

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013**

Item 22, Report No. 32, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 25, as follows:

***By approving that staff work with the applicant and TRCA to explore opportunities to increase pedestrian porosity from east to west in the subdivision plan.***

**22**

**ZONING BY-LAW AMENDMENT FILE Z.10.034  
DRAFT PLAN OF SUBDIVISION FILE 19T-10V005  
PINESTAFF DEVELOPMENTS INC.  
WARD 1 - VICINITY OF HUNTINGTON ROAD AND NASHVILLE ROAD**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning and the Director of Development Planning, dated June 18, 2013:

**Recommendation**

The Commissioner of Planning and the Director of Development Planning recommend:

1. THAT Zoning By-law Amendment File Z.10.034 (Pinestaff Developments Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #2 and #3 from A Agricultural Zone to RD3(H) Residential Detached Zone Three, RD4(H) Residential Detached Zone Four, RSI(H) Residential Semi-Detached Zone One, each with the Holding Symbol "(H)", OSI Open Space Conservation Zone, OS2 Open Space Park Zone, and OS4 Open Space Woodlot Zone in the manner shown on Attachment #4, together with the site-specific zoning exceptions identified in Table 1 of this report and subject to the following:
  - a) require that prior to the removal of the Holding Symbol "(H)", the following conditions shall be addressed:
    - A) The Owner shall not enter into any Agreements of Purchase and Sale with end users (\*) for the subject lands until such time as:
      - 1) the City of Vaughan shall have approved a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
      - 2)
        - i) the Council of the City of Vaughan has allocated, within the limit of the Regional capacity assignment, adequate available water and wastewater servicing capacities to the subject development; and,
        - ii) York Region has advised, in writing, that it is no earlier than twelve (12) months prior to the expected completion of all water and wastewater infrastructure required to support the Region's capacity assignment pertaining to the City allocation used for the subject development; or,
      - 3) The Regional Commissioner of Environmental Services and the City of Vaughan confirm servicing capacity for this development by a suitable alternative method and the City of Vaughan allocates the capacity to this development; and,

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- B) The Owner shall not enter into any Agreements of Purchase and Sale with non-end users for the subject lands unless the Agreement of Purchase and Sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the City. This agreement shall be registered on title, committing the Owner to the same terms as set out in item “A” above:
- i) That for Lots 58 to 115 inclusive and Blocks 131, 133, 134, 135, 167 and 168 located between Streets “B” and “E”, the Owner shall demonstrate to the satisfaction of the Toronto and Region Conservation Authority (TRCA) that the realignment and enhancement of Tributary A (identified on Figure 2 of the Nashville Heights Natural Heritage Evaluation and Environmental Impact Study, prepared by Beacon Environmental, dated July 2011) to its proposed location within Open Space Block 154 and Open Space Buffer Blocks 155 and 156 has been implemented pursuant to the TRCA approved strategy and plans. This will include, but is not limited to the submission of as-built drawings, revised flood plain modeling, site photos and inspection reports to the satisfaction of the TRCA;
  - ii) That Lots 111 to 115 inclusive and Block 134 shall only be developed when Street “G”, for access, is constructed in conjunction with the adjacent lands to the south in Draft Approved Plan of Subdivision File 19T-10V004 (Nashville Developments Inc.);
  - iii) That Blocks 124 to 132 inclusive shall only be developed in conjunction with the adjacent lands to the north;
  - iv) That Blocks 133 to 150 inclusive shall only be developed in conjunction with the adjacent lands to the south in Plan of Subdivision File 19T-10V004 (Nashville Developments Inc.);
  - v) That Phase 2A or 3A of Draft Plan of Subdivision File 19T-10V004 (Nashville Developments Inc.) dated and last revised December 20, 2011 shall be registered; and,
- b) the implementing Zoning By-law shall include any necessary zoning exceptions required to implement the approved Draft Plan of Subdivision.
2. THAT Draft Plan of Subdivision File 19T-10V005 (Pinestaff Developments Inc.), as red-line revised (June 18, 2013), and shown on Attachment #5, BE APPROVED, subject to the pre-conditions and conditions set out in Attachment #1 to this report.
3. THAT prior to final approval, or any part thereof of Draft Plan of Subdivision File 19T-10V005 (Pinestaff Developments Inc.), the Owner shall enter into the Developer's Group Agreement for Block 61.
4. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-10V005 (Pinestaff Developments Inc.), shall include the following provision clause:
- “The Owner shall dedicate parkland and/or pay to Vaughan by way of certified cheque cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit in accordance with the Planning Act and the City's Cash-in-lieu Policy.

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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.”

5. THAT the approved Block 61 West Plan as shown on Attachment #6 be revised to reflect the Draft Plan of Subdivision shown on Attachment #5.

#### **Contribution to Sustainability**

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

Goal 2: To ensure sustainable development and redevelopment.

- Objective 2.1: To achieve sustainable growth and development by completing and implementing Vaughan Tomorrow, the City's Consolidated Growth Management Strategy - 2031, and by ensuring that the strategy is subject to periodic review and renewal.
- Objective 2.2: To develop Vaughan as a City with maximum greenspace and an urban form that supports our expected population growth.
- Objective 2.3: To create a City with sustainable built form.

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.
- Objective 3.2: To develop and sustain a network of roads that supports efficient and accessible public and private transit.
- Objective 3.3: Reduce single occupant vehicle (SOV) trips by supporting active transportation, car pooling and public transit.

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:

- i) upgraded building technology and materials to reduce energy consumption and greenhouse emissions including:
  - a) upgraded insulation to reduce the amount of escaping heat in the winter and cool air in the summer;
  - b) energy efficient windows to reduce and/or eliminate drafts, as well as reduce external noise;
  - c) air tightness to test any unwanted or uncontrolled drafts; and,
  - d) low volatile organic compounds (voc) in products such as paints finishes for floors and cabinets and adhesives to minimize the amount of pollutants in the air reducing air quality;
- ii) Energy Star ® appliances, high efficiency heating-ventilation and air conditioning unit (hvac) and compact fluorescent lamp (cfl) fixtures to use energy efficiently;
- iii) low flow plumbing fixtures to reduce water consumption and sewage volumes; and,
- iv) permeable paving in selected areas of the development.

#### **Economic Impact**

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

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#### Communications Plan

On February 25, 2011, an initial 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. The Public Hearing was held on March 22, 2011, and the recommendation to receive the Public Hearing report was ratified by Vaughan Council on April 5, 2011. The revised proposal considered at the Public Hearing included 107 lots for detached dwelling units (11.6 m - 12.8 m frontage), 16 blocks for 32 semi-detached dwelling units with rear lane driveway access (7.5 m), elementary school, neighbourhood parks, open space and woodlot blocks. The residential component of the Plan was modified in December 2012 for the portion of the subject lands located between Streets "A" and "F" from detached dwelling units and street townhouse dwelling units with rear lanes to semi-detached dwelling units and/or linked semi-detached (dwelling units with foundation walls or portions thereof that are linked below grade with a spatial separation of the dwelling units), necessitating the requirement for a new Public Hearing.

On January 11, 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. The second Public Hearing was held on February 5, 2013, and the recommendation to receive the Public Hearing report was ratified by Vaughan Council on February 19, 2013. To date, no comments have been received from the public notification.

#### Purpose

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

1. Zoning By-law Amendment File Z.10.034 to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #2 and #3 from A Agricultural Zone to RD3(H) Residential Detached Zone Three, RD4(H) Residential Detached Zone Four and RS1(H) Residential Semi-Detached Zone, all with the Holding Symbol "(H)", OS1 Open Space Conservation Zone, OS2 Open Space Park Zone and OS4 Open Space Woodlot Zone in the manner shown on Attachment #4, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. Draft Plan of Subdivision File 19T-10V005, to facilitate a residential plan of subdivision consisting of the following:

Lots/Blocks	Land Use	Area (ha)	Units
Lots 1-123	Detached Residential Units - 12.8 m Frontage (RD3 Zone)	5.50	31
	Detached Residential Units - 11.6 m Frontage (RD4 Zone)		50
	Semi-Detached / Semi-Detached Linked Units - 7.6 m Frontage (RS1 Zone)		78
Blocks 124-150	Future Residential Development (To develop with adjacent blocks to create full lots for single (16) detached and semi-detached (22) dwelling units)	0.99	19
151 & 152	Neighbourhood Parks	1.66	
153	Elementary School	2.81	
154	Open Space	0.65	
155 & 156	7.5 m Open Space Buffers	0.32	
157	Woodlot	2.74	
158 & 159	10 m Open Space Buffers	0.26	

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Lots/Blocks	Land Use	Area (ha)	Units
160	Landscape Buffer	0.01	
161	Road Widening	0.01	
162 to 189	0.3 m Reserves	0.01	
	Streets (Primary &, Local)	2.81	
	Total	17.77	178

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

##### Location

The subject lands have 23 m of frontage on the east side of Huntington Road between Nashville Road and Major Mackenzie Drive, City of Vaughan, shown as subject lands on Attachments #2 and #3.

##### Supporting Documents

The following lists some of the reports that were submitted in support of the subject applications and additional reports that were submitted as part of the Official Plan Amendment (OPA #699) and the Block 61 West Plan:

- *Master Environmental Servicing Plan*, dated December 2009 and revised to July 2011, by Schaeffers Consulting Engineers;
- *Natural Environment*, dated April 2008, by Beacon Environmental;
- *Nashville Heights Natural Heritage Evaluation and Environmental Impact Study*, dated July 2011, by Beacon Environmental;
- *Preliminary Hydrogeological Investigation*, dated April 9, 2008, by Terraprobe Limited;
- *Hydrogeologic Investigation, Proposed Nashville Heights Development*, dated August 3, 2011, by Terraprobe Inc.,
- *Transportation Master Plan*, dated April 2008, by Poulos & Chung Limited;
- *Transportation Management Plan & Travel Demand Management Guidelines*, dated August 2011, by Malone Given Parsons Limited and Poulos & Chung Limited;
- *Nashville Heights Landowners Group, Nashville Heights Community Traffic Impact Assessment*, dated March 2011, by Poulos & Chung Limited;
- *Report on the 2005-2009 Stage 1-2 Archaeological Assessment of the Proposed Subdivision, Part of Lots 21, 22, 23, 24 & 25*, dated June 2009, by AMICK Consultants Limited;
- *Environmental Noise Feasibility Study, Nashville West Community*, dated December 16, 2009, and revised to November 9, 2010, by Valcoustics Canada Ltd.;
- *Nashville Heights Architectural Design Guidelines*, dated September 5, 2011, by John G. Williams Limited, Architect;
- *Nashville Heights Urban Design Guidelines*, revised to June 2011, by STLA Design Strategies and John G. Williams Architect Inc.; and,
- *Nashville Heights Landscape Master Plan*, dated August 4, 2011, by NAK STLA Design Strategies.

##### Official Plan - Land Use Designation/Uses/Density

The subject lands are designated "Low Density Residential", "Medium Density Residential", "Valley and Stream Corridor", "Neighbourhood Park" and "Elementary School" by in-effect OPA #601 (Kleinburg-Nashville Community Plan), as amended by site-specific OPA #699 (Nashville Heights Secondary Plan).

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OPA #699 permits a density ranging between 15 and 25 units per net residential hectare for the “Low Density Residential” designation and between 25 to 150 units per net residential hectare for the “Medium Density Residential” designation. The proposed Draft Plan of Subdivision yields a density of 19.22 units per hectare for the lands in the “Low Density Residential” designation and 27.29 units per hectare for lands in the “Medium Density Residential” designation within the Block 61 West Plan. The proposed Draft Plan of Subdivision conforms to the Official Plan.

OPA #699 has been incorporated into Volume 2 of the new City of Vaughan Official Plan 2010 (VOP 2010) as an Area Specific Policy under Section 12.8 as adopted by Vaughan Council on September 27, 2010 (as modified on September 27, 2011, March 20, 2012, and April 17, 2012) as further modified and endorsed by Region of York Council on June 28, 2012, and is pending approval from the Ontario Municipal Board. The subject lands are designated “Low-Rise Residential” with a permitted density between 15 and 25 units per hectare, and “Mid-Rise Residential” with a maximum building height of 5 storeys and a maximum Floor Space Index (FSI) of 1.75, and “Natural Area”, “Neighbourhood Park” and “Elementary School”. The proposed subdivision conforms to the Official Plan.

#### Block Plan

In December 2009, the City received Block Plan File BL.61.2009 for Block 61 West, which included the subject lands, to provide the basis for the land uses, housing mixes and densities, environmental protection, servicing infrastructure, transportation (road) network, public transit, urban design, and phasing for the Block to provide for managed growth. The Block 61 West Block Plan, shown on Attachment #6, was approved by Vaughan Council on May 24, 2011, subject to the conditions respecting such items as, but not limited to, a Transportation Demand Management framework being submitted for the school use and a Landscape Master Plan providing the details for the appropriate landscape treatment for landscape buffers and pedestrian connections between streets, built forms and parks/open spaces. Any issues that are outstanding for the Block Plan, as it pertains to the subject lands, shown on Attachment #2, must be addressed as part of the Plan of Subdivision process.

The road pattern proposed in the revised Draft Plan of Subdivision (Attachment #5) does not conform to the road pattern established in the approved Block 61 West Plan, as shown on Attachment #6. Specifically, the local road network was modified resulting in Street ‘D’ intersecting with Street “A” whereas Street “D” previously terminated at the street townhouses with the rear lane access. In addition, the lot and block pattern for street townhouse dwelling units with rear lane access was modified to provide for semi-detached and/or linked semi-detached dwelling units. A recommendation in this report requires the Owner to submit a revised Block Plan to match the approved subdivision design.

#### Zoning

The subject lands are currently zoned A Agricultural Zone by Zoning By-law 1-88, as shown on Attachment #3. To facilitate the proposed Draft Plan of Subdivision, as shown on Attachment #5, a zoning by-law amendment is required to rezone the subject lands, in the manner shown on Attachment #4. The following site-specific zoning exceptions to the RD4 Residential Detached Zone Four and RS1 Residential Semi-Detached Zone of Zoning By-law 1-88 are required to facilitate the proposal:

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Table 1: Proposed Zoning Exceptions

	<b>By-law Standard</b>	<b>By-law Permitted Uses and Requirements in the RD4 and RS1 Zones</b>	<b>Proposed Exceptions to the RD4 and RS1 Zones of Zoning By-law 1-88</b>
a.	RD4 Residential Detached Zone Four	<ul style="list-style-type: none"> <li>i. Minimum Interior Side Yard - 1.2 m for a Lot Frontage between 9 m to 11.99 m</li> <li>ii. Maximum Interior Garage Width - 5 m for a Lot Frontage between 11.6 m to 11.99 m and a Lot Frontage for a Corner Lot or a Lot Abutting a Greenway or Buffer Block between 14.6m to 15.3 m</li> </ul>	<ul style="list-style-type: none"> <li>i. Minimum interior side yard of 1.2 m on one side and a minimum of 0.6 m on the other interior side yard which may abut another interior side yard of 0.6 m or 1.2 m for a lot with a frontage between 9 m to 11.99 m and a corner lot with a frontage between 12.7 m to 14.9 m</li> <li>ii. Maximum 5.5 m interior garage width</li> </ul>
b.	RS1 Residential Semi-Detached Zone (Excluding Blocks 146 to 150 inclusive)	<ul style="list-style-type: none"> <li>i. Permits semi-detached dwellings</li> <li>ii. Minimum Interior Side Yard - 1.2 m</li> </ul>	<ul style="list-style-type: none"> <li>i. Permit as an additional use – linked semi-detached dwellings (dwellings with foundation walls or portions thereof that are linked below grade with a spatial separation of the dwelling units)</li> <li>ii. Minimum 1.2 m on one side of a semi-detached unit and a minimum 0.45 m on the other side, which abuts a minimum 0.45 m for the other semi-detached unit and a minimum 1.2 m on the other side for semi-detached dwellings where the foundation wall or portions thereof are linked below grade</li> </ul>

Residential Zone Exceptions

a) RD4 Residential Detached Zone Four

The proposed reduction to the minimum interior side yard in the RD4 Residential Detached Zone Four provides the opportunity to intensify the use of the lands in an urban setting while still providing for street tree planting and on-street parking. Furthermore, several of the blocks are to develop with Blocks in the approved Draft Approved Plan of Subdivision File 19T-10V004

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(Nashville Developments Inc.) to the south (this zoning exception is approved and implemented by By-law 120-2012, as amended), and require a consistency in zoning exceptions.

The proposed exception to the maximum interior garage width for the specified lot frontages will provide the opportunity for the dwelling units on these lots to be designed with two-car garages to enable the homeowner to park two cars inside the garage and two on the driveway, which may result in less on-street parking, especially on Street “B” which is a primary road and designed for a higher volume of traffic.

#### b) RS1 Residential Semi-Detached Zone

The Owner requested that the RS1 Residential Semi-Detached Zone, which permits semi-detached dwelling units, also permit linked semi-detached dwelling units (dwellings with foundation walls or portions thereof that are linked below grade with a spatial separation of the dwelling units) as an additional permitted use. This would provide options in the type of dwelling unit that is built and the ultimate appearance of the unit either as a traditional semi-detached unit or detached dwelling unit.

The Owner has requested an exception to the minimum interior side yard for the RS1 Residential Semi-Detached Zone (excluding Blocks 146 to 150 inclusive) for a minimum of 1.2 m on one side of a linked semi-detached unit and a minimum 0.45 m on the other side, which abuts a minimum 0.45 m for the other linked semi-detached unit and a minimum 1.2 m on the other side for semi-detached dwellings where the foundation wall or portions thereof are linked below grade. This results in a 0.9 m side yard between the two dwelling units on the same foundation. This reduction is required in order to facilitate the linked semi-detached dwelling units within a lot with a frontage of 15.2 m (7.6 m lot frontage per dwelling unit). Blocks 146 to 150 are excluded from this exception as these blocks are to develop with the lands to the south in Draft Approved Plan of Subdivision File 19T-10V004 (Nashville Developments Inc.) where this zoning provision has not been provided for in the implementing zoning (By-law 120-2012, as amended).

The Development Planning Department has no objections to the above exceptions illustrated in Table 1, which will facilitate the Draft Plan of Subdivision on the subject lands and provide for zoning that is consistent with the adjacent draft approved plan of subdivision to the south.

#### Non-Residential Lands

The Draft Plan of Subdivision will be developed in accordance with Schedules “A” and “A3” in Zoning By-law 1-88. The proposed Draft Plan, as shown on Attachment #5, provides for an elementary school and open space uses, which will be zoned in the manner shown on Attachment #4.

The Development Planning Department has no objections to the proposed zoning of the non-residential lands, which will provide the appropriate zoning to maintain the open space/tributary and woodlot, along with their buffers and provide for an elementary school and neighbourhood park. The Development Planning Department can therefore support the approval of the Zoning By-law Amendment application.

#### Holding Symbol “(H)”

The subject lands, shown on Attachment #3, shall be zoned with the Holding Symbol “(H)”, shown on Attachment #5, which shall not be removed until the conditions to allow the removal of the Holding Symbol “(H)” are addressed as follows:

All lots and blocks in the Plan shall be subject to a separate agreement restricting the sale of said lots and blocks by the Owner or subsequent purchasers of all the lots and blocks pending the



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allocation of servicing capacity by the City, and accordingly, the Plan shall be zoned with the Holding Symbol “(H)” provision which shall not be removed until the sewage capacity and water supply capacity has been allocated;

- a) The residential lots and blocks in the Plan will be zoned with the Holding Symbol “(H)”, which cannot be removed until the lands are developed with the abutting lands as follows:
  - i) that Lots 111 to 115 inclusive and Block 134 shall only be developed when Street “G”, for access, is constructed in conjunction with the adjacent lands to the south in Draft Approved Plan of Subdivision File 19T-10V004 (Nashville Developments Inc.);
  - ii) that Blocks 124 to 132 inclusive shall only be developed in conjunction with the adjacent lands to the north;
  - iii) that Blocks 133 to 150 inclusive shall only be developed in conjunction with the adjacent lands to the south in Draft Approved Plan of Subdivision File 19T-10V004 (Nashville Developments Inc.); and,
- b) That Lots 58 to 115 inclusive and Blocks 131, 133, 134, 135, 167 and 168 located between Streets “B” and “E”, as required by the Toronto and Region Conservation Authority, be zoned with the Holding Symbol “(H)”, which cannot be removed until the Owner demonstrates, to the satisfaction of the TRCA, that the realignment and enhancement of Tributary A to its proposed location within Open Space Block 154 and Open Space Buffer Blocks 155 and 156 has been implemented pursuant to the TRCA approved strategy and plans.

The recommendations, and pre-conditions and conditions of approval in Attachment #1 of this report include the provisions respecting the Holding Symbol “(H)”.

#### Subdivision Design

The proposed 17.77 ha Draft Plan of Subdivision, as red-lined, is shown on Attachment #5. The Draft Plan includes the north-south traversing collector road (Street “A”), with a 26 m wide right-of-way, which will ultimately connect Major Mackenzie Drive with Huntington Road, as shown on Attachment #6. Street “A” will be designed to accommodate transit vehicles. Street “B”, with a 23 m right-of-way, forms part of a primary ring road through Draft Approved Plan of Subdivision File 19T-10V004 and intersecting with Huntington Road at the north end of Block 61 West, where the right-of-way increases to a width of 26 m. Pedestrian and cycling connections are to be provided on multi-use paths along Streets “A” and “B”.

All development within the Draft Plan of Subdivision is subject to architectural approval in accordance with the Block 61 West Nashville Heights Architectural Design Guidelines, prepared by John G. Williams, Architect. A condition in this respect is included in Attachment #1.

The development within the Draft Plan is to proceed in accordance with an approved Landscape Master Plan, which addresses matters such as, but not limited to, the co-ordination of the urban design/streetscape elements as they relate to the approved urban design guidelines including fencing, the appropriate community edge treatment for the landscape buffer block along Huntington Road, the appropriate edge restoration treatment along the open space/tributary block, and the pedestrian urban connections between streets, built forms, promenades, parks and open spaces. Conditions in this respect are included in Attachment #1.

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The Vaughan Development Planning Department has reviewed the proposed Draft Plan of Subdivision and requires red-line revisions. In particular, Blocks 139 to 145 on the Draft Plan are shown as blocks for semi-detached dwelling units. However, the abutting lands to the south are zoned RD4(H) Residential Detached Zone Four with the Holding Symbol “(H)” which permits only detached dwelling units resulting in modifications to the Draft Plan. The following red-lined revision are required to the proposed Draft Plan of Subdivision shown on Attachment #5:

- a) revise to indicate that Blocks 139 to 145 will be for 1 detached dwelling unit, the blocks of which shall develop with the lands to the south; and,
- b) the telecommunication and hydro buildings and easements are to be identified.

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

#### Developer's Group Agreement

It is a standard condition of Draft Plan of Subdivision approval that the participating landowners for the block execute a Developer's Group Agreement respecting the provision of servicing infrastructure, roads for the Block, parks and open spaces. A condition is included in the recommendation of this report respecting this requirement.

#### Vaughan Development / Transportation Engineering Department

The Development / Transportation Engineering Department has completed its review of the Draft Plan of Subdivision and provides the following comments regarding the municipal services for this subdivision:

##### i) Road Network

The subject lands are bounded by Huntington Road to the west, the Canadian Pacific (CP) Railway line to the east side, Nashville Developments Inc. Draft Approved Plan of Subdivision 19T-10V004 to the south and agricultural lands to the north. Local collector road connections to the bordering arterial roads for the Plan include one future connection to the north limit of Block 61 West onto Nashville Road, and one to the west onto Huntington Road and one to the south onto Major Mackenzie Drive both through Nashville Developments Inc. Plan of Subdivision.

The proposed roads within the Draft Plan have not been laid out in accordance with the approved Block Plan, the recommendations of the Block Plan Traffic Studies and City design standards. The road network in the Draft Plan consists of 26 m wide collector road (Street “A”), 23 m wide collector road (Street “B”), 17.5 m wide local roads (Streets “C”, “D”, “E”, “F” and “G”), and 15 m wide buffer road (Street “G”). The collector roads, ranging in width from 23 m to 26 m, have been designed as “complete streets” that accommodate all modes of transportation including transit, cycling, walking and on-street parking.

##### ii) Huntington Road Widening

Huntington Road currently has a right-of-way width of approximately 20 m. Pursuant to the City's new Official Plan and the Transportation Master Plan, Huntington Road is designated as a 30 m collector road. The Draft Plan provides a 5 m road widening along the Huntington Road frontage, which should be adequate to provide the ultimate right-of-way that measures 15 m from the existing centre of the roadway. Additional right-of-ways will be required at each intersection to provide for turn lanes. The road widening requirements along Huntington Road will be more

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accurately calculated based on survey information that will be submitted prior to final approval of the Plan.

iii) Huntington Road Improvements

Huntington Road between Nashville Road and Major Mackenzie Drive is currently a two-lane paved rural roadway. Huntington Road in its current form is considered adequate to support the initial phase of the development in Block 61 West; however, there will be a need to widen and upgrade Huntington Road to adequately service the development area. These improvements will include urbanization, streetscaping, sidewalks, street lighting, additional travel lanes, cycling facilities, etc. The trigger mechanism and timing of the Huntington Road improvements will be established through the phasing of the development, and addressed in the Subdivision Agreement(s).

iv) Sidewalk Plan

The proposed pedestrian network in Block 61 West is comprehensive and provides sidewalks on at least one side of every street. This level of service exceeds the City's current sidewalk warrant policy requirements but is being proposed to improve accessibility for pedestrians and to create a community with "complete streets" that provide for all modes of transportation. The proposed sidewalk network connects the residential community internally to all schools, community facilities, shopping, recreational activities and transit stops, and provides options for potential pedestrian crossings of the CP Rail line to the east to connect to Block 61 East.

v) Cycling Infrastructure

The proposed cycling infrastructure builds on the City's approved Pedestrian and Bicycle Master Plan. The bike lanes on Street "A" and Street "B" (sign only) should be identified in the detailed drawing(s). In addition to on-street cycling infrastructure, there is also multi-use trails provided on Street "B" throughout the Block Plan. The proposed cycling network is reflected in more detail in the Block 61 Traffic Management Plan.

vi) Water Servicing

The subject lands are located within Pressure District 6 (PD 6) of the York Water Supply System. The Master Environmental Servicing Plan (MESP) confirms that the Draft Plan will be serviced within PD 6 by connecting to the Regional 750 mm diameter watermain along Huntington Road. The 400 mm diameter watermain on Barons Street from Nashville Developments Inc. Plan of Subdivision will be extended to connect to the subject lands. The proposed water system within the Plan will connect at Barons Street extended from Nashville Heights to provide for the necessary supply, pressure and looping.

The City's Kleinburg-Nashville Servicing Strategy Master Plan EA (Environmental Assessment) Study has identified the requirement for City water system improvements to service the planned growth in the community. These water system improvements will be considered for inclusion in the next update of the City's Development Charges By-laws.

vii) Sanitary Servicing

According to the Kleinburg-Nashville Servicing Strategy Master Plan EA Study, the Pinestaff Development Subdivision, Nashville Developments Inc. Plan of Subdivision and other lands in Block 61 are to be serviced via the Woodbridge Service Area of the York-Durham Sewage System. The closest gravity sewer to the subject lands, is in the Nashville Developments Inc. Subdivision, which will be extended the 450 mm diameter sanitary sewer on Barons Street.

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The trunk sanitary sewers on Huntington Road shall be sized to accommodate external lands west and north of Block 61 West as per the final conclusions and recommendations of the City-Wide Water/Waste Water Master Plan EA and associated final servicing strategy for the West Vaughan Employment Area Secondary Plan.

#### viii) Sewage and Water Allocation

In accordance with the City's Servicing Capacity Distribution Protocol as adopted by Council on June 26, 2012, formal allocation of servicing capacity for the above noted development application has not been reserved nor assigned potential future capacity at this time. Therefore, servicing allocation capacity is currently not available to support the proposed development.

The City intends to undertake an annual review of the status of the available and unused servicing capacity and related Distribution Protocol. The availability of servicing allocation capacity for the above noted development application may be revisited at this time based on the status of the subject development application.

Accordingly, as a pre-condition to Draft Plan approval, the Owner shall enter into an agreement of no-sale with the City and the Region that restricts unit sales until servicing capacity is available, in addition to the appropriate "Holding" provision being included in the site-specific zoning by-law.

The Huntington Landowners Group is currently undertaking an Inflow/Infiltration Reduction Pilot project in the City with the objective to identify additional servicing capacity for the development in Block 61.

#### ix) Storm Drainage

Block 61 West is located within the Humber River watershed. The site generally slopes from north to south and currently discharges to three watercourses which are all part of the East Robinson Creek which is a tributary of the Humber River. The Stormwater Management Plan for Block 61 West proposes the establishment of two stormwater management facilities located at the south end of the Block adjacent to Major Mackenzie Drive. The SWM (stormwater management) facilities are proposed to provide quantity and quality controls for the urban storm water runoff in the Block to the target release rates established for the Humber River watershed. According to the (MESP) Master Environmental Servicing Plan, the existing drainage patterns within the development will generally be maintained under a post-development condition. A naturalized open channel is proposed to be constructed traversing the Nashville Heights development to drain the off-line SWM facilities and portions of the rear lot drainage. This open channel will form part of the East Robinson Creek watercourse and become a focal point in the community.

**As part of the engineering design and prior to the initiation of any grading within the Draft Plan, the Owner shall provide an engineering report for the review and approval of the City that describes the proposed storm drainage system to develop the subject lands. This report shall describe the proposed drainage system to develop the subject lands and include, but not be limited to, the following items:**

- a) plans illustrating the proposed system and its connection into the existing storm system;
- b) stormwater management techniques that may be required to control minor or major flows;
- c) detail all external tributary lands, and include the existing development(s); and,
- c) proposed methods for controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction.

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**The municipal servicing design shall conform to the approved Block 61 West Block Plan and MESP.**

x) Geotechnical

The Owner is required to submit a geotechnical investigation report and/or a slope stability report for review and approval by the City as part of the detailed engineering submission. The report(s) shall provide information about subsoil and groundwater condition and shall provide recommendations for the construction of municipal services, pavement (ideal and non-ideal condition), earth berm/safety berm and methods for any required slope stabilization within the Draft Plan.

xi) Environmental Site Assessment

The requirements with respect to the Environmental Site Assessment Phase 1 were acceptable to the City, based on the City's policy on contaminated or potentially contaminated sites. Parkland conveyed to the City will require a Phase 2 Environmental Site Assessment of the parkland area with the timing of the on-site sampling conducted only after the City has certified the rough grading for the park.

xii) Environmental Noise Impact

The Owner has provided a Preliminary Noise Report and Railway Vibration Report, for the Nashville West Community, both dated November 9, 2010, prepared by Valcoustics Canada Ltd., that identify noise sources that will impact the Draft Plan, such as railway noise from the CP railway and roadway noise from Huntington Road, Nashville Road, Major Mackenzie Drive and the future Highway 427. These reports provide recommendations that include typical measures to develop the proposed lots and mitigate the noise sources such as single loaded roads, acoustic barriers, safety berm, air conditioning, warning clauses and potentially upgraded building components and foundations. In addition, the lots abutting Huntington Road and the lots fronting toward the rail line are being proposed with acoustic barriers ranging in heights between 1.8 m and 1.9 m at different locations.

The Owner is required to submit the final Noise and Railway Vibration Reports for review and approval by the City as part of the detailed engineering submission when grading design is typically established. The City requires that all dwelling units that abut or face a railway and/or arterial roads such as Huntington Road, Nashville Road, Major Mackenzie Drive, and the future Highway 427 shall 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.

xiii) Street Lighting

The design and type of street lighting in the Plan shall meet City standards, which includes the illumination of the local to arterial road intersections. In April 2010, Council directed Staff to undertake a review of the City's engineering design criteria and standards with respect to the use of LED luminaire technology in new developments. This review is currently underway so there may be a requirement to use LED street lighting in the Plan. This matter will be addressed in conjunction at the detailed engineering design stage.

xiv) Draft Plan

The Draft Plan is to be red-line revised as follows:

- a) provide the sidewalk on the east side of Street "B" as per the Traffic Management Plan.

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The Vaughan Development/Transportation Engineering Department has no objections to the development, subject to the red-line revision in the report, the pre-conditions, and the conditions of approval in Attachment #1. The recommended red-line revision is included on Attachment #5.

Vaughan Cultural Services Division

The Cultural Services Division has received the Ministry of Citizenship, Culture and Recreation's clearance of archaeological concerns respecting the subject lands. As such, the Cultural Services Division has no objection to the approval of the Draft Plan of Subdivision, subject to the inclusion of the standard archaeological resources condition 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, being included in Attachment #1.

Vaughan Parks Development Department

The Parks Development Department has no objections to the development, subject to the required parkland and/or cash-in-lieu of parkland being provided.

Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that prior to final approval of the Draft Plan, 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. 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 is included in the recommendation of this report and conditions of approval in Attachment #1.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has no objections to the development, subject to the following red-line revisions in the report, and the conditions of approval in Attachment #1. The TRCA requests that the implementing zoning by-law not be enacted until the following comments have been addressed and the related conditions fulfilled.

The TRCA requires that the implementing Zoning By-law zone all lands between Streets "B" and "E" (being Lots 58 to 115 inclusive and Blocks 131, 133, 134, 135, 167 and 168) shown on Draft Plan of Subdivision with the Holding Symbol "(H)" to the satisfaction of the TRCA. Removal of the Holding Symbol "(H)" from the subject lands, or a portion thereof, shall be contingent on the following:

- i) that the Owner demonstrates to the satisfaction of the TRCA that the realignment and enhancement of Tributary A (identified on Figure 2 of the Nashville Heights Natural Heritage Evaluation and Environmental Impact Study, prepared by Beacon Environmental, dated July 2011) to its proposed location within Open Space Block 154 and Open Space Buffer Blocks 155 and 156 has been implemented pursuant to the TRCA approved strategy and plans. This will include, but is not limited to the submission of as-built drawings, revised flood plain modeling, site photos and inspection reports to the satisfaction of the TRCA.

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The Draft Plan of Subdivision be red-line revised as follows:

- i) eliminate the encroachment of Lots 78, 79, 116, 118, 119, 120 and 121 into Open Space Buffer Blocks 158 and 159 to the satisfaction of the TRCA, such that a 10-metre buffer is maintained. Should a reduction in lot depth not be feasible for Lots 78, 79, 116, 118, 119, 120 and 121, other options need to be explored and implemented by the Owner to the satisfaction of the TRCA, including but not limited to, the removal of lots or the provision of a wider buffer elsewhere within Open Space Buffer Blocks 158 and 159 to compensate for the reduced buffer width in the vicinity of Lots 78, 79, 116, 118, 119, 120 and 121; and,
- ii) re-label “Wood Stakes Set on October 15, 2008” to “TRCA Staked Limit of Natural Feature October 28, 2008, confirmed May 4, 2011” to the satisfaction of the TRCA.

The red line revisions requested by the TRCA are included on Attachment #5.

#### School Boards

- i) York Region District (Public) School Board

The York Region District (Public) School Board has advised that they require an elementary school site (Block 153), which is 2.81 ha in size. The proposed school site is adjacent to a proposed neighbourhood park. The location of the proposed school site meets the School Board's requirements with respect to the lands abutting two street frontages and a site area of 2.8 ha. The York Region District (Public) School Board is satisfied with the proposed site, subject to the conditions of approval in Attachment #1.

- ii) York Catholic District School Board/Conseil Scolaire de District Catholique Centre - Sud

The 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.

#### Canada Post

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

#### Canadian Pacific Railway

Canadian Pacific Railway (CPR) is not in favour of residential developments in close proximity to CPR's right-of-way as this land use is not compatible with railway operations. The health, safety and welfare of future residents could be adversely affected by railway activities. Notwithstanding CPR's position, to ensure the safety and comfort of adjacent residents and to mitigate as much as possible the inherent adverse environmental factors, CPR's conditions respecting safety concerns are included as conditions of approval in Attachment #1.

#### Metrolinx (GO Transit)

Metrolinx has reviewed the proposal and has no objection to the proposal. Metrolinx advises that GO service along the CPR line is a long term strategic direction, but at this time it is not a current priority. As formal plans respecting GO service on the railway have not been established and the Plan does not directly impact potential future GO operations, Metrolinx has no comments or conditions. However, GO reserves the right to provide comments regarding any future planning applications relating to the subject lands.

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#### Enbridge Gas Distribution

Enbridge Gas Distribution has reviewed the proposal and has no objections to the applications. Enbridge advises that at this time, there is not a commitment by Enbridge Gas Distribution to service this site, or to service this site by a given date or that there will be no costs for servicing this site. The Owner is to contact the Enbridge Customer Connections Department at their earliest convenience to discuss the installation and clearance requirements for service and metering facilities. This 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) Manage Growth & Economic Well-Being

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

ii) Enhance and Ensure Community Safety/Health and Wellness

The proposed development includes a public park valley lands, buffers and walking / bicycle trails to enhance the City's existing inventory of public space.

#### Regional Implications

The Region of York has provided the following comments:

i) Sanitary Sewage and Water Supply

This development is within the Humber Wastewater Service Area and will be serviced from Water Pressure District No. 6. It is the understanding of Capital Planning and Delivery Staff that this development does not have water and wastewater servicing allocation from the City of Vaughan. If the City does not grant this development the required allocation from the Region's existing capacity assignments to date, then the development may require additional infrastructure based on conditions of future capacity assignment, which may include:

- a) West Vaughan Sewage Servicing - 2016 expected completion;
- b) Leslie Street Pumping Station Upgrade - 2014 expected completion;
- c) Duffin Creek WPCP (Water Pollution Control Plant) Outfall - 2016 expected completion;
- d) Duffin Creek WPCP Stages 1 and 2 Upgrades - 2016 expected completion; and,
- e) Other projects as may be identified in future Master Plan Update and/or studies.

**The timing of the above infrastructure is the current estimate and may change as each infrastructure project progresses and is provided for information purposes only.**

In accordance with York Region's servicing protocol respecting Draft Plans of Subdivision receiving draft approval prior to servicing allocation being available, Staff are requesting that all residential lands be subject to various restrictions (i.e., Holding Symbol "(H)") to ensure that the water and wastewater servicing are available prior to occupancy. Conditions to this effect are included in Attachment #1. In addition, York Region requests that the City of Vaughan apply a lapsing provision to the Draft Plan, pursuant to Section 51(32) of the *Ontario Planning Act*, and that York Region be provided an opportunity to comment on any proposed extensions of approval.



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ii) Transportation Planning

Transportation Planning Staff has reviewed the proposed Draft Plan of Subdivision and the Transportation Management Plan and Travel Demand Management Plan Guidelines report prepared by Poulos and Chung for Nashville Heights Developments (Block 61 West) dated August, 2011. Specific comments related to Transportation Demand Management (TDM) from Infrastructure Planning Staff dated January 5, 2012, include the report being revised to indicate the correct road improvement assumption and scheduling for the future timing of the Regional Road 27 and Major Mackenzie Drive improvements. York Region's 2011, 10-Year Roads Construction Program (March 2011) does not schedule the Regional Road 27 road widening undertaking and that construction on Major Mackenzie Drive to the CP Railway will commence in 2016.

iii) Water Resources

Water Resources Staff have prepared technical comments related to well-head protection areas and hydrogeological characteristics. Staff is requiring a risk assessment and any resulting risk management plans shall be prepared and submitted for review by the Region prior to Draft Plan of Subdivision approval. Additionally, a dewatering and/or ground water stabilization plan is required prior to final approval of this Plan.

York Region has no objection to Draft approval of the proposed Plan of Subdivision subject to the pre-conditions and conditions of approval included in Attachment #1.

### **Conclusion**

The Zoning By-law Amendment and Draft Plan of Subdivision applications propose to implement a residential development which conforms to Regional and City Official Plan policies. A total of 178 dwelling units (81 detached, and 78 semi-detached/or linked semi-detached and 19 future development detached and semi-detached blocks) are proposed, along with an elementary school, parks, open space/tributary, woodlot and buffers, on the 17.77 ha subject lands shown on Attachment #5. The proposed plan yields a density of 19.22 units per hectare for the lands in the "Low Density Residential" designation and 27.29 units per hectare for lands in the "Medium Density Residential" designation within the Block 61 West Plan and therefore conforms to the Official Plan.

The conditions of approval for the Draft Plan of Subdivision are included in Attachment #1 to ensure the protection of ecological features including the open space/tributary and woodlot, and their associated buffers, and the conveyance of parks and open spaces.

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

### **Attachments**

1. Pre-Conditions and Conditions of Approval
2. Context Location Map
3. Location Map
4. Proposed Zoning
5. Plan of Subdivision File 19T-10V005 - Red-line Revised (June 18, 2013)
6. Block 61 West Block Plan

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**Report prepared by:**

Judy Jeffers, Planner, ext. 8645

Carmela Marrelli, Senior Planner, ext. 8791

Mauro Peverini, Manager of Development Planning, ext. 8407

(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 JUNE 18, 2013**

**ZONING BY-LAW AMENDMENT FILE Z.10.034  
DRAFT PLAN OF SUBDIVISION FILE 19T-10V005  
PINESTAFF DEVELOPMENTS INC.**

**WARD 1 - VICINITY OF HUNTINGTON ROAD AND NASHVILLE ROAD**

The Commissioner of Planning and the Director of Development Planning recommend:

1. THAT Zoning By-law Amendment File Z.10.034 (Pinestaff Developments Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #2 and #3 from A Agricultural Zone to RD3(H) Residential Detached Zone Three, RD4(H) Residential Detached Zone Four, RSI(H) Residential Semi-Detached Zone One, each with the Holding Symbol "(H)", OSI Open Space Conservation Zone, OS2 Open Space Park Zone, and OS4 Open Space Woodlot Zone in the manner shown on Attachment #4, together with the site-specific zoning exceptions identified in Table 1 of this report and subject to the following:
  - a) require that prior to the removal of the Holding Symbol "(H)", the following conditions shall be addressed:
    - A) The Owner shall not enter into any Agreements of Purchase and Sale with end users (\*) for the subject lands until such time as:
      - 1) the City of Vaughan shall have approved a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
      - 2) i) the Council of the City of Vaughan has allocated, within the limit of the Regional capacity assignment, adequate available water and wastewater servicing capacities to the subject development; and,
        1. York Region has advised, in writing, that it is no earlier than twelve (12) months prior to the expected completion of all water and wastewater infrastructure required to support the Region's capacity assignment pertaining to the City allocation used for the subject development; or,
    - 3) The Regional Commissioner of Environmental Services and the City of Vaughan confirm servicing capacity for this development by a suitable alternative method and the City of Vaughan allocates the capacity to this development; and,
  - B) The Owner shall not enter into any Agreements of Purchase and Sale with non-end users for the subject lands unless the Agreement of Purchase and Sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the City. This agreement shall be registered on title, committing the Owner to the same terms as set out in item "A" above:
    - i) That for Lots 58 to 115 inclusive and Blocks 131, 133, 134, 135, 167 and 168 located between Streets "B" and "E", the Owner shall demonstrate to the satisfaction of the Toronto and Region Conservation Authority (TRCA) that the realignment and enhancement of Tributary A (identified on Figure 2 of the Nashville Heights Natural Heritage Evaluation and Environmental Impact Study, prepared by Beacon Environmental, dated July 2011) to its proposed location within Open Space Block 154 and

Open Space Buffer Blocks 155 and 156 has been implemented pursuant to the TRCA approved strategy and plans. This will include, but is not limited to the submission of as-built drawings, revised flood plain modeling, site photos and inspection reports to the satisfaction of the TRCA;

- ii) That Lots 111 to 115 inclusive and Block 134 shall only be developed when Street "G", for access, is constructed in conjunction with the adjacent lands to the south in Draft Approved Plan of Subdivision File 19T-10V004 (Nashville Developments Inc.);
  - iii) That Blocks 124 to 132 inclusive shall only be developed in conjunction with the adjacent lands to the north;
  - iv) That Blocks 133 to 150 inclusive shall only be developed in conjunction with the adjacent lands to the south in Plan of Subdivision File 19T-10V004 (Nashville Developments Inc.);
  - v) That Phase 2A or 3A of Draft Plan of Subdivision File 19T-10V004 (Nashville Developments Inc.) dated and last revised December 20, 2011 shall be registered; and,
- b) the implementing Zoning By-law shall include any necessary zoning exceptions required to implement the approved Draft Plan of Subdivision.
- B) THAT Draft Plan of Subdivision File 19T-10V005 (Pinestaff Developments Inc.), as red-line revised (June 18, 2013), and shown on Attachment #5, BE APPROVED, subject to the pre-conditions and conditions set out in Attachment #1 to this report.
3. THAT prior to final approval, or any part thereof of Draft Plan of Subdivision File 19T-10V005 (Pinestaff Developments Inc.), the Owner shall enter into the Developer's Group Agreement for Block 61.
4. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-10V005 (Pinestaff Developments Inc.), shall include the following provision clause:
- "The Owner shall dedicate parkland and/or pay to Vaughan by way of certified cheque cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit in accordance with 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."
5. THAT the approved Block 61 West Plan as shown on Attachment #6 be revised to reflect the Draft Plan of Subdivision shown on Attachment #5.

### **Contribution to Sustainability**

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

Goal 2: To ensure sustainable development and redevelopment.

- Objective 2.1: To achieve sustainable growth and development by completing and implementing Vaughan Tomorrow, the City's Consolidated Growth Management Strategy - 2031, and by ensuring that the strategy is subject to periodic review and renewal.
- Objective 2.2: To develop Vaughan as a City with maximum greenspace and an urban form that supports our expected population growth.
- Objective 2.3: To create a City with sustainable built form.

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.
- Objective 3.2: To develop and sustain a network of roads that supports efficient and accessible public and private transit.
- Objective 3.3: Reduce single occupant vehicle (SOV) trips by supporting active transportation, car pooling and public transit.

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:

- i) upgraded building technology and materials to reduce energy consumption and greenhouse emissions including:
  - a) upgraded insulation to reduce the amount of escaping heat in the winter and cool air in the summer;
  - b) energy efficient windows to reduce and/or eliminate drafts, as well as reduce external noise;
  - c) air tightness to test any unwanted or uncontrolled drafts; and,
  - d) low volatile organic compounds (voc) in products such as paints finishes for floors and cabinets and adhesives to minimize the amount of pollutants in the air reducing air quality;
- ii) Energy Star® appliances, high efficiency heating-ventilation and air conditioning unit (hvac) and compact fluorescent lamp (cfl) fixtures to use energy efficiently;
- iii) low flow plumbing fixtures to reduce water consumption and sewage volumes; and,
- iv) permeable paving in selected areas of the development.

### **Economic Impact**

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

### **Communications Plan**

On February 25, 2011, an initial 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. The Public Hearing was held on March 22, 2011, and the recommendation to receive the Public Hearing report was ratified by Vaughan Council on April 5, 2011. The revised proposal considered at the Public Hearing included 107 lots for detached dwelling units (11.6 m - 12.8 m frontage), 16 blocks for 32 semi-detached dwelling units with rear lane driveway access (7.5 m), elementary school, neighbourhood parks, open space and woodlot blocks. The residential component of the Plan was modified in December 2012 for the portion of the subject lands located between Streets "A" and "F" from detached dwelling units and street townhouse dwelling units with rear lanes to semi-detached dwelling units and/or linked semi-detached (dwelling units with foundation walls or portions thereof that are linked below grade with a spatial separation of the dwelling units), necessitating the requirement for a new Public Hearing.

On January 11, 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. The second

Public Hearing was held on February 5, 2013, and the recommendation to receive the Public Hearing report was ratified by Vaughan Council on February 19, 2013. To date, no comments have been received from the public notification.

### **Purpose**

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

1. Zoning By-law Amendment File Z.10.034 to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #2 and #3 from A Agricultural Zone to RD3(H) Residential Detached Zone Three, RD4(H) Residential Detached Zone Four and RS1(H) Residential Semi-Detached Zone, all with the Holding Symbol "(H)", OS1 Open Space Conservation Zone, OS2 Open Space Park Zone and OS4 Open Space Woodlot Zone in the manner shown on Attachment #4, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. Draft Plan of Subdivision File 19T-10V005, to facilitate a residential plan of subdivision consisting of the following:

Lots/Blocks	Land Use	Area (ha)	Units
Lots 1-123	Detached Residential Units - 12.8 m Frontage (RD3 Zone)	5.50	31
	Detached Residential Units - 11.6 m Frontage (RD4 Zone)		50
	Semi-Detached / Semi-Detached Linked Units - 7.6 m Frontage (RS1 Zone)		78
Blocks 124-150	Future Residential Development (To develop with adjacent blocks to create full lots for single (16) detached and semi-detached (22) dwelling units)	0.99	19
151 & 152	Neighbourhood Parks	1.66	
153	Elementary School	2.81	
154	Open Space	0.65	
155 & 156	7.5 m Open Space Buffers	0.32	
157	Woodlot	2.74	
158 & 159	10 m Open Space Buffers	0.26	
160	Landscape Buffer	0.01	
161	Road Widening	0.01	
162 to 189	0.3 m Reserves	0.01	
	Streets (Primary &, Local)	2.81	
	Total	17.77	178

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

#### **Location**

The subject lands have 23 m of frontage on the east side of Huntington Road between Nashville Road and Major Mackenzie Drive, City of Vaughan, shown as subject lands on Attachments #2 and #3.

#### **Supporting Documents**

The following lists some of the reports that were submitted in support of the subject applications and additional reports that were submitted as part of the Official Plan Amendment (OPA #699) and the Block 61 West Plan:

- *Master Environmental Servicing Plan*, dated December 2009 and revised to July 2011, by Schaeffers Consulting Engineers;
- *Natural Environment*, dated April 2008, by Beacon Environmental;
- *Nashville Heights Natural Heritage Evaluation and Environmental Impact Study*, dated July 2011, by Beacon Environmental;
- *Preliminary Hydrogeological Investigation*, dated April 9, 2008, by Terraprobe Limited;
- *Hydrogeologic Investigation, Proposed Nashville Heights Development*, dated August 3, 2011, by Terraprobe Inc.,
- *Transportation Master Plan*, dated April 2008, by Poulos & Chung Limited;
- *Transportation Management Plan & Travel Demand Management Guidelines*, dated August 2011, by Malone Given Parsons Limited and Poulos & Chung Limited;
- *Nashville Heights Landowners Group, Nashville Heights Community Traffic Impact Assessment*, dated March 2011, by Poulos & Chung Limited;
- *Report on the 2005-2009 Stage 1-2 Archaeological Assessment of the Proposed Subdivision, Part of Lots 21, 22, 23, 24 & 25*, dated June 2009, by AMICK Consultants Limited;
- *Environmental Noise Feasibility Study, Nashville West Community*, dated December 16, 2009, and revised to November 9, 2010, by Valcoustics Canada Ltd.;
- *Nashville Heights Architectural Design Guidelines*, dated September 5, 2011, by John G. Williams Limited, Architect;
- *Nashville Heights Urban Design Guidelines*, revised to June 2011, by STLA Design Strategies and John G. Williams Architect Inc.; and,
- *Nashville Heights Landscape Master Plan*, dated August 4, 2011, by NAK STLA Design Strategies.

#### Official Plan - Land Use Designation/Uses/Density

The subject lands are designated “Low Density Residential”, “Medium Density Residential”, “Valley and Stream Corridor”, “Neighbourhood Park” and “Elementary School” by in-effect OPA #601 (Kleinburg-Nashville Community Plan), as amended by site-specific OPA #699 (Nashville Heights Secondary Plan).

OPA #699 permits a density ranging between 15 and 25 units per net residential hectare for the “Low Density Residential” designation and between 25 to 150 units per net residential hectare for the “Medium Density Residential” designation. The proposed Draft Plan of Subdivision yields a density of 19.22 units per hectare for the lands in the “Low Density Residential” designation and 27.29 units per hectare for lands in the “Medium Density Residential” designation within the Block 61 West Plan. The proposed Draft Plan of Subdivision conforms to the Official Plan.

OPA #699 has been incorporated into Volume 2 of the new City of Vaughan Official Plan 2010 (VOP 2010) as an Area Specific Policy under Section 12.8 as adopted by Vaughan Council on September 27, 2010 (as modified on September 27, 2011, March 20, 2012, and April 17, 2012) as further modified and endorsed by Region of York Council on June 28, 2012, and is pending approval from the Ontario Municipal Board. The subject lands are designated “Low-Rise Residential” with a permitted density between 15 and 25 units per hectare, and “Mid-Rise Residential” with a maximum building height of 5 storeys and a maximum Floor Space Index (FSI) of 1.75, and “Natural Area”, “Neighbourhood Park” and “Elementary School”. The proposed subdivision conforms to the Official Plan.

#### Block Plan

In December 2009, the City received Block Plan File BL.61.2009 for Block 61 West, which included the subject lands, to provide the basis for the land uses, housing mixes and densities, environmental protection, servicing infrastructure, transportation (road) network, public transit, urban design, and phasing for the Block to provide for managed growth. The Block 61 West

Block Plan, shown on Attachment #6, was approved by Vaughan Council on May 24, 2011, subject to the conditions respecting such items as, but not limited to, a Transportation Demand Management framework being submitted for the school use and a Landscape Master Plan providing the details for the appropriate landscape treatment for landscape buffers and pedestrian connections between streets, built forms and parks/open spaces. Any issues that are outstanding for the Block Plan, as it pertains to the subject lands, shown on Attachment #2, must be addressed as part of the Plan of Subdivision process.

The road pattern proposed in the revised Draft Plan of Subdivision (Attachment #5) does not conform to the road pattern established in the approved Block 61 West Plan, as shown on Attachment #6. Specifically, the local road network was modified resulting in Street 'D' intersecting with Street "A" whereas Street "D" previously terminated at the street townhouses with the rear lane access. In addition, the lot and block pattern for street townhouse dwelling units with rear lane access was modified to provide for semi-detached and/or linked semi-detached dwelling units. A recommendation in this report requires the Owner to submit a revised Block Plan to match the approved subdivision design.

### Zoning

The subject lands are currently zoned A Agricultural Zone by Zoning By-law 1-88, as shown on Attachment #3. To facilitate the proposed Draft Plan of Subdivision, as shown on Attachment #5, a zoning by-law amendment is required to rezone the subject lands, in the manner shown on Attachment #4. The following site-specific zoning exceptions to the RD4 Residential Detached Zone Four and RS1 Residential Semi-Detached Zone of Zoning By-law 1-88 are required to facilitate the proposal:

Table 1: Proposed Zoning Exceptions

	<b>By-law Standard</b>	<b>By-law Permitted Uses and Requirements in the RD4 and RS1 Zones</b>	<b>Proposed Exceptions to the RD4 and RS1 Zones of Zoning By-law 1-88</b>
a.	RD4 Residential Detached Zone Four	i. Minimum Interior Side Yard - 1.2 m for a Lot Frontage between 9 m to 11.99 m  ii. Maximum Interior Garage Width - 5 m for a Lot Frontage between 11.6 m to 11.99 m and a Lot Frontage for a Corner Lot or a Lot Abutting a Greenway or Buffer Block between 14.6m to 15.3 m	i. Minimum interior side yard of 1.2 m on one side and a minimum of 0.6 m on the other interior side yard which may abut another interior side yard of 0.6 m or 1.2 m for a lot with a frontage between 9 m to 11.99 m and a corner lot with a frontage between 12.7 m to 14.9 m  ii. Maximum 5.5 m interior garage width
b.	RS1 Residential Semi-Detached Zone (Excluding Blocks 146 to 150 inclusive)	i. Permits semi-detached dwellings  ii. Minimum Interior Side Yard - 1.2 m	i. Permit as an additional use – linked semi-detached dwellings (dwellings with foundation walls or portions thereof that are linked below grade with a spatial separation of the dwelling units)



	By-law Standard	By-law Permitted Uses and Requirements in the RD4 and RS1 Zones	Proposed Exceptions to the RD4 and RS1 Zones of Zoning By-law 1-88
			ii. Minimum 1.2 m on one side of a semi-detached unit and a minimum 0.45 m on the other side, which abuts a minimum 0.45 m for the other semi-detached unit and a minimum 1.2 m on the other side for semi-detached dwellings where the foundation wall or portions thereof are linked below grade

#### Residential Zone Exceptions

##### a) RD4 Residential Detached Zone Four

The proposed reduction to the minimum interior side yard in the RD4 Residential Detached Zone Four provides the opportunity to intensify the use of the lands in an urban setting while still providing for street tree planting and on-street parking. Furthermore, several of the blocks are to develop with Blocks in the approved Draft Approved Plan of Subdivision File 19T-10V004 (Nashville Developments Inc.) to the south (this zoning exception is approved and implemented by By-law 120-2012, as amended), and require a consistency in zoning exceptions.

The proposed exception to the maximum interior garage width for the specified lot frontages will provide the opportunity for the dwelling units on these lots to be designed with two-car garages to enable the homeowner to park two cars inside the garage and two on the driveway, which may result in less on-street parking, especially on Street "B" which is a primary road and designed for a higher volume of traffic.

##### b) RS1 Residential Semi-Detached Zone

The Owner requested that the RS1 Residential Semi-Detached Zone, which permits semi-detached dwelling units, also permit linked semi-detached dwelling units (dwellings with foundation walls or portions thereof that are linked below grade with a spatial separation of the dwelling units) as an additional permitted use. This would provide options in the type of dwelling unit that is built and the ultimate appearance of the unit either as a traditional semi-detached unit or detached dwelling unit.

The Owner has requested an exception to the minimum interior side yard for the RS1 Residential Semi-Detached Zone (excluding Blocks 146 to 150 inclusive) for a minimum of 1.2 m on one side of a linked semi-detached unit and a minimum 0.45 m on the other side, which abuts a minimum 0.45 m for the other linked semi-detached unit and a minimum 1.2 m on the other side for semi-detached dwellings where the foundation wall or portions thereof are linked below grade. This results in a 0.9 m side yard between the two dwelling units on the same foundation. This reduction is required in order to facilitate the linked semi-detached dwelling units within a lot with a frontage of 15.2 m (7.6 m lot frontage per dwelling unit). Blocks 146 to 150 are excluded from this exception as these blocks are to develop with the lands to the south in Draft Approved Plan of Subdivision File 19T-10V004 (Nashville Developments Inc.) where this zoning provision has not been provided for in the implementing zoning (By-law 120-2012, as amended).

The Development Planning Department has no objections to the above exceptions illustrated in Table 1, which will facilitate the Draft Plan of Subdivision on the subject lands and provide for zoning that is consistent with the adjacent draft approved plan of subdivision to the south.

#### Non-Residential Lands

The Draft Plan of Subdivision will be developed in accordance with Schedules "A" and "A3" in Zoning By-law 1-88. The proposed Draft Plan, as shown on Attachment #5, provides for an elementary school and open space uses, which will be zoned in the manner shown on Attachment #4.

The Development Planning Department has no objections to the proposed zoning of the non-residential lands, which will provide the appropriate zoning to maintain the open space/tributary and woodlot, along with their buffers and provide for an elementary school and neighbourhood park. The Development Planning Department can therefore support the approval of the Zoning By-law Amendment application.

#### Holding Symbol "(H)"

The subject lands, shown on Attachment #3, shall be zoned with the Holding Symbol "(H)", shown on Attachment #5, which shall not be removed until the conditions to allow the removal of the Holding Symbol "(H)" are addressed as follows:

- a) All lots and blocks in the Plan shall be subject to a separate agreement restricting the sale of said lots and blocks by the Owner or subsequent purchasers of all the lots and blocks pending the allocation of servicing capacity by the City, and accordingly, the Plan shall be zoned with the Holding Symbol "(H)" provision which shall not be removed until the sewage capacity and water supply capacity has been allocated;
- b) The residential lots and blocks in the Plan will be zoned with the Holding Symbol "(H)", which cannot be removed until the lands are developed with the abutting lands as follows:
  - i) that Lots 111 to 115 inclusive and Block 134 shall only be developed when Street "G", for access, is constructed in conjunction with the adjacent lands to the south in Draft Approved Plan of Subdivision File 19T-10V004 (Nashville Developments Inc.);
  - ii) that Blocks 124 to 132 inclusive shall only be developed in conjunction with the adjacent lands to the north;
  - iii) that Blocks 133 to 150 inclusive shall only be developed in conjunction with the adjacent lands to the south in Draft Approved Plan of Subdivision File 19T-10V004 (Nashville Developments Inc.); and,
- c) That Lots 58 to 115 inclusive and Blocks 131, 133, 134, 135, 167 and 168 located between Streets "B" and "E", as required by the Toronto and Region Conservation Authority, be zoned with the Holding Symbol "(H)", which cannot be removed until the Owner demonstrates, to the satisfaction of the TRCA, that the realignment and enhancement of Tributary A to its proposed location within Open Space Block 154 and Open Space Buffer Blocks 155 and 156 has been implemented pursuant to the TRCA approved strategy and plans.

The recommendations, and pre-conditions and conditions of approval in Attachment #1 of this report include the provisions respecting the Holding Symbol "(H)".

### Subdivision Design

The proposed 17.77 ha Draft Plan of Subdivision, as red-lined, is shown on Attachment #5. The Draft Plan includes the north-south traversing collector road (Street "A"), with a 26 m wide right-of-way, which will ultimately connect Major Mackenzie Drive with Huntington Road, as shown on Attachment #6. Street "A" will be designed to accommodate transit vehicles. Street "B", with a 23 m right-of-way, forms part of a primary ring road through Draft Approved Plan of Subdivision File 19T-10V004 and intersecting with Huntington Road at the north end of Block 61 West, where the right-of-way increases to a width of 26 m. Pedestrian and cycling connections are to be provided on multi-use paths along Streets "A" and "B".

All development within the Draft Plan of Subdivision is subject to architectural approval in accordance with the Block 61 West Nashville Heights Architectural Design Guidelines, prepared by John G. Williams, Architect. A condition in this respect is included in Attachment #1.

The development within the Draft Plan is to proceed in accordance with an approved Landscape Master Plan, which addresses matters such as, but not limited to, the co-ordination of the urban design/streetscape elements as they relate to the approved urban design guidelines including fencing, the appropriate community edge treatment for the landscape buffer block along Huntington Road, the appropriate edge restoration treatment along the open space/tributary block, and the pedestrian urban connections between streets, built forms, promenades, parks and open spaces. Conditions in this respect are included in Attachment #1.

The Vaughan Development Planning Department has reviewed the proposed Draft Plan of Subdivision and requires red-line revisions. In particular, Blocks 139 to 145 on the Draft Plan are shown as blocks for semi-detached dwelling units. However, the abutting lands to the south are zoned RD4(H) Residential Detached Zone Four with the Holding Symbol "(H)" which permits only detached dwelling units resulting in modifications to the Draft Plan. The following red-lined revision are required to the proposed Draft Plan of Subdivision shown on Attachment #5:

- a) revise to indicate that Blocks 139 to 145 will be for 1 detached dwelling unit, the blocks of which shall develop with the lands to the south; and,
- b) the telecommunication and hydro buildings and easements are to be identified.

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

### Developer's Group Agreement

It is a standard condition of Draft Plan of Subdivision approval that the participating landowners for the block execute a Developer's Group Agreement respecting the provision of servicing infrastructure, roads for the Block, parks and open spaces. A condition is included in the recommendation of this report respecting this requirement.

### Vaughan Development / Transportation Engineering Department

The Development / Transportation Engineering Department has completed its review of the Draft Plan of Subdivision and provides the following comments regarding the municipal services for this subdivision:

#### i) Road Network

The subject lands are bounded by Huntington Road to the west, the Canadian Pacific (CP) Railway line to the east side, Nashville Developments Inc. Draft Approved Plan of Subdivision 19T-10V004 to the south and agricultural lands to the north. Local collector road connections to

the bordering arterial roads for the Plan include one future connection to the north limit of Block 61 West onto Nashville Road, and one to the west onto Huntington Road and one to the south onto Major Mackenzie Drive both through Nashville Developments Inc. Plan of Subdivision.

The proposed roads within the Draft Plan have not been laid out in accordance with the approved Block Plan, the recommendations of the Block Plan Traffic Studies and City design standards. The road network in the Draft Plan consists of 26 m wide collector road (Street "A"), 23 m wide collector road (Street "B"), 17.5 m wide local roads (Streets "C", "D", "E", "F" and "G"), and 15 m wide buffer road (Street "G"). The collector roads, ranging in width from 23 m to 26 m, have been designed as "complete streets" that accommodate all modes of transportation including transit, cycling, walking and on-street parking.

ii) Huntington Road Widening

Huntington Road currently has a right-of-way width of approximately 20 m. Pursuant to the City's new Official Plan and the Transportation Master Plan, Huntington Road is designated as a 30 m collector road. The Draft Plan provides a 5 m road widening along the Huntington Road frontage, which should be adequate to provide the ultimate right-of-way that measures 15 m from the existing centre of the roadway. Additional right-of-ways will be required at each intersection to provide for turn lanes. The road widening requirements along Huntington Road will be more accurately calculated based on survey information that will be submitted prior to final approval of the Plan.

iii) Huntington Road Improvements

Huntington Road between Nashville Road and Major Mackenzie Drive is currently a two-lane paved rural roadway. Huntington Road in its current form is considered adequate to support the initial phase of the development in Block 61 West; however, there will be a need to widen and upgrade Huntington Road to adequately service the development area. These improvements will include urbanization, streetscaping, sidewalks, street lighting, additional travel lanes, cycling facilities, etc. The trigger mechanism and timing of the Huntington Road improvements will be established through the phasing of the development, and addressed in the Subdivision Agreement(s).

iv) Sidewalk Plan

The proposed pedestrian network in Block 61 West is comprehensive and provides sidewalks on at least one side of every street. This level of service exceeds the City's current sidewalk warrant policy requirements but is being proposed to improve accessibility for pedestrians and to create a community with "complete streets" that provide for all modes of transportation. The proposed sidewalk network connects the residential community internally to all schools, community facilities, shopping, recreational activities and transit stops, and provides options for potential pedestrian crossings of the CP Rail line to the east to connect to Block 61 East.

v) Cycling Infrastructure

The proposed cycling infrastructure builds on the City's approved Pedestrian and Bicycle Master Plan. The bike lanes on Street "A" and Street "B" (sign only) should be identified in the detailed drawing(s). In addition to on-street cycling infrastructure, there is also multi-use trails provided on Street "B" throughout the Block Plan. The proposed cycling network is reflected in more detail in the Block 61 Traffic Management Plan.

vi) Water Servicing

The subject lands are located within Pressure District 6 (PD 6) of the York Water Supply System. The Master Environmental Servicing Plan (MESP) confirms that the Draft Plan will be serviced within PD 6 by connecting to the Regional 750 mm diameter watermain along Huntington Road.

The 400 mm diameter watermain on Barons Street from Nashville Developments Inc. Plan of Subdivision will be extended to connect to the subject lands. The proposed water system within the Plan will connect at Barons Street extended from Nashville Heights to provide for the necessary supply, pressure and looping.

The City's Kleinburg-Nashville Servicing Strategy Master Plan EA (Environmental Assessment) Study has identified the requirement for City water system improvements to service the planned growth in the community. These water system improvements will be considered for inclusion in the next update of the City's Development Charges By-laws.

vii) Sanitary Servicing

According to the Kleinburg-Nashville Servicing Strategy Master Plan EA Study, the Pinestaff Development Subdivision, Nashville Developments Inc. Plan of Subdivision and other lands in Block 61 are to be serviced via the Woodbridge Service Area of the York-Durham Sewage System. The closest gravity sewer to the subject lands, is in the Nashville Developments Inc. Subdivision, which will be extended the 450 mm diameter sanitary sewer on Barons Street.

The trunk sanitary sewers on Huntington Road shall be sized to accommodate external lands west and north of Block 61 West as per the final conclusions and recommendations of the City-Wide Water/Waste Water Master Plan EA and associated final servicing strategy for the West Vaughan Employment Area Secondary Plan.

viii) Sewage and Water Allocation

In accordance with the City's Servicing Capacity Distribution Protocol as adopted by Council on June 26, 2012, formal allocation of servicing capacity for the above noted development application has not been reserved nor assigned potential future capacity at this time. Therefore, servicing allocation capacity is currently not available to support the proposed development.

The City intends to undertake an annual review of the status of the available and unused servicing capacity and related Distribution Protocol. The availability of servicing allocation capacity for the above noted development application may be revisited at this time based on the status of the subject development application.

Accordingly, as a pre-condition to Draft Plan approval, the Owner shall enter into an agreement of no-sale with the City and the Region that restricts unit sales until servicing capacity is available, in addition to the appropriate "Holding" provision being included in the site-specific zoning by-law.

The Huntington Landowners Group is currently undertaking an Inflow/Infiltration Reduction Pilot project in the City with the objective to identify additional servicing capacity for the development in Block 61.

ix) Storm Drainage

Block 61 West is located within the Humber River watershed. The site generally slopes from north to south and currently discharges to three watercourses which are all part of the East Robinson Creek which is a tributary of the Humber River. The Stormwater Management Plan for Block 61 West proposes the establishment of two stormwater management facilities located at the south end of the Block adjacent to Major Mackenzie Drive. The SWM (stormwater management) facilities are proposed to provide quantity and quality controls for the urban storm water runoff in the Block to the target release rates established for the Humber River watershed. According to the (MESP) Master Environmental Servicing Plan, the existing drainage patterns within the development will generally be maintained under a post-development condition. A naturalized open channel is proposed to be constructed traversing the Nashville Heights development to drain the off-line SWM facilities and portions of the rear lot drainage. This open

channel will form part of the East Robinson Creek watercourse and become a focal point in the community.

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

- a) plans illustrating the proposed system and its connection into the existing storm system;
- b) stormwater management techniques that may be required to control minor or major flows;
- c) detail all external tributary lands, and include the existing development(s); and,
- c) proposed methods for controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction.

The municipal servicing design shall conform to the approved Block 61 West Block Plan and MESP.

x) Geotechnical

The Owner is required to submit a geotechnical investigation report and/or a slope stability report for review and approval by the City as part of the detailed engineering submission. The report(s) shall provide information about subsoil and groundwater condition and shall provide recommendations for the construction of municipal services, pavement (ideal and non-ideal condition), earthberm/safety-berm and methods for any required slope stabilization within the Draft Plan.

xi) Environmental Site Assessment

The requirements with respect to the Environmental Site Assessment Phase 1 were acceptable to the City, based on the City's policy on contaminated or potentially contaminated sites. Parkland conveyed to the City will require a Phase 2 Environmental Site Assessment of the parkland area with the timing of the on-site sampling conducted only after the City has certified the rough grading for the park.

xii) Environmental Noise Impact

The Owner has provided a Preliminary Noise Report and Railway Vibration Report, for the Nashville West Community, both dated November 9, 2010, prepared by Valcoustics Canada Ltd., that identify noise sources that will impact the Draft Plan, such as railway noise from the CP railway and roadway noise from Huntington Road, Nashville Road, Major Mackenzie Drive and the future Highway 427. These reports provide recommendations that include typical measures to develop the proposed lots and mitigate the noise sources such as single loaded roads, acoustic barriers, safety berm, air conditioning, warning clauses and potentially upgraded building components and foundations. In addition, the lots abutting Huntington Road and the lots fronting toward the rail line are being proposed with acoustic barriers ranging in heights between 1.8 m and 1.9 m at different locations.

The Owner is required to submit the final Noise and Railway Vibration Reports for review and approval by the City as part of the detailed engineering submission when grading design is typically established. The City requires that all dwelling units that abut or face a railway and/or arterial roads such as Huntington Road, Nashville Road, Major Mackenzie Drive, and the future Highway 427 shall 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.

xiii) Street Lighting

The design and type of street lighting in the Plan shall meet City standards, which includes the illumination of the local to arterial road intersections. In April 2010, Council directed Staff to undertake a review of the City's engineering design criteria and standards with respect to the use of LED luminaire technology in new developments. This review is currently underway so there may be a requirement to use LED street lighting in the Plan. This matter will be addressed in conjunction at the detailed engineering design stage.

xiv) Draft Plan

The Draft Plan is to be red-line revised as follows:

- a) provide the sidewalk on the east side of Street "B" as per the Traffic Management Plan.

The Vaughan Development/Transportation Engineering Department has no objections to the development, subject to the red-line revision in the report, the pre-conditions, and the conditions of approval in Attachment #1. The recommended red-line revision is included on Attachment #5.

Vaughan Cultural Services Division

The Cultural Services Division has received the Ministry of Citizenship, Culture and Recreation's clearance of archaeological concerns respecting the subject lands. As such, the Cultural Services Division has no objection to the approval of the Draft Plan of Subdivision, subject to the inclusion of the standard archaeological resources condition 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, being included in Attachment #1.

Vaughan Parks Development Department

The Parks Development Department has no objections to the development, subject to the required parkland and/or cash-in-lieu of parkland being provided.

Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that prior to final approval of the Draft Plan, 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. 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 is included in the recommendation of this report and conditions of approval in Attachment #1.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has no objections to the development, subject to the following red-line revisions in the report, and the conditions of approval in Attachment #1. The TRCA requests that the implementing zoning by-law not be enacted until the following comments have been addressed and the related conditions fulfilled.

The TRCA requires that the implementing Zoning By-law zone all lands between Streets "B" and "E" (being Lots 58 to 115 inclusive and Blocks 131, 133, 134, 135, 167 and 168) shown on Draft

Plan of Subdivision with the Holding Symbol "(H)" to the satisfaction of the TRCA. Removal of the Holding Symbol "(H)" from the subject lands, or a portion thereof, shall be contingent on the following:

- i) that the Owner demonstrates to the satisfaction of the TRCA that the realignment and enhancement of Tributary A (identified on Figure 2 of the Nashville Heights Natural Heritage Evaluation and Environmental Impact Study, prepared by Beacon Environmental, dated July 2011) to its proposed location within Open Space Block 154 and Open Space Buffer Blocks 155 and 156 has been implemented pursuant to the TRCA approved strategy and plans. This will include, but is not limited to the submission of as-built drawings, revised flood plain modeling, site photos and inspection reports to the satisfaction of the TRCA.

The Draft Plan of Subdivision be red-line revised as follows:

- i) eliminate the encroachment of Lots 78, 79, 116, 118, 119, 120 and 121 into Open Space Buffer Blocks 158 and 159 to the satisfaction of the TRCA, such that a 10-metre buffer is maintained. Should a reduction in lot depth not be feasible for Lots 78, 79, 116, 118, 119, 120 and 121, other options need to be explored and implemented by the Owner to the satisfaction of the TRCA, including but not limited to, the removal of lots or the provision of a wider buffer elsewhere within Open Space Buffer Blocks 158 and 159 to compensate for the reduced buffer width in the vicinity of Lots 78, 79, 116, 118, 119, 120 and 121; and,
- ii) re-label "Wood Stakes Set on October 15, 2008" to "TRCA Staked Limit of Natural Feature October 28, 2008, confirmed May 4, 2011" to the satisfaction of the TRCA.

The red line revisions requested by the TRCA are included on Attachment #5.

#### School Boards

- i) York Region District (Public) School Board

The York Region District (Public) School Board has advised that they require an elementary school site (Block 153), which is 2.81 ha in size. The proposed school site is adjacent to a proposed neighbourhood park. The location of the proposed school site meets the School Board's requirements with respect to the lands abutting two street frontages and a site area of 2.8 ha. The York Region District (Public) School Board is satisfied with the proposed site, subject to the conditions of approval in Attachment #1.

- ii) York Catholic District School Board/Conseil Scolaire de District Catholique Centre - Sud

The 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.

#### Canada Post

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

#### Canadian Pacific Railway

Canadian Pacific Railway (CPR) is not in favour of residential developments in close proximity to CPR's right-of-way as this land use is not compatible with railway operations. The health, safety and welfare of future residents could be adversely affected by railway activities. Notwithstanding CPR's position, to ensure the safety and comfort of adjacent residents and to mitigate as much as



possible the inherent adverse environmental factors, CPR's conditions respecting safety concerns are included as conditions of approval in Attachment #1.

#### Metrolinx (GO Transit)

Metrolinx has reviewed the proposal and has no objection to the proposal. Metrolinx advises that GO service along the CPR line is a long term strategic direction, but at this time it is not a current priority. As formal plans respecting GO service on the railway have not been established and the Plan does not directly impact potential future GO operations, Metrolinx has no comments or conditions. However, GO reserves the right to provide comments regarding any future planning applications relating to the subject lands.

#### Enbridge Gas Distribution

Enbridge Gas Distribution has reviewed the proposal and has no objections to the applications. Enbridge advises that at this time, there is not a commitment by Enbridge Gas Distribution to service this site, or to service this site by a given date or that there will be no costs for servicing this site. The Owner is to contact the Enbridge Customer Connections Department at their earliest convenience to discuss the installation and clearance requirements for service and metering facilities. This 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) Manage Growth & Economic Well-Being

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

ii) Enhance and Ensure Community Safety/Health and Wellness

The proposed development includes a public park valley lands, buffers and walking / bicycle trails to enhance the City's existing inventory of public space.

#### Regional Implications

The Region of York has provided the following comments:

i) Sanitary Sewage and Water Supply

This development is within the Humber Wastewater Service Area and will be serviced from Water Pressure District No. 6. It is the understanding of Capital Planning and Delivery Staff that this development does not have water and wastewater servicing allocation from the City of Vaughan. If the City does not grant this development the required allocation from the Region's existing capacity assignments to date, then the development may require additional infrastructure based on conditions of future capacity assignment, which may include:

- a) West Vaughan Sewage Servicing - 2016 expected completion;
- b) Leslie Street Pumping Station Upgrade - 2014 expected completion;
- c) Duffin Creek WPCP (Water Pollution Control Plant) Outfall - 2016 expected completion;
- d) Duffin Creek WPCP Stages 1 and 2 Upgrades - 2016 expected completion; and,

- e) Other projects as may be identified in future Master Plan Update and/or studies.

The timing of the above infrastructure is the current estimate and may change as each infrastructure project progresses and is provided for information purposes only.

In accordance with York Region's servicing protocol respecting Draft Plans of Subdivision receiving draft approval prior to servicing allocation being available, Staff are requesting that all residential lands be subject to various restrictions (i.e., Holding Symbol "(H)") to ensure that the water and wastewater servicing are available prior to occupancy. Conditions to this effect are included in Attachment #1. In addition, York Region requests that the City of Vaughan apply a lapsing provision to the Draft Plan, pursuant to Section 51(32) of the *Ontario Planning Act*, and that York Region be provided an opportunity to comment on any proposed extensions of approval.

ii) Transportation Planning

Transportation Planning Staff has reviewed the proposed Draft Plan of Subdivision and the Transportation Management Plan and Travel Demand Management Plan Guidelines report prepared by Poulos and Chung for Nashville Heights Developments (Block 61 West) dated August, 2011. Specific comments related to Transportation Demand Management (TDM) from Infrastructure Planning Staff dated January 5, 2012, include the report being revised to indicate the correct road improvement assumption and scheduling for the future timing of the Regional Road 27 and Major Mackenzie Drive improvements. York Region's 2011, 10-Year Roads Construction Program (March 2011) does not schedule the Regional Road 27 road widening undertaking and that construction on Major Mackenzie Drive to the CP Railway will commence in 2016.

iii) Water Resources

Water Resources Staff have prepared technical comments related to well-head protection areas and hydrogeological characteristics. Staff is requiring a risk assessment and any resulting risk management plans shall be prepared and submitted for review by the Region prior to Draft Plan of Subdivision approval. Additionally, a dewatering and/or ground water stabilization plan is required prior to final approval of this Plan.

York Region has no objection to Draft approval of the proposed Plan of Subdivision subject to the pre-conditions and conditions of approval included in Attachment #1.

**Conclusion**

The Zoning By-law Amendment and Draft Plan of Subdivision applications propose to implement a residential development which conforms to Regional and City Official Plan policies. A total of 178 dwelling units (81 detached, and 78 semi-detached/or linked semi-detached and 19 future development detached and semi-detached blocks) are proposed, along with an elementary school, parks, open space/tributary, woodlot and buffers, on the 17.77 ha subject lands shown on Attachment #5. The proposed plan yields a density of 19.22 units per hectare for the lands in the "Low Density Residential" designation and 27.29 units per hectare for lands in the "Medium Density Residential" designation within the Block 61 West Plan and therefore conforms to the Official Plan.

The conditions of approval for the Draft Plan of Subdivision are included in Attachment #1 to ensure the protection of ecological features including the open space/tributary and woodlot, and their associated buffers, and the conveyance of parks and open spaces.

The Vaughan Development Planning Department is satisfied that the proposed residential development as shown on Attachment #5 is appropriate and compatible with the existing and

permitted uses in the surrounding area and can be developed in a manner that is appropriate and compatible with the existing community. The Development Planning Department can support the approval of the Zoning By-law Amendment Application and Draft Plan of Subdivision as red-lined, subject to the recommendations in this report, and the Pre-Conditions and Conditions of Approval set out in Attachment #1.

**Attachments**

1. Pre-Conditions and Conditions of Approval
2. Context Location Map
3. Location Map
4. Proposed Zoning
5. Plan of Subdivision File 19T-10V005 - Red-line Revised (June 18, 2013)
6. Block 61 West Block Plan

**Report prepared by:**

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Respectfully submitted,

JOHN MACKENZIE  
Commissioner of Planning

GRANT UYHEYAMA  
Director of Development Planning

/LG

## **ATTACHMENT NO. 1**

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

#### **DRAFT PLAN OF SUBDIVISION 19T-10V005 (AS RED-LINE REVISED, JUNE 18, 2013)**

#### **PINESTAFF DEVELOPMENTS INC.**

#### **PART OF LOT 24, CONCESSION 9, CITY OF VAUGHAN**

#### **THE PRE-CONDITIONS AND 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-10V005, ARE AS FOLLOWS:**

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

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

1. Prior to or concurrent with draft plan approval, the Owner shall enter into an Agreement with the City of Vaughan, which Agreement shall be registered on title, committing the Owner to:
  - A. Not enter into any Agreements of Purchase and Sale with end users (\*) for the subject lands until such time as:
    - a) The City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure;or
    - b)
      - i. The Council of the City of Vaughan has allocated, within the limit of the Regional capacity assignment, adequate available water and wastewater servicing capacities to the subject development; and,
      - ii. York Region has advised in writing that it is no earlier than twelve (12) months prior to the expected completion of all water and wastewater infrastructure required to support the Region's capacity assignment pertaining to the City allocation used for the subject development;or
      - c) The Regional Commissioner of Environmental Services and the City of Vaughan confirm servicing capacity for this development by a suitable alternative method and the City of Vaughan allocates the capacity to this development.
  - B. Not enter into any Agreements of Purchase and Sale with non-end users for the subject lands unless the Agreement of Purchase and Sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the City. This agreement shall be registered on title, committing the Owner to the same terms as set out in item "A" above.
2. Prior to draft plan approval, the Owner shall enter into an Indemnity Agreement with York Region. The Agreement shall be registered on title, agreeing to save harmless York Region and the City of Vaughan from any claim or action as a result of York Region or the City of Vaughan releasing conditions and pre-conditions of draft approval as part of the draft approval of Plan of Subdivision File 19T-10V005 (Revised) or any phase thereof by the City of Vaughan, including, but not limited to claims or actions resulting from, water or sanitary sewer service not being available when anticipated. The Agreement shall include a provision that requires all subsequent purchasers of

the subject lands, who are not end users, to enter into a separate agreement with York Region as a condition of the Agreement of Purchase and Sale, agreeing to indemnify York Region on the same terms and conditions as the owner.

(\*) The term “end users”, for the purpose of the above-noted pre-conditions, is defined as the eventual homeowner who is purchasing an individual lot containing a dwelling for the purpose of occupancy.

3. Prior to draft plan approval, the Owner shall submit a Risk Assessment for the Wellhead Protection Area, as prescribed by the Clean Water Act, and any resulting Risk Management Plans for review by York Region Water Resources staff.

## CONDITIONS OF APPROVAL

### City of Vaughan Conditions

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by Rady-Pentek & Edwards Surveyors Ltd., dated August 15, 2012, and revised on March 24, 2013, incorporating the following red-line revisions:
  - a) revise to indicate that Blocks 139 to 145 will be for detached dwelling units, the blocks of which shall develop with the lands to the south;
  - b) identify the telecommunication and hydro buildings and easements;
  - c) provide the sidewalk on the east side of Street “B” as per the Traffic Management Plan;
  - d) eliminate the encroachment of Lots 78, 79, 116, 118, 119, 120 and 121 into Open Space Buffer Blocks 158 and 159 to the satisfaction of the TRCA, such that a 10-metre buffer is maintained. Should a reduction in lot depth not be feasible for Lots 78, 79, 116, 118, 119, 120 and 121, other options need to be explored and implemented by the Owner to the satisfaction of the TRCA, including but not limited to, the removal of lots or the provision of a wider buffer elsewhere within Open Space Buffer Blocks 158 and 159 to compensate for the reduced buffer width in the vicinity of Lots 78, 79, 116, 118, 119, 120 and 121; and,
  - e) re-label “Wood Stakes Set on October 15, 2008” to “TRCA Staked Limit of Natural Feature October 28, 2008, confirmed May 4, 2011” to the satisfaction of the TRCA.
2. The lands within this Plan shall be appropriately zoned by a zoning by-law, which has come into effect in accordance with the provisions of the Planning Act.
3. The lands within this Plan shall be zoned with the Holding Symbol “(H)” which shall not be removed until the conditions to permit the removal of the Holding Symbol “(H)” are addressed as follows:
  - a) All lots and blocks in the Plan shall be subject to a separate agreement restricting the sale of said lots and blocks by the Owner or subsequent purchasers of all the lots and blocks pending the allocation of servicing capacity by the City. The Plan shall be zoned with the Holding Symbol “(H)” provision which shall not be removed until the sewage capacity and water supply capacity has been allocated.
  - b) The residential lots and blocks in the Plan shall be zoned with the Holding Symbol “(H)” which cannot be removed until the lands are developed with the abutting lands as follows:

- i) That Lots 111 to 115 and Block 134 inclusive shall only be developed when Street "G", for access, is constructed in conjunction with the adjacent lands to the south in Draft Approved Plan of Subdivision File 19T-10V004 (Nashville Developments Inc.).
    - ii) That Blocks 124 to 132 inclusive shall only be developed in conjunction with the adjacent lands to the north.
    - iii) That Blocks 133 to 150 inclusive shall only be developed in conjunction with the adjacent lands to the south in Draft Approved Plan of Subdivision File 19T-10V004 (Nashville Developments Inc.).
  - c) That Lots 58 to 115 inclusive and Blocks 131, 133, 134, 135, 167 and 168 located between Streets "B" and "E", as required by the Toronto and Region Conservation Authority (TRCA), shall be zoned with the Holding Symbol "(H)" which cannot be removed until the Owner demonstrates, to the satisfaction of the TRCA, that the realignment and enhancement of Tributary A to its proposed location within Open Space Block 154 and Open Space Buffer Blocks 155 and 156 has been implemented pursuant to the TRCA approved strategy and plans.
4. 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.
  5. The Owner shall pay any and all outstanding application fees to the Vaughan Development Planning Department, in accordance with the in-effect Tariff of Fees By-law.
  6. Prior to final approval of any part of the Plan, the Owner shall submit a revised Block Plan, to reflect the modifications in this Plan from the approved Block Plan.
  7. 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.
  8. Prior to final approval of the Plan, the Owner shall enter into a Developers' Group Agreement with the other participating landowners within Block 61 to the satisfaction of the City. The Agreement shall be regarding but not limited to all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services within Block 61. The Owner acknowledges that parkland shall be dedicated and/or cash-in-lieu paid in accordance with the Planning Act and conform to the City's "Cash-in-lieu of Parkland Policy". This Agreement shall also include a provision for additional developers to participate within the Developers' Group Agreement when they wish to develop their lands.
  9. Prior to final approval of the Plan, the Trustee for Block 61 shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 61 Developers' Group Agreement.
  10. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost of any external municipal services that have been designed, oversized and built temporarily or permanent by others to accommodate the development of the Plan.
  11. The Owner shall agree in the Subdivision Agreement to pay its financial contribution and/or front-end finance and construct the external municipal infrastructure, such as road improvements (Huntington Road), watermains, sewers, sidewalks, etc., that are necessary to service the Plan to the satisfaction of the City.

12. The road allowances included within this Draft Plan of Subdivision shall be dedicated as public highways without monetary consideration and free of all encumbrances.
13. The road allowances within this Draft Plan of Subdivision shall be named to the satisfaction of the City, in consultation with the Region of York Transportation and Community Planning Department. Proposed street names shall be submitted by the Owner for approval by Vaughan Council and shall be included on the first engineering drawings.
14. The road allowances included in this Draft Plan of Subdivision 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.
15. Any dead ends or open sides of road allowances created by this Draft Plan of Subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.
16. The Owner shall agree in a Subdivision Agreement that the location and design of the construction access shall be approved by the City and the Region of York.
17. The Owner shall agree to remove any driveways and buildings on site, which are not approved to be maintained as part of the Plan. Any modification to off-site driveways required to accommodate this Plan shall be coordinated and completed at the cost of the Owner.
18. 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 charges and encumbrances.
19. The Owner shall agree in the Subdivision Agreement to convey any lands and/or easements, free of all costs and encumbrances, to the City that are necessary to construct the municipal services for the Plan, which may include any required easements and/or additional lands within and/or external to the Draft Plan, to the satisfaction of the City.
20. The Owner shall agree to create easements for maintenance purposes for all lots providing less than 1.2 m side yards, or having roof encroachments, prior to transfer of land.
21. The Owner acknowledges that the final engineering design(s) may result in minor variations to the Plan (e.g. in the configuration of road allowances and lotting, number of lots etc.), which may be reflected in the final Plan to the satisfaction of the City.
22. The Owner shall agree to notify both the Ministry of Tourism and Culture and the City of Vaughan Recreation and Culture Department (Cultural Services Division) and the Policy Planning and Development Planning Departments immediately in the event that:
  - a) archaeological resources are found on the property during grading or construction activities, to which the proponent must cease all grading or construction activities; and,
  - b) where human remains are encountered during grading or construction activities, the proponent must cease all grading or construction activities. The proponent shall contact York Region Police, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.
23. Prior to final approval of the Plan, and/or conveyance of land, and/or any initiation of grading or construction, the Owner shall implement the following to the satisfaction of the City;

- a) submit a Phase One Environmental Site Assessment (ESA) report and, if required and as applicable, a Phase Two ESA report, Remedial Action Plan (RAP) and/or Phase Three ESA report in accordance with Ontario Regulation (O.Reg.) 153/04 (as amended) for the lands within the Plan. The sampling and analysis plan prepared as part of the Phase Two ESA, Phase Three ESA and RAP shall be developed, in consultation with the City, implemented, and completed to the satisfaction of the City;
  - b) for park/open space block(s) that are being conveyed to the City, submit a Phase Two ESA report in accordance with O.Reg. 153/04 (as amended) assessing all park/open space block(s) in the Plan for contaminants of concern to the satisfaction of the City. On-site sampling of the park/open space block(s) shall be conducted only after the City has certified the rough grading of the park/open space block(s), but prior to the placement of topsoil and landscaping. The sampling and analysis plan prepared as part of the Phase Two ESA shall be developed, in consultation with the City, implemented, and completed to the satisfaction of the City;
  - c) should a change to a more sensitive land use as defined under O. Reg. 153/04 (as amended) or remediation of any portions of lands within the Plan be required to meet the applicable Standards set out in the Ministry of the Environment (MOE) document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended), the Owner shall submit a complete copy of the satisfactory registration of the Record(s) of Site Condition (RSCs) filed on the Environmental Site Registry including the acknowledgement letter from the MOE, covering all the lands within the Plan;
  - d) submit a certificate letter prepared by the Owner's Qualified Person stating that the Owner covenants and agrees that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City and the Region were remediated in accordance with O. Reg. 153/04 (as amended) and the accepted RAP (if applicable), are suitable for the intended land use, and meet the applicable standards set out in the MOE document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended); and,
  - e) reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.
24. Prior to initiation of any grading or stripping of topsoil to any lands included in the Plan and prior to final approval of the Plan and, whichever comes first, the Owner shall submit an Erosion and Sedimentation Control Plan including topsoil storage plan detailing the location, size, slope stabilization methods and time period, for the review and approval by the City; topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either park or school blocks.
25. Prior to initiation of any grading or stripping of topsoil to any lands included in the Plan and prior to final approval of the Plan and, whichever comes first, the Owner shall prepare and implement a detailed erosion and sedimentation control plan(s) addressing all phases of the construction of the municipal services house building program including stabilization methods, topsoil storage locations and control measures to the satisfaction of the City. The Owner shall prepare the erosion and sediment control plan(s) for each stage of construction (pre-stripping/earthworks, pre-servicing, post-servicing) in accordance with the TRCA Erosion and Sediment Control Guidelines for Urban Construction, dated December 2006 and implement a monitoring and reporting program to the satisfaction of the City.
26. Prior to final approval, the Owner shall not remove any vegetation or topsoil or start any grading of the lands, without a fill permit issued by the City, and a Development Agreement, if necessary



27. 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.
28. Prior to the initiation of grading, and prior to the registration of this Draft Plan of Subdivision or any phase thereof, the Owner shall submit to the City for review and approval the following:
- a) a detailed engineering report that describes the storm drainage system for the proposed development within this draft plan, which report shall include:
    - i) plans illustrating how this drainage system will be tied into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
    - ii) stormwater management techniques which may be required to control minor or major flows;
    - iii) appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to ensure no negative impact on the quality and quantity of ground and surface water resources as it relates to fish and their habitat;
    - iv) the location and description of all outlets and other facilities which may require permits under Ontario Regulation 166/06 and/or the Lakes and Rivers Improvement Act;
    - v) proposed methods of controlling and preventing erosion and siltation on-site and in downstream areas during and after construction;
    - vi) retain an environmental monitor and report on the implementation and on-going maintenance of erosion and sediment controls; and,
    - vii) overall grading plans for the Plan;
  - b) the Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned reports to the satisfaction of the City.
29. Prior to final approval of the Plan, the City and Region of York shall confirm that adequate water supply and sewage treatment capacity are available and have been allocated to accommodate the proposed development.
30. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunication provider to provide their services underground at the approved locations and to the satisfaction of the City. The Owner shall provide a copy of the fully executed Subdivision Agreement to the appropriate telecommunication provider.
31. Prior to final approval of the Plan, the Owner shall permit any telephone or telecommunications service provider to locate its Plant in a common trench within the proposed Plan of Subdivision prior to release of the Plan for registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its Plant so as to permit connection to individual dwelling units within the subdivision as and when each dwelling unit is constructed.

32. Prior to final approval of the Plan, the Owner shall make the necessary arrangements at the expense of the Owner for the relocation of any utilities required by the development of the Plan to the satisfaction of the City.
33. The Owner shall ensure that the final Plan shall depict all telecommunication structure locations and hydro switch gear easements.
34.
  - a) Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of PowerStream Inc., its successors and assign regarding the design, installation, connection and/or expansion of electric distribution services, or any other related matters; the Owner shall enter into a Development Agreement with PowerStream Inc. which addresses the foregoing requirements.
  - b) The Owner shall agree to design, purchase materials, and install a buried hydro distribution system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of PowerStream Inc. and the City.
35. The Owner shall agree in the Subdivision Agreement to design, purchase material and install a street lighting system in the Plan in accordance with City Standards and specifications. This Plan shall be provided with decorative street lighting to the satisfaction of the City.
36. The Owner shall agree in the Subdivision Agreement to design and construct the municipal services in the Plan to conform with the final conclusion and recommendations of the following studies to the satisfaction of the City:
  - a) Kleinburg-Nashville Servicing Strategy Master Plan Class EA;
  - b) City-Wide Water/Wastewater Master Plan Class EA;
  - c) City-Wide Storm Drainage/Stormwater Management Master Plan Class EA; and
  - d) City-Wide Transportation Master Plan Class EA.
37. Prior to final approval of the Plan, the Owner shall 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 the Region of York. The TPM shall include the details of the 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.
38. Prior to development proceeding beyond Phase One, the Owner shall retain the services of a qualified Transportation Consultant to provide an updated Transportation Report/Plan outlining the required Regional and City road improvements. The Report / Plan submitted to the City and Region for review and approval, shall demonstrate that adequate road capacity is available for the proposed development, and shall explain all transportation issues and recommend mitigative measures for these issues. An updated transportation report shall include a traffic management/roadway detour plan for the proposed roadway improvements, The Owner shall agree in the Subdivision Agreement to implement the recommendations of the updated transportation report/plan and traffic management master plan to the satisfaction of the City.
39. The Owner shall agree in the Subdivision Agreement to design and carryout road improvements to Huntington Road between Major Mackenzie Drive and Nashville Road, if required, to the satisfaction of the City.
40. Prior to final approval of the Plan, the Owner shall retain the services of a qualified Transportation Consultant to evaluate, oversee and finalize the intersections design/roadway network as per the recommendations in the Traffic Management Master Plan/updated transportation report, and to the satisfaction of the City. The Owner acknowledges that the engineering design for alternative

road network/design, traffic calming measures, pedestrian and cycling infrastructure and designated transit route(s) may result in variation(s) to the road and lotting pattern.

41. 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 Traffic Management Master Plan. 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.
42. Prior to final approval of the Plan, the Owner shall fund the preparation of a feasibility and pre-design study for the construction of a pedestrian and cycling crossing of the CP rail line to link Block 61 East and West as per Council resolution dated May 24, 2011. The Owner shall agree in the Subdivision Agreement to carry out the recommendations of the approved feasibility study to the satisfaction of the City and York Region. The Owner shall also include a warning statement for all prospective buyers in the Plan detailing the potential construction of a pedestrian crossing of the CP Railway within the Draft Plan, to the satisfaction of the City.
43. Prior to final approval of the Plan, the Owner shall provide drawings for the location and design of proposed bicycle parking at transit stops, school campuses, commercial sites, and other destinations within the Plan such as retail/entertainment, to the satisfaction of the Development/Transportation Engineering Department.
44. Prior to final approval of the Plan, the Owner shall prepare, by a qualified professional transportation consultant, Transportation Demand Management Plans (TDM Plans) for each of the following land uses in the subdivision; Community TDM Plan, Commercial TDM Plan and Draft School TDM Plan.
45. The TDM Plans shall identify objectives, outcomes, targets, measures, monitoring, and management plan, including roles and responsibilities of the landowners. In addition, the TDM Plans shall include a budget for the full cost of implementing the TDM measures, including operational financial consideration. All TDM Plans shall be completed to the satisfaction of the Development/Transportation Engineering Department.
46. The Owner shall agree in the Subdivision Agreement to 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) to the satisfaction of the Development/Transportation Engineering Department.
47. Prior to final approval of the Plan, the Owner shall submit an environmental noise and/or vibration report 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 railway according to the Ministry of Environment Guidelines. The Owner shall convey any required buffer block(s) for acoustic barrier purposes, free of all costs and encumbrances, to the satisfaction of the City. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations set out in the approved noise/vibration report to the satisfaction of the City.
48. Prior to final approval of the Plan, the Owner shall submit a recent plan of survey for the property that illustrates the existing centre line of construction of Huntington Road in order to determine the property dedications required to achieve the ultimate right-of-way width of Huntington Road abutting the Plan, to the satisfaction of the City.
49. The Owner shall agree in the Subdivision Agreement to decommission any existing wells and driveways on the Plan in accordance with all applicable provincial legislation and guidelines and to the satisfaction of the City.

50. Prior to final approval of the Plan, a Water Supply Analysis Report shall be submitted to the satisfaction of the City which shall include a comprehensive water network analysis of the water distribution system and shall demonstrate that adequate water supply for the fire flow demands is available for the Plan and each phase thereof.
51. Prior to final approval of the Plan and/or commencement of construction within the Plan, the Owner shall submit a detailed hydrogeological impact study for the review and approval of the City that identifies, if any, local wells that may be influenced by construction and, if necessary, outline a monitoring program to be undertaken before, during and after construction of the subdivision.
52. The Owner shall agree in the Subdivision Agreement to maintain adequate chlorine residuals in the watermains within the Plan after successful testing and connection to the potable municipal water system and continue until such time as determined by the City or until assumption of the Plan. In order to maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.
53. The Owner shall provide the City with a report showing the chlorine residual results on a weekly basis. If at any time the water quality test results do not comply with the Safe Drinking Water Act, the Owner shall notify the City immediately and take corrective action as directed by the City and prepare a report of all actions taken. The City will charge the Owner the current retail water and sewer rates for the water consumed in this program. The Owner's licensed water operator will meter the consumption of water for each flush and report the readings to the City on a monthly basis. The City will audit the consumption reports and inspect the flushing points periodically to ensure that the water consumption reported accurately reflects the program.
54. Prior to final approval of the Plan and/or commencement of construction within the Plan, the Owner shall submit a detailed hydrogeological impact study that identifies, if any, local wells that may be influenced by construction, and if necessary, outline a monitoring program to be undertaken before, during and after construction of the subdivision as follows:
  - a) a base line well condition and monitoring report shall be submitted to the City prior to the pre-servicing or registration of the Plan (whichever occurs first) and shall include as a minimum requirement the following tests:
    - i) Bacteriological Analysis – total coliform and E-coli counts;
    - ii) Chemical Analysis – Nitrate Test; and,
    - iii) Water level measurement below existing grade;
  - b) in the event that the test results are not within the Ontario Drinking Water Standards, the Owner shall notify in writing, the Purchaser, the Regional Health Department and the City within twenty-four (24) hours of the test results;
  - c) well monitoring shall continue during construction and an interim report shall be submitted to the City for records purposes;
  - d) well monitoring shall continue for one year after the completion of construction and a summary report shall be submitted to the City prior to Completion Approval.
55. The Owner agrees that all lots or blocks within the Plan that are left vacant six (6) months following completion of overall grading shall be topsoiled, to a minimum depth of 100mm, seeded, maintained and signed to prohibit dumping and trespassing, to the satisfaction of the City.
56. Prior to the issuance of a Building Permit for any Lot or Block, the Owner's consulting engineer shall certify, to the satisfaction of the Vaughan Development/Transportation Engineering

Department and the Vaughan Building Standards Department that the lot grading complies with the City of Vaughan lot grading criteria and the driveway as shown on the plan submitted for the construction of the building on that particular lot or block conforms in terms of location and geometry (i.e., width, etc.) with the approved or amended and subsequently approved Construction Drawings.

57. No Building Permit shall be issued until the Owner has provided proof that a restriction has been registered that prevents the transfer of the lot or block without the consent of the City where such transfer is to be restricted by any other provision of the Subdivision Agreement.
58. Notwithstanding the provisions (Subsection 5.1) generally included within the Subdivision Agreement, the City may issue model home Building Permits provided that the land is zoned to the satisfaction of the City and the relevant conditions (Subsection 5.18) of the Subdivision Agreement are fulfilled.
59. The Owner shall agree in the Subdivision Agreement that no Building Permits will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed development.
60. The Owner shall agree in the Subdivision Agreement that Blocks 124 to 132 both inclusive shall be developed only in conjunction with abutting lands to the north. The City shall not issue a Building Permit for the subject Blocks until the lands are combined to the satisfaction of the City.
61. The Owner shall agree in the Subdivision Agreement that Blocks 133 to 150 both inclusive shall be developed only in conjunction with abutting lands in Draft Plan 19T-10V004 Nashville Heights Development Inc. to the south. The City shall not issue a Building Permit for the subject Blocks until the lands are combined to the satisfaction of the City.
62. The Owner shall agree in the Subdivision Agreement that Street "G" shall be developed and constructed with the abutting lands to the north to provide access for Lots 111 to 115 both inclusive and Block 134. The City shall not issue a Building Permit for the subject Lots until the lands are combined to the satisfaction of the City.
63. The Owner shall agree in the Subdivision Agreement to the following:
  - a) all development within the Draft Plan of Subdivision is subject to architectural approval in accordance with the Block 61 West Nashville Heights Architectural Design Guidelines, prepared by John G. Williams, Architect.
64. The Owner shall agree in the Subdivision Agreement to the following:
  - a) prior to the submission of individual Building Permit applications and Site Development applications the control architect shall have stamped and signed drawings certifying compliance with the approved architectural guidelines; and,
  - b) 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.
65. Prior to final approval, the Owner shall prepare a Landscape Master Plan which shall address, but not be limited to, the following issues:
  - a) co-ordination of the urban design/streetscape elements as they relate to the approved Urban Design Guidelines including fencing;

- b) the appropriate community edge treatment for Landscape Buffer Block 160 along Huntington Road;
  - c) the appropriate edge restoration along the Open Space Block 154;
  - d) the pedestrian urban connections between streets, built forms, promenades, parks, and open spaces; and,
  - e) an environmental report for Open Space Block 154.
66. Prior to final approval, the Owner shall provide a 10 m buffer block abutting the open space blocks along residential Lots and/or Blocks.
67. Prior to final approval, the Owner shall provide a 10 m buffer block abutting the woodlot along residential Lots and/or Blocks.
68. Prior to final approval, the Owner shall 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.
69. The Owner shall agree in the Subdivision Agreement to erect a permanent 1.5 m high black vinyl chain-link fence or approved equal along the limits of the residential lots and/or blocks that abut open space lands (watercourse corridor/valley/woodlot/buffer), park blocks and/or noise berm/landscape buffer to the satisfaction of the City.
70. The Owner shall agree in the Subdivision Agreement to erect an appropriate fence barrier along the limits of the woodlot that abuts the Canadian Pacific Railway lands.
71. No part of any noise attenuation feature or any other fence shall be constructed partly on or within any public highway, park or open space. Fences adjacent to public lands shall be constructed entirely on private lands. The maintenance of noise attenuation features or fencing shall not be the responsibility of the City or the Region of York and shall be maintained by the Owner until assumption of the services in the Plan. Thereafter, the maintenance by the noise attenuation fence shall be the sole responsibility of the lot Owner. Landscaping provided on the Regional Road right-of-ways by the Owner or the City for aesthetic purposes shall be approved by the Region and maintained by the City with the exception of the usual grass maintenance.
72. The Owner shall convey Landscape Buffer Block 160 to the City, free of all cost and encumbrances, for landscaping purposes.
73. The Owner shall convey Open Space Block 154 and associated 10 m buffer blocks to the TRCA or the City, free of all cost and encumbrances.
74. The Owner shall convey the woodlot block 157 and associated 10 m Buffer blocks to the TRCA or the City, free of all cost and encumbrances.
75. 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.
76. The Owner shall cause the following to be displayed on the interior wall of the sales office, information approved by the City of Vaughan, prior to offering any units for sale, to be monitored periodically by the City. No Building Permit shall be issued for a sales office or model home, or a residential unit until such information is approved by the City of Vaughan:

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

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

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

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

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

77. The Owner shall agree in the Subdivision Agreement to include the following warning statements, in wording satisfactory to the City, in all Agreements of Purchase and Sale/ or *Lease for all lots/blocks* within the Plan:

a) within the entire Subdivision Plan:

- "Purchasers and/or tenants are advised that roads within the Plan may have been constructed using Alternative Development Standards. In April 1995, the Ministry of Housing and the Ministry of Municipal Affairs published the Alternative Development Standards as a guideline to municipalities. The Province of Ontario has been promoting the use of these guidelines which provide for reduced pavement widths."
- "Purchasers and/or tenants are advised that traffic calming measures may have been incorporated into the road allowances."
- "Purchasers and/or tenants are advised that public transit routes have not been determined for the area within the Plan, however, internal streets may be subject to public transit bus traffic."
- "Purchasers and/or tenants are advised that the collector and primary roads within the development area are expected to support more traffic than local roads and, if demand warrants, transit routes in the future."
- "Purchasers and/or tenants are advised that Huntington Road is proposed to be terminated at Major Mackenzie Drive in accordance with the approved Highway 427 Transportation Corridor Environmental Assessment."

- “Purchasers and/or tenants are advised that the Streets “A”, “B”, “E” and “G”, ending in a temporary hammerhead turn-around or cul-de-sac will be extended in the future to facilitate development of adjacent lands without further notice.”
- “Purchasers and/or tenants are advised of the potential construction of a pedestrian crossing of the Canadian-Pacific Railway within the Plan providing a pedestrian connection between the communities on the east and west sides of the railway.”
- “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).”
- “Purchasers and/or tenants are advised that the Plan appears to be partially or entirely located within the following vulnerable area: The Kleinburg Wellhead Protection Area (WHPA). Accordingly, the CTC (Credit-Toronto-Central Lake Ontario) Source Protection Committee has developed policies under the *Clean Water Act* that will apply to prescribed drinking water threat activities taking place in vulnerable areas in the Toronto and Region Conservation Authority (TRCA) jurisdiction. The TRCA Source Protection Plan was submitted for provincial approval in October 2012, and will become effective once approved by the Province. The Plan is located within WHPA “B” and/or “C”, where prescribed threat activities in this vulnerable area are classified as low or moderate. Residential property owners/or tenants within this vulnerable area are encouraged to use best management practices to protect sources of municipal drinking water. Information regarding best management practices and prescribed threat activities may be provided by the municipality or by contacting the TRCA’s Source Protection hydrogeologist at 416.661.6600, or by visiting <<http://www.ctcswp.ca/>> or <<http://www.trca.on.ca/>>.”
- “Purchasers and/or tenants are hereby advised that Canadian-Pacific Railway (CPR) company(s), or its assigns or successors in interest, has a right-of-way within 300 metres from the subject lands, and there may be future alterations or expansions to the rail facilities or operations which may affect the living environment of the residents in the vicinity, notwithstanding any noise and vibration attenuating measures included in the development and individual dwelling(s); CPR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.”
- “Purchasers and/or tenants are advised that Metrolinx completed the Bolton Commuter Rail Feasibility Study (December 2010) that provides a basis for the proposed routing and future GO station locations within City of Vaughan. This Study identifies a potential GO Station just southeast of the Canadian-Pacific Railway crossing at Major Mackenzie Drive. Therefore, the future expansion of the rail facilities may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise attenuation and vibration mitigation (if applicable) measures in the design of the development and individual dwelling(s).”
- “Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the dwelling occupants.”



- “Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the Subdivision Agreement. A drawing depicting conceptual locations for boulevard trees is included as a schedule in this Subdivision Agreement. This is a conceptual plan only and while every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete the boulevard tree without further notice.”
- “Purchasers and/or tenants are advised that the City has not imposed a “tree fee”, or any other fee, which may be charged as a condition of purchase, for the planting of trees. Any “tree fee” paid by a purchaser for boulevard trees does not guarantee that a tree will be planted on the boulevard adjacent to their residential dwelling.”
- “Purchasers and/or tenants are advised that the proposed finished Lot and/or Block grading may not meet City of Vaughan lot grading criteria in certain areas, to facilitate preservation of existing vegetation and to maintain existing adjacent topographical conditions.”
- “Purchasers and/or tenants are advised that the rear yard lot area has been designed to incorporate an infiltration trench or soak-away pit system to achieve groundwater balance. It is the responsibility of the homeowner to maintain the infiltration trench or soak-away pit systems in good operating condition.”
- “Purchasers and/or tenants are advised that any encroachments and/or dumping from the Lot and/or Block to the school site, park blocks, cemetery and open space lands (watercourse corridor/valley/woodlot/buffer) are prohibited.”
- “Purchasers and/or tenants are advised that driveway widths and curb cut widths are governed by City of Vaughan Zoning By-law 1-88, as amended, as follows:
  - a) The maximum width of a driveway shall be 6 m measured at the street curb, provided circular driveways shall have a maximum combined width of 9 m measured at the street curb.
  - b) Driveway in either front or exterior side yards shall be constructed in accordance with the following requirements:

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

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

<sup>2</sup>The Lot Frontage for Lots 12.0 m and greater shall be comprised of a Minimum of 50% Landscaped Front or Exterior side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior side yard shall be soft landscaping in accordance with Paragraph 4.1.2.”

- “Purchasers and/or tenants are advised that proper grading of all Lots/Blocks in conformity with the Subdivision Grading Plans is a requirement of this Subdivision Agreement.”

The City has taken a Letter of Credit from the Owner for security to ensure all municipal services including, but not limited to lot grading, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for lot grading purposes, is not a requirement of this Subdivision Agreement.”

- “Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the CRTC authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs.”
- “Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings.”

b) abutting or in proximity of any parkland or walkway:

- “Purchasers and/or tenants are advised that the Lot and/or Block abutting or in proximity of a “Neighbourhood Park” of which noise and lighting may be of concern due to the nature of the park for active recreation.”

c) abutting a public highway, open space lands (watercourse corridor/valley/woodlot/buffer), noise berm/landscape buffer, cemetery or other similar public space:

- “Purchasers and/or tenants are advised that fencing and/or noise attenuation features along the lot lines of lots and blocks abutting public lands, including public highway, laneway, walkway or other similar public space, is a requirement of this Subdivision Agreement and that all required fencing and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3 m reserve, as shown on the Construction Drawings.

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

d) abutting or in proximity of any open space lands (watercourse corridor/valley/woodlot/buffer) or noise berm/landscape buffer:

- “Purchasers and/or tenants are advised that the adjacent open space lands (watercourse corridor/valley/woodlot/buffer) or noise berm/landscape buffer may be left in a naturally vegetated condition and receive minimal maintenance.”

e) abutting any school site, open space lands (watercourse corridor/valley/woodlot/buffer), cemetery and/or park:

- “Purchasers and/or tenants are advised that the installation of any gate or access point from the Lot and/or Block to the school site, open space lands (watercourse corridor/valley/woodlot/buffer) and/or park blocks is prohibited.”

#### Region of York Conditions

78. The road allowances included within the Draft Plan of Subdivision shall be named to the satisfaction of the area municipality and York Region.
79. 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 this Draft Plan of Subdivision or any phase thereof. Registration of the Plan of Subdivision shall occur in phases based on the availability of water supply and sewage servicing allocation.
80. The Owner shall agree in the Subdivision Agreement that the Owner shall save harmless the City of Vaughan and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
81. Prior to final approval, a Functional Servicing Report (FSR) which includes water and wastewater servicing and drainage plans, shall be submitted to York Region for review. The wastewater servicing plan shall clearly identify any external areas serviced by the subdivision and the water servicing plan shall clearly identify any pressure-reducing valves, if required.
82. For all lands, the Holding Symbol "(H)" provisions of Section 36 of the *Ontario Planning Act* shall be used in conjunction with all residential zone categories in order to ensure that final plan approval and development of these lands does not occur until such time as the Holding Symbol "(H)" is removed in accordance with the provisions of the *Ontario Planning Act*. The Zoning By-law shall specify the terms under which Vaughan Council may consider the removal of the Holding Symbol "(H)". Said terms shall include a minimum of the following:
  - a) the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
  - b) York Region has advised in writing that the required infrastructure to support the capacity assignment associated with this development will be completed within a time period acceptable to the Region (usually 6 months to 36 months depending on the complexity of the development) to permit the plan registration; or,
  - c) the Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the City of Vaughan allocates the capacity to this development.
83. The Owner shall agree in the Subdivision Agreement that any direct connection to a York Region water or wastewater system requires Regional approval prior to construction. Engineering drawings showing details of the connection shall be submitted for approval.
84. Prior to final approval, the Owner shall establish necessary arrangements for conveyance of the water tower lands to York Region to the satisfaction of the Region.
85. Prior to final approval, the Owner shall submit a dewatering and/or groundwater stabilization plan for review by Regional Water Resources staff.
86. 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."

87. Prior to final approval, the Owner shall satisfy the Regional Municipality of York Transportation and Community Planning Department that the services to be installed within or in conjunction with the Plan will provide for sidewalks on both sides of the roadway listed below, unless only one side of the street lies within the limits of the subject lands. The sidewalks shall meet the local municipality's standards, and be provided by the Owner along the subject lands' frontage onto roadways that may have transit services.

Future YRT transit services would be provided when warranted for the following roadway or sections of:

- a) Street "A"
88. Prior to final approval, the Owner shall submit drawings showing, as applicable, the sidewalk locations, and concrete pedestrian access to the satisfaction of York Region.
89. Street "A" shall be designed to accommodate transit vehicles to the satisfaction of the area municipality and York Region Transit. The minimum pavement width for transit vehicles is 3.5 m. The minimum curb radius for transit vehicles is 15 m. These standards are according to the Canadian Transit Handbook and the Ontario Urban Transit Association.
90. The Owner shall agree in the Subdivision Agreement to advise all potential purchasers of the future introduction of transit services in this development as identified in Condition 89. This includes potential transit routes, bus stops and shelter locations. This shall be achieved through distribution of information/marketing materials (YRT route maps, Future Plan maps & providing YRT website contact information) at sales offices and appropriate notification clauses in Purchase and Sale Agreements. The YRT route maps and the Future Plan maps are available from YRT upon request.
91. The Owner shall satisfy the Regional Municipality of York Transportation and Community Planning Department that the services to be installed within or in conjunction with the Plan will include illumination in accordance with the local municipality's design standards along all streets which will have transit services, sidewalks, pedestrian access and bus stop locations.
92. Prior to final approval, the Owner shall provide a copy of the Subdivision Agreement to the Transportation and Community Planning Department, outlining all requirements of the Transportation and Community Planning Department.
93. Prior to final approval, the Owner shall agree to provide adequate pedestrian and cycling connections to and from the subdivision with existing/future pedestrian and cycling facilities on boundary roadways and adjacent developments.
94. Prior to final approval, the Owner shall agree that all lands shall be placed under a Holding Symbol "(H)" pursuant to the provisions of Section 36 of the Ontario Planning Act, which shall prohibit the development of the lands until the Holding Symbol "(H)" has been lifted. The conditions for lifting the Holding Symbol "(H)" shall include:
- a) the registration of Phases 2A or 3A of Regional Draft Plan of Subdivision File 19T-100V04 (Nashville Developments Inc.) prepared by Malone Given Parsons, last revised December 20, 2011;
- b) providing a functional transportation report/plan outlining all required road improvements and transportation infrastructure for review and approval. The report/plan shall explain all transportation issues and recommend mitigation measures for these issues; and,
- c) addressing the Region's comments dated January 5, 2012, related to the *Transportation Management Plan and Travel Demand Management Plan Guidelines* report (August, 2011) prepared by Poulos & Chung for Nashville Heights (Block 61 West) developments to the satisfaction of Regional Infrastructure Planning Branch. Comments pertinent to

TDM are applicable to all the subdivisions within the Nashville Heights (Block 61 West) lands.

95. The Owner shall enter into an Agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law # 2012-36.

Toronto and Region Conservation Authority Conditions

96. That this Draft Plan of Subdivision be subject to red-line revision to eliminate the encroachment of Lots 78, 79, 116, 118, 119, 120 and 121 into Open Space Buffer Blocks 158 and 159 to the satisfaction of the Toronto and Region Conservation Authority (TRCA), such that a 10-metre buffer is maintained. Should a reduction in lot depth not be feasible for Lots 78, 79, 116, 118, 119, 120 and 121, other options need to be explored and implemented by the Owner to the satisfaction of the TRCA, including but not limited to the removal of lots or the provision of a wider buffer elsewhere within Open Space Buffer Blocks 158 and 159 to compensate for the reduced buffer width in the vicinity of Lots 78, 79, 116, 118, 119, 120 and 121.
97. That this Draft Plan of Subdivision be subject to red-line revision to re-label "Wood Stakes Set on October 15, 2008" to "TRCA Staked Limit of Natural Feature October 28, 2008, confirmed May 4, 2011" to the satisfaction of the TRCA.
98. That prior to site alteration, a letter be provided by the Owner to the satisfaction of the TRCA, which indicates that the Owner acknowledges and agrees to address, to the satisfaction of the TRCA, the TRCA's outstanding comments on the Block 61 West Block Plan/MESP technical submissions and supporting studies listed below, as outlined in the TRCA's letter dated October 31, 2011:
- a) Master Environmental Servicing Plan, prepared by Schaeffers Consulting Engineers, revised July 2011, received by the TRCA on August 12, 2011;
  - b) Hydrogeologic Investigation, prepared by Terraprobe Inc., dated August 3, 2011, received by the TRCA on August 12, 2011;
  - c) Nashville Heights Natural Heritage Evaluation and Environmental Impact Study, prepared by Beacon Environmental, dated July 2011, received by the TRCA on August 12, 2011;
  - d) Nashville Heights Geomorphic Assessment - Existing Conditions, prepared by Parish Geomorphic, dated March 2011, received by the TRCA on August 12, 2011;
  - e) Urban Design Guidelines, prepared by STLA Design Strategies and John G. Williams Architect Inc., revised June 2011, received by the TRCA on August 12, 2011; and,
  - f) Landscape Master Plan, prepared by NAK STLA Design Strategies, revised July 28, 2011, received by the TRCA on August 12, 2011.
99. That the Owner prepare a Terms of Reference for any studies, reports, assessments, plans, figures, etc. requested by the TRCA in its conditions of draft plan approval to the satisfaction of the TRCA (and City of Vaughan and/or Regional Municipality of York where specified) prior to the preparation of these studies, reports, assessments, plans, figures, etc.
100. That prior to the initiation of topsoil stripping, prior to the Owner entering into Agreements of Purchase and Sale, prior to the approval of the zoning by-law and prior to the registration of this plan or any phase thereof, the Owner shall submit a detailed engineering report and plans to the satisfaction of the TRCA for any proposed topsoil stripping in the plan area. This report shall include:

- a) detailed plans illustrating the topsoil stripping proposal, including but not limited to, the locations, staging and methodology;
  - b) an erosion and sediment control report and plans for the subject lands that includes proposed measures for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after topsoil stripping; and,
  - c) a strategy and associated plans for the realignment and enhancement of Tributary A (identified on Figure 2 of the Nashville Heights Natural Heritage Evaluation and Environmental Impact Study, prepared by Beacon Environmental, dated July 2011) to its proposed location within Open Space Block 154 and Open Space Buffer Blocks 155 and 156 as requested in Conditions 103 and 105 below or, in the alternative, plans demonstrating that the existing Tributary A channel and its associated stream corridor, including flood plain, meander belt and 10-metre buffer, will be retained in their existing condition and untouched during the topsoil stripping activities.
101. That prior to site alteration (with the exception of topsoil stripping), prior to the Owner entering into Agreements of Purchase and Sale, prior to the approval of the zoning by-law and prior to the registration of this plan or any phase thereof, the Owner shall submit a detailed engineering report (or reports) to the satisfaction of the TRCA. This report shall include:
- a) a description of the storm drainage system (quantity and quality) for the proposed development;
  - b) plans illustrating how this drainage system will tie into surrounding drainage systems, (i.e., identifying if it is part of an overall drainage scheme, how external flows will be accommodated, the design capacity of the receiving system);
  - c) appropriate stormwater management techniques which may be required to control minor and major flows;
  - d) appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to the natural heritage system, both aquatic and terrestrial;
  - e) storage requirements for controlling Regional storm runoff to existing levels and a contingency plan for achieving Regional peak flow control within the Block Plan area should the technical studies being undertaken by the TRCA indicate development of Block 61 West without Regional storm peak flow controls would result in unacceptable impacts to hydraulics and flood risk downstream of the development. The contingency plan must include plans and calculations demonstrating how and where additional storage can be accommodated and the need for red-line revisions to the Draft Plan of Subdivision, if required;
  - f) proposed measures to promote infiltration and maintain water balance for the Draft Plan area;
  - g) a detailed assessment and quantification of pre-development groundwater levels, infiltration and flow (i.e., water balance) to the natural features (i.e., forest, wetlands, streams). This information will be used to inform the final design and location of stormwater management and low impact development measures and site grading to ensure that groundwater function is maintained to the natural features post-development;
  - h) a detailed assessment and quantification of pre-development surface water flow to the natural features (i.e., forest, wetlands, and streams). This information will be used to inform the final design and location of stormwater management and low impact

development measures and site grading to ensure that surface water flow is maintained to the natural features post-development;

- i) a subsurface investigation (including assessment of groundwater levels) for the final design of site grading and house basement elevations. The recommendations of the subsurface assessment will be used to inform the final design and construction plans;
- j) an evaluation that addresses the need for groundwater dewatering during construction, including but not limited to details for its disposal, potential impacts to natural features due to groundwater withdrawal, mitigation and any permitting requirements;
- k) a groundwater monitoring and mitigation program, which assesses groundwater conditions prior, during and post-construction and outlines mitigation and adaptive management strategies for any negative impacts to groundwater conditions associated with development in the plan area. The terms of reference and final monitoring program must be prepared by the Owner to the satisfaction of the City of Vaughan and the TRCA. This monitoring, mitigation and adaptive management program may be combined with other monitoring requirements in the draft plan area with the prior written consent of the TRCA;
- l) a surface water monitoring and mitigation program, which assesses surface water flows to the natural features prior, during and post-construction and outlines mitigation and adaptive management strategies for any negative impacts to the natural features associated with development in the plan area. The terms of reference and final monitoring program must be prepared by the Owner to the satisfaction of the City of Vaughan and the TRCA. This monitoring, mitigation and adaptive management program may be combined with other monitoring requirements in the draft plan area with the prior written consent of the TRCA;
- m) grading plans for the subject lands;
- n) plans and details regarding areas where grading and/or retaining walls are proposed in the Open Space areas (Block 154), Woodlot (Block 157) and Open Space Buffers (Blocks 155, 156, 158 and 159). The Owner should note prior to undertaking this assessment that the TRCA's Valley and Stream Corridor Management Program (VSCMP) policies do not support property improvements and ancillary structures that introduce greater potential for valley land impact, such as retaining walls and grade cutting and filling. Where applicants encounter potential grading issues adjacent to open space areas, they must first explore solutions to the grading issues within their development site before approaching the municipality and the TRCA for encroachments into the buffers and/or natural features/hazards. In certain circumstances and subject to a detailed assessment of the potential impacts and mitigation measures, we will consider the request of retaining walls and/or grading into the buffers. The request must be accompanied by plans and details to the satisfaction of the TRCA, including but not limited to justification as to the need for the encroachment, description of the options explored to eliminate or reduce the need for the grading and/or retaining walls, how the works will be conducted to limit any impacts to the adjacent natural features, mitigation, enhanced plantings and stabilization of the slopes/disturbed areas where grading and/or retaining walls are proposed, tree protection, sediment and erosion controls, and compensation;
- o) an erosion and sediment control report and plans for the subject lands that includes proposed measures for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction;

- p) the location and description of all outlets and other facilities or works which may require permits from the TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06); and,
  - q) a final phasing/implementation strategy for the Draft Plan area, including but not limited to servicing, erosion and sediment controls, and the proposed Tributary "A" realignment.
102. That prior to site alteration, prior to the Owner entering into Agreements of Purchase and Sale and prior to the registration of this Plan or any phase thereof, the Owner shall submit plans showing the draft M-Plan overlaid with the grading plans to the satisfaction of the TRCA and the City of Vaughan to ensure that the lot and block locations meet the requirements of the TRCA and the City of Vaughan.
103. That prior to site alteration, a strategy and associated plans be prepared by the Owner for the realignment and enhancement of Tributary A (identified on Figure 2 of the Nashville Heights Natural Heritage Evaluation and Environmental Impact Study, prepared by Beacon Environmental, dated July 2011) to its proposed location within Open Space Block 154 and Open Space Buffer Blocks 155 and 156. This strategy will assess the technical and practical implications associated with this realignment and enhancement, including but not limited to phasing, staging, grading, design of the natural corridor, tie in to lands not owned by the Owner, tie in to the on-line ponds to the north, relationship to grading on adjacent Lots and Blocks, trail placement, crossings, flood plain management, meander belt accommodation, maintenance of groundwater and surface water flows to the system both during and after construction, sediment and erosion control implementation and maintenance, restoration, long-term monitoring and maintenance, permit requirements, and securities. This strategy will be developed in consultation with and to the satisfaction of the TRCA. The Owner shall implement the strategy and associated plans to the satisfaction of the TRCA prior to or in conjunction with topsoil stripping and grading within the draft plan area.
104. That prior to the Owner entering into Agreements of Purchase and Sale for Lots 58 to 115 inclusive and Blocks 131, 133, 134, and 135, the Owner shall demonstrate to the satisfaction of the TRCA that the works identified in Condition 103 above have been implemented pursuant to the approved strategy and plans. This will include, but is not limited to the submission of as-built drawings, revised flood plain modeling, site photos and inspection reports to the satisfaction of the TRCA. The details of the submission requirements will be outlined in the strategy and plans to be prepared by the Owner to the satisfaction of the TRCA pursuant to Condition 103 above.
105. That prior to site alteration, a detailed wildlife rescue plan (including fish, turtles and amphibians) be prepared by the Owner for any proposed watercourse realignment and enhancement to the satisfaction of the TRCA. The recommendations of the wildlife rescue plan shall be implemented by the Owner to the satisfaction of the TRCA prior to any proposed realignment/modification of the watercourse.
106. That prior to the registration of this Plan or any phase thereof, comprehensive edge management plans/planting plans be prepared by the Owner to the satisfaction of the TRCA for the Open Space areas (Block 154), Woodlot (Block 157) and Open Space Buffers (Blocks 155, 156, 158 and 159).
107. That prior to the registration of this Plan or any phase thereof, a plan be prepared by the Owner that addresses the removal and restoration of historical, man-made intrusions in the Open Space areas (Block 154), Woodlot (Block 157) and Open Space Buffers (Blocks 155, 156, 158 and 159) to the satisfaction of the TRCA, which must include but is not limited to the removal of paths, culverts, structures, fences, debris, etc. and the restoration of these areas to a natural state.
108. That prior to site alteration, a tree protection and preservation plan be prepared by the Owner for the site that examines 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.

109. That prior to the registration of this Plan or any phase thereof, trail plans and details be prepared by the Owner to the satisfaction of the TRCA for areas within and adjacent to the Open Space areas (Block 154), Woodlot (Block 157), Open Space Buffers (Blocks 155, 156, 158 and 159) and Neighbourhood Park Block 152.
110. That the Open Space areas (Block 154), Woodlot (Block 157) and Open Space Buffers (Blocks 155, 156, 158 and 159) be dedicated to the TRCA or the City of Vaughan, free of all charges and encumbrances.
111. That the implementing zoning by-law recognize the Open Space areas (Block 154), Woodlot (Block 157) and Open Space Buffers (Blocks 155, 156, 158 and 159) in an open space, or other suitable environmental zoning category, which has the effect of prohibiting development, to the satisfaction of the TRCA.
112. That the implementing zoning by-law zone all lands located between Street "E" and Street "B" (being Lots 58 to 115 inclusive and Blocks 131, 133, 134, 135, 167 and 168) shown on Draft Plan of Subdivision 19T-10V005, Part of Lot 24, Concession 9, City of Vaughan, Regional Municipality of York, prepared by Humphries Planning Group Inc., revised March 24, 2013, with the Holding Symbol "(H)" to the satisfaction of the TRCA. Removal of the Holding Symbol "(H)" from the subject lands, or a portion thereof, shall be contingent on the following:
  - a) That the Owner demonstrates to the satisfaction of the TRCA that the realignment and enhancement of Tributary A (identified on Figure 2 of the Nashville Heights Natural Heritage Evaluation and Environmental Impact Study, prepared by Beacon Environmental, dated July 2011) to its proposed location within Open Space Block 154 and Open Space Buffer Blocks 155 and 156 has been implemented pursuant to the TRCA approved strategy and plans. This will include, but is not limited to the submission of as-built drawings, revised flood plain modeling, site photos and inspection reports to the satisfaction of the TRCA.
113. That the implementing zoning by-law be prepared to the satisfaction of the TRCA. The draft zoning by-law must be prepared to the satisfaction of the TRCA prior to approval by the City of Vaughan.
114. That a copy of the adopted implementing zoning by-law be provided to the TRCA by the Owner, when available, to facilitate the clearance of conditions of draft plan approval.
115. That the Owner obtain all necessary permits from the TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06) to the satisfaction of the TRCA.
116. That the Owner agrees in the Subdivision Agreement, in wording acceptable to the TRCA:
  - a) to carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the reports and details of the plans referenced in Conditions 96 through 109 inclusive;
  - b) to install and maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period, in a manner satisfactory to the TRCA;
  - c) to obtain all necessary permits from the TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06) to the satisfaction of the TRCA;

- d) to comply with the permits approved under Ontario Regulation 166/06, including the approved plans, reports and conditions, to the satisfaction of the TRCA;
- e) to erect a permanent fence along all residential lots that abut the Open Space areas (Block 154), Woodlot (Block 157) and Open Space Buffers (Blocks 155, 156, 158 and 159) to the satisfaction of the TRCA;
- f) to prohibit grading works within the Open Space areas (Block 154), Woodlot (Block 157) and Open Space Buffers (Blocks 155, 156, 158 and 159) unless approved by the TRCA;
- g) to prohibit retaining walls in or adjacent to the Open Space areas (Block 154), Woodlot (Block 157) and Open Space Buffers (Blocks 155, 156, 158 and 159) unless approved by the TRCA;
- h) to include the following wording in all Agreements of Purchase and Sale to the satisfaction of the TRCA:
  - i) The subject property appears to be partially or entirely located within the following vulnerable area: The Kleinburg Wellhead Protection Area (WHPA).

The CTC (Credit-Toronto-Central Lake Ontario) Source Protection Committee has developed policies under the *Clean Water Act* that will apply to prescribed drinking water threat activities taking place in vulnerable areas in the Toronto and Region Conservation Authority's (TRCA) jurisdiction. The TRCA Source Protection Plan was submitted for provincial approval in October 2012, and will become effective once approved by the Province. The subject lands are located within WHPA "B" and/or "C", where prescribed threat activities in this vulnerable area are classified as low or moderate. Residential property owners within this vulnerable area are encouraged to use best management practices to protect sources of municipal drinking water. Information regarding best management practices and prescribed threat activities may be provided by the municipality or by contacting the TRCA's Source Protection hydrogeologist at 416-661-6600, or by visiting <http://www.ctcswp.ca/> or <http://www.trca.on.ca/>.

117. That a copy of the fully executed Subdivision Agreement be provided to the TRCA by the Owner, when available, in order to expedite the clearance of conditions of draft plan approval.

York Region District (Public) School Board Condition

118. The Owner shall agree to:

- a) That prior to final approval, the Owner shall have made an agreement satisfactory to the York Region District School Board for the transfer of one school site. The public elementary school site, being Block 153, shall contain no less than 2.81 hectares.
- b) That the Owner shall agree in the Subdivision Agreement in wording satisfactory to the York Region District School Board:
  - i) to grade each school block and in so doing compact, fill with clean material, replace any topsoil disturbed in the grading process and at the same time sod/seed the same lands to specifications determined by the Board;
  - ii) to remove any buildings on Block 153;
  - iii) to remove trees, as required to accommodate the school layout;

- iv) to provide a Letter of Credit pertaining to stockpiling and removal of topsoil, by taking the volume of topsoil to be stored upon the school site and multiplying such volume by 200% of the current market prices for waste material disposal, as set forth in the latest version of Hanscomb's Yardsticks for Costing, Cost Data for the Canadian Construction Industry, to the satisfaction of the Board;
  - v) to remove stockpiled topsoil within 30 days of written notice by the Board, and in doing so compact, fill with clean material, replace any topsoil disturbed in the grading process and at the same time sod/seed the same lands to the specifications determined by the Board;
  - vi) to construct a galvanized chain link fence, Type II 1<sup>1/2</sup>" mesh, 1.8 metres in height, along all boundaries of the school block(s), including road frontage(s) at the discretion of the Board;
  - vii) to construct the fences prior to the issuance of Building Permits for Phase 1 of the subdivision;
  - viii) to erect and maintain a sign on the Public School Board site at such time as the relevant access roads are constructed, indicating that the date has not been set for the construction of the school;
  - ix) to provide a geotechnical investigation and Phase I and Phase II Environmental Site Assessments conducted by a qualified engineer. For an elementary school site a minimum of eight (8) boreholes shall be required and for a secondary school site a minimum of sixteen (16) boreholes shall be required;
  - x) to provide testing/reports for archaeological excavations, if required, by the Ministry of Culture or any other relevant body. If the school site is impacted in any way by the results of future testing, an alternative site would need to be accommodated within the Draft Plan;
  - xi) to provide the foregoing at no cost to the Board; and,
  - xii) to assume any upstream and downstream charges for hydro, natural gas, sanitary and storm drainage, and water supply;
- c) That the Owner shall submit to the York Region District School Board, at no cost to the Board, a report from a qualified consultant concerning:
- i) the suitability of Block 153 for school construction purposes, relating to soil bearing factors, surface drainage, topography and environmental contaminants; and,
  - ii) the availability of natural gas, electrical, water, storm sewer and sanitary sewer services.
- d) That the Owner shall agree in the Subdivision Agreement, in wording acceptable to the York Region District School Board, that the services, referred to in Condition c) ii) above, shall be installed to the mid-point of the frontage of the elementary school site (Block 153) and positioned as designed by the Board, at no cost to the Board.
- e) That prior to final approval, the Owner shall submit to the York Region District School Board an initial set of engineering plans for review and approval, and subsequently a copy of the final engineering plans as approved by the City of Vaughan which indicate the storm drainage system, utilities and the overall grading plans for the complete subdivision area.

- f) That prior to final approval, the local hydro authority shall have confirmed in writing to the Board that adequate electrical capacity will be supplied to the school site frontage by the developer at no cost to the Board.
- g) That prior to final approval, the local hydro authority shall have confirmed in writing to the Board that they are satisfied that payment of any upstream and downstream charges will be made by the original developer.
- h) That the Subdivision Agreement include warning clauses advising the City of Vaughan, property owners and purchasers of Lots and Blocks within the Draft Plan that unless the Provincial funding model provides sufficient funds to construct a new school, there can be no assurances as to the timing of new school construction nor a guarantee that public school accommodation will be provided within the subject plan notwithstanding the designation of the school site.

#### York Catholic District School Board Condition

119. Prior to final approval, the City shall be advised by the York Catholic School Board that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the Owner and the School Board.

#### Conseil Scolaire de District Catholique Centre - Sud Condition

120. Prior to final approval, the City shall be advised by the Conseil Scolaire de District Catholique Centre - Sud that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the Owner and the School Board.

#### Canada Post Condition

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

#### Canadian Pacific Railway Condition

122. Prior to final approval of the Plan, the Owner shall agree to address the following to the satisfaction of the Canadian Pacific Railway (CPR):

- a) that the dwelling units will be designed and constructed such that interior and exterior noise levels meet MOE criteria. CPR has reviewed the Environmental Noise Feasibility Study prepared by Valcoustics Canada Ltd. on December 19, 2009 for Nashville Heights - Block 61 and are satisfied with the recommendations contained therein.
- b) a clause shall be inserted in all Offers to Purchase, Agreements of Purchase and Sale or lease and in the title deed or lease of each dwelling unit, 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 expand its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuating 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. Suggested as per the Environmental Noise Feasibility Study is:

"Warning: Canadian Pacific Railway or its assigns or successors in interest has or have a railway right-of-way located within 300 metres from the land subject hereof. There may be alterations to or expansions of the railway facilities and/or operations in the future, which alterations or expansions may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. CPR will not be responsible for complaints or claims arising from the use of its facilities and/or its operations on, over or under the aforesaid right-of-way."

#### Enbridge Gas Distribution Condition

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

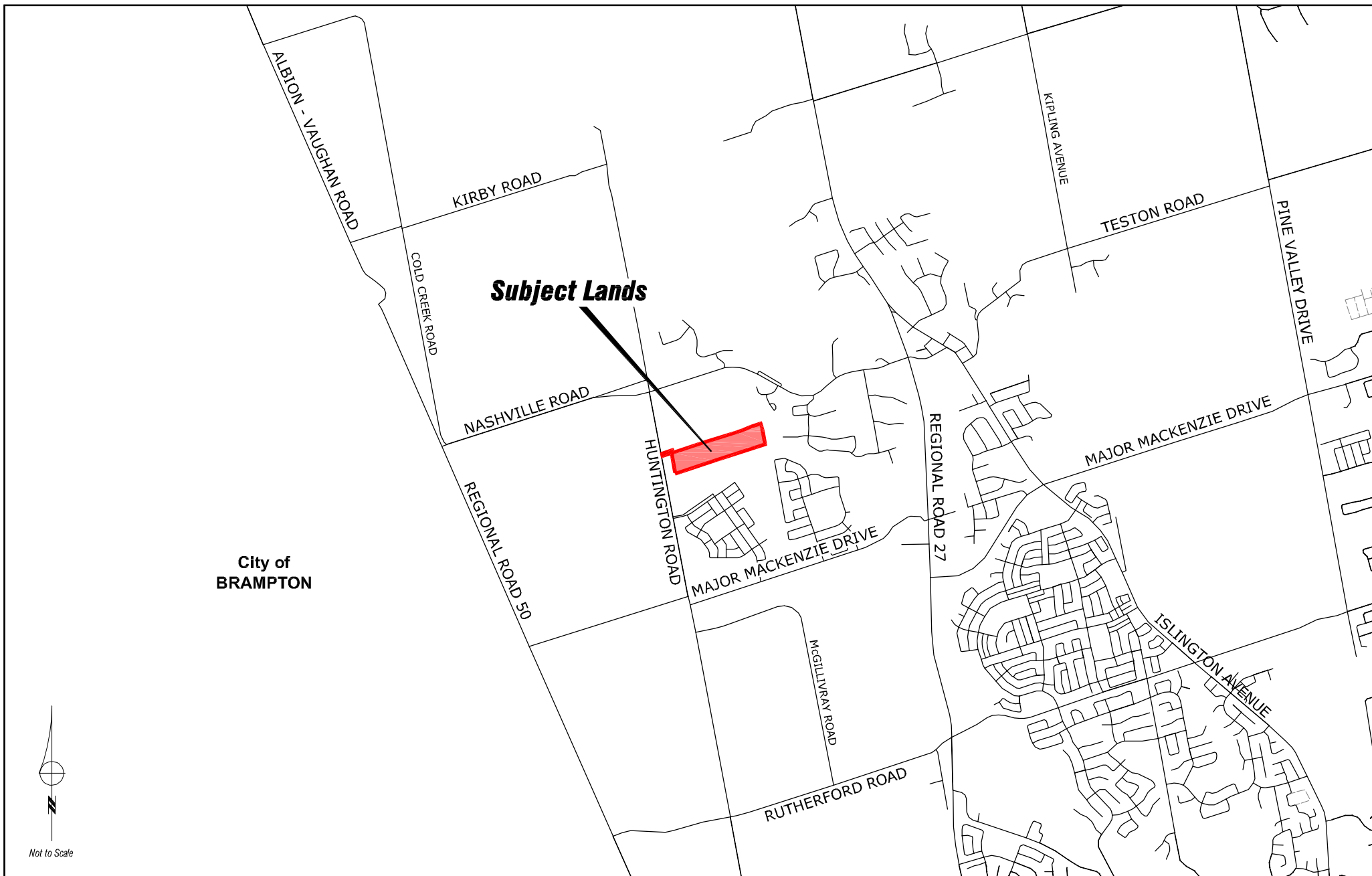
- a) discuss installation and clearance requirements for service and metering facilities with the Enbridge Customer Connections Department;
- b) prepare a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities;
- c) construct streets 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; and,
- f) ensure that the location of the gas shall be a minimum of 0.6 m from the street line.

#### Clearances

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

- a) phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services; and,

- b) all government agencies agree to registration by phases and provide clearances, as required in Conditions 1 to 124 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
125. The City shall advise that Pre-Conditions 1 to 3 inclusive, and Conditions 1 to 77 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
126. The Region of York shall advise that Pre-Conditions 1 to 3 inclusive, and Conditions 78 to 95 inclusive, have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
127. The Toronto and Region Conservation Authority shall advise that Conditions 96 to 117 inclusive, have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
128. The York Region District (Public) School Board shall advise that Condition 118 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.
129. The York Catholic District School Board shall advise that Condition 119 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.
130. The Conseil Scolaire de District Catholique Centre - Sud shall advise that Condition 120 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.
131. Canada Post shall advise that Condition 121 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.
132. Canadian Pacific Railway shall advise that Condition 122 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.
133. Enbridge Gas Distribution shall advise that Condition 123 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 24, Concession 9

APPLICANT:  
Pinestaff Developments Inc.

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## Attachment

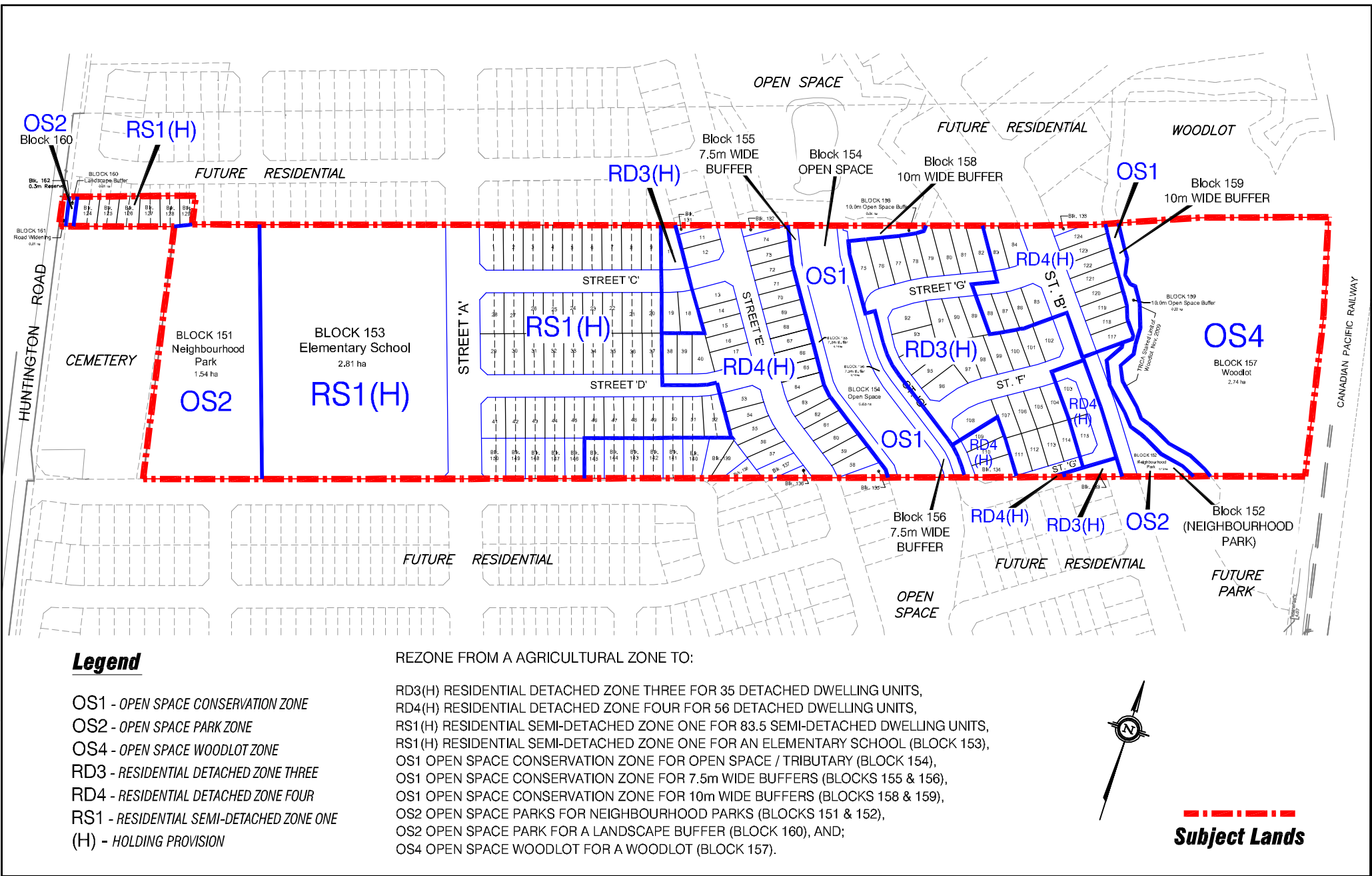
FILES: Z.10.034 & 19T-10V005  
RELATED FILE: OP.06.018

DATE:  
June 18, 2013

2







# Proposed Zoning

LOCATION:  
 Part of Lot 24, Concession 9

APPLICANT:  
 Pinestaff Developments Inc.

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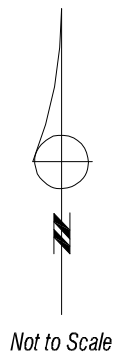
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FILES: Z.10.034 & 19T-10V005  
 RELATED FILE: OP.06.018

DATE:  
 June 18, 2013

4

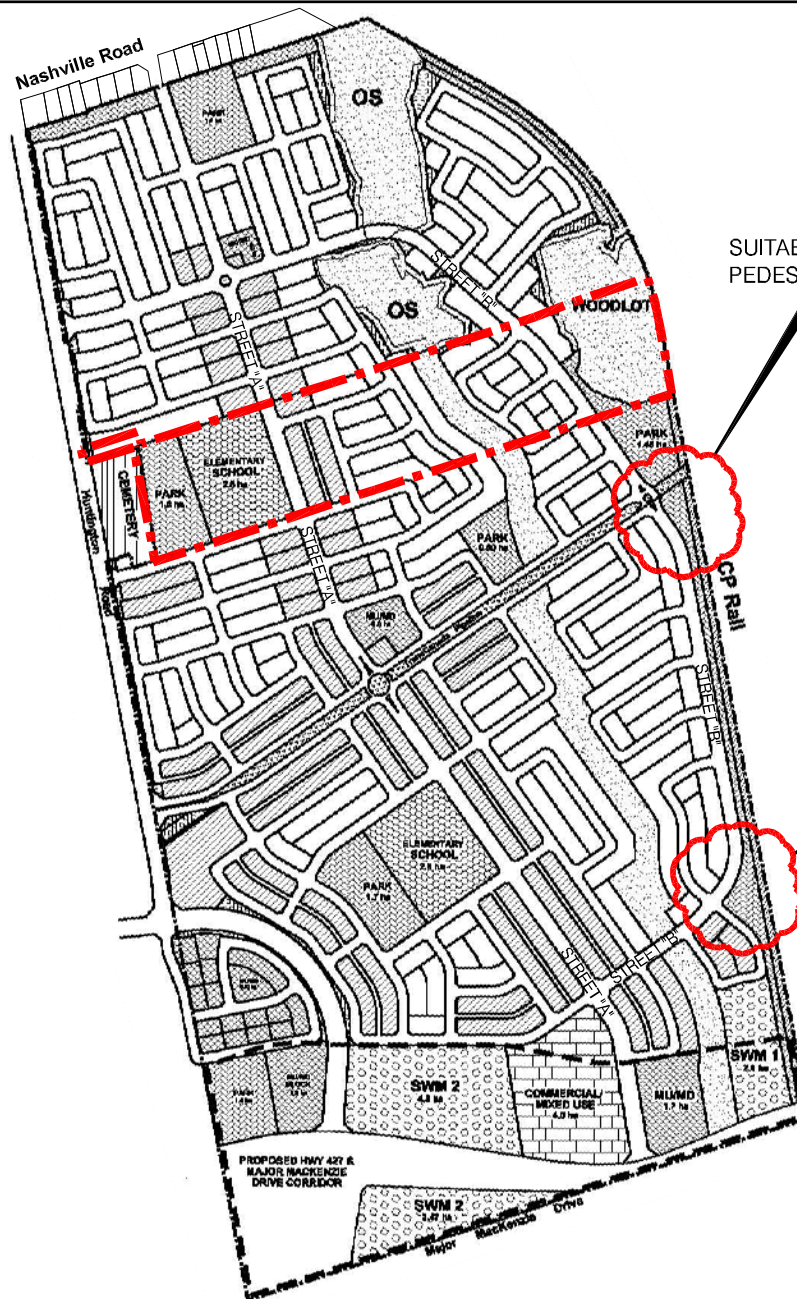




**SUBJECT LANDS**  
(DRAFT PLAN  
19T-10V005)

**Legend**

	Subject Lands		Public Square (Plazas)
	Hwy 427 & Major MacKenzie Drive Special Study Area		Public Open Space / Buffer Areas
	Low Density		Open Space
	Medium Density		Storm Water Management
	Medium Density / Mixed Use		TransCanada Pipeline
	Commercial / Mixed Use		Cemetery
	Schools		
	Parks		



\* SUBJECT TO DETAILED  
FEASIBILITY STUDY

# Block 61 West Block Plan

LOCATION:  
Part of Lot 24, Concession 9

APPLICANT:  
Pinestaff Developments Inc.



## Attachment

FILES: Z.10.034 & 19T-10V005  
RELATED FILE: OP.06.018

DATE:  
June 18, 2013

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