

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015**

Item 6, Report No. 17, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 21, 2015.

**6**

**ZONING BY-LAW AMENDMENT FILE Z.12.049  
DRAFT PLAN OF SUBDIVISION FILE 19T-05V10 (PHASE 2)  
KLEINDOR DEVELOPMENTS INC.  
WARD 1 - VICINITY OF MAJOR MACKENZIE DRIVE AND YORK REGION ROAD 27**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, Director of Development Planning, and Manager of Development Planning, dated April 14, 2015:**

**Recommendation**

The Commissioner of Planning, Director of Development Planning, and Manager of Development Planning recommend:

1. THAT Zoning By-law Amendment File Z.12.049 (Kleindor Developments Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #2 and #3, from RD1(H) Residential Detached Zone One, RD2(H) Residential Detached Zone Two, OS1(H) Open Space Conservation Zone and OS2(H) Open Space Park Zone, all with the Holding Symbol "(H)", subject to Exception 9(1313) to RD1 Residential Detached Zone One, RD2 Residential Detached Zone Two, RD2(H) Residential Detached Zone Two with the addition of the Holding Symbol "(H)", RD3 Residential Detached Zone Three, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone subject to Exception 9(1313), in the manner shown on Attachment #4, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. THAT the implementing Zoning By-law require that prior to the removal of the Holding Symbol "(H)" from Lots 92 and 98 that the following condition shall be addressed:
  - i) That the Owner extend Timber Creek Boulevard to the future re-aligned Major Mackenzie Drive to the satisfaction of York Region.
3. THAT Draft Plan of Subdivision File 19T-05V10 (Phase 2) (Kleindor Developments Inc.), as shown on Attachment #5, BE APPROVED, subject to the conditions set out in Attachment #1 to this report.
4. THAT Vaughan Council adopt the following resolution with respect to the allocation of water and sewage servicing capacity:

"NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision File 19T-05V10 (Phase 2) (Kleindor Developments Inc.) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 185 residential units."
5. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-05V10 (Phase 2) (Kleindor Developments Inc.) shall include the following clause:

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015**

Item 6, CW Report No. 17 – Page 2

“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 the 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 Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.”

- 6 THAT prior to final approval, or any part thereof of Draft Plan of Subdivision File 19T-05V10 (Phase 2) (Kleindor Developments Inc.), the Owner shall enter into the Developer's Group Agreement for Block 61 regarding, but not limited to, all cost sharing for the provisions of parks, cash-in-lieu of parkland, roads, and municipal services within Block 61.

**Contribution to Sustainability**

The applications implement the following Goals and Objectives of Green Directions Vaughan:

Goal 1: To significantly reduce our use of natural resources and the amount of waste we generate

- Objective 1.3: To support enhanced standards of stormwater management at the City and work with others to care for Vaughan's watersheds

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.2: To develop Vaughan as a City with maximum greenspace and an urban form that supports our expected population growth

Goal 3: To ensure that getting around in Vaughan is easy and has a low environmental impact

- Objective 3.1: To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation

In accordance with the goals and objectives identified above, the Owner has advised that the following, but not limited to, sustainable site and building features will be included in the proposed development:

- Upgraded building technology and materials to reduce energy consumption and greenhouse emissions including:
  - i) Energy efficient building materials such as steel insulated doors, basement and blown attic insulation and high efficiency furnaces;
  - ii) Low Emissivity EnergyStar windows and patio doors to minimize condensation.
- Low flow plumbing fixtures to reduce water consumption and sewage volumes.
- All residential lots to receive enhanced front yard landscaping and high albedo unit pavers in driveways to decrease heat and ambient surficial temperatures urban heat island effect.

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015**

#### **Item 6, CW Report No. 17 – Page 3**

- Waste management practices to ensure that all trades work efficiently to reduce and eliminate waste, including on-site waste management, re-use and recycling measures, and locally sourced building materials where feasible.
- Drought tolerant and native planting material to prevent erosion.

#### **Economic Impact**

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

#### **Communications Plan**

On February 1, 2013, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands and to the Kleinburg and Area Ratepayers' Association. A copy of the Notice of Public Hearing was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed on the subject lands in accordance with the City's Notice Sign Procedures and Protocol. The recommendation of the Committee of the Whole to receive the Public Hearing report of February 26, 2013, and to forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on March 19, 2013. To date, the following correspondence was received:

- i) Paul Mantella, Nashville Area Ratepayers' Association, correspondence dated February 21, 2013, advising that there is no objection to the proposal, but there is a concern with the Major Mackenzie Drive road realignment not being completed to accommodate the future residents in the new developments north of Major Mackenzie Drive between Huntington Road and Regional Road 27, and the traffic generated by commuters and construction.

#### **Purpose**

To seek approval from the Committee of the Whole for the following applications on the subject lands shown on Attachments #2 and #3:

1. Zoning By-law Amendment File Z.12.049 to amend Zoning By-law 1-88, subject to Exception 9(1313), specifically to rezone the subject lands from RD1(H) Residential Detached Zone One, RD2(H) Residential Detached Zone Two, OS1(H) Open Space Conservation Zone and OS2(H) Open Space Park Zone, all with the Holding Symbol "(H)" to RD1 Residential Detached Zone One, RD2 Residential Detached Zone Two, RD2(H) Residential Detached Zone Two with the Holding Symbol "(H)", RD3 Residential Detached Zone Three, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone, in the manner shown on Attachment #4, together with the site-specific zoning exceptions identified in Table 1 of this report, to facilitate a proposed residential Draft Plan of Subdivision for 185 lots for detached dwelling units, as shown on Attachment #5.
3. Revised Draft Plan of Subdivision File 19T-05V10 (Phase 2) to facilitate a proposed residential Draft Plan of Subdivision as shown on Attachment #5, consisting of the following:

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015**

Item 6, CW Report No. 17 – Page 4

<b>Lots/Blocks</b>	<b>Land Use</b>	<b>Area (ha)</b>	<b>Units</b>
<b>Lots</b>			
1-185	Detached Dwelling Units:		
	- 18.3 m Lot Frontage	4.571	60
	- 15.3 m Lot Frontage	2.714	50
	- 12.2 m Lot Frontage	3.028	75
<b>Blocks</b>			
186 & 187	Valleylands & Woodlots	4.297	
188 & 189	Buffers	0.662	
190	Landscape Buffer/Future Development	0.279	
191	Easement for Storm, Sanitary, Watermain and Gas Purposes	0.202	
192 - 213	0.3 M Reserves	0.007	
214	Berm	0.302	
	Streets	3.822	
	<b>Total</b>	<b>19.884</b>	<b>185</b>

**Background - Analysis and Options**

Location

The subject lands, shown on Attachments #2 and #3, are located on the north side of Major Mackenzie Drive and west of York Region Road 27, City of Vaughan.

Previous Approvals

Draft Plan of Subdivision File 19T-05V10 as shown on Attachment #6 was originally draft approved in 2009, and the lands were zoned by Zoning By-law 1-88, as amended by implementing Zoning By-law 31-2009 (Exception 9(1313)). The Owner is proposing modifications for the lands within the Phase 2 portion of the Plan of Subdivision File 19T-05V10 shown on Attachment #5, as follows:

- 1) the relocation of two stormwater management ponds on the subject lands to one larger pond located south of Major Mackenzie Drive (as shown on Attachment #5) on a former waste disposal site; and the lotting of the subdivision plan in these areas; and,
- 2) the width of the proposed berm (Block 214) adjacent to the railway right-of-way (Attachment #5) to be increased to accommodate a swale for stormwater management purposes.

As a result of the above noted modifications, a Zoning By-law amendment is required to address the additional lots, lotting changes and road adjustments.

Vaughan Official Plan 2010

At the time of the submission of the subject applications in 2012, the Owner submitted corresponding Official Plan Amendment File OP.12.020 to amend the following policies of the "Serviced Residential-Humber Trails Central" designation in OPA #601 (Kleinburg-Nashville Community Plan), as amended by OPA #686:

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015**

Item 6, CW Report No. 17 – Page 5

	<b>Official Plan Policies for the “Serviced Residential-Humber Trails Central” Designation</b>	<b>Proposed Amendments to the “Serviced Residential-Humber Trails Central” Policies in OPA #686</b>
a.	The permitted density shall not exceed a maximum of 11.2 units per net residential hectare, and a maximum of 312 detached residential dwelling units on the combined Phase 1 and Phase 2 lands.	Permit a maximum density of 12.9 units per net residential hectare on the Phase 2 lands, which results in an increase of 1.7 units per net residential hectare and 73 additional detached dwelling units on the subject Phase 2 lands, as shown on Attachment #5; and, a maximum of 385 detached dwelling units on the combined Phase 1 and Phase 2 lands.
b.	Fully serviced population of 1,155 for the “Serviced Residential-Humber Trails Central” designation on the combined Phase 1 and Phase 2 lands.	Fully serviced population of 1,425 (on the combined Phase 1 and Phase 2 lands) for the “Serviced Residential-Humber Trails Central” designation representing an increase of 270 people for the Phase 2 lands.

As of September 2014, the Ontario Municipal Board (OMB) partially approved Vaughan Official Plan 2010 (VOP 2010), which designated the subject lands “Low-Rise Residential”. The in-effect Low-Rise Residential policies do not prescribe a maximum density or unit limit for the subject lands. Therefore, an amendment to Vaughan Official Plan 2010 is not required. The “Low-Rise Residential” designation of VOP 2010 permits detached dwelling units and accordingly, the proposal conforms to the Official Plan.

Zoning

The subject lands are zoned RD1(H) Residential Detached Zone One, RD2(H) Residential Detached Zone Two, OS1(H) Open Space Conservation Zone and OS2(H) Open Space Park Zone, all with the Holding Symbol “(H)”, by Zoning By-law 1-88, subject to Exception 9(1313), as shown on Attachment #2. To facilitate the proposed Draft Plan of Subdivision as shown on Attachment #5, an amendment to the Zoning By-law is required to rezone the subject lands in the manner shown on Attachment #4. The Owner has also requested the following site-specific zoning exceptions to facilitate the future development of the subject lands:

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015**

Item 6, CW Report No. 17 – Page 6

Table 1 - Proposed Zoning Exceptions

	<b>By-law Standard</b>	<b>By-law 1-88 Requirements of Exception 9(1313)</b>	<b>Proposed Exceptions to Requirements 9(1313)</b>
a.	Minimum Landscape Area Abutting a Street Line (Major Mackenzie Drive)	30 m	3.5 m (Lots 81, 92 and 98)
b.	Minimum Interior Side Yard on a Lot Abutting a Non-Residential Use (OS1 Zone) or a Buffer Block (along Major Mackenzie Drive and Valleyland/Woodlot).	3.5 m	1.2 m (Lots 81, 92, 98, 106 and 107)

a) Proposed Zoning Exceptions

The proposed exception to the minimum landscape area abutting a street line is due to the future location of the realignment of Major Mackenzie Drive to the south (Attachment #5), resulting in Major Mackenzie Drive no longer abutting the subject lands.

The proposed exception to the minimum interior side yard abutting a non-residential use including a walkway, greenway, buffer block or stormwater management block is minor in that it will apply to only five lots as identified above and shown on Attachment #4. Three of the lots (Lots 81, 92, and 98) may become interior lots in the future, should the abutting lands to the south be developed for residential dwelling units. Two lots (Lots 107 and 106) abut the 10 m buffer to the valleyland/woodlot lands, where little activity is anticipated that could disturb future residents.

b) Holding Symbol “(H)”

Lots 92 and 98, shown on Attachment #4, abutting Major Mackenzie Drive shall not be developed until Timber Creek Boulevard is extended by the Owner from its current terminus at the existing Major Mackenzie Drive to the future realigned Major Mackenzie Drive to the satisfaction of York Region. In order to ensure development of these lots does not occur in the absence of the required road works, it is recommended that these lots be zoned with the Holding Symbol “(H)”, which can be removed upon Timber Creek Boulevard being extended to the satisfaction of York Region.

The Vaughan Planning Department is satisfied that the requested rezoning and site-specific zoning exceptions are appropriate to facilitate the development of the revised Phase 2 portion of the Draft Plan of Subdivision, shown on Attachment #5.

Subdivision Design

The 19.884 ha Draft Plan of Subdivision is comprised of lots for 185 detached dwelling units, as shown on Attachment #5. The subject lands will have access onto the existing local road network, from two roads (Timber Creek Boulevard and Finland Drive), which intersect Major Mackenzie Drive, as shown on Attachment #5, and were developed and constructed as part of Phase 1 of

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015**

Item 6, CW Report No. 17 – Page 7

Draft Plan of Subdivision File 19T-05V10, and was registered in December 2012 as Plan 65M-4383. The two valleyland/woodlot blocks, shown on Attachment #5, are to be maintained.

Prior to final approval, all development within the Draft Plan of Subdivision shall proceed in accordance with the approved Lake Rivers Community Architectural Design Guidelines prepared by Watchorn Architect Inc. and approved Kleindor Estates Landscape Master Plan prepared by NAK Design Strategies.

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

Vaughan Development Engineering and Infrastructure Planning Services Department

The Vaughan Development Engineering and Infrastructure Planning Services Department has reviewed the proposed Draft Plan of Subdivision (File 19T-05V10 (Phase 2)) and provides the following comments:

a) Road Network

The Phase 2 lands are bounded on the west side by the Canadian Pacific Railway line with no road crossing connections. The Phase 1 lands divide Phase 2 into two areas, east and west. Timber Creek Boulevard and Finland Drive were constructed in Phase 1, and traverse the middle of the block and connect to Major Mackenzie Drive and the Phase 2 lands.

The Draft Plan of Subdivision roads are to be constructed with 20 m and 18.5 metre wide rights-of-way, in accordance the current City of Vaughan road design standards. Draft Plan of Subdivision File 19T-05V10 (Phase 2) will be coordinated with the future realignment of Major Mackenzie Drive. The design and construction of Major Mackenzie Drive will be completed between 2016 to 2018.

b) Water Servicing

The subject lands are located within the Kleinburg/Nashville service area in Pressure District 6 (PD #6) of the York Water Supply System. The proposed Phase 2 water servicing system will be connected from the 400 mm diameter watermain on Timber Creek Boulevard and Finland Drive that were constructed under the Phase 1 development.

c) Sanitary Servicing

The proposed sanitary sewer system for Draft Plan of Subdivision File 19T-05V10 (Phase 2) will connect to the existing 375 mm diameter and 200 mm diameter sanitary sewers on Timber Creek Boulevard and Finland Drive, which were constructed under Draft Plan of Subdivision File 19T-05V10 (Phase 1).

d) Storm Drainage

The proposed storm drainage system for Draft Plan of Subdivision File 19T-05V10 (Phase 2) will be connected to the existing 825 mm diameter and 1500 mm storm sewers on Timber Creek Boulevard and Finland Drive that were constructed under Draft Plan of Subdivision File 19T-05V10 (Phase 1). The drainage flow will be discharged to the existing Storm Water Management Pond built on the south side of Major Mackenzie Drive in accordance with the Master Environmental Servicing Plan (MESP) report.

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015**

Item 6, CW Report No. 17 – Page 8

As part of the engineering design and prior to the initiation of any grading of the lands subject to Draft Plan of Subdivision File 19T-05V10 (Phase 2), the Owner shall provide an engineering report for the review and approval of the City that describes the proposed storm drainage system required to develop the subject lands and shall include, but not be limited to, the following items:

- i) Plans illustrating the proposed system and its connection into the existing storm system;
  - ii) Stormwater management techniques that may be required to control minor or major flows;
  - iii) Detail on all external tributary lands, including the existing residence(s); and,
  - iv) Proposed methods for controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction.
- e) Sewage and Water Allocation

In accordance with the City's Servicing Capacity Distribution Protocol as adopted by Vaughan Council on May 24, 2011, (145 units), June 26, 2012 (55 units) and October 29, 2013 (180 units), servicing allocation capacity was approved for a total 380 residential units from the York Sewage Servicing / Water Supply System for Phases 1 and 2 for Draft Plan of Subdivision File 19T-05V10. The servicing capacity for the subject lands is available and unrestricted. Therefore, the following resolution to allocate capacity to the subject development may be recommended for Vaughan Council approval:

“THAT Draft Plan of Subdivision File 19T-05V10 (Phase 2) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 185 residential units.”

- f) Environmental Site Assessment

The *Environmental Site Assessment* reports and *Reliance Letter*, provided in 2008, for the subject lands have been reviewed and Staff is satisfied with the submitted environmental site assessment documents.

- g) Environmental Noise/Vibration Impact

The Owner is required to submit a Noise Report as part of the detailed engineering submission, for approval to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Services Department. The Vaughan Development Engineering and Infrastructure Planning Services Department has reviewed the submitted Noise Report dated March 31, 2014, and the revised report dated October 29, 2014, by SS Wilson Associates. The Noise Report should reflect Draft Plan of Subdivision File 19T-05V10 (Phase 2). The City requires all dwelling units that abut or face an arterial road such as Major Mackenzie Drive and the Railway line be constructed with mandatory central air conditioning. 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 0.3 m road reserve. Also, due to the proximity of the Draft Plan of Subdivision File 19T-05V10 (Phase 2) to the CP Railway, the Owner is required to submit a vibration report as part of the detail engineering submission, for approval to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Services Department.



## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015

#### Item 6, CW Report No. 17 – Page 9

##### h) Street-lighting

The street-lighting shall meet the City of Vaughan criteria within Draft Plan of Subdivision File 19T-05V10 (Phase 2), including the intersection of Timber Creek Boulevard at Major Mackenzie Drive.

##### i) Draft Plan of Subdivision

The Owner is required to provide the following reports, which shall be included as conditions of approval in Attachment #1:

- i) A revised Noise Report and a Traffic Management Plan (TMP) based on the realignment of Major Mackenzie Drive.

The Vaughan Development Engineering and Infrastructure Planning Services Department has no objections to the development, subject to the conditions of approval in Attachment #1.

#### Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that prior to final approval of the Draft Plan of Subdivision, the Owner shall be required to enter into a Developers' Group Agreement with the other participating landowners within Planning Block 61 to the satisfaction of the City of Vaughan. The Agreement shall be regarding, but not limited to, all cost sharing for the provision of parks, cash-in-lieu of the dedication of parkland, and road and municipal services within Planning Block 61. This agreement shall also provide a provision for additional developers to join the Developers' Group Agreement, when they wish to develop their lands. The Owner acknowledges that cash-in-lieu of parkland shall be paid in accordance with Section 42 of the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". This requirement is included in the recommendation of this report.

#### Vaughan Planning Department, Cultural Heritage Division

The Vaughan Planning Department, Cultural Heritage Division advises that there are no objections to the proposal. However, the Owner is required to undertake an archaeological assessment for the Phase 2 lands, which have not been cleared of archaeological concerns, as discussed in the *Stage Three Archaeological Assessment*, dated September 2006 by Archaeological Research Associates. This will be included as a condition of approval in Attachment #1 to this report. The Owner is advised that the standard archaeological resources conditions requiring notification should archaeological resources and/or human remains be found on the property during grading or construction activities, and the Owner ceasing all grading or construction activities, are included as conditions of approval in Attachment #1 to this report.

#### Vaughan Parks Development Department

A 1.791 ha and a 0.067 ha parkette were provided in Phase 1 of Draft Plan of Subdivision File 19T-05V10. The Parks Development Department has no objections to the development, subject to the condition requiring cash-in-lieu of parkland, included as a condition of approval in Attachment #1.

#### Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) supports the proposal subject to the following being addressed prior to the registration of the Plan for Draft Plan of Subdivision File 19T-05V10 (Phase 2), and their conditions of approval in Attachment #1:

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015

#### Item 6, CW Report No. 17 – Page 10

- i) A mechanism which ties the proposed location and design of the stormwater management pond on the south side of Major Mackenzie Drive to Draft Plan of Subdivision File 19T-05V10 (Phase 2) to the satisfaction of the City and TRCA;
- ii) Details and calculations on the proposed measures to promote infiltration and maintain water balance across the Draft Plan of Subdivision File 19T-05V10 (Phase 2) lands;
- iii) Comprehensive edge management plans and restoration planting plans that improve the connectivity of the natural system;
- iv) Topsoil stripping, grading, servicing and erosion and sediment control plans;
- v) Trail plan(s), if proposed; and,
- vi) Dedication of the open space and buffer lands (Blocks 186 to 189 inclusive) to the TRCA or City.

#### Ontario Ministry of Transportation

The Ontario Ministry of Transportation has reviewed the proposal and advises that they have no concerns at this time. The westernmost access to Major Mackenzie Drive from the proposed subdivision is located approximately 300 m east of the west property limit so it is adequately spaced for potential traffic signals in the future.

#### CP Railway

CP Railway has reviewed the proposal and advised the proposal is adjacent to the MacTier Subdivision, which is classified as a principal line. CP Railway requires that mitigation measures respecting the safety and the welfare of future residents, which are set out in Attachment #1 as conditions of approval, be addressed.

#### School Boards

The York Catholic District School Board requires an elementary school site of 2.443 ha, comprised of the 1.671 ha block in the Phase 1 (but not Phase 2) lands of Draft Plan of Subdivision File 19T-05V10 and the 0.772 ha school block in Plan of Subdivision File 19T-06V14 (Molise Kleinburg Estates Inc.) to the north to form a complete school site.

The York Region District (Public) School Board, York Catholic District School Board and the Conseil Scolaire de District Catholique Centre-Sud have reviewed the applications and advise that they have no objection to the proposal. School sites are not required in the Phase 2 lands.

#### Canada Post

Canada Post has no objections to the proposal subject to their conditions of approval included Attachment #1.

#### Enbridge Gas Distribution

Enbridge Gas Distribution has reviewed the proposal and has no objections to the applications. Enbridge advises that the Owner is required to contact Enbridge's Customer Connections Department for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells,

## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015**

#### Item 6, CW Report No. 17 – Page 11

and /or soil trenches) and/or asphalt paving. If the gas main needs to be relocated, as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the Owner. In the event that easement(s) are required to service this development, the Owner will provide the easement(s) to Enbridge Gas Distribution at no cost. This requirement is included in the conditions of approval in Attachment #1.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

This report is consistent with the following initiatives set forth in the Vaughan Vision 2020/Strategic Plan:

i) **Lead and Promote Environmental Sustainability**

The Owner will be incorporating the sustainable site and building features identified in this report.

ii) **Plan and Manage Growth & Economic Vitality**

The proposed development implements the City's current Official Plan and the Growth Management Strategy as set in Vaughan Official Plan 2010.

Servicing for the proposed development has been identified in accordance with the annual servicing/allocation report approved by Vaughan Council.

#### **Regional Implications**

York Region has provided the following comments:

This development is located within the Humber Wastewater Service Area and will be serviced from Water Pressure District #6.

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

The Owner shall not apply for Building Permits or construct any structure(s) on Lots 92 and 98 until Timber Creek Boulevard is extended to the south and constructed by the Owner to York Region's satisfaction from existing Major Mackenzie Drive to the newly realigned Major Mackenzie Drive. The Region anticipates constructing the realignment of Major Mackenzie Drive between 2016 and 2018.

York Region has no objection to the draft approval of the Plan of Subdivision subject to the conditions in Attachment #1.

#### **Conclusion**

The Zoning By-law Amendment and Draft Plan of Subdivision applications propose to facilitate the development of the subject lands with 185 dwelling units and the maintenance of the valleylands/woodlots, as shown on Attachment #5.

The proposed Draft Plan of Subdivision conforms to York Region and City Official Plan policies. The proposal provides the final phases to complete the build out of the neighbourhood.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015**

Item 6, CW Report No. 17 – Page 12

The Vaughan Planning Department is satisfied that the proposed Draft Plan of Subdivision shown on Attachment #5 will result in a residential development that is appropriate and compatible with the existing and permitted uses in the surrounding area. The Vaughan Planning Department can support the approval of the Zoning By-law Amendment Application and Draft Plan of Subdivision subject to the recommendations in this report, and the Conditions of Approval set out in Attachment #1.

**Attachments**

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Proposed Zoning (Phase 2)
5. Modified Draft Plan of Subdivision File 19T-05V10 (Phase 2)
6. Vaughan Council Approved (November 10, 2008) Red-Lined Revised Draft Plan of Subdivision File 19T-05V10

**Report prepared by:**

Judy Jeffers, Planner, ext. 8645  
Carmela Marrelli, Senior Planner, ext. 8791

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

**COMMITTEE OF THE WHOLE APRIL 14, 2015**

**ZONING BY-LAW AMENDMENT FILE Z.12.049**

**DRAFT PLAN OF SUBDIVISION FILE 19T-05V10 (PHASE 2)**

**KLEINDOR DEVELOPMENTS INC.**

**WARD 1 - VICINITY OF MAJOR MACKENZIE DRIVE AND YORK REGION ROAD 27**

**Recommendation**

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"NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision File 19T-05V10 (Phase 2) (Kleindor Developments Inc.) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 185 residential units."
5. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-05V10 (Phase 2) (Kleindor Developments Inc.) shall include the following clause:

"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 the 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 Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment."
6. THAT prior to final approval, or any part thereof of Draft Plan of Subdivision File 19T-05V10 (Phase 2) (Kleindor Developments Inc.), the Owner shall enter into the Developer's Group Agreement for Block 61 regarding, but not limited to, all cost sharing

for the provisions of parks, cash-in-lieu of parkland, roads, and municipal services within Block 61.

### **Contribution to Sustainability**

The applications implement the following Goals and Objectives of Green Directions Vaughan:

Goal 1: To significantly reduce our use of natural resources and the amount of waste we generate

- Objective 1.3: To support enhanced standards of stormwater management at the City and work with others to care for Vaughan's watersheds

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.2: To develop Vaughan as a City with maximum greenspace and an urban form that supports our expected population growth

Goal 3: To ensure that getting around in Vaughan is easy and has a low environmental impact

- Objective 3.1: To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation

In accordance with the goals and objectives identified above, the Owner has advised that the following, but not limited to, sustainable site and building features will be included in the proposed development:

- Upgraded building technology and materials to reduce energy consumption and greenhouse emissions including:
  - i) Energy efficient building materials such as steel insulated doors, basement and blown attic insulation and high efficiency furnaces;
  - ii) Low Emissivity EnergyStar windows and patio doors to minimize condensation.
- Low flow plumbing fixtures to reduce water consumption and sewage volumes.
- All residential lots to receive enhanced front yard landscaping and high albedo unit pavers in driveways to decrease heat and ambient surficial temperatures urban heat island effect.
- Waste management practices to ensure that all trades work efficiently to reduce and eliminate waste, including on-site waste management, re-use and recycling measures, and locally sourced building materials where feasible.
- Drought tolerant and native planting material to prevent erosion.

### **Economic Impact**

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

### **Communications Plan**

On February 1, 2013, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands and to the Kleinburg and Area Ratepayers' Association. A copy of the

Notice of Public Hearing was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed on the subject lands in accordance with the City's Notice Sign Procedures and Protocol. The recommendation of the Committee of the Whole to receive the Public Hearing report of February 26, 2013, and to forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on March 19, 2013. To date, the following correspondence was received:

- i) Paul Mantella, Nashville Area Ratepayers' Association, correspondence dated February 21, 2013, advising that there is no objection to the proposal, but there is a concern with the Major Mackenzie Drive road realignment not being completed to accommodate the future residents in the new developments north of Major Mackenzie Drive between Huntington Road and Regional Road 27, and the traffic generated by commuters and construction.

### **Purpose**

To seek approval from the Committee of the Whole for the following applications on the subject lands shown on Attachments #2 and #3:

1. Zoning By-law Amendment File Z.12.049 to amend Zoning By-law 1-88, subject to Exception 9(1313), specifically to rezone the subject lands from RD1(H) Residential Detached Zone One, RD2(H) Residential Detached Zone Two, OS1(H) Open Space Conservation Zone and OS2(H) Open Space Park Zone, all with the Holding Symbol "(H)" to RD1 Residential Detached Zone One, RD2 Residential Detached Zone Two, RD2(H) Residential Detached Zone Two with the Holding Symbol "(H)", RD3 Residential Detached Zone Three, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone, in the manner shown on Attachment #4, together with the site-specific zoning exceptions identified in Table 1 of this report, to facilitate a proposed residential Draft Plan of Subdivision for 185 lots for detached dwelling units, as shown on Attachment #5.
3. Revised Draft Plan of Subdivision File 19T-05V10 (Phase 2) to facilitate a proposed residential Draft Plan of Subdivision as shown on Attachment #5, consisting of the following:

<b>Lots/Blocks</b>	<b>Land Use</b>	<b>Area (ha)</b>	<b>Units</b>
<b>Lots</b>			
1-185	Detached Dwelling Units:		
	- 18.3 m Lot Frontage	4.571	60
	- 15.3 m Lot Frontage	2.714	50
	- 12.2 m Lot Frontage	3.028	75
<b>Blocks</b>			
186 & 187	Valleylands & Woodlots	4.297	
188 & 189	Buffers	0.662	
190	Landscape Buffer/Future Development	0.279	
191	Easement for Storm, Sanitary, Watermain and Gas Purposes	0.202	
192 - 213	0.3 M Reserves	0.007	
214	Berm	0.302	
	Streets	3.822	
	<b>Total</b>	<b>19.884</b>	<b>185</b>

## **Background - Analysis and Options**

### **Location**

The subject lands, shown on Attachments #2 and #3, are located on the north side of Major Mackenzie Drive and west of York Region Road 27, City of Vaughan.

### **Previous Approvals**

Draft Plan of Subdivision File 19T-05V10 as shown on Attachment #6 was originally draft approved in 2009, and the lands were zoned by Zoning By-law 1-88, as amended by implementing Zoning By-law 31-2009 (Exception 9(1313)). The Owner is proposing modifications for the lands within the Phase 2 portion of the Plan of Subdivision File 19T-05V10 shown on Attachment #5, as follows:

- 1) the relocation of two stormwater management ponds on the subject lands to one larger pond located south of Major Mackenzie Drive (as shown on Attachment #5) on a former waste disposal site; and the relotting of the subdivision plan in these areas; and,
- 2) the width of the proposed berm (Block 214) adjacent to the railway right-of-way (Attachment #5) to be increased to accommodate a swale for stormwater management purposes.

As a result of the above noted modifications, a Zoning By-law amendment is required to address the additional lots, lotting changes and road adjustments.

### **Vaughan Official Plan 2010**

At the time of the submission of the subject applications in 2012, the Owner submitted corresponding Official Plan Amendment File OP.12.020 to amend the following policies of the "Serviced Residential-Humber Trails Central" designation in OPA #601 (Kleinburg-Nashville Community Plan), as amended by OPA #686:

	<b>Official Plan Policies for the "Serviced Residential-Humber Trails Central" Designation</b>	<b>Proposed Amendments to the "Serviced Residential-Humber Trails Central" Policies in OPA #686</b>
a.	The permitted density shall not exceed a maximum of 11.2 units per net residential hectare, and a maximum of 312 detached residential dwelling units on the combined Phase 1 and Phase 2 lands.	Permit a maximum density of 12.9 units per net residential hectare on the Phase 2 lands, which results in an increase of 1.7 units per net residential hectare and 73 additional detached dwelling units on the subject Phase 2 lands, as shown on Attachment #5; and, a maximum of 385 detached dwelling units on the combined Phase 1 and Phase 2 lands.
b.	Fully serviced population of 1,155 for the "Serviced Residential-Humber Trails Central" designation on the combined Phase 1 and Phase 2 lands.	Fully serviced population of 1,425 (on the combined Phase 1 and Phase 2 lands) for the "Serviced Residential-Humber Trails Central" designation representing an increase of 270 people for the Phase 2 lands.



As of September 2014, the Ontario Municipal Board (OMB) partially approved Vaughan Official Plan 2010 (VOP 2010), which designated the subject lands “Low-Rise Residential”. The in-effect Low-Rise Residential policies do not prescribe a maximum density or unit limit for the subject lands. Therefore, an amendment to Vaughan Official Plan 2010 is not required. The “Low-Rise Residential” designation of VOP 2010 permits detached dwelling units and accordingly, the proposal conforms to the Official Plan.

### Zoning

The subject lands are zoned RD1(H) Residential Detached Zone One, RD2(H) Residential Detached Zone Two, OS1(H) Open Space Conservation Zone and OS2(H) Open Space Park Zone, all with the Holding Symbol “(H)”, by Zoning By-law 1-88, subject to Exception 9(1313), as shown on Attachment #2. To facilitate the proposed Draft Plan of Subdivision as shown on Attachment #5, an amendment to the Zoning By-law is required to rezone the subject lands in the manner shown on Attachment #4. The Owner has also requested the following site-specific zoning exceptions to facilitate the future development of the subject lands:

Table 1 - Proposed Zoning Exceptions

	<b>By-law Standard</b>	<b>By-law 1-88 Requirements of Exception 9(1313)</b>	<b>Proposed Exceptions to Requirements 9(1313)</b>
a.	Minimum Landscape Area Abutting a Street Line (Major Mackenzie Drive)	30 m	3.5 m (Lots 81, 92 and 98)
b.	Minimum Interior Side Yard on a Lot Abutting a Non-Residential Use (OS1 Zone) or a Buffer Block (along Major Mackenzie Drive and Valleyland/Woodlot).	3.5 m	1.2 m (Lots 81, 92, 98, 106 and 107)

#### a) Proposed Zoning Exceptions

The proposed exception to the minimum landscape area abutting a street line is due to the future location of the realignment of Major Mackenzie Drive to the south (Attachment #5), resulting in Major Mackenzie Drive no longer abutting the subject lands.

The proposed exception to the minimum interior side yard abutting a non-residential use including a walkway, greenway, buffer block or stormwater management block is minor in that it will apply to only five lots as identified above and shown on Attachment #4. Three of the lots (Lots 81, 92, and 98) may become interior lots in the future, should the abutting lands to the south be developed for residential dwelling units. Two lots (Lots 107 and 106) abut the 10 m buffer to the valleyland/woodlot lands, where little activity is anticipated that could disturb future residents.

#### b) Holding Symbol “(H)”

Lots 92 and 98, shown on Attachment #4, abutting Major Mackenzie Drive shall not be developed until Timber Creek Boulevard is extended by the Owner from its current terminus at the existing Major Mackenzie Drive to the future realigned Major Mackenzie Drive to the satisfaction of York Region. In order to ensure development of these lots does not occur in the absence of the

required road works, it is recommended that these lots be zoned with the Holding Symbol "(H)", which can be removed upon Timber Creek Boulevard being extended to the satisfaction of York Region.

The Vaughan Planning Department is satisfied that the requested rezoning and site-specific zoning exceptions are appropriate to facilitate the development of the revised Phase 2 portion of the Draft Plan of Subdivision, shown on Attachment #5.

#### Subdivision Design

The 19.884 ha Draft Plan of Subdivision is comprised of lots for 185 detached dwelling units, as shown on Attachment #5. The subject lands will have access onto the existing local road network, from two roads (Timber Creek Boulevard and Finland Drive), which intersect Major Mackenzie Drive, as shown on Attachment #5, and were developed and constructed as part of Phase 1 of Draft Plan of Subdivision File 19T-05V10, and was registered in December 2012 as Plan 65M-4383. The two valleyland/woodlot blocks, shown on Attachment #5, are to be maintained.

Prior to final approval, all development within the Draft Plan of Subdivision shall proceed in accordance with the approved Lake Rivers Community Architectural Design Guidelines prepared by Watchorn Architect Inc. and approved Kleindor Estates Landscape Master Plan prepared by NAK Design Strategies.

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

#### Vaughan Development Engineering and Infrastructure Planning Services Department

The Vaughan Development Engineering and Infrastructure Planning Services Department has reviewed the proposed Draft Plan of Subdivision (File 19T-05V10 (Phase 2)) and provides the following comments:

##### a) Road Network

The Phase 2 lands are bounded on the west side by the Canadian Pacific Railway line with no road crossing connections. The Phase 1 lands divide Phase 2 into two areas, east and west. Timber Creek Boulevard and Finland Drive were constructed in Phase 1, and traverse the middle of the block and connect to Major Mackenzie Drive and the Phase 2 lands.

The Draft Plan of Subdivision roads are to be constructed with 20 m and 18.5 metre wide rights-of-way, in accordance the current City of Vaughan road design standards. Draft Plan of Subdivision File 19T-05V10 (Phase 2) will be coordinated with the future realignment of Major Mackenzie Drive. The design and construction of Major Mackenzie Drive will be completed between 2016 to 2018.

##### b) Water Servicing

The subject lands are located within the Kleinburg/Nashville service area in Pressure District 6 (PD #6) of the York Water Supply System. The proposed Phase 2 water servicing system will be connected from the 400 mm diameter watermains on Timber Creek Boulevard and Finland Drive that were constructed under the Phase 1 development.

##### c) Sanitary Servicing

The proposed sanitary sewer system for Draft Plan of Subdivision File 19T-05V10 (Phase 2) will connect to the existing 375 mm diameter and 200 mm diameter sanitary sewers on Timber Creek

Boulevard and Finland Drive, which were constructed under Draft Plan of Subdivision File 19T-05V10 (Phase 1).

d) Storm Drainage

The proposed storm drainage system for Draft Plan of Subdivision File 19T-05V10 (Phase 2) will be connected to the existing 825 mm diameter and 1500 mm storm sewers on Timber Creek Boulevard and Finland Drive that were constructed under Draft Plan of Subdivision File 19T-05V10 (Phase 1). The drainage flow will be discharged to the existing Storm Water Management Pond built on the south side of Major Mackenzie Drive in accordance with the Master Environmental Servicing Plan (MESP) report.

As part of the engineering design and prior to the initiation of any grading of the lands subject to Draft Plan of Subdivision File 19T-05V10 (Phase 2), the Owner shall provide an engineering report for the review and approval of the City that describes the proposed storm drainage system required to develop the subject lands and shall include, but not be limited to, the following items:

- i) Plans illustrating the proposed system and its connection into the existing storm system;
- ii) Stormwater management techniques that may be required to control minor or major flows;
- iii) Detail on all external tributary lands, including the existing residence(s); and,
- iv) Proposed methods for controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction.

e) Sewage and Water Allocation

In accordance with the City's Servicing Capacity Distribution Protocol as adopted by Vaughan Council on May 24, 2011, (145 units), June 26, 2012 (55 units) and October 29, 2013 (180 units), servicing allocation capacity was approved for a total 380 residential units from the York Sewage Servicing / Water Supply System for Phases 1 and 2 for Draft Plan of Subdivision File 19T-05V10. The servicing capacity for the subject lands is available and unrestricted. Therefore, the following resolution to allocate capacity to the subject development may be recommended for Vaughan Council approval:

"THAT Draft Plan of Subdivision File 19T-05V10 (Phase 2) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 185 residential units."

f) Environmental Site Assessment

The *Environmental Site Assessment* reports and *Reliance Letter*, provided in 2008, for the subject lands have been reviewed and Staff is satisfied with the submitted environmental site assessment documents.

g) Environmental Noise/Vibration Impact

The Owner is required to submit a Noise Report as part of the detailed engineering submission, for approval to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Services Department. The Vaughan Development Engineering and Infrastructure Planning Services Department has reviewed the submitted Noise Report dated March 31, 2014, and the revised report dated October 29, 2014, by SS Wilson Associates. The Noise Report should reflect Draft Plan of Subdivision File 19T-05V10 (Phase 2). The City requires all dwelling units that abut or face an arterial road such as Major Mackenzie Drive and the Railway line be

constructed with mandatory central air conditioning. 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 0.3 m road reserve. Also, due to the proximity of the Draft Plan of Subdivision File 19T-05V10 (Phase 2) to the CP Railway, the Owner is required to submit a vibration report as part of the detail engineering submission, for approval to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Services Department.

h) Street-lighting

The street-lighting shall meet the City of Vaughan criteria within Draft Plan of Subdivision File 19T-05V10 (Phase 2), including the intersection of Timber Creek Boulevard at Major Mackenzie Drive.

i) Draft Plan of Subdivision

The Owner is required to provide the following reports, which shall be included as conditions of approval in Attachment #1:

- i) A revised Noise Report and a Traffic Management Plan (TMP) based on the realignment of Major Mackenzie Drive.

The Vaughan Development Engineering and Infrastructure Planning Services Department has no objections to the development, subject to the conditions of approval in Attachment #1.

Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that prior to final approval of the Draft Plan of Subdivision, the Owner shall be required to enter into a Developers' Group Agreement with the other participating landowners within Planning Block 61 to the satisfaction of the City of Vaughan. The Agreement shall be regarding, but not limited to, all cost sharing for the provision of parks, cash-in-lieu of the dedication of parkland, and road and municipal services within Planning Block 61. This agreement shall also provide a provision for additional developers to join the Developers' Group Agreement, when they wish to develop their lands. The Owner acknowledges that cash-in-lieu of parkland shall be paid in accordance with Section 42 of the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". This requirement is included in the recommendation of this report.

Vaughan Planning Department, Cultural Heritage Division

The Vaughan Planning Department, Cultural Heritage Division advises that there are no objections to the proposal. However, the Owner is required to undertake an archaeological assessment for the Phase 2 lands, which have not been cleared of archaeological concerns, as discussed in the *Stage Three Archaeological Assessment*, dated September 2006 by Archaeological Research Associates. This will be included as a condition of approval in Attachment #1 to this report. The Owner is advised that the standard archaeological resources conditions requiring notification should archaeological resources and/or human remains be found on the property during grading or construction activities, and the Owner ceasing all grading or construction activities, are included as conditions of approval in Attachment #1 to this report.

Vaughan Parks Development Department

A 1.791 ha and a 0.067 ha parkette were provided in Phase 1 of Draft Plan of Subdivision File 19T-05V10. The Parks Development Department has no objections to the development, subject to the condition requiring cash-in-lieu of parkland, included as a condition of approval in Attachment #1.

### Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) supports the proposal subject to the following being addressed prior to the registration of the Plan for Draft Plan of Subdivision File 19T-05V10 (Phase 2), and their conditions of approval in Attachment #1:

- i) A mechanism which ties the proposed location and design of the stormwater management pond on the south side of Major Mackenzie Drive to Draft Plan of Subdivision File 19T-05V10 (Phase 2) to the satisfaction of the City and TRCA;
- ii) Details and calculations on the proposed measures to promote infiltration and maintain water balance across the Draft Plan of Subdivision File 19T-05V10 (Phase 2) lands;
- iii) Comprehensive edge management plans and restoration planting plans that improve the connectivity of the natural system;
- iv) Topsoil stripping, grading, servicing and erosion and sediment control plans;
- v) Trail plan(s), if proposed; and,
- vi) Dedication of the open space and buffer lands (Blocks 186 to 189 inclusive) to the TRCA or City.

### Ontario Ministry of Transportation

The Ontario Ministry of Transportation has reviewed the proposal and advises that they have no concerns at this time. The westernmost access to Major Mackenzie Drive from the proposed subdivision is located approximately 300 m east of the west property limit so it is adequately spaced for potential traffic signals in the future.

### CP Railway

CP Railway has reviewed the proposal and advised the proposal is adjacent to the MacTier Subdivision, which is classified as a principal line. CP Railway requires that mitigation measures respecting the safety and the welfare of future residents, which are set out in Attachment #1 as conditions of approval, be addressed.

### School Boards

The York Catholic District School Board requires an elementary school site of 2.443 ha, comprised of the 1.671 ha block in the Phase 1 (but not Phase 2) lands of Draft Plan of Subdivision File 19T-05V10 and the 0.772 ha school block in Plan of Subdivision File 19T-06V14 (Molise Kleinburg Estates Inc.) to the north to form a complete school site.

The York Region District (Public) School Board, York Catholic District School Board and the Conseil Scolaire de District Catholique Centre-Sud have reviewed the applications and advise that they have no objection to the proposal. School sites are not required in the Phase 2 lands.

### Canada Post

Canada Post has no objections to the proposal subject to their conditions of approval included Attachment #1.

### Enbridge Gas Distribution

Enbridge Gas Distribution has reviewed the proposal and has no objections to the applications. Enbridge advises that the Owner is required to contact Enbridge's Customer Connections Department for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, Silva cells, and /or soil trenches) and/or asphalt paving. If the gas main needs to be relocated, as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the Owner. In the event that easement(s) are required to service this development, the Owner will provide the easement(s) to Enbridge Gas Distribution at no cost. This requirement is included in the conditions of approval in Attachment #1.

### Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the following initiatives set forth in the Vaughan Vision 2020/Strategic Plan:

i) Lead and Promote Environmental Sustainability

The Owner will be incorporating the sustainable site and building features identified in this report.

ii) Plan and Manage Growth & Economic Vitality

The proposed development implements the City's current Official Plan and the Growth Management Strategy as set in Vaughan Official Plan 2010.

Servicing for the proposed development has been identified in accordance with the annual servicing/allocation report approved by Vaughan Council.

### Regional Implications

York Region has provided the following comments:

This development is located within the Humber Wastewater Service Area and will be serviced from Water Pressure District #6.

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

The Owner shall not apply for Building Permits or construct any structure(s) on Lots 92 and 98 until Timber Creek Boulevard is extended to the south and constructed by the Owner to York Region's satisfaction from existing Major Mackenzie Drive to the newly realigned Major Mackenzie Drive. The Region anticipates constructing the realignment of Major Mackenzie Drive between 2016 and 2018.

York Region has no objection to the draft approval of the Plan of Subdivision subject to the conditions in Attachment #1.

### Conclusion

The Zoning By-law Amendment and Draft Plan of Subdivision applications propose to facilitate the development of the subject lands with 185 dwelling units and the maintenance of the valleylands/woodlots, as shown on Attachment #5.

The proposed Draft Plan of Subdivision conforms to York Region and City Official Plan policies. The proposal provides the final phases to complete the build out of the neighbourhood.

The Vaughan Planning Department is satisfied that the proposed Draft Plan of Subdivision shown on Attachment #5 will result in a residential development that is appropriate and compatible with the existing and permitted uses in the surrounding area. The Vaughan Planning Department can support the approval of the Zoning By-law Amendment Application and Draft Plan of Subdivision subject to the recommendations in this report, and the Conditions of Approval set out in Attachment #1.

**Attachments**

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Proposed Zoning (Phase 2)
5. Modified Draft Plan of Subdivision File 19T-05V10 (Phase 2)
6. Vaughan Council Approved (November 10, 2008) Red-Lined Revised Draft Plan of Subdivision File 19T-05V10

**Report prepared by:**

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Respectfully submitted,

JOHN MACKENZIE  
Commissioner of Planning

GRANT UYEYAMA  
Director of Development Planning

MAURO PEVERINI  
Manager of Development Planning

/LG

## **ATTACHMENT NO. 1**

### **CONDITIONS OF APPROVAL**

**DRAFT PLAN OF SUBDIVISION FILE 19T-05V10 (PHASE 2)  
KLEINDOR DEVELOPMENTS INC. (OWNER)  
PART OF LOT 21, CONCESSION 9, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN (CITY) THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION FILE 19T-05V10 (PHASE 2) (THE PLAN), ARE AS FOLLOWS:**

**City of Vaughan Conditions**

1. The Plan shall relate to the Draft Plan of Subdivision, Drawing No. 12.12, prepared by KLM Planning Partners Inc., dated December 12, 2012.
2. The lands within the Plan shall be appropriately zoned by a zoning by-law, which has come into effect in accordance with the provisions of the Planning Act.
3. Prior to final approval of the Plan, the Owner shall submit to the satisfaction of the City, a listing prepared by an Ontario Land Surveyor of all the lot and block areas, frontages and depths in accordance with the approved Zoning By-law for all the lots and blocks within the Plan.
4. The Owner shall pay any and all outstanding application fees to the Vaughan Planning Department, in accordance with the in-effect Tariff of Fees By-law.
5. 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.
6. The road allowances included within the Plan shall be dedicated as public highways without monetary consideration and free of all encumbrances.
7. The road allowances included within the Plan shall be named to the satisfaction of the City and York Region.
8. 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.
9. Any dead ends or open sides of road allowances created by the Plan 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.
10. The Owner shall agree in the Subdivision Agreement that construction access shall be provided only in a location approved by the City and York Region.
11. The Owner shall agree to remove any driveways and buildings on site, which are not approved to be maintained as part of the Plan. Any modification to off-site driveways required to accommodate the Plan shall be coordinated and completed at the cost of the Owner.



12. The Owner shall agree in the Subdivision Agreement to design and construct the municipal services in the Plan in accordance with the recommendations and conclusions of the Kleinburg-Nashville Servicing Strategy Master Plan Class Environmental Assessment to the satisfaction of the City.
13. The Owner shall agree in the Subdivision Agreement to provide financial contribution towards the ultimate Kleinburg-Nashville Servicing Strategy to the satisfaction of the City.
14. The Owner shall agree in the Subdivision Agreement to provide financial contribution towards the "Nashville Watermain Local Improvement" to the satisfaction of the City.
15. Prior to final approval of the Plan, the Owner shall submit a Water Supply Analysis Report to the satisfaction of the City including a comprehensive water network analysis of the water distribution system, preferably based on the WaterCAD modeling software, and shall demonstrate that adequate water supply is available to service the proposed development, and identify the need and timing for system improvements.
16. Prior to final approval of the Plan, the Owner shall retain the services of a qualified Transportation Consultant to re-evaluate, oversee and finalize the intersection design/roadway network. The Owner acknowledges that the engineering design(s) for alternative road network/design, traffic calming measures and designated transit route(s) in accordance with the recommendations of the Traffic Management Plan/updated Traffic Study may result in variation to the road and lotting pattern to the satisfaction of the City.
17. Prior to final approval of the Plan, the Owner shall also prepare a comprehensive Traffic Management Plan (TMP) on the basis of an updated traffic study, once the realignment and widening of Major Mackenzie Drive is established by York Region. The TMP should include the details of future traffic signal locations, traffic calming measures, future transit routes, pedestrian network, traffic controls, park/school treatment, phasing etc., that reflects the latest road network to the satisfaction of the City.
18. Prior to final approval of the Plan, the Owner shall carry out or cause to be carried out the design and construction of the traffic calming/management measures that are identified on the preliminary traffic management plan/updated TMP. In the event that these traffic calming measures are found to be insufficient and/or ineffective by the City prior to the assumption of the municipal services on the Plan, then the Owner shall design and construct additional traffic calming measures to the satisfaction of the City.
19. Prior to final approval, an environmental noise and/or vibration study, prepared by a qualified consultant, at the Owner's expense shall be submitted to the City for review and approval. The preparation of the noise/vibration report shall include the ultimate traffic volumes associated with the surrounding road network and Canadian Pacific Railway line according to the Ministry of Environment and Climate Change Guidelines. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendation set out in the approved noise/vibration report, to the satisfaction of the City.
20. The Owner shall agree in the Subdivision Agreement that the Building Permit for Lots 92 and 98, both inclusive, along Timber Creek Boulevard at Major Mackenzie Drive shall not be issued until Timber Creek Boulevard has been extended to the realigned Major Mackenzie Drive.
21. Prior to final approval of the Plan, the Owner shall implement the recommendations of the Western Vaughan Transportation Individual Environmental Assessment (IEA) with respect to the realignment of Major Mackenzie Drive and the related grade separation at the CP railway crossing. The Owner acknowledges that the road realignment may affect the lotting pattern and road network within the Plan, to satisfaction to the City and York Region.

22. The Owner shall design, tender a construction contract and construct a proposed 400mm diameter watermain on Major Mackenzie Drive and York Region Road 27, from Hyde Drive to the proposed new Major Mackenzie Drive alignment at York Region Road 27, hereinafter referred to as the "Major Mackenzie PD6 Watermain", as a component of the external works for the Plan, if required to the satisfaction of the City. The City considers the Major Mackenzie PD6 Watermain to be growth related and has included the works as a City-wide Development Charge Project in the Development Charges By-law as required to service the urban growth within the Kleinburg Area.
23. The Owner shall indemnify and save harmless the City and/or their employees from all actions, causes of actions, suits, claims and demands whatsoever which may arise directly or indirectly by reason of the installation of the Major Mackenzie Pressure District #6 Watermain provided for under the Subdivision Agreement.
24. The Owner shall agree in the Subdivision Agreement to inspect, evaluate and monitor all wells within the zone of influence prior to, during and after construction has been completed. Progress reports shall be submitted to the City as follows:
- a) A base line well condition and monitoring report shall be submitted to the City prior to the pre-servicing or registration of the plan (whichever occurs first) and shall include as a minimum requirement the following tests:
    - i) Bacteriological Analysis - total coliform and E-coli counts;
    - ii) Chemical Analysis - Nitrate Test;
    - iii) Water level measurement below existing grade;
  - b) In the event that the test results are not within the Ontario Drinking Water Standards, the Owner shall notify in writing, the Purchaser(s), the York Region Health Department and the City within twenty-four (24) hours of the test results;
  - c) Well monitoring shall continue during construction and an interim report shall be submitted to the City for records purposes;
  - d) Well monitoring shall continue for one year after the completion of construction and a summary report shall be submitted to the City prior to Completion Approval; and,
  - e) If the private well systems in the zone of influence deteriorate due to the servicing of the Plan the Owner will provide temporary water supply to the affected residents upon notice by the City. If the quantity and quality of water in the existing wells is not restored to its original condition within a month after first identification of the problem, the Owner will engage the services of a recognized hydro geologist to evaluate the wells and recommend solutions including deepening the wells or providing a permanent water service connection from the municipal watermain system.
25. The Owner shall agree in the Subdivision Agreement to maintain adequate chlorine residuals in the watermains within the Plan after successful testing and connection to the potable municipal water system and continue until such time as determined by the City or until assumption of the Plan. In order to maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis as 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.
26. Prior to the initiation of grading or the stripping of topsoil and final approval, the Owner shall submit a top soil storage plan detailing the location, size, slope stabilization methods and time period, for approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on the either park or school blocks.

27. Prior to final approval of the Plan, the Owner shall provide easements as may be required for utility, drainage or construction purposes and shall be granted to the appropriate authority(ies), free of all charge and encumbrance.
28. 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.
29. Prior to the initiation of grading and prior to the registration of the Plan or any phase thereof, 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 the 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 on-site and in downstream areas during and after construction.

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

30. 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 Plan.
31. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost any external municipal services, temporary and/or permanent built or proposed, that have been designed and oversized by others to accommodate the development of the Plan.
32. Prior to final approval of the Plan, the Owner shall make the necessary arrangements at the expense of the Owner for the relocation of any utilities required for the development of the Plan to the satisfaction of the City.
33. The Owner shall agree in the Subdivision Agreement to design, purchase material and install a streetlighting system in the Plan in accordance with City Standards and specifications. This Plan shall be provided with decorative streetlighting to the satisfaction of the City.
34. The Owner shall agree that all lots or blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing.
35. The Owner shall agree in the Subdivision Agreement to construct a 1.5 metre high black vinyl chain link fence along the limits of the residential lots where they abut the open space, valleyland, woodlot, storm water management, and/or park blocks to the satisfaction of the City.

36. Prior to final approval of the Plan, the Owner shall convey to the City Block 190 for landscape purposes, Block 191, if required, for landscape purposes and Block 214 for buffer (berm) purposes, free of all costs and encumbrances to the satisfaction of the City.
37. Prior to final approval of the Plan, the Owner shall convey the following lands to the City or TRCA, free of all charge and encumbrances:
- a) Blocks 186 and 187 for valley/woodlot/open space purposes
  - b) Blocks 188 and 189 for buffer purposes.
38. The Owner shall agree in the Subdivision Agreement to erect permanent wood fence treatments for flanking residential Lots 1, 19, 20, 37, 38, 56, 57, 68, 69, 80, 81, 86, 87, 92, 93, 98, 102, 109, 112, 144, 145, 151, 170, 172, 178, 179, and 185; to be co-ordinated with the environmental noise report.
39. The Owner shall agree in the Subdivision Agreement to erect an appropriate fence barrier along the limits of Block 214 that abuts the CP Railway lands.
40. 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 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."
  - b) "Purchasers and/or tenants are advised that traffic calming measures may have been incorporated into the road allowances."
  - c) "Purchasers and/or tenants are advised that public transit routes have not been determined for the area within the Plan, however, internal streets may be subject to public transit bus traffic."
  - d) "Purchasers and/or tenants are advised that the following street may be used for a transit route(s) in the future: "Timber Creek Boulevard".
  - e) "Purchasers and/or tenants are advised that "Timber Creek Boulevard" may be extended when the new Major Mackenzie Drive realignment has been approved."
  - f) "Purchasers and/or tenants are advised that Finland Drive between the existing Major Mackenzie Drive and the realigned Major Mackenzie Drive may be closed for future redevelopment when the new Major Mackenzie Drive realignment has been approved."
  - g) "Purchasers and/or tenants are advised that the collector and primary roads within the Plan are expected to support more traffic than local roads and, if demand warrants, transit routes in the future."
  - h) "Purchasers and/or tenants are advised that despite the inclusion of a landscape vegetation screen along the CP Railway safety berm adjacent to Street '5,' railway traffic will be visible. A screen wall will not be erected on the CP Railway berm adjacent to Street "5". The landscape vegetation screen has been designed with a combination of mature deciduous and coniferous plant material intended to partially screen the view of passing trains. Despite the vegetative screen, portions of passing trains will still be visible to residents in the abutting neighbourhood. This landscape vegetation screen is not

intended to mitigate railway noise in public outdoor areas within the residential neighbourhood. Noise mitigation features for dwelling units and the associated dwelling unit outdoor living areas have been implemented on the individual affected lots and blocks within the Plan of Subdivision in order to achieve sound levels within the limits recommended by the Ministry of the Environment.”

- i) “Purchasers and/or tenants are advised that the 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.”
- j) “Purchasers and/or tenants are advised that the Owner/Builder shall provide information on sustainable transportation, via various media, to all purchasers and/or tenants within the Plan, including pedestrian, cycling facilities, transit routes, roundabouts, and carpooling and park-and-ride facilities (if applicable).”
- k) “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 an amount of 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 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.”

- l) “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 (Subdivision Developer) for the security to ensure all municipal services including, but not limited to lot grading, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for lot grading purposes, is not a requirement of this Subdivision Agreement. 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.”

- m) “Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the Canadian Radio-Television and Telecommunications Commission (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.”
- n) “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 metres measured at the street curb, provided circular driveways shall have a maximum combined width of 9 metres measured at the street curb.
  - ii) Driveway in either front or exterior side yards shall be constructed in accordance with the following requirements:

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

<sup>1</sup>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.

<sup>2</sup>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.”

- o) “Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox in accordance with the requirements dictated by Canada Post. The location of the mailbox shall be shown on the Community Plan provided by the Owner in its sales office.”
- p) “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 building occupants.”
- q) “Purchasers and/or tenants are advised that fencing and/or noise attenuation features along the lot lines of lots and blocks abutting public lands, including public highway, laneway, walkway or other similar public space, is a requirement of this Subdivision Agreement and that all required fencing and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3m reserve, as shown on the Construction Drawings.”
- r) “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 feature and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3 metre reserve, as shown on the Construction Drawings.

The City has taken a Letter of Credit from the Owner (Subdivision Developer) for the security to ensure all fencing including, but not limited to privacy fencing, chain link fencing and acoustic fencing, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for fencing, is not a requirement of this Subdivision Agreement.

The maintenance of the noise attenuation feature or fencing shall not be the responsibility of the City or York Region and shall be maintained by the Owner until assumption of the services of the Plan. Thereafter, the maintenance of the noise attenuation feature or fencing shall be the sole responsibility of the lot owner. Landscaping provided on York Region Road rights-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.”

- s) "Purchasers and/or tenants are advised that the 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."
- t) "Purchasers and/or tenants are advised that the Owner (Subdivision Developer) 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."

Any additional warning clause as noted in the Subdivision Agreement shall be included in all Offers of Purchase and Sale or Lease for all lots and/or blocks within the Plan to the satisfaction of the City.

- 41. 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 Plan abutting or in proximity of any parkland or walkway or school:
  - a) "Purchasers and/or tenants are advised that the lot and/or block abutting or in proximity of a "Neighbourhood Park" or school of which noise and lighting may be of concern due to the nature of the park or school for active recreation."
- 42. 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 Plan abutting or in proximity of any open space lands (park/valleyland/woodlot/buffer/stormwater facility):
  - a) "Purchasers and/or tenants are advised that the adjacent open space lands (park/valleyland/woodlot/buffer/stormwater facility) may be left in a naturally vegetated condition and receive minimal maintenance."
- 43. 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 Plan abutting or in proximity of any open space lands (park/valleyland/woodlot/buffer) or school block:
  - a) "Purchasers and/or tenants are advised that the installation of any gate or access point from the lot and/or block to open space lands or school block is prohibited."
- 44. Prior to the transfer of any lot or block on the Plan, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses required by the Subdivision Agreement have been included in the Offers of Purchase and Sale or Lease for such lot or block.
- 45. 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(s), 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 Planning Department, at 2141 Major Mackenzie Drive, 905-832-8585.”

“For detailed grading and berming information, please call the developer’s engineering consultant, (name) at \_\_\_\_\_.”

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

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

46. Prior to the initiation of grading, and prior to the registration of the Plan or any phase thereof, the Owner is required to undertake an archaeological assessment for the Phase 2 lands, which have not been cleared of archaeological concerns, as discussed in the Stage Three Archaeological Assessment, dated September 2006 by Archaeological Research Associates, to the satisfaction of the City of Vaughan Planning Department, Cultural Heritage Division.
47. The Owner shall agree to notify both the Ministry of Tourism and Culture, and the City of Vaughan Planning Department, Cultural Heritage Division immediately in the event that:
  - a) Archaeological resources are found on the property during grading or construction activities, to which the Owner must cease all grading or construction activities; and,
  - b) Human remains are encountered during grading or construction activities, the Owner must cease all grading or construction activities. The Owner shall contact York Region Police, the York Region Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.
48. The Owner shall agree in the Subdivision Agreement to the following:
  - a) All development shall proceed in accordance with the approved Lake Rivers Community Architectural Design Guidelines prepared by Watchorn Architect Inc.
  - b) A control architect shall be retained at the cost of the Owner with concurrence of the City to ensure compliance with the architectural design guidelines;



- c) Prior to the submission of individual Building Permit applications, the control architect shall have stamped and signed drawings certifying compliance with the approved architectural guidelines; and,
  - d) The City may undertake periodic reviews to ensure compliance with the architectural design guidelines. Should inadequate enforcement be evident, the City may cease to accept drawings stamped by the control architect and retain another control architect, at the expense of the Owner.
49. The Owner shall agree in the Subdivision Agreement to the following:
- a) All development shall proceed in accordance with the approved Kleindor Estates Landscape Master Plan prepared by NAK Design Strategies.
  - b) The Plan shall address the appropriate community edge treatment along Major Mackenzie Drive West.
  - c) The Plan shall address the appropriate landscaping for the CP Railway noise berm with low-maintenance plant material.
50. The Owner shall agree in the Subdivision Agreement to warranty the landscape vegetation screen on the CP Railway landscape buffer on Block 214 for a period of five (5) years following the date of assumption of the Plan.
51. The Owner shall agree in the Subdivision Agreement to provide a minimum 10 m buffer block abutting the Valley/Woodlot Blocks 186 and 187 along residential lots.
52. The Owner shall agree in the Subdivision Agreement to provide a tree preservation study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation. The Owner shall not remove trees without written approval by the City.
53. Prior to final approval, the Owner shall prepare a detailed edge management plan study for the perimeter of the valley/woodlot lands. The study shall include an inventory of all existing trees within an 8 metre zone inside the staked edges, and areas where the woodlot/open space edges are disturbed, assessment of significant trees to be preserved and proposed methods of edge management and/or remedial planting shall be included. The Owner shall not remove any vegetation without written approval by the City.
54. The Owner shall provide a report for a 20 metre zone within all staked woodlot and open space edges to the satisfaction of the TRCA and City, which identifies liability and issues of public safety and recommends woodlot/forestry management practices and removal of hazardous and all other trees as identified to be removed prior to assumption of the subdivision.

#### York Region Conditions

55. York Region shall confirm that adequate water supply and sewage capacity are available and have been allocated by the City of Vaughan for the development proposed within the Plan or any phase thereof. Registration of the Plan shall occur in phases based on the availability of water supply and sewage servicing allocation.
56. The Owner shall agree in the Subdivision Agreement that the Owner shall save harmless the City and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.

57. The Owner shall agree in the Subdivision Agreement that any direct connection to a York Region water or wastewater system requires York Region approval prior to construction, and engineering drawings showing details of the connection shall be submitted to the York Region Capital Planning and Delivery Branch for approval.
58. Prior to final approval, the Owner shall submit an updated Traffic Impact Study (TIS) which includes a detailed analysis of the intersection of Major Mackenzie Drive West and Huntington Road to York Region. The study, submitted to the Transportation and Community Planning Department for review and approval, shall explain all transportation issues and shall recommend mitigative measures for these issues.
59. The Owner shall agree in the Subdivision Agreement that prior to applying for Occupancy Permits for the dwellings built in Phase 2, the Owner will work in conjunction with the Nashville Heights Development File 19T-10V04 towards the design, construction and completion to the York Region's satisfaction the interim intersection improvements of the Major Mackenzie Drive and Huntington Road intersection, as recommended by the updated Traffic Impact Study of Condition 58 above.
60. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the York Region Transportation and Community Planning Department to implement the recommendations of the updated Traffic Impact Study as approved by the York Region Transportation and Community Planning Department.
61. The Owner shall agree in the Subdivision Agreement not to apply for Building Permits and further agrees not to construct any structure(s) on Lots 92 and 98 until Timber Creek Boulevard is extended to the south and constructed by the developer to York Region's satisfaction from existing Major Mackenzie Drive to the newly realigned Major Mackenzie Drive. The Region anticipates constructing the realignment of Major Mackenzie Drive between 2016 and 2018.
62. Prior to final approval, the Owner shall submit detailed engineering drawings, to the York Region Transportation and Community Planning Department for review and approval, that incorporate the recommendations of the functional transportation report/plan as approved by the York Region Transportation and Community Planning 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.
63. Prior to final approval, the Owner shall provide a set of engineering drawings, approved by the City, which indicates the storm drainage system, the overall grading plans and all proposed accesses onto York Region roads, for all lands within the Plan, to the York Region Transportation and Community Planning Department for verification that all York Region's concerns have been satisfied.
64. Prior to final approval, the Owner shall provide drawings for the proposed servicing of the site to be reviewed by the City's Engineering Department. Three (3) sets of engineering drawings (stamped and signed by a professional engineer), and the Ministry of the Environment and Climate Change forms together with any supporting information shall be submitted to the York Region Transportation and Community Planning Department, Attention: Mrs. Eva Pulnicki, P.Eng.
65. Prior to final approval, the location and design of the construction access for the subdivision work shall be completed to the satisfaction of the York Region Transportation and Community Planning Department and illustrated on the Engineering Drawings.

66. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the York Region Transportation and Community Planning Department, that all existing driveway(s) along the York Region road frontage of the Plan will be removed as part of the subdivision work, at no cost to York Region.
67. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the York Region Transportation and Community Planning Department that elevations along the streetline shall be 0.3 metres above the centreline elevations of the York Region roadway, unless otherwise specified by the York Region Transportation and Community Planning Department.
68. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the York Region Transportation and Community Planning Department, that the Owner will provide the installation of visual screening between Major Mackenzie Drive and Street "5", consisting of either a screening fence or a combination of a berm and appropriate planting, to a minimum of 1.8 metres in height, to be located within the right-of-way of Street "5". The Owner shall submit to the York Region Transportation and Community Planning Department for review and approval, landscape plans showing the proposed planting for headlight screening purposes.
69. Prior to final approval, the Owner shall submit drawings depicting the following to the satisfaction of York Region:
- 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 the York Region right-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 York Region 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, it is York Region's explicit understanding that the City will assume responsibility for the maintenance for the enhanced landscaping.
70. 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 York Region Transportation and Community Planning Department recommending noise attenuation features.
71. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the York Region Transportation and Community Planning Department, to implement the noise attenuation features as recommended by the Noise Study and to the satisfaction of the York Region Transportation and Community Planning Department.
72. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the York Region Transportation and Community Planning 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 and Climate Change guidelines and the York Region Noise Policy.

73. 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".

74. 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 York Region Transportation and Community Planning 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 metre reserve and may be a maximum 2.5 metres in height, subject to the City'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 City for aesthetic purposes must be approved by the York Transportation and Community Planning Department and shall be maintained by the City with the exception of the usual grass maintenance.

75. 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 Major Mackenzie Drive West of sufficient width to provide a minimum of 21.5 metres from the centreline of construction of Major Mackenzie Drive West, and,
- b) a 0.3 metre reserve across the full frontage of the site, except at the approved access location, adjacent to the above noted widening, where it abuts Major Mackenzie Drive West and adjacent to the above noted widening(s).

76. 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.

77. York Region requires the Owner to submit, in general 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) ("O. Reg. 153/04"), a Phase I environmental site assessment ("Phase I ESA") of the Owner's lands that are the subject of the application, including the lands to be conveyed to York Region (the "Conveyance Lands"). The Phase I ESA cannot be more than 2 years old as of the actual date title to the Conveyance Lands is transferred to York Region. If the Phase I ESA is linked to different phases of development and there will be multiple conveyances of lands, the Phase I ESA prepared in respect of a specific conveyance and phase of development cannot be more than two years old as of the actual date of transfer of title to York Region. If a Phase I ESA is or would be more than two years old as of the actual date of transfer of title to York Region, the Phase I ESA will need to be either updated or a new Phase I ESA obtained by the Owner in

accordance with the requirements of this condition. York Region, at its discretion, may require further study, investigation, assessment and delineation to determine whether any remedial or other action is required regardless of the findings or conclusions of the Phase I ESA. Any Phase II environmental site assessment required by or submitted to York Region must be prepared in general accordance with the requirements of O. Reg. 153/04 (as noted above). Reliance on the Phase I ESA and any subsequent environmental reports or other documentation prepared in respect of the environmental condition of the lands must be provided to York Region and: (i) will be addressed to "The Regional Municipality of York"; (ii) contain wording to the effect that York Region is entitled to rely on such reports or documentation in their entirety; and (iii) the terms and conditions of the reliance extended (including any wording seeking to limit liability) must be satisfactory to York Region.

The Owner shall also provide the York Region Transportation and Community Planning Department with a certified written statement from the Owner or the Owner's authorized representative that no contaminant, pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, on, in or under lands to be conveyed to York Region (including soils, substrata, surface water and groundwater, as applicable): (i) at the time of conveyance, at a level or concentration that exceeds the Environmental Protection Act O. Reg. 153/04 (as amended) full depth generic site condition standards applicable to the intended use of such lands by York Region 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 state, or is emanating or migrating from such lands in a way, that would contravene applicable environmental laws.

The preparation and delivery of the Phase I ESA, any subsequent environmental reports, other documentation, reliance and the Owner's certified written statement shall be provided at no cost to York Region.

78. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the York Region Transportation and Community Planning 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 City.
79. The Owner shall agree, prior to the development approval of Blocks 190, 191 and 186, that direct vehicle access from Blocks 186, 190, and 191, to Major Mackenzie Drive will not be permitted. Access must be obtained through the internal road network.
80. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the York Region Transportation and Community Planning Department, that pedestrian access to Major Mackenzie Drive shall be provided from Street "5".
81. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the York Region Transportation and Community Planning 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 City, at no cost to York Region.
82. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the York Region Transportation and Community Planning Department, that the Owner will be responsible for determining the location of all utility plants within York Region's 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.

83. Prior to final approval, the Owner shall submit engineering plans for York Region's approval that identify on the plans the transit requirements.
84. Prior to final approval, the Owner shall agree to convey to York Region sufficient lands required to accommodate the Major Mackenzie Drive re-alignment and associated grade separation with the CP Rail Line.
85. Prior to final approval, the Owner shall agree to coordinate with the development to the north (Draft Plan of Subdivision - File 19T-06V14) and to develop a phasing plan associated with the proposed road improvements for this area to the satisfaction of York Region.
86. Prior to final approval, the Owner shall provide a copy of the Subdivision Agreement to the York Region Transportation and Community Planning Department, outlining all requirements of the York Region Transportation and Community Planning Department.
87. The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the York Region Corporation; York Region Development Charges are payable prior to final approval in accordance with By-law 2012-36.

#### Toronto and Region Conservation Authority (TRCA) Conditions

88. The Owner is required to identify a mechanism to tie the proposed location and design of the stormwater management pond on the south side of Major Mackenzie Drive to (Draft Plan of Subdivision File 19T-05V10 (Phase 2)) to the satisfaction of the City and Toronto and Region Conservation Authority (TRCA).
89. Prior to any finalization of the lotting fabric in this area, the Owner shall prepare an assessment of the feature indicating how the form and function of the feature can be replicated consistent with TRCA's Evaluation, Classification and Management of Headwater Drainage Features: Interim Guidelines, for TRCA review.
90. The Owner shall submit an updated Functional Servicing Report (FSR) to address the matters noted above, as well as the Erosion and Settlement Control (ESC) plan(s) for the development.
91. The Owner shall provide an updated restoration plan to address the improvements to the connectivity of the system, and to identify the requisite minimum 10 metre buffer.
92. The Owner shall prepare a grading plan consistent with the proposal to the north, as well as submitting the location of tree protection fencing around the trees.
93. The Owner shall to provide a Geotechnical Addendum Brief, as well as a grading plan for TRCA review.
94. The Owner shall revise the methodology used to determine the water balance calculations, as well as providing a mitigation strategy to the satisfaction of TRCA.
95. The Owner shall provide a table in an appropriate location in section D.1 or in the Appendix, of the Master Servicing Study which summarizes the hydrologic modeling parameters for each of the catchment areas in the pre-development and post-development modeling. In particular, the table should indicate the drainage area, soil type, overland flow lengths for pervious and impervious areas (where applicable), time to peak (where applicable), percent total and directly connected impervious and curve numbers for each catchment.

96. The Owner shall verify the calculations for the allowable release rates reported in Table 3 on Page 17 of the Master Servicing Study for the portion of the Plan draining to the Robinson Creek subwatershed and submit the necessary corrections to TRCA for review and concurrence.
97. The Owner shall demonstrate that the unit flood flow release rates are achieved through the Plan and provide an additional post-development model confirming the criteria can be achieved. It must be demonstrated for the currently proposed Lake Rivers Inc. development that the unit flood flow release rates, erosion extended detention and water quality control criteria are achieved both with, and without the surface runoff from Catchments 401 and 402 being conveyed through the Plan.
98. The Owner shall update the modeling to reflect the matters identified such as the provision of swales on rear lots, permeable pavement, addition of top soil and downspouts discharging to grassed areas to mitigate the potential impacts to groundwater resources due to the proposed development.
99. a) That prior to the initiation of grading and prior to the registration of the Plan, the Owner shall submit a detailed engineering report for the review and approval of the TRCA that describes the storm drainage system (quantity and quality), in accordance with the Functional Servicing Study for this area. This report shall include:
- i) plans illustrating how this drainage system will be tied into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, the design capacity of the receiving system and how external flows will be accommodated;
  - ii) stormwater management techniques, which may be required to control minor or major flows;
  - iii) appropriate Stormwater Management Practices (SWMP's) to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat;
  - iv) proposed method for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction;
  - v) location and description of all outlets and other facilities which may require a permit pursuant to Ontario Regulation 166/06, the TRCA's (*Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*) Regulation;
  - vi) overall grading plans for the subject lands; and,
  - vii) design features to maintain hydraulic, ecological and geomorphic function of the site.
- b) The Owner shall agree to implement the recommendations set out in the aforementioned report(s) to the satisfaction of the City and TRCA.
100. The Owner shall submit details and calculations related to the proposed measures to promote infiltration and maintain a water balance for the Plan.
101. The Owner shall prepare an evaluation, to the satisfaction of the TRCA, that addresses the need for groundwater dewatering during construction, including details for its disposal, potential impacts to natural features due to groundwater withdrawal, mitigation, and any permitting requirements.

102. The Owner shall submit base mapping, drafted to TRCA standards for the entire Plan area of analysis.
103. The Owner shall prepare a comprehensive edge management plan and restoration planting plans that improve the connectivity of the natural system for the Plan, to the satisfaction of the TRCA.
104. The Owner shall prepare a tree protection and preservation plan for the site that reviews opportunities for the retention of larger trees means of protecting retained trees/forest edges from development activities, and opportunities for the salvage and re-use of trees throughout the site as buffer plantings to the satisfaction of the TRCA.
105. The Owner shall dedicate the open space lands (Blocks 186 to 189 inclusive) to the TRCA or City.
106. A pre-consultation meeting shall be held with the Owner and staff from the TRCA and the City for any proposed trails within the Plan, and that any proposed trail plans and details for the Open Space Blocks and Valleyland Buffer Blocks be prepared to the satisfaction of the TRCA.
107. The implementing Zoning By-law shall recognize the Open Space/Valley/Woodlot and the requisite minimum 10 m buffer in an open space (Blocks 186 and 187, 188 and 189) zone category or other suitable zoning category, which has the effect of prohibiting development, to the satisfaction of the TRCA.
108. The Owner shall submit a separate Erosion and Sediment Control (ESC) plan(s) for the proposed development. A copy of TRCA's Erosion and Sediment Control Guideline for Urban Construction (December 2006) can be found at [www.sustainabletechnologies.ca](http://www.sustainabletechnologies.ca).
109. The Owner shall submit an overall grading plan(s) to ensure compatibility with the Molise Draft Plan of Subdivision along the common property line.
110. The Owner shall agree in the Subdivision Agreement, in wording acceptable to the TRCA:
  - a) to carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the Master Environmental Servicing Plan (MESP), as amended, and conditions above;
  - b) to maintain all stormwater management and erosion and sediment control structures operating and in good repair during the construction period, in a manner satisfactory to the TRCA;
  - c) to obtain all necessary permits pursuant to Ontario Regulation 166/06 from the TRCA; and,
  - d) to erect a permanent fence to the satisfaction of the TRCA for lots adjacent to Blocks 188 and 189.
111. Prior to the registration of the Plan or any phase thereof, TRCA staff seeks to discuss energy efficiency and green building design.

#### CP Railway Conditions

112. Berm, or combination berm and noise attenuation fence, having extensions or returns at the ends, to be erected on adjoining property, parallel to the railway right-of-way shall be constructed in accordance with the following:



- a) a minimum total height of 5.5 m above top-of-rail;
- b) a berm minimum height of 2.5 m and side slopes not steeper than 2.5 to 1; and,
- c) fence or wall to be constructed without openings and of a durable material weighing not less than 20 kg per m<sup>2</sup> of surface area.

No part of the berm/noise barrier is to be constructed on railway property.

A clause shall be included in all Offers of Purchase and Sale or Lease, and to be registered on title or included in the lease for each dwelling affected by any noise and vibration attenuation measures, advising that any berm, fencing, or vibration isolation features implemented are not to be tampered with or altered, and further, that the Owner shall have the sole responsibility for and shall maintain these features.

Dwellings must be constructed such that the interior noise levels meet the criteria of the appropriate Ministry. A noise study should be carried out by a professional noise consultant to determine what impact, if any, railway noise would have on residents of proposed subdivisions and to recommend mitigation measures, if required. The Railway may consider other measures recommended for the study.

- 113. Setback of dwellings from the railway right-of-way shall be a minimum of 30 m. While no dwelling should be closer to the right-of-way than the specified setback, an unoccupied building such as a garage may be built closer. The 2.5 m high earth berm adjacent to the right-of-way must be provided in all instances.
- 114. Ground vibration transmission shall be estimated through site tests. If it is in excess of the acceptable levels, all dwellings within 75 m of the nearest track should be protected. The measures employed may include:
  - a) support the building on rubber pads between the foundation and the occupied structure so that the maximum vertical natural frequency of the structure on the pads is 12 Hz;
  - b) insulate the building from the vibration originating at the railway tracks by an intervening discontinuity or by installing adequate insulation outside the building, protected from the compaction that would reduce its effectiveness so that vibration in the building became unacceptable; or
  - c) other suitable measures that will retain their effectiveness over time.
- 115. A clause shall be included in all Offers of Purchase and Sale or Lease and in the title deed or lease of each dwelling within 300 m of the railway right-of-way, warning prospective purchasers or tenants of the existence of the Railway's operating right-of-way, the possibility of alterations including the possibility that the Railway may extend its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuation measures in the design of the subdivision and individual units, and that the Railway will not be responsible for complaints or claims arising from the use of its facilities and/or operations.
- 116. Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to be reviewed by the Railway.
- 117. A 1.83 m high chain link security fence shall be constructed and maintained along the common property line of the Railway and the development by the developer at the Owner's expense, and

the Owner shall be made aware of the necessity of including a covenant running with the lands, in all deeds, obliging the purchasers of the land to maintain the fence in a satisfactory condition at their expense.

118. Any proposed utilities under or over railway property to serve the development must be approved prior to their installation and be covered by the Railway's standard agreement.

#### Canada Post Condition

119. The Owner shall agree to:

- a) Consult with Canada Post to determine the location(s) of the community mailbox(es) and indicate the community mailbox location(s) on the appropriate servicing plans and provide Canada Post with 2 copies of the utility co-ordination plan for use in identifying the community mailbox location(s).
- b) Provide the following for each community mailbox site, as shown on the servicing plans:
  - i) A sidewalk section (concrete pad), as per municipal and Canada Post standards, to support the mailbox(es).
  - ii) Any required walkway across the boulevard, as per municipal standards.
  - iii) Any required curb depressions, to allow barrier free access.
- c) Provide a suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s).
- d) Include in all Offers of Purchase and Sale, or Lease for all lots/blocks that mail delivery shall be from a designated community mailbox, and notify the purchasers and/or tenants of the exact community mailbox location(s) prior to the closings of any dwelling unit.
- e) Provide a copy of the executed Subdivision Agreement to Canada Post.

#### Enbridge Gas Distribution Condition

120. Prior to final approval of the Plan, the Owner shall agree to:

- a) Discuss installation and clearance requirements for service and metering facilities with the Enbridge Customer Connections Department.
- b) Prepare a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities.
- c) Construct streets in accordance with composite utility plans previously submitted and approved by all utilities.
- d) 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.
- e) Provide the municipally approved road cross-sections showing all utilities in the configuration proposed for all of the street widths within the development.
- f) Ensure that the location of the gas mains shall be a minimum of 0.6 m from the street line.

## Clearances

121. 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.
  - b) All government agencies agree to registration by phases and provide clearances, as required in Conditions 1 to 120 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
122. The City shall advise that Conditions 1 to 54 inclusive, have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
123. York Region shall advise that Conditions 55 to 87 inclusive, have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
124. Toronto and Region Conservation Authority shall advise that Conditions 88 to 111 inclusive, have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
125. CP Railway shall advise that Conditions 112 to 118 inclusive, have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
126. Canada Post shall advise that Condition 119 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.
127. Enbridge Gas Distribution shall advise that Condition 120 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.



## Context Location Map

Location: Part of Lot 21,  
Concession 9

Applicant:  
Kleindor Developments Inc.

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## Attachment

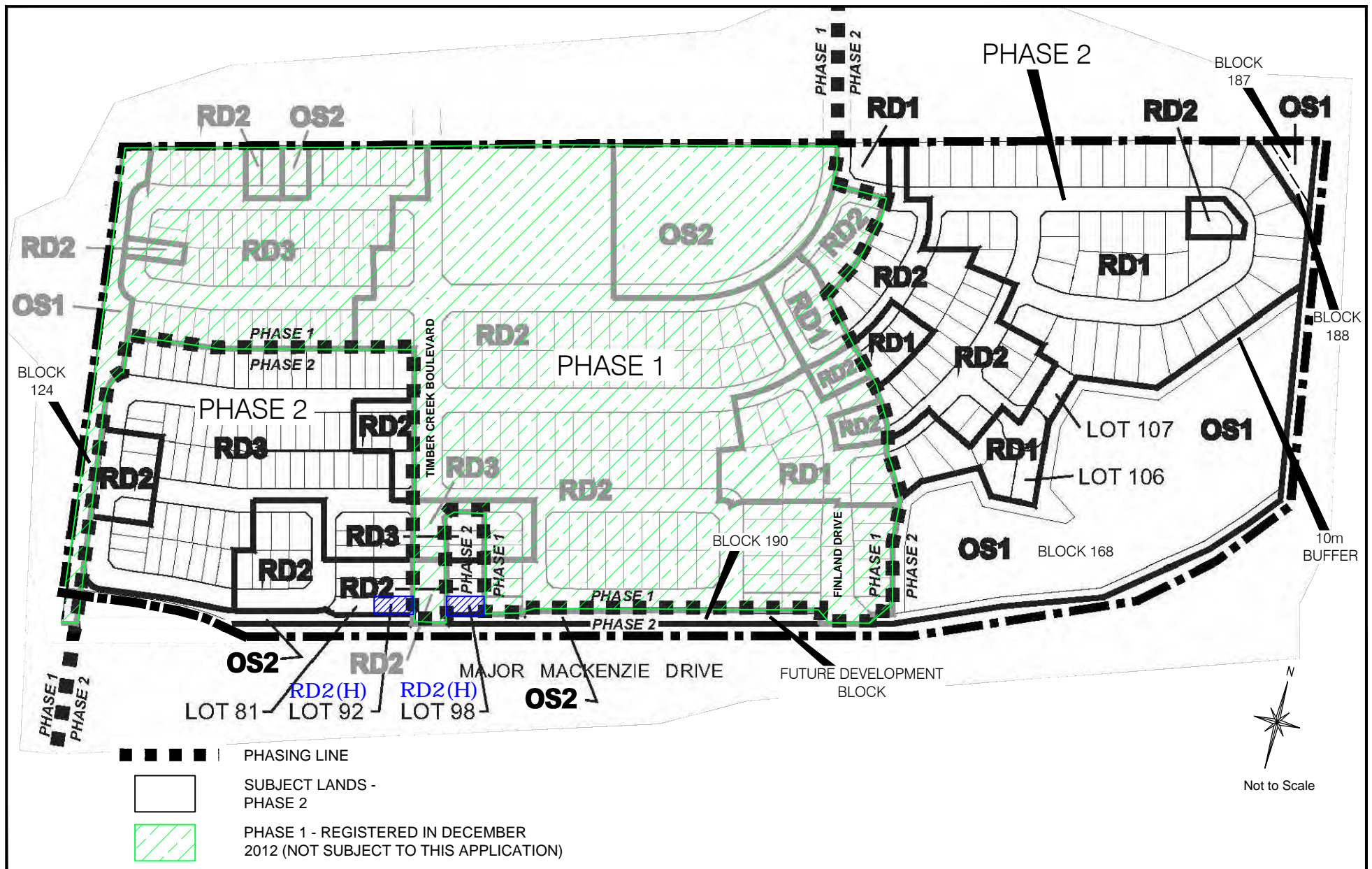
Files:  
19T-05V10 & Z.12.049

Date:  
April 14, 2015

# 2







## Proposed Zoning (Phase 2)

Location: Part of Lot 21,  
Concession 9

Applicant:  
Kleindor Developments Inc.

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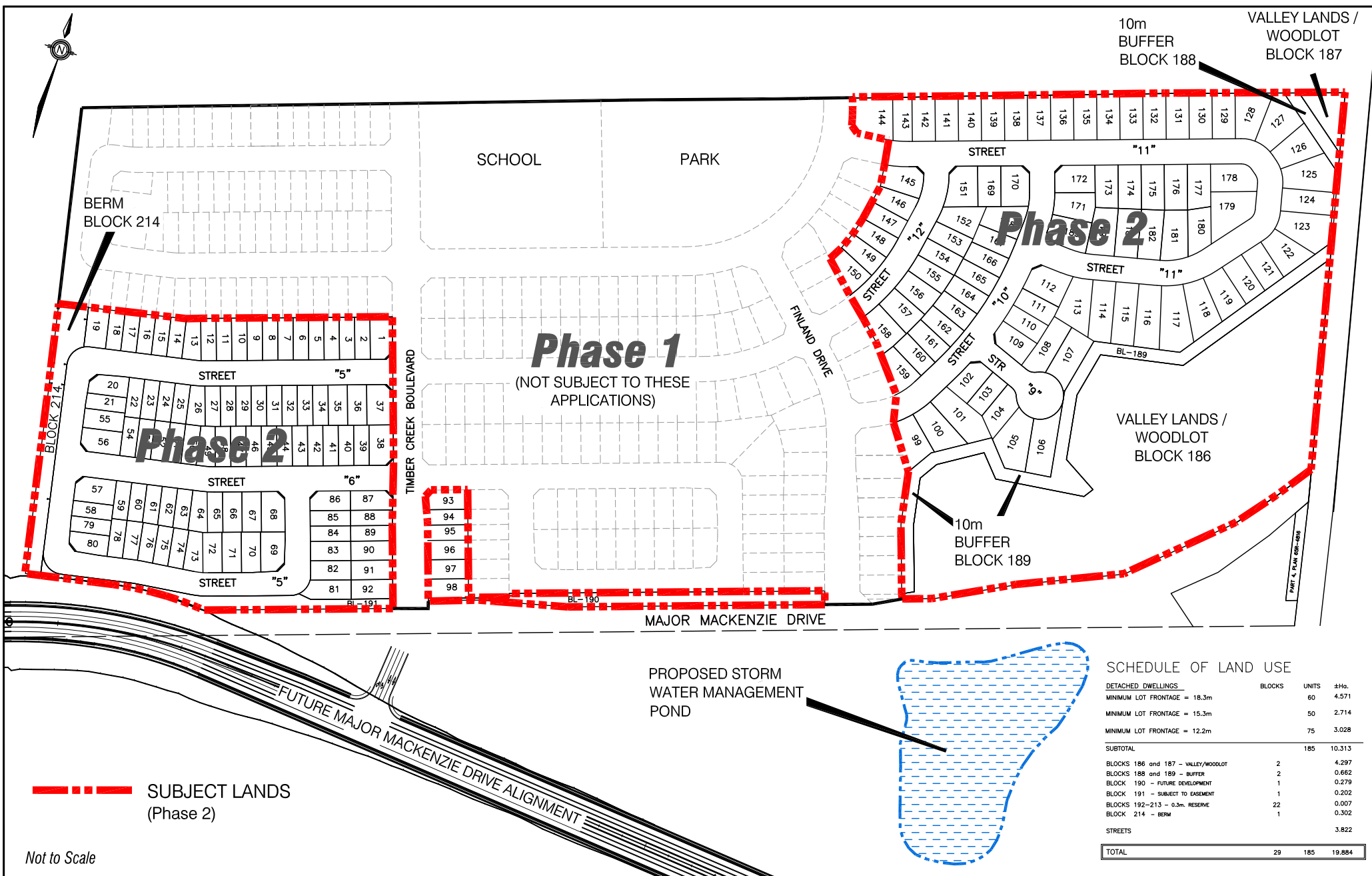


## Attachment

Files:  
19T-05V10 & Z.12.049

Date:  
April 14, 2015

4



**SCHEDULE OF LAND USE**

DETACHED DWELLINGS	BLOCKS	UNITS	±Ha.
MINIMUM LOT FRONTAGE = 18.3m		60	4.571
MINIMUM LOT FRONTAGE = 15.3m		50	2.714
MINIMUM LOT FRONTAGE = 12.2m		75	3.028
<b>SUBTOTAL</b>		<b>185</b>	<b>10.313</b>
BLOCKS 186 and 187 - VALLEY/WOODLOT	2		4.297
BLOCKS 188 and 189 - BUFFER	2		0.662
BLOCK 190 - FUTURE DEVELOPMENT	1		0.279
BLOCK 191 - SUBJECT TO EASEMENT	1		0.202
BLOCKS 192-213 - 0.3m. RESERVE	22		0.007
BLOCK 214 - BERM	1		0.302
<b>STREETS</b>			<b>3.822</b>
<b>TOTAL</b>	<b>29</b>	<b>185</b>	<b>19.884</b>

**Modified Draft Plan of Subdivision**  
**File 19T-05V10 (Phase 2)**

**Applicant:**  
 Kleindor Developments Inc.

**Location:** Part of Lot 21,  
 Concession 9



**Attachment**

Files:  
 19T-05V10 & Z.12.049

Date:  
 April 14, 2015

**5**



LOTS 1-311 (Residential)	18.805 Ha.
BLOCK 312 (School)	1.671 Ha.
BLKS. 313 & 314 (Park)	1.858 Ha.
BLKS. 315 & 316 (Storm Water Management)	2.317 Ha.
BLKS. 317 & 318 (Valley/Woodlot)	4.089 Ha.
BLK. 319 (Berm)	0.403 Ha.
BLK. 320-322 (Buffer)	0.258 Ha.
BLK. 323 (Road Widening)	0.947 Ha.
BLK. 324-378 (0.3m Reserve)	0.019 Ha.
ALL STREETS	8.970 Ha.

**Block 312 School**  
AREA = 1.671±Ha (4.129±Ac.)

**Block 313 Park**  
AREA = 1.791±Ha (4.425±Ac.)

**Block 315 SWM**  
AREA = 1.037±Ha (2.582±Ac.)

**Block 317 Alley/Woodlot**  
AREA = 3.900±Ha (9.641±Ac.)

**STREET INTERSECTIONS TO BE REVIEWED IN CONJUNCTION WITH THE WESTERN VAUGHAN TRANSPORTATION INDIVIDUAL ENVIRONMENTAL ASSESSMENT & THE REGION OF YORK**

**MAJOR MACKENZIE DRIVE**

**LOCATION & DESIGN OF STORMWATER MANAGEMENT POND TO BE DETERMINED**

**18.5m RADIUS FOR STREET "11"**

**10m BUFFER REQUIRED FROM LOTS ABUTTING BLOCK 317**

**BERM (BLOCK 319) TO BE 11.5m WIDE**

**TYPICAL DETAIL FOR ALL ANGLE BENDS ARE TO BE AS PER CITY STANDARD C-4**

**SIDEWALK TO BE RELOCATED FROM THE NORTH SIDE OF STREET "6" TO THE SOUTH SIDE**

**NOTE: STREETS IN PHASE 2 ARE SUBJECT TO CHANGE**

**ROAD ALLOWANCE BETWEEN CONCESSIONS 8 AND 9**

**CANADIAN PACIFIC RAILWAY**

**EAST HALF LOT 20, CONCESSION 8**

**EAST HALF LOT 21, CONCESSION 8**

**EAST HALF LOT 22, CONCESSION 8**

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NOTE:  
THE TELECOMMUNICATION AND HYDRO UTILITY  
BUILDINGS/EASEMENTS ARE TO BE IDENTIFIED  
ON THE PLAN

## Phase 2      Phase 1

ZONING DESIGNATIONS 'ON HOLD' (H)  
PENDING COMPLETION OF THE WESTERN VAUGHAN  
TRANSPORTATION INDIVIDUAL ENVIRONMENTAL  
ASSESSMENT & REGION OF YORK REQUIREMENTS

ZONING DESIGNATIONS 'ON HOLD' (H)  
PENDING REGION OF YORK SERVICE  
ALLOCATIONS & STORMWATER POND  
REQUIREMENTS

*Not to Scale*

*Vaughan Council Approved (November 10, 2008) Red-Lined Revised Draft Plan of Subdivision File 19T-05V10*

*Applicant: Kleindor Developments Inc.*      *Location: Part of Lot 21, Concession 9*



*Attachment*

Files:  
19T-05V10 & Z.12.049

Date:  
April 14, 2015

6