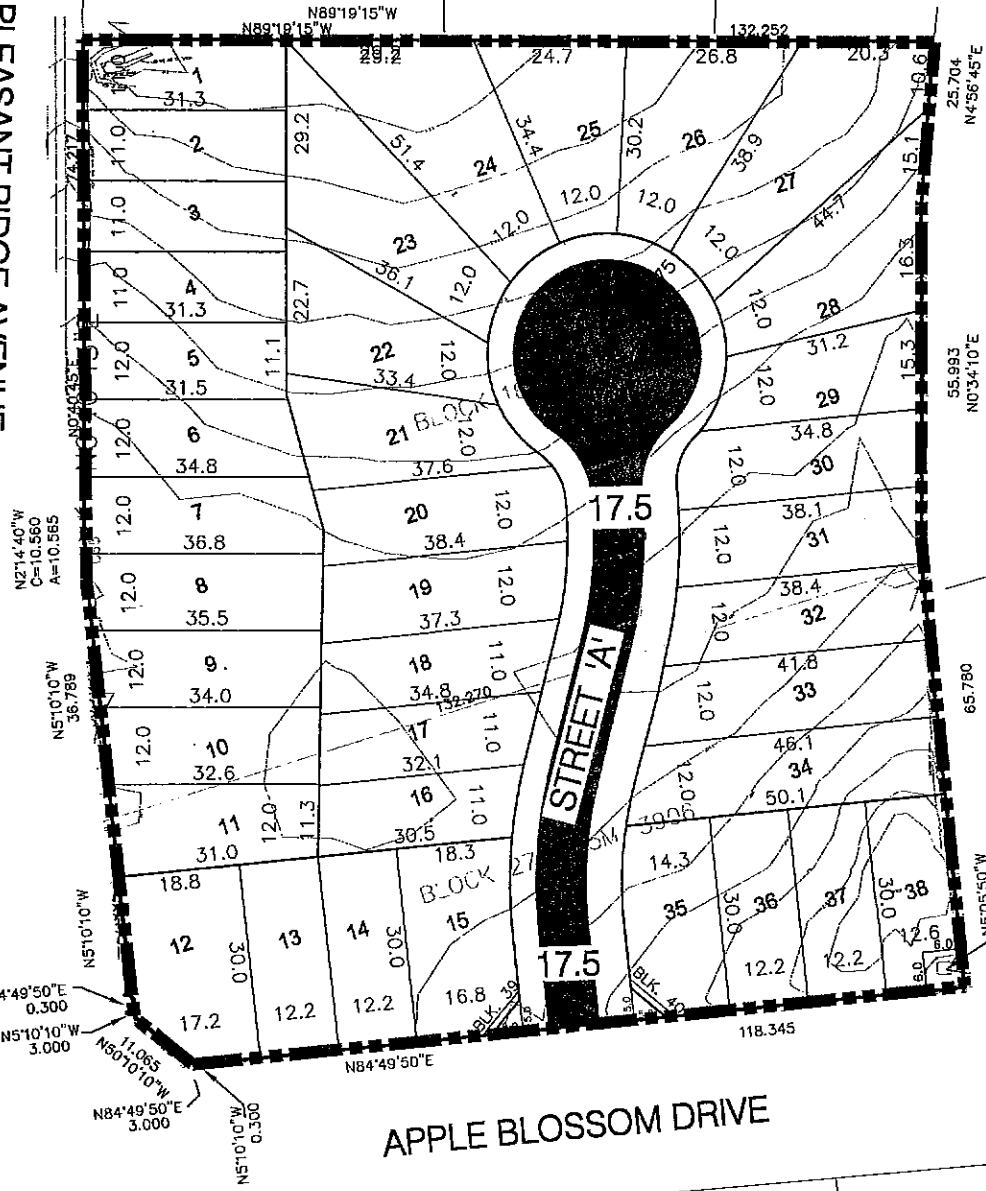
BLOCK 169

BLOCK 170

BLOCK 171

EXISTING RESIDENTIAL  
EXISTING RESIDENTIAL

PLEASANT RIDGE AVENUE



PART 1

MIRIAM SEGAL PARK

BLOCK 251

EXISTING RESIDENTIAL  
EXISTING RESIDENTIAL

EXISTING RESIDENTIAL

EXISTING RESIDENTIAL

APPLE BLOSSOM DRIVE

STREET 'A'

**Subject Lands**

PROPOSED DRAFT PLAN OF SUBDIVISION	
38 Lots for Detached Residential Dwelling	1.733 ha.
Road (Street 'A')	0.297 ha.
Daylight Triangle & Reserves	0.001 ha.
<b>TOTAL :</b>	<b>2.031 ha.</b>

Not to Scale

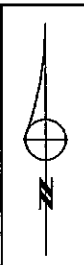
Draft Plan of Subdivision



Attachment

APPLICANT: Kylemount Development Inc. LOCATION: Part Lot 15, Concession 2

FILE: 19T-12V001  
DATE: June 7, 2012



**4**