

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013

Item 48, 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 the following:

That paragraph 1. b) ii) be deleted;

That conditional approval be provided pending confirmation (from the applicant and his/her funding sources) of the need for the removal of the "HOLD", to permit the conclusion of the remediation of the site, to the reasonable satisfaction of staff and the acceptance by the applicant and any additional conditions as identified by staff;

That the implementing By-Law be amended accordingly; and

By receiving Communication C21 from Ms. Deborah Alexander, Evans Planning, Keele Street, Vaughan, dated June 25, 2013.

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**ZONING BY-LAW AMENDMENT FILE Z.12.024
DRAFT PLAN OF SUBDIVISION FILE 19T-12V003
1668135 ONTARIO INC.**

WARD 2 - VICINITY OF MARTIN GROVE ROAD AND LANGSTAFF ROAD

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning and the Director of Development Planning, dated June 18, 2013, be approved;**
- 2) That the deputation of Mr. Murray Evans, Evans Planning, be received; and**
- 3) That Communication C8, from Ms. Mary Monaco, dated June 17, 2013, be received.**

Recommendation

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

- 1. THAT Zoning By-law Amendment File Z.12.024 (1668135 Ontario Inc.) BE APPROVED, specifically to amend Zoning By-law 1-88 to:**
 - a) rezone the subject lands shown on Attachments #2 and #3 from A Agricultural Zone and OS1 Open Space Conservation Zone to R5(H) Residential Zone with the Holding Symbol "(H)" (residential lots), OS1 Open Space Conservation Zone (valley lands, buffer, and Hydro Corridor block), OS2 Open Space Park Zone (park block) and A Agricultural Zone (Hydro Corridor blocks), in the manner shown on Attachment #5, together with the site-specific zoning exceptions as identified in Table 1 of this report;**
 - b) the Holding Symbol "(H)" shall not be removed from the lands zoned R5(H) Residential Zone, as shown on Attachment #5, until:**
 - i) Vaughan Council identifies and allocates water supply and sewage servicing capacity to the subject lands; and,**
 - ii) Vaughan is in receipt of confirmation of the Ministry of Environment's Acknowledgement/Registration of the Record of Site Condition; and,**

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- c) the Holding Symbol “(H)” shall not be removed from the lands zoned R5(H) Residential Zone, and identified as Lots 14-18 inclusive, as shown on Attachment #5, until an agreement with the abutting Owner (CP Rail) is obtained, and the City of Vaughan is satisfied with the protection measures for the abutting woodlot, the grading on these lots, the height of retaining walls, fence heights and noise attenuation, and the interface with the abutting public park.
2. THAT Draft Plan of Subdivision File 19T-12V003 (1668135 Ontario Inc.) as shown on Attachment #4, BE APPROVED, as red-lined revised, to facilitate a Draft Plan of Subdivision consisting of 28 lots for semi-detached dwellings (56 units), one lot for a single detached dwelling and blocks for open space uses, subject to the Conditions of Draft Approval set out in Attachment #1 to this report.
3. THAT the subdivision agreement include provisions with regard to the conveyance of the public park and future access over Hydro One Network Inc. (HONI) easement lands to the City of Vaughan.

Contribution to Sustainability

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

Goal 2: To ensure sustainable development and redevelopment.

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

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

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

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

- i) Environmental clean-up of contaminated site prior to development;
- ii) Increased depth of topsoil for lots to assist with rainwater detention and healthier lawns; collection in rain barrels for watering at homeowner's discretion;
- iii) Drought tolerant, native trees and shrubs to be specified for boulevards, parks and open space areas.
- iv) Enhancement and stabilization of Open Space/Valleyland Slope through restoration, bank stabilization works, and naturalization planting programs.
- v) Edge management of adjacent woodlot to be included as part of development which will include additional plantings of native species and removal of invasive species.

Economic Impact

This will be addressed when the technical report is completed.

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Communications Plan

On September 21, 2012, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands and to the West Woodbridge Homeowners' Association. No written comments were received by the Vaughan Development Planning Department from the public with respect to this application. The recommendation of the Committee of the Whole at the Public Hearing on October 16, 2012, to receive the Public Hearing report and forward a comprehensive technical report to a future Committee of the Whole meeting, was ratified by Vaughan Council on October 30, 2012.

Four primary issues with respect to this proposal were identified at the Public Hearing, which were as follows, and are discussed within the report:

1. The development proposal should be sensitive to the protection of the existing wooded area on lands owned by Canadian Pacific Railway to the north of proposed Lots 14-18;
2. The lands beneath the Hydro Corridor, and which are under private ownership, should be regularly maintained;
3. Approval of the application should facilitate and expedite the removal of stockpiled material on site; and,
4. Some of the residents who currently reside on Campania Court are opposed to the inclusion of sidewalks within the proposal. City Staff will be requiring that the proposed subdivision include sidewalks in front of Lots 11-18 (east of Street "A" on the north side of Street "B") in order to provide linkage to the proposed future park and from the park to the existing subdivision to the south of the subject property. The applicant will not be required to provide sidewalks within the remainder of the subdivision. The City intends to protect for the opportunity to include pedestrian trails along the Open Space blocks and through the Hydro Corridor in the future.

Purpose

The Owner has submitted the following applications to facilitate the development of a proposed residential Draft Plan of Subdivision for the subject lands shown on Attachments #2 and #3:

1. Zoning By-law Amendment File Z.12.024 to amend Zoning By-law 1-88, specifically to rezone the subject lands from A Agricultural Zone and OS1 Open Space Conservation Zone to R5(H) Residential Zone with the Holding Symbol "(H)", OS1 Open Space Conservation Zone, OS2 Open Space Park Zone and A Agricultural Zone, in the manner shown on Attachment #5, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. Draft Plan of Subdivision File 19T-12V003 consisting of 28 lots for semi-detached dwellings (56 units), one lot for a single detached dwelling, and open space blocks on the subject lands, as shown on Attachment #4.

Background - Analysis and Options

The subject lands shown on Attachments #2 and #3 are located north of Langstaff Road, east of Martin Grove Road, in Part of Lot 11, Concession 8, City of Vaughan. The lands are currently vacant. The surrounding land uses are shown on Attachment #3.

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Official Plan

The subject lands are designated “Low Density Residential” (tableland) and “Drainage Tributary” (valleyland) by in-effect OPA #240 (Woodbridge Community Plan). The “Low Density Residential” designation permits detached and semi-detached dwelling units at a maximum gross density of 7.4 units/ha, which is calculated on a Neighbourhood Plan basis. A further discussion of the Neighbourhood Plan and density under the in-effect OPA #240, is provided below. The proposed Draft Plan of Subdivision conforms to the in-effect Official Plan.

The subject lands are designated “Low-Rise Residential” and “Natural Areas” by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified on September 27, 2011, March 20, 2011, 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 “Low-Rise Residential” density designation permits single and semi-detached dwellings with no maximum prescribed density. The proposed Draft Plan of Subdivision conforms to the land uses outlined in the new Official Plan. However, some of the environmental standards are based on policies of the in-effect Official Plan. These are discussed in later sections of this report.

Neighbourhood Plan

The subject lands are located within the Neighbourhood 4A Development Plan as shown on Attachment #6, which was approved by Vaughan Council in October 1988, and last revised in 2008. The Neighbourhood Plan deals with land use, transportation and roads, traffic impact and density. The Neighbourhood Plan is implemented through the approval of individual Plans of Subdivision.

To ensure the orderly development of the Woodbridge Community, Section 12(h) in OPA #240, as amended, provides the following:

“To enable the City and the Region to co-ordinate the development of individual Plans of Subdivision and to establish priorities for the provision of municipal and regional services and facilities, the City shall require the preparation and adoption of detailed neighbourhood development plans prior to permitting major development to proceed in certain areas. Such neighbourhood development plans need not form an amendment to this Plan.”

The proposed land use and subdivision design is generally consistent with the Vaughan Council approved Neighbourhood 4A Development Plan with the exception of the road design. The Neighbourhood Plan shows the southerly extension of Campania Court into the subject lands and terminating in a cul-de-sac. The subject Draft Plan proposes that Campania Court be extended to intersect with a perpendicular east/west road that terminates in a cul-de-sac at each end. The Neighbourhood 4A Plan will be updated with the proposed road pattern, should Vaughan Council approve the subject Draft Plan of Subdivision application.

Density

OPA #240 establishes four residential Neighbourhoods for the Woodbridge Community and provides density requirements for each. The subject lands are located within the Neighbourhood 4A Development Plan, which permits a maximum gross density of 7.4 units/ha calculated on a neighbourhood plan basis.

The Neighbourhood 4A Development Plan (Attachment #6) permits a maximum of 1145 units within its boundaries. Based on the number of units built and approved in Neighbourhood 4A, 180 units currently remain for development, which will accommodate the 57 units proposed for this development.

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Zoning

The subject lands are zoned A Agricultural Zone (tableland) and OS1 Open Space Conservation Zone (valleyland) by Zoning By-law 1-88, as shown on Attachment #3. To facilitate the proposed Draft Plan of Subdivision as shown on Attachment #4, a Zoning By-law Amendment is required to rezone the residential tableland to: R5(H) Residential Zone with the addition of the Holding Symbol "(H)"; the valleylands, buffer block, and the noise berm to OS1 Open Space Conservation Zone; the park block to OS2 Open Space Park Zone; and the hydro corridor to A Agricultural Zone, as shown on Attachment #5, together with the following site-specific zoning exceptions:

	By-law Standard	By-law 1-88, R5 Residential Zone Requirements	Proposed Exceptions to the R5 Residential Zone
a.	Minimum Rear Yard	7.5 m	6 m For Lots 1, 2, 4, and 19-27
b.	Minimum Exterior Side Yard	4.5 m	Lot 10 - 2.8 m
c.	Minimum Building Setback to a Sight Triangle	4.5 m	Lot 10 - 2.85 (dwelling) and 1.7 m (to the porch)
d.	Maximum Lot Coverage	50%	All lots - 53%
e.	Section 3.14(c) respecting a covered porch encroachment into a required front yard	0 m	1 m
f.	Section 4.1.1 j) respecting maximum height of retaining walls on a property line between two residential lots	1.0	2.4m (abutting Open Space Blocks)

The implementing zoning by-law will also include:

- Canadian Pacific Railway's (CP) requirement that any dwelling be setback a minimum distance of 30 m from the railway right-of-way;
- a clause that will prohibit the development of structures within 3.0 m of the rear yard for Lots 1-5, 19-29 inclusive, in order to protect the stability of the reconstructed slope over time. This clause will not prevent permissions for decks, where required, provided the structures are not within 3.0 m of the rear lot line; and,
- a clause that will prohibit the development of structures within 2.5 m of the rear yard for Lots 14-18 to provide a buffer to the existing abutting wooded area. This clause will not prevent permissions for City approved fenestration and retaining walls.

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The Development Planning Department is satisfied that the proposed zoning categories and required exceptions to Zoning By-law 1-88 are appropriate. The rezoning, together with the site-specific exceptions, will facilitate a development that is consistent and compatible with the surrounding area. The applicant is requesting a 6.0 m rear yard setback for Lots 1, 2, 4 and 19-27 inclusive. These lots will abut open space blocks that will be conveyed to the City or Toronto and Region Conservation Authority (TRCA) for open space purposes. The Development Planning Department is supportive of these exceptions, that are coupled with an effective 3.0 m “no-build” zone abutting the re-built top-of-bank, which are requirements of the TRCA.

Subdivision Design

The proposed Draft Plan of Subdivision shown on Attachment #4 includes the following site statistics:

Land Use	Lot/Block No.	Area (ha)
Residential	1-29 (Semi-detached 15 m frontage, Detached 11 m frontage)	1.62
Park	30	0.26
Open Space	31-34 and 37	1.70
Hydro Corridor	35 and 36	0.39
Buffer Block	38	0.06
0.3m Reserves	39-40	0.01
Road		0.67
Total		4.71 ha

The proposed Draft Plan of Subdivision shown on Attachment #4 will facilitate the extension of Campania Court and a new east/west public street (Street “B”) that terminates in a cul-de-sac at each end. Campania Court and proposed Street “B” will have a right-of-way width of 18.5 m and 17.5 m, respectively. The proposed development is consistent with the existing Plan of Subdivision (File 19T-06V015) to the south. A total of 28 lots for 56 semi-detached units, each with a 7.5 m frontage and one (1) lot for a single-family dwelling are proposed. The Plan also includes a 0.25 ha park on the eastern limit of the subdivision. The appropriate open space and buffer blocks are proposed, which must be dedicated to the City and/or Toronto and Region Conservation Authority.

Lots 14-18

The Draft Plan of Subdivision includes 5 lots (10 semi-detached units) that abut a woodlot to the north on lands owned by Canadian Pacific Railway (CPR). Development Planning and Development/Transportation Engineering Staff are proposing that the subdivision plan be red-lined to place these lots into a “future development” block to be zoned with the Holding Symbol “(H)” for further review. In addition, Staff are recommending that these lots include a requirement for warning clauses so that prospective purchasers are advised of the issues pertaining to finalization of the plan related to the woodlot in this area. Additional review is required in order to ensure protection of the woodlot; resolve grading issues in the area; reduce the height of required retaining walls; resolve noise attenuation matters; and, the interface with the abutting public park. The applicant will be required to submit applications for Zoning By-law Amendment, with supporting detailed drawings, to remove the Holding Symbol on the Block, and Part Lot Control to create the lot fabric, once these issues have been addressed to the satisfaction of the Vaughan Development Planning and Development/Transportation Engineering Departments.

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The Owner has provided preliminary grading, a tree inventory assessment and an edge management study in this regard. The Owner will be required to meet and dialogue with CPR and obtain the latter's authorization with regard to any work that may be required on CPR lands. Issues related to grading, retaining and noise wall design, noise attenuation, the protection of the woodlot, and the interface with the park, will be subject to further review by City Staff. Further development approvals, including adherence to the City (and Region's) Tree By-law, may be required. Additionally, the supplementary study/work required may result in additional conditions of approval (and Purchase and Sale conditions and/or environmental easements and warning clauses) for the subject lots.

Block 33

Block 33 on Attachment #4 (northwest corner of the subdivision) is required for drainage purposes given the interface with the lands to the north. The final size and configuration of this Block will be determined to the satisfaction of the Vaughan Development/Transportation Engineering Department and the TRCA. A condition to this effect is included in Attachment # 1.

Vaughan Development/Transportation Engineering Department

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

a) Environmental Site Assessment/Environment Documents

The subject lands have been used for the placement of contaminated fill in the past. The Owner has provided Phase I and Phase II Environmental Site Assessment (ESA) Reports, prepared by Jacque Whitford Environmental Ltd. entitled "Final Report for Phase II Subsurface Investigation, Delineation of Impacts and Development of Remedial Options, 5550 Langstaff Road, Vaughan, Ontario" dated August 15, 2000, and a Remedial Action Plan (RAP) prepared by Terra Firma Plus Inc. entitled "Final Remedial Action Plan (RAP), Proposed Residential Subdivision, Phase 2, 5550 Langstaff Road, Vaughan, Ontario" dated May 8, 2012.

The Owner is required to remediate the lands as per the RAP and prepare a new Phase One and Phase Two ESA reports to facilitate the submission of a Record of Site Condition for the subject lands, which will be conditions of the Subdivision Agreement.

The City has reviewed the following documents:

- Evans Planning, letter dated April 2, 2013;
- Skira & Associates Ltd., letter dated March 26, 2013;
- Exp Services Inc., letter dated February 27, 2013;
- Terra Firma Plus Inc., letter dated March 15, 2013;
- Exp Services Inc., letter package dated April 5, 2013, including the attachments;
- Exp Services Inc., report entitled *Surface Water Sampling Program, Phase II Parcel, 5550 Langstaff Road, Vaughan, Ontario*, dated January 7, 2013;
- Exp Services Inc., letter entitled *Reliance on Reports – Phase II Parcel, 5550 Langstaff Road, Vaughan, Ontario* dated April 5, 2013; and,
- Terra Firma Plus Inc. letter entitled *"Dust Control Measures, Proposed Residential Development, Phase II, At 5550 Langstaff Road, City of Vaughan, Ontario"* dated May 24, 2013.

The City is satisfied with the submitted documents and the associated responses to date. No further environmental site assessment related requirements are noted at this time.

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The submission of a Phase One ESA and Phase Two ESA in accordance with O. Reg. 153/04 (as amended) and a Record of Site Condition (RSC) acknowledged by the Ministry of the Environment to the satisfaction of the City are included as conditions of Draft Plan Approval (Attachment #1). Prior to final registration of the Draft Plan of Subdivision, the Owner must demonstrate that the clean-up of the subject lands has been undertaken in conformance with the approvals.

The Development/Transportation Engineering Department has reviewed the Draft Plan of subdivision dated March 15, 2012 and revised on June 3, 2013, prepared by Evans Planning Inc. (the "Draft Plan"), and Functional Servicing Report (FSR) prepared by Skira & Associates Ltd., dated June, 2012, and comment as follows:

b) Road Network

1668135 Ontario Inc. Developments will be serviced by major nearby arterial roads such as Langstaff Road, Martin Grove Road and Kipling Avenue. The proposed access will be from Campania Court to the north of the site. The proposed roadways within the Draft Plan are in accordance with the City's standards.

c) Water Servicing

The Functional Servicing Report confirms that the proposed Draft Plan of Subdivision will be serviced by connecting to the existing 150mm diameter watermain located on Campania Court. The new 150mm diameter watermain will be extended through the new proposed development and will connect to the existing 150mm diameter watermain located on the existing stormwater management facility block located southeast of the proposed development.

d) Sanitary Servicing

The new development is proposed to be serviced by the existing 200mm diameter sanitary sewer located on Gentile Circle (part of Phase 1 development). The existing sanitary sewer has sufficient depth and capacity to service the new proposed development.

e) 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 concept.

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.

f) Storm Drainage

The subject development lies within the Rainbow Creek watershed, being a tributary to the Humber River. The site drains sheet flow in a southerly direction towards Rainbow Creek valley. The watercourse flows southerly crossing Langstaff Road.

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The proposed stormwater sewer system and run-off from the subject development must be properly conveyed to the existing stormwater management facility located southeast of the development lands.

As part of the engineering design and prior to the initiation of any grading within the Draft Plan, the applicant 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:

- (i) Plans illustrating the proposed system and its connection into the existing storm system;
- (ii) Storm water management techniques that may be required to control minor or major flows;
- (iii) Detail all external tributary lands, and include existing development(s); and,
- (iv) 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 Functional Servicing Report.

g) Geotechnical

Given the nature of the grading of the subject lands, the need to remediate the lands and the requirements of the proposed development, the Owner submitted a Global Stability Analyses report prepared by Soil Probe Ltd. Reports were prepared for proposed Lots 19-29 (the Rear Side Slope Section of south side, dated March 7, 2011), and Lots 1-7 (Rear Side Slope Section at West End, dated March 16, 2012).

The findings of the slope stability analysis indicate that the existing slope next to the Rainbow Creek is currently unstable due to the existing fill on the site. After the remediation of the site and the placement of engineered fill, the stability of the slope will improve making the construction of the proposed houses feasible subject to strict filling operations. The soils reports initially recommended that the setbacks from the top-of-bank to the proposed houses on the south side of the development be a minimum of 8.0 metres (Lots 19-29), and between 11.55m and 21.3 metres to the houses on the west side of the development (Lots 1-7), subject to TRCA's review.

Subsequently, the TRCA has reviewed and accepted the Setback Review and Recommendation Addendum Letter to the Slope Stability Analysis Reports submitted for the proposed draft plan dated May 28, 2013 by Delwar Hossain and Daanish Memon of Soil Probe Limited. As outlined in the letter, there are potential engineered solutions. Through the Permit process, TRCA will be requiring that the landowner retain a Geotechnical Consultant to thoroughly test the new slope, during its construction, for adequacy of compaction of the engineered fill and to confirm the test outcomes in writing. As well, the Addendum proposes additional protection works for the reconstructed slope and this will also be required within the Permit for reconstruction. Based on these considerations, the TRCA is satisfied that the 6 metre structural setback (including within it the 3 metre "no structures" setback from the rear yard) can be accommodated.

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 design, earth berm/safety-berm, slope stability, foundation design, and methods for any required slope stabilization within the Draft Plan.

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h) Grading Considerations

The topography of the lands within the draft plan is undulating given the proximity of the Rainbow Creek valley and the previous land filling that has occurred on the site. The applicant has provided a preliminary lot grading plan for the site, which identifies the need for a significant amount of earthworks to achieve standard lot grading together with substantial sections of high retaining walls. The preliminary grading identifies the need for retaining walls as high as 2.5 metres along the rear of Lots 19 to 26 next to the valley and along the rear of Lots 14 to 18 next to the woodlot. In addition, retaining walls potentially up to 3.4 metres in height will be required adjacent to the cul-du-sac on the east leg of Street B.

Given the topographical constraints on this site, and that this is an infill development, Staff can support the use of retaining walls in most of the proposed locations on the draft plan but has concerns with design of the retaining walls on Lots 14 to 18. The retaining wall along the rear of Lots 14 to 18 has a maximum height of 2.5 metres and is being proposed to accommodate the grade difference between the existing woodlot and the proposed lot grades. Given the substantial grade difference, the retaining wall may need to be tiered, which potentially could take up a good part of the back yard amenity space. It is unclear at this point whether this retaining wall will have an impact on the adjacent woodlot, the proposed park, and the surrounding drainage.

In addition, the noise report identifies the need for a 2.5 metre high noise fence along the rear of Lots 17 and 18 to mitigate rail noise, which will need to be placed on top of the retaining wall. This will effectively result in a 5.0 metre vertical barrier in the rear yards of these lots, which is undesirable from both an engineering and a livability perspective.

These issues need further study to determine if there are more effective grading solutions that take into account City woodlot protection and restoration objectives. Accordingly, if this draft plan proceeds, Staff is recommending that Lots 14 to 18 be placed in a block, which will be subject to further review.

i) Environmental Noise Impact

The applicant has provided a preliminary noise and vibration impact feasibility report dated December 22, 2011, and additional letter dated May 31, 2013, prepared by J.E Coulter Associates Ltd. that identify noise sources that will impact the Draft Plan such as railway noise from the CP railway. The traffic volumes generated by roadways within this development are minimal, servicing the local housing only and will have no impact on this development. These reports provide recommendations that include typical measures to develop the proposed lots and mitigate the noise sources such as acoustic barriers, safety berm, air conditioning, warning clauses and potentially upgraded building components and foundations.

The Acoustic Consultant has proposed a 2.5 metre high Acoustic fence along the rear yards of Lots 17 and 18 and along the side yard of Lot 18 to the north façade of the home to mitigate the noise sources. Another acoustic fence will be required along the east side of Lot 19. The dwellings on these lots will also require central air conditioning.

The applicant is required to submit final noise and railway vibration reports for review and approval by the City as part of the detailed engineering submission when the grading design is typically established. The City requires all dwelling units that are close to the CP railway to 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 0.3m road reserve.

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j) Street-lighting

The design and type of street-lighting in the Plan shall meet City standards, which includes the illumination of the local road. 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. The type of street-lighting should be the same as the abutting subdivision (19T-88009) and approved by PowerStream.

Ministry of the Environment (MOE)

The Owner of the subject lands also submitted Plan of Subdivision File 19T-06V15 for the subdivision to the south that was approved by Vaughan Council in May 2008 and is now constructed. The plan included 43 lots (86 semi-detached units) together with open space, stormwater management, and access blocks. The subject lands and the subdivision lands to the south have been used for the placement of contaminated fill in the past. As part of the approvals of the first Plan of Subdivision File 19T-06V15, the Owner submitted the required reports to address the proper clean-up of the lands. The City of Vaughan, with the assistance of Terrapex Environmental Ltd., the City's peer reviewer, approved a Remedial Action Plan that was submitted by the Owner.

On December 22, 2009, the Ministry of the Environment (MOE) issued an Order to ensure the estimated 16,700 tonnes of waste that was excavated on the lands subject to File 19T-06V15 (southern subdivision) and had been stockpiled in the northern portion of the subject lands be removed from the property in a manner that protected the nearby residential community and the natural environment from deleterious environmental impacts. On May 16, 2013, the MOE issued another Order to remove all stockpiled waste by September 20, 2013, and to submit a Waste Processing Plan by June 21, 2013. Discussions with the landowner, MOE staff and site visits confirm that this work is underway.

Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority (TRCA) supports the approval of the applications, subject to their Conditions of Approval in Attachment #1. The TRCA is satisfied that the Zoning By-law Amendment application is acceptable to proceed on the basis that Blocks 31, 32, 33, 34 and 37 as shown on Attachment #4, being the lands forming part of the valley and stream corridor are appropriately zoned into an Open Space Zone or similar zoning category that would prohibit any development of the said lands. The TRCA also requested that a minimum depth of 3m from the rear lot line of the residential lots abutting the aforementioned blocks be zoned in a manner that prohibits structures (excluding boundary fences). The intent is to protect the stability of the reconstructed slope over time. Conditions to this effect are included in this report.

The TRCA has requested further discussion with the City of Vaughan and the Ministry of Environment regarding the conveyance of the valleyland blocks into public ownership in order to ensure the long term protection of these lands. This will be subject to future discussion with the City and MOE.

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The TRCA has reviewed and accepted the Setback Review and Recommendation Addendum Letter to the Slope Stability Analysis Reports submitted for the proposed draft plan dated May 28, 2013 by Delwar Hossain and Daanish Memon of Soil Probe Limited. As outlined in the letter, there are potential engineered solutions. Through the Permit process, TRCA will be requiring that the landowner retain a Geotechnical Consultant to thoroughly test the new slope, during its construction, for adequacy of compaction of the engineered fill and to confirm the results in writing. As well, the Addendum proposes additional protection works for the reconstructed slope and this will also be required within the Permit for reconstruction. Based on these considerations, the TRCA is satisfied that the 6 metre rear yard structural setback (including within it the 3 metre "no structures" setback from the rear yard) can be accommodated.

With respect to Block 33 (the recently proposed block at the northwest corner of the site), TRCA supports the proposed condition that the final size and configuration of the Block be determined prior to registration of the subdivision.

The TRCA also notes that as part of the on-going development process, the Owner has submitted a Permit Application pursuant to Ontario Regulation 166/06, in order to proceed with the remedial works.

Vaughan Cultural Services Division

The Vaughan Cultural Services Division has no objection to the approval of the applications, subject to their conditions of approval in Attachment #1.

Vaughan Parks Development Department

The Vaughan Parks Development Department has no objections to the approval of the subject applications. The Owner is proposing to convey Block 30 as a park. The Parks Development Department has provided the following comments:

- The slope of the proposed parks needs to be finalized. Sodded areas that are required to be mowed shall not have slopes that exceed 3:1;
- The location of all proposed trees shall be further discussed. The location and distance from proposed property lines will need to be discussed by Parks Development staff;
- The proposed retaining wall system located adjacent to the Park Block will need to be further discussed with Engineering Staff. The proposed design and location may affect the future maintenance of the park block;
- Clarification will need to be provided regarding the proposed retaining wall system proposed within the park block and the adjacent open space, which is located to the southern edge of the proposed park block;
- The proposed storm water design brief for the park block will need to identify the proposed overland flows for the proposed park block, which will require the City's Engineering Department approval;
- Confirmation is required regarding the works proposed to the lands located adjacent to the park block (northern edge). These lands are currently owned by CP Rail and substantial servicing works are proposed by the applicant;

The exact configuration and size of the Park Block will be determined through detailed design and prior to registration of the M-Plan. Open Space and stormwater pond areas shall not form part of the cash-in-lieu of parkland dedication calculation. The parkland credit shall be calculated based on the approved block size and configuration.

CITY OF VAUGHAN

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Vaughan Real Estate Division

The Planning Act requires the dedication of parkland equivalent to 5% or 1 ha per 300 units. 5% of the developable land (4.71 Ha) would equal 0.235Ha. The applicant is proposing 0.26 Ha for the park. Therefore, no cash-in-lieu would be required because the applicant has satisfied the dedication of land for park purposes. The subdivision agreement shall include provisions regarding the conveyance of the parkland.

School Boards

The York Region District and York Region Catholic District School Boards have no objection to the approval of the applications, subject to their conditions of approval included in Attachment #1.

Canada Post

Canada Post has no objection to the approval of the applications, subject to their conditions of approval included in Attachment #1.

Canadian Pacific Railway

Canadian Pacific Railway has no objection to the approval of the Draft Plan of Subdivision and Zoning By-law Amendment applications, subject to their conditions of approval included in Attachment #1.

Hydro One Networks Inc.

Hydro One Networks Inc. has no objection to the approval of the Draft Plan of Subdivision and Zoning By-law Amendment applications, subject to their conditions of approval included in Attachment #1. The Draft Plan of Subdivision includes Blocks 35 and 36 that comprise the hydro corridor. These lands will be zoned as A Agricultural Zone, and will remain under private ownership. It is the responsibility of the Owner to maintain the lands in accordance with the agreement with Hydro One.

As a condition of Subdivision approval, the Owner will also be required to enter into an Agreement with the City of Vaughan to ensure maintenance of the said lands, and to permit the City of Vaughan to create a trail system if deemed desirable in the future. The Owner will also be required to provide a public easement on private lands to facilitate the future trail as a condition of Subdivision approval. The Agreement with the City must be transferable should the lands be sold by the current Owner.

As a condition of Subdivision approval, the Development Planning Department will require the Owner to include a warning clause in the Agreements of Purchase and Sale for all Owners/Tenants that Hydro One Networks Inc. may upgrade service, or remove and replace hydro towers at any time at its discretion.

Enbridge Gas Distribution

Enbridge Gas Distribution has no objection to the approval of the subject applications subject to their 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:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013

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i) Lead & Promote Environmental Sustainability

Committed to protecting and enhancing the natural and built environments through the efficient use of resources.

ii) Manage Growth and Economic Well Being

The proposed development conforms to the in-effect Official Plan and VOP 2010.

iii) Promote Community Safety, Health & Wellness

The proposed development includes a public park to enhance the City's existing inventory of public amenity space.

Regional Implications

The Region of York has no objection to the approval of the Draft Plan of Subdivision, provided water and sewer servicing capacity has been allocated, and subject to their conditions of approval outlined in Attachment #1.

Conclusion

The Vaughan Development Planning Department has reviewed the Draft Plan of Subdivision and Zoning By-law Amendment Applications to permit a 28 lot subdivision to facilitate 56 semi-detached units and one lot for a single-family dwelling, together with open space blocks. The proposal conforms to the policies of the Official Plan, and is generally consistent with the approved Neighbourhood 4A Development Plan and compatible with development in the surrounding area. The proposed zoning categories and exceptions to Zoning By-law 1-88 are considered to be appropriate. Accordingly, the Development Planning Department recommends that the applications be approved, subject to the conditions of approval set out in the recommendation of this report.

Attachments

1. Conditions of Draft Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Subdivision File 19T-12V003
5. Proposed Zoning
6. Neighbourhood 4A Plan

Report prepared by:

Clement Messere, Planner, ext. 8409

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.)

Magnifico, Rose

Subject:

FW: Draft Plan of Subdivision File 19T-12V003

c <u>8</u>
Communication
CW: <u>June 18/13</u>
Item: <u>48</u>

From: MARY MONACO [<mailto:mary.monaco@rogers.com>]

Sent: Monday, June 17, 2013 06:52 PM

To: Messere, Clement; Carella, Tony; Lee, Andy

Cc: MARY MONACO <mary.monaco@rogers.com>; Gerry Monaco <gerry.monaco@rogers.com>

Subject: Draft Plan of Subdivision File 19T-12V003

Good Evening,

Thank you for bringing to our attention the proposed Subdivision plan for the vacant land South of Campania Court.

My husband and I would like to actively participate in the decisions that are occurring with respect to the development surrounding us however a notification of the night before is not sufficient for us to clear up our calendars.

- 1) How far in advance is the city aware of these meetings?
- 2) Have all the impacted residents been notified?

I have reviewed the plan and glanced through the Staff report that is available on the City's web-site. It's nice that at least as part of this plan, the city is extending an existing road (Campania Court) in order to accommodate access to the new dwellings.

I have questioned numerous times in the past why City Planning would not do the same with respect to the vacant lot directly behind my home 55 Sicilia street. If you are already extending Campania Court for other adjacent development why would you not plan to extend logically this road for the development on lot R5(H). Why would you put a private road parallel to hydro line and negatively impact the home owners on Sicila Street where it will be difficult for fire trucks, garbage trucks, etc to access?

I was told the reason why Campania Court could not be extended for the purpose of development on R5(H) was that "both lands in question are owned by different developers"

I'd like to understand then why the Notice I just received for Draft Plan of subdivision file 19T-12V003 sites Applicant "1668135 Ontario Inc." and the MOE Provincial Officer's Order to mandate removal of the construction stockpile on R5 (H) by a specified date and within MOE guidelines also sights one of the owners as "1668135 Ontario Inc." It clearly states in section 3 of the order that 1668135 Ontario Inc. is being ordered as the company has been owner of the site since December 14, 2007.

I once again want the City to know that as community we DO NOT want a private road degrading our community. It makes no sense and is going to create a horrible parking lot of cars and garbage cans.

Please advise once again how our concern is being addressed. Ultimately its the City of Vaughan that drives and approves the planning of our city. Please don't advise that you are not able to direct the right decision on this.

To conclude, when is the development south of Campania planned to begin? I see trucks working away at filling land and leveling however won't that be wasted effort once the other clean up behind my house finally happens?

Please bring my concerns forward at tomorrow's meeting and I look forward to a proper understanding of why the City of Vaughan is being forced to accept a private road to access homes when clearly there are other more favourable options.

Thank you

Mary Monaco
mary.monaco@rogers.com

This e-mail, including any attachment(s), may be confidential and is intended solely for the attention and information of the named addressee(s). If you are not the intended recipient or have received this message in error, please notify me immediately by return e-mail and permanently delete the original transmission from your computer, including any attachment(s). Any unauthorized distribution, disclosure or copying of this message and attachment(s) by anyone other than the recipient is strictly prohibited.

COMMITTEE OF THE WHOLE JUNE 18, 2013

**ZONING BY-LAW AMENDMENT FILE Z.12.024
DRAFT PLAN OF SUBDIVISION FILE 19T-12V003
1668135 ONTARIO INC.
WARD 2 - VICINITY OF MARTIN GROVE ROAD AND LANGSTAFF ROAD**

Recommendation

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

1. THAT Zoning By-law Amendment File Z.12.024 (1668135 Ontario Inc.) BE APPROVED, specifically to amend Zoning By-law 1-88 to:
 - a) rezone the subject lands shown on Attachments #2 and #3 from A Agricultural Zone and OS1 Open Space Conservation Zone to R5(H) Residential Zone with the Holding Symbol “(H)” (residential lots), OS1 Open Space Conservation Zone (valley lands, buffer, and Hydro Corridor block), OS2 Open Space Park Zone (park block) and A Agricultural Zone (Hydro Corridor blocks), in the manner shown on Attachment #5, together with the site-specific zoning exceptions as identified in Table 1 of this report;
 - b) the Holding Symbol “(H)” shall not be removed from the lands zoned R5(H) Residential Zone, as shown on Attachment #5, until:
 - i) Vaughan Council identifies and allocates water supply and sewage servicing capacity to the subject lands; and,
 - ii) Vaughan is in receipt of confirmation of the Ministry of Environment’s Acknowledgement/Registration of the Record of Site Condition; and,
 - c) the Holding Symbol “(H)” shall not be removed from the lands zoned R5(H) Residential Zone, and identified as Lots 14-18 inclusive, as shown on Attachment #5, until an agreement with the abutting Owner (CP Rail) is obtained, and the City of Vaughan is satisfied with the protection measures for the abutting woodlot, the grading on these lots, the height of retaining walls, fence heights and noise attenuation, and the interface with the abutting public park.
2. THAT Draft Plan of Subdivision File 19T-12V003 (1668135 Ontario Inc.) as shown on Attachment #4, BE APPROVED, as red-lined revised, to facilitate a Draft Plan of Subdivision consisting of 28 lots for semi-detached dwellings (56 units), one lot for a single detached dwelling and blocks for open space uses, subject to the Conditions of Draft Approval set out in Attachment #1 to this report.
3. THAT the subdivision agreement include provisions with regard to the conveyance of the public park and future access over Hydro One Network Inc. (HONI) easement lands to the City of Vaughan.

Contribution to Sustainability

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

Goal 2: To ensure sustainable development and redevelopment.

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

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

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

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

- i) Environmental clean-up of contaminated site prior to development;
- ii) Increased depth of topsoil for lots to assist with rainwater detention and healthier lawns; collection in rain barrels for watering at homeowner's discretion;
- iii) Drought tolerant, native trees and shrubs to be specified for boulevards, parks and open space areas.
- iv) Enhancement and stabilization of Open Space/Valleyland Slope through restoration, bank stabilization works, and naturalization planting programs.
- v) Edge management of adjacent woodlot to be included as part of development which will include additional plantings of native species and removal of invasive species.

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

On September 21, 2012, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands and to the West Woodbridge Homeowners' Association. No written comments were received by the Vaughan Development Planning Department from the public with respect to this application. The recommendation of the Committee of the Whole at the Public Hearing on October 16, 2012, to receive the Public Hearing report and forward a comprehensive technical report to a future Committee of the Whole meeting, was ratified by Vaughan Council on October 30, 2012.

Four primary issues with respect to this proposal were identified at the Public Hearing, which were as follows, and are discussed within the report:

1. The development proposal should be sensitive to the protection of the existing wooded area on lands owned by Canadian Pacific Railway to the north of proposed Lots 14-18;
2. The lands beneath the Hydro Corridor, and which are under private ownership, should be regularly maintained;
3. Approval of the application should facilitate and expedite the removal of stockpiled material on site; and,
4. Some of the residents who currently reside on Campania Court are opposed to the inclusion of sidewalks within the proposal. City Staff will be requiring that the proposed subdivision include sidewalks in front of Lots 11-18 (east of Street "A" on the north side of Street "B") in order to provide linkage to the proposed future park and from the park to the existing subdivision to the south of the subject property. The applicant will not be required to provide sidewalks within the remainder of the subdivision. The City intends to

protect for the opportunity to include pedestrian trails along the Open Space blocks and through the Hydro Corridor in the future.

Purpose

The Owner has submitted the following applications to facilitate the development of a proposed residential Draft Plan of Subdivision for the subject lands shown on Attachments #2 and #3:

1. Zoning By-law Amendment File Z.12.024 to amend Zoning By-law 1-88, specifically to rezone the subject lands from A Agricultural Zone and OS1 Open Space Conservation Zone to R5(H) Residential Zone with the Holding Symbol "(H)", OS1 Open Space Conservation Zone, OS2 Open Space Park Zone and A Agricultural Zone, in the manner shown on Attachment #5, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. Draft Plan of Subdivision File 19T-12V003 consisting of 28 lots for semi-detached dwellings (56 units), one lot for a single detached dwelling, and open space blocks on the subject lands, as shown on Attachment #4.

Background - Analysis and Options

The subject lands shown on Attachments #2 and #3 are located north of Langstaff Road, east of Martin Grove Road, in Part of Lot 11, Concession 8, City of Vaughan. The lands are currently vacant. The surrounding land uses are shown on Attachment #3.

Official Plan

The subject lands are designated "Low Density Residential" (tableland) and "Drainage Tributary" (valleyland) by in-effect OPA #240 (Woodbridge Community Plan). The "Low Density Residential" designation permits detached and semi-detached dwelling units at a maximum gross density of 7.4 units/ha, which is calculated on a Neighbourhood Plan basis. A further discussion of the Neighbourhood Plan and density under the in-effect OPA #240, is provided below. The proposed Draft Plan of Subdivision conforms to the in-effect Official Plan.

The subject lands are designated "Low-Rise Residential" and "Natural Areas" by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified on September 27, 2011, March 20, 2011, 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 "Low-Rise Residential" density designation permits single and semi-detached dwellings with no maximum prescribed density. The proposed Draft Plan of Subdivision conforms to the land uses outlined in the new Official Plan. However, some of the environmental standards are based on policies of the in-effect Official Plan. These are discussed in later sections of this report.

Neighbourhood Plan

The subject lands are located within the Neighbourhood 4A Development Plan as shown on Attachment #6, which was approved by Vaughan Council in October 1988, and last revised in 2008. The Neighbourhood Plan deals with land use, transportation and roads, traffic impact and density. The Neighbourhood Plan is implemented through the approval of individual Plans of Subdivision.

To ensure the orderly development of the Woodbridge Community, Section 12(h) in OPA #240, as amended, provides the following:

“To enable the City and the Region to co-ordinate the development of individual Plans of Subdivision and to establish priorities for the provision of municipal and regional services and facilities, the City shall require the preparation and adoption of detailed neighbourhood development plans prior to permitting major development to proceed in certain areas. Such neighbourhood development plans need not form an amendment to this Plan.”

The proposed land use and subdivision design is generally consistent with the Vaughan Council approved Neighbourhood 4A Development Plan with the exception of the road design. The Neighbourhood Plan shows the southerly extension of Campania Court into the subject lands and terminating in a cul-de-sac. The subject Draft Plan proposes that Campania Court be extended to intersect with a perpendicular east/west road that terminates in a cul-de-sac at each end. The Neighbourhood 4A Plan will be updated with the proposed road pattern, should Vaughan Council approve the subject Draft Plan of Subdivision application.

Density

OPA #240 establishes four residential Neighbourhoods for the Woodbridge Community and provides density requirements for each. The subject lands are located within the Neighbourhood 4A Development Plan, which permits a maximum gross density of 7.4 units/ha calculated on a neighbourhood plan basis.

The Neighbourhood 4A Development Plan (Attachment #6) permits a maximum of 1145 units within its boundaries. Based on the number of units built and approved in Neighbourhood 4A, 180 units currently remain for development, which will accommodate the 57 units proposed for this development.

Zoning

The subject lands are zoned A Agricultural Zone (tableland) and OS1 Open Space Conservation Zone (valleyland) by Zoning By-law 1-88, as shown on Attachment #3. To facilitate the proposed Draft Plan of Subdivision as shown on Attachment #4, a Zoning By-law Amendment is required to rezone the residential tableland to: R5(H) Residential Zone with the addition of the Holding Symbol “(H)”; the valleylands, buffer block, and the noise berm to OS1 Open Space Conservation Zone; the park block to OS2 Open Space Park Zone; and the hydro corridor to A Agricultural Zone, as shown on Attachment #5, together with the following site-specific zoning exceptions:

	By-law Standard	By-law 1-88, R5 Residential Zone Requirements	Proposed Exceptions to the R5 Residential Zone
a.	Minimum Rear Yard	7.5 m	6 m For Lots 1, 2, 4, and 19-27
b.	Minimum Exterior Side Yard	4.5 m	Lot 10 - 2.8 m
c.	Minimum Building Setback to a Sight Triangle	4.5 m	Lot 10 - 2.85 (dwelling) and 1.7 m (to the porch)
d.	Maximum Lot Coverage	50%	All lots - 53%

e.	Section 3.14(c) respecting a covered porch encroachment into a required front yard	0 m	1 m
f.	Section 4.1.1 j) respecting maximum height of retaining walls on a property line between two residential lots	1.0	2.4m (abutting Open Space Blocks)

The implementing zoning by-law will also include:

- Canadian Pacific Railway's (CP) requirement that any dwelling be setback a minimum distance of 30 m from the railway right-of-way;
- a clause that will prohibit the development of structures within 3.0 m of the rear yard for Lots 1-5, 19-29 inclusive, in order to protect the stability of the reconstructed slope over time. This clause will not prevent permissions for decks, where required, provided the structures are not within 3.0 m of the rear lot line; and,
- a clause that will prohibit the development of structures within 2.5 m of the rear yard for Lots 14-18 to provide a buffer to the existing abutting wooded area. This clause will not prevent permissions for City approved fenestration and retaining walls.

The Development Planning Department is satisfied that the proposed zoning categories and required exceptions to Zoning By-law 1-88 are appropriate. The rezoning, together with the site-specific exceptions, will facilitate a development that is consistent and compatible with the surrounding area. The applicant is requesting a 6.0 m rear yard setback for Lots 1, 2, 4 and 19-27 inclusive. These lots will abut open space blocks that will be conveyed to the City or Toronto and Region Conservation Authority (TRCA) for open space purposes. The Development Planning Department is supportive of these exceptions, that are coupled with an effective 3.0 m "no-build" zone abutting the re-built top-of-bank, which are requirements of the TRCA.

Subdivision Design

The proposed Draft Plan of Subdivision shown on Attachment #4 includes the following site statistics:

Land Use	Lot/Block No.	Area (ha)
Residential	1-29 (Semi-detached 15 m frontage, Detached 11 m frontage)	1.62
Park	30	0.26
Open Space	31-34 and 37	1.70
Hydro Corridor	35 and 36	0.39
Buffer Block	38	0.06
0.3m Reserves	39-40	0.01
Road		0.67
Total		4.71 ha

The proposed Draft Plan of Subdivision shown on Attachment #4 will facilitate the extension of Campania Court and a new east/west public street (Street "B") that terminates in a cul-de-sac at

each end. Campania Court and proposed Street "B" will have a right-of-way width of 18.5 m and 17.5 m, respectively. The proposed development is consistent with the existing Plan of Subdivision (File 19T-06V015) to the south. A total of 28 lots for 56 semi-detached units, each with a 7.5 m frontage and one (1) lot for a single-family dwelling are proposed. The Plan also includes a 0.25 ha park on the eastern limit of the subdivision. The appropriate open space and buffer blocks are proposed, which must be dedicated to the City and/or Toronto and Region Conservation Authority.

Lots 14-18

The Draft Plan of Subdivision includes 5 lots (10 semi-detached units) that abut a woodlot to the north on lands owned by Canadian Pacific Railway (CPR). Development Planning and Development/Transportation Engineering Staff are proposing that the subdivision plan be red-lined to place these lots into a "future development" block to be zoned with the Holding Symbol "(H)" for further review. In addition, Staff are recommending that these lots include a requirement for warning clauses so that prospective purchasers are advised of the issues pertaining to finalization of the plan related to the woodlot in this area. Additional review is required in order to ensure protection of the woodlot; resolve grading issues in the area; reduce the height of required retaining walls; resolve noise attenuation matters; and, the interface with the abutting public park. The applicant will be required to submit applications for Zoning By-law Amendment, with supporting detailed drawings, to remove the Holding Symbol on the Block, and Part Lot Control to create the lot fabric, once these issues have been addressed to the satisfaction of the Vaughan Development Planning and Development/Transportation Engineering Departments.

The Owner has provided preliminary grading, a tree inventory assessment and an edge management study in this regard. The Owner will be required to meet and dialogue with CPR and obtain the latter's authorization with regard to any work that may be required on CPR lands. Issues related to grading, retaining and noise wall design, noise attenuation, the protection of the woodlot, and the interface with the park, will be subject to further review by City Staff. Further development approvals, including adherence to the City (and Region's) Tree By-law, may be required. Additionally, the supplementary study/work required may result in additional conditions of approval (and Purchase and Sale conditions and/or environmental easements and warning clauses) for the subject lots.

Block 33

Block 33 on Attachment #4 (northwest corner of the subdivision) is required for drainage purposes given the interface with the lands to the north. The final size and configuration of this Block will be determined to the satisfaction of the Vaughan Development/Transportation Engineering Department and the TRCA. A condition to this effect is included in Attachment # 1.

Vaughan Development/Transportation Engineering Department

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

a) Environmental Site Assessment/Environment Documents

The subject lands have been used for the placement of contaminated fill in the past. The Owner has provided Phase I and Phase II Environmental Site Assessment (ESA) Reports, prepared by Jacque Whitford Environmental Ltd. entitled "Final Report for Phase II Subsurface Investigation, Delineation of Impacts and Development of Remedial Options, 5550 Langstaff Road, Vaughan, Ontario" dated August 15, 2000, and a Remedial Action Plan (RAP) prepared by Terra Firma Plus Inc. entitled "Final Remedial Action Plan (RAP), Proposed Residential Subdivision, Phase 2, 5550 Langstaff Road, Vaughan, Ontario" dated May 8, 2012.

The Owner is required to remediate the lands as per the RAP and prepare a new Phase One and Phase Two ESA reports to facilitate the submission of a Record of Site Condition for the subject lands, which will be conditions of the Subdivision Agreement.

The City has reviewed the following documents:

- Evans Planning, letter dated April 2, 2013;
- Skira & Associates Ltd., letter dated March 26, 2013;
- Exp Services Inc., letter dated February 27, 2013;
- Terra Firma Plus Inc., letter dated March 15, 2013;
- Exp Services Inc., letter package dated April 5, 2013, including the attachments;
- Exp Services Inc., report entitled *Surface Water Sampling Program, Phase II Parcel, 5550 Langstaff Road, Vaughan, Ontario*, dated January 7, 2013;
- Exp Services Inc., letter entitled *Reliance on Reports – Phase II Parcel, 5550 Langstaff Road, Vaughan, Ontario* dated April 5, 2013; and,
- Terra Firma Plus Inc. letter entitled *“Dust Control Measures, Proposed Residential Development, Phase II, At 5550 Langstaff Road, City of Vaughan, Ontario”* dated May 24, 2013.

The City is satisfied with the submitted documents and the associated responses to date. No further environmental site assessment related requirements are noted at this time.

The submission of a Phase One ESA and Phase Two ESA in accordance with O. Reg. 153/04 (as amended) and a Record of Site Condition (RSC) acknowledged by the Ministry of the Environment to the satisfaction of the City are included as conditions of Draft Plan Approval (Attachment #1). Prior to final registration of the Draft Plan of Subdivision, the Owner must demonstrate that the clean-up of the subject lands has been undertaken in conformance with the approvals.

The Development/Transportation Engineering Department has reviewed the Draft Plan of subdivision dated March 15, 2012 and revised on June 3, 2013, prepared by Evans Planning Inc. (the “Draft Plan”), and Functional Servicing Report (FSR) prepared by Skira & Associates Ltd., dated June, 2012, and comment as follows:

b) Road Network

1668135 Ontario Inc. Developments will be serviced by major nearby arterial roads such as Langstaff Road, Martin Grove Road and Kipling Avenue. The proposed access will be from Campania Court to the north of the site. The proposed roadways within the Draft Plan are in accordance with the City’s standards.

c) Water Servicing

The Functional Servicing Report confirms that the proposed Draft Plan of Subdivision will be serviced by connecting to the existing 150mm diameter watermain located on Campania Court. The new 150mm diameter watermain will be extended through the new proposed development and will connect to the existing 150mm diameter watermain located on the existing stormwater management facility block located southeast of the proposed development.

d) Sanitary Servicing

The new development is proposed to be serviced by the existing 200mm diameter sanitary sewer located on Gentile Circle (part of Phase 1 development). The existing sanitary sewer has sufficient depth and capacity to service the new proposed development.

e) 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 concept.

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.

f) Storm Drainage

The subject development lies within the Rainbow Creek watershed, being a tributary to the Humber River. The site drains sheet flow in a southerly direction towards Rainbow Creek valley. The watercourse flows southerly crossing Langstaff Road.

The proposed stormwater sewer system and run-off from the subject development must be properly conveyed to the existing stormwater management facility located southeast of the development lands.

As part of the engineering design and prior to the initiation of any grading within the Draft Plan, the applicant 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:

- (i) Plans illustrating the proposed system and its connection into the existing storm system;
- (ii) Storm water management techniques that may be required to control minor or major flows;
- (iii) Detail all external tributary lands, and include existing development(s); and,
- (iv) 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 Functional Servicing Report.

g) Geotechnical

Given the nature of the grading of the subject lands, the need to remediate the lands and the requirements of the proposed development, the Owner submitted a Global Stability Analyses report prepared by Soil Probe Ltd. Reports were prepared for proposed Lots 19-29 (the Rear Side Slope Section of south side, dated March 7, 2011), and Lots 1-7 (Rear Side Slope Section at West End, dated March 16, 2012).

The findings of the slope stability analysis indicate that the existing slope next to the Rainbow Creek is currently unstable due to the existing fill on the site. After the remediation of the site and

the placement of engineered fill, the stability of the slope will improve making the construction of the proposed houses feasible subject to strict filling operations. The soils reports initially recommended that the setbacks from the top-of-bank to the proposed houses on the south side of the development be a minimum of 8.0 metres (Lots 19-29), and between 11.55m and 21.3 metres to the houses on the west side of the development (Lots 1-7), subject to TRCA's review.

Subsequently, the TRCA has reviewed and accepted the Setback Review and Recommendation Addendum Letter to the Slope Stability Analysis Reports submitted for the proposed draft plan dated May 28, 2013 by Delwar Hossain and Daanish Memon of Soil Probe Limited. As outlined in the letter, there are potential engineered solutions. Through the Permit process, TRCA will be requiring that the landowner retain a Geotechnical Consultant to thoroughly test the new slope, during its construction, for adequacy of compaction of the engineered fill and to confirm the test outcomes in writing. As well, the Addendum proposes additional protection works for the reconstructed slope and this will also be required within the Permit for reconstruction. Based on these considerations, the TRCA is satisfied that the 6 metre structural setback (including within it the 3 metre "no structures" setback from the rear yard) can be accommodated.

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 design, earth berm/safety-berm, slope stability, foundation design, and methods for any required slope stabilization within the Draft Plan.

h) Grading Considerations

The topography of the lands within the draft plan is undulating given the proximity of the Rainbow Creek valley and the previous land filling that has occurred on the site. The applicant has provided a preliminary lot grading plan for the site, which identifies the need for a significant amount of earthworks to achieve standard lot grading together with substantial sections of high retaining walls. The preliminary grading identifies the need for retaining walls as high as 2.5 metres along the rear of Lots 19 to 26 next to the valley and along the rear of Lots 14 to 18 next to the woodlot. In addition, retaining walls potentially up to 3.4 metres in height will be required adjacent to the cul-du-sac on the east leg of Street B.

Given the topographical constraints on this site, and that this is an infill development, Staff can support the use of retaining walls in most of the proposed locations on the draft plan but has concerns with design of the retaining walls on Lots 14 to 18. The retaining wall along the rear of Lots 14 to 18 has a maximum height of 2.5 metres and is being proposed to accommodate the grade difference between the existing woodlot and the proposed lot grades. Given the substantial grade difference, the retaining wall may need to be tiered, which potentially could take up a good part of the back yard amenity space. It is unclear at this point whether this retaining wall will have an impact on the adjacent woodlot, the proposed park, and the surrounding drainage.

In addition, the noise report identifies the need for a 2.5 metre high noise fence along the rear of Lots 17 and 18 to mitigate rail noise, which will need to be placed on top of the retaining wall. This will effectively result in a 5.0 metre vertical barrier in the rear yards of these lots, which is undesirable from both an engineering and a livability perspective.

These issues need further study to determine if there are more effective grading solutions that take into account City woodlot protection and restoration objectives. Accordingly, if this draft plan proceeds, Staff is recommending that Lots 14 to 18 be placed in a block, which will be subject to further review.

i) Environmental Noise Impact

The applicant has provided a preliminary noise and vibration impact feasibility report dated December 22, 2011, and additional letter dated May 31, 2013, prepared by J.E Coulter Associates Ltd. that identify noise sources that will impact the Draft Plan such as railway noise from the CP railway. The traffic volumes generated by roadways within this development are minimal, servicing the local housing only and will have no impact on this development. These reports provide recommendations that include typical measures to develop the proposed lots and mitigate the noise sources such as acoustic barriers, safety berm, air conditioning, warning clauses and potentially upgraded building components and foundations.

The Acoustic Consultant has proposed a 2.5 metre high Acoustic fence along the rear yards of Lots 17 and 18 and along the side yard of Lot 18 to the north façade of the home to mitigate the noise sources. Another acoustic fence will be required along the east side of Lot 19. The dwellings on these lots will also require central air conditioning.

The applicant is required to submit final noise and railway vibration reports for review and approval by the City as part of the detailed engineering submission when the grading design is typically established. The City requires all dwelling units that are close to the CP railway to 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 0.3m road reserve.

j) Street-lighting

The design and type of street-lighting in the Plan shall meet City standards, which includes the illumination of the local road. 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. The type of street-lighting should be the same as the abutting subdivision (19T-88009) and approved by PowerStream.

Ministry of the Environment (MOE)

The Owner of the subject lands also submitted Plan of Subdivision File 19T-06V15 for the subdivision to the south that was approved by Vaughan Council in May 2008 and is now constructed. The plan included 43 lots (86 semi-detached units) together with open space, stormwater management, and access blocks. The subject lands and the subdivision lands to the south have been used for the placement of contaminated fill in the past. As part of the approvals of the first Plan of Subdivision File 19T-06V15, the Owner submitted the required reports to address the proper clean-up of the lands. The City of Vaughan, with the assistance of Terrapex Environmental Ltd., the City's peer reviewer, approved a Remedial Action Plan that was submitted by the Owner.

On December 22, 2009, the Ministry of the Environment (MOE) issued an Order to ensure the estimated 16,700 tonnes of waste that was excavated on the lands subject to File 19T-06V15 (southern subdivision) and had been stockpiled in the northern portion of the subject lands be removed from the property in a manner that protected the nearby residential community and the natural environment from deleterious environmental impacts. On May 16, 2013, the MOE issued another Order to remove all stockpiled waste by September 20, 2013, and to submit a Waste Processing Plan by June 21, 2013. Discussions with the landowner, MOE staff and site visits confirm that this work is underway.

Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority (TRCA) supports the approval of the applications, subject to their Conditions of Approval in Attachment #1. The TRCA is satisfied that the Zoning By-law Amendment application is acceptable to proceed on the basis that Blocks 31, 32, 33, 34 and 37 as shown on Attachment #4, being the lands forming part of the valley and stream corridor are appropriately zoned into an Open Space Zone or similar zoning category that would prohibit any development of the said lands. The TRCA also requested that a minimum depth of 3m from the rear lot line of the residential lots abutting the aforementioned blocks be zoned in a manner that prohibits structures (excluding boundary fences). The intent is to protect the stability of the reconstructed slope over time. Conditions to this effect are included in this report.

The TRCA has requested further discussion with the City of Vaughan and the Ministry of Environment regarding the conveyance of the valleyland blocks into public ownership in order to ensure the long term protection of these lands. This will be subject to future discussion with the City and MOE.

The TRCA has reviewed and accepted the Setback Review and Recommendation Addendum Letter to the Slope Stability Analysis Reports submitted for the proposed draft plan dated May 28, 2013 by Delwar Hossain and Daanish Memon of Soil Probe Limited. As outlined in the letter, there are potential engineered solutions. Through the Permit process, TRCA will be requiring that the landowner retain a Geotechnical Consultant to thoroughly test the new slope, during its construction, for adequacy of compaction of the engineered fill and to confirm the results in writing. As well, the Addendum proposes additional protection works for the reconstructed slope and this will also be required within the Permit for reconstruction. Based on these considerations, the TRCA is satisfied that the 6 metre rear yard structural setback (including within it the 3 metre "no structures" setback from the rear yard) can be accommodated.

With respect to Block 33 (the recently proposed block at the northwest corner of the site), TRCA supports the proposed condition that the final size and configuration of the Block be determined prior to registration of the subdivision.

The TRCA also notes that as part of the on-going development process, the Owner has submitted a Permit Application pursuant to Ontario Regulation 166/06, in order to proceed with the remedial works.

Vaughan Cultural Services Division

The Vaughan Cultural Services Division has no objection to the approval of the applications, subject to their conditions of approval in Attachment #1.

Vaughan Parks Development Department

The Vaughan Parks Development Department has no objections to the approval of the subject applications. The Owner is proposing to convey Block 30 as a park. The Parks Development Department has provided the following comments:

- The slope of the proposed parks needs to be finalized. Sodded areas that are required to be mowed shall not have slopes that exceed 3:1;
- The location of all proposed trees shall be further discussed. The location and distance from proposed property lines will need to be discussed by Parks Development staff;
- The proposed retaining wall system located adjacent to the Park Block will need to be further discussed with Engineering Staff. The proposed design and location may affect the future maintenance of the park block;

- Clarification will need to be provided regarding the proposed retaining wall system proposed within the park block and the adjacent open space, which is located to the southern edge of the proposed park block;
- The proposed storm water design brief for the park block will need to identify the proposed overland flows for the proposed park block, which will require the City's Engineering Department approval;
- Confirmation is required regarding the works proposed to the lands located adjacent to the park block (northern edge). These lands are currently owned by CP Rail and substantial servicing works are proposed by the applicant;

The exact configuration and size of the Park Block will be determined through detailed design and prior to registration of the M-Plan. Open Space and stormwater pond areas shall not form part of the cash-in-lieu of parkland dedication calculation. The parkland credit shall be calculated based on the approved block size and configuration.

Vaughan Real Estate Division

The Planning Act requires the dedication of parkland equivalent to 5% or 1 ha per 300 units. 5% of the developable land (4.71 Ha) would equal 0.235Ha. The applicant is proposing 0.26 Ha for the park. Therefore, no cash-in-lieu would be required because the applicant has satisfied the dedication of land for park purposes. The subdivision agreement shall include provisions regarding the conveyance of the parkland.

School Boards

The York Region District and York Region Catholic District School Boards have no objection to the approval of the applications, subject to their conditions of approval included in Attachment #1.

Canada Post

Canada Post has no objection to the approval of the applications, subject to their conditions of approval included in Attachment #1.

Canadian Pacific Railway

Canadian Pacific Railway has no objection to the approval of the Draft Plan of Subdivision and Zoning By-law Amendment applications, subject to their conditions of approval included in Attachment #1.

Hydro One Networks Inc.

Hydro One Networks Inc. has no objection to the approval of the Draft Plan of Subdivision and Zoning By-law Amendment applications, subject to their conditions of approval included in Attachment #1. The Draft Plan of Subdivision includes Blocks 35 and 36 that comprise the hydro corridor. These lands will be zoned as A Agricultural Zone, and will remain under private ownership. It is the responsibility of the Owner to maintain the lands in accordance with the agreement with Hydro One.

As a condition of Subdivision approval, the Owner will also be required to enter into an Agreement with the City of Vaughan to ensure maintenance of the said lands, and to permit the City of Vaughan to create a trail system if deemed desirable in the future. The Owner will also be required to provide a public easement on private lands to facilitate the future trail as a condition of Subdivision approval. The Agreement with the City must be transferable should the lands be sold by the current Owner.

As a condition of Subdivision approval, the Development Planning Department will require the Owner to include a warning clause in the Agreements of Purchase and Sale for all Owners/Tenants that Hydro One Networks Inc. may upgrade service, or remove and replace hydro towers at any time at its discretion.

Enbridge Gas Distribution

Enbridge Gas Distribution has no objection to the approval of the subject applications subject to their conditions of approval in Attachment #1.

Relationship to Vaughan Vision 2020/Strategic Plan

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

i) Lead & Promote Environmental Sustainability

Committed to protecting and enhancing the natural and built environments through the efficient use of resources.

ii) Manage Growth and Economic Well Being

The proposed development conforms to the in-effect Official Plan and VOP 2010.

iii) Promote Community Safety, Health & Wellness

The proposed development includes a public park to enhance the City's existing inventory of public amenity space.

Regional Implications

The Region of York has no objection to the approval of the Draft Plan of Subdivision, provided water and sewer servicing capacity has been allocated, and subject to their conditions of approval outlined in Attachment #1.

Conclusion

The Vaughan Development Planning Department has reviewed the Draft Plan of Subdivision and Zoning By-law Amendment Applications to permit a 28 lot subdivision to facilitate 56 semi-detached units and one lot for a single-family dwelling, together with open space blocks. The proposal conforms to the policies of the Official Plan, and is generally consistent with the approved Neighbourhood 4A Development Plan and compatible with development in the surrounding area. The proposed zoning categories and exceptions to Zoning By-law 1-88 are considered to be appropriate. Accordingly, the Development Planning Department recommends that the applications be approved, subject to the conditions of approval set out in the recommendation of this report.

Attachments

1. Conditions of Draft Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Subdivision File 19T-12V003
5. Proposed Zoning
6. Neighbourhood 4A Plan

Report prepared by:

Clement Messere, Planner, ext. 8409

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Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

/CM

GRANT UYEYAMA
Director of Development Planning

ATTACHMENT NO. 1

CONDITIONS OF DRAFT APPROVAL

DRAFT PLAN OF SUBDIVISION FILE 19T-12V003 1668135 ONTARIO INC. PART OF LOT 11, CONCESSION 8, CITY OF VAUGHAN

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN (CITY) THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION 19T-12V003, 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 of Vaughan 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.
- AND
- 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 of Vaughan. 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 from any claim or action as a result of York Region releasing conditions and pre-conditions of Draft

Approval as part of the draft approval of Plan of Subdivision File 19T-12V003 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.

Conditions of Draft Approval

City of Vaughan Conditions

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by Evans Planning Limited, dated June 6, 2013 as red-lined on June 18, 2013, to incorporate the following revisions:
 - a) place Lots 14-18 (inclusive) within a "future development" block for further review; and,
 - b) confirm the final size and configuration of open space Block 33.
2. The lands within this Plan shall be appropriately zoned by a Zoning By-law, which has come into effect in accordance with the provisions of the Planning Act. Particular zoning categories to be applied are as follows: R5(H) Residential Zone with the Holding Symbol "(H)", OS1 Open Space Conservation Zone, OS2 Open Space Park Zone and A Agricultural Zone, together with the necessary site-specific zoning exceptions to implement the Draft Plan of Subdivision.
3. 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.
4. Prior to final approval of any part of the Plan, the Owner shall submit a revised Neighbourhood 4A Plan, if required, to reflect any significant alterations caused from this Draft Plan approval.
5. The Owner shall enter into a Subdivision Agreement with the City to satisfy all financial and other conditions, with regard to such matters as the City may consider necessary, including payment of development levies and the Woodlot Development Charge, the provision of roads and municipal services, landscaping and fencing. The said Agreement shall be registered against the lands to which it applies.
6. The Owner shall enter into an Agreement with the City of Vaughan to ensure maintenance of Blocks 35 and 36 (Hydro Corridor), and to permit the City of Vaughan to create a trail system on the lands if required in the future. The Owner shall provide a public easement on private lands to facilitate the future trail as a condition of Subdivision approval. The Agreement with the City must be transferable should the lands be sold by the current Owner.
7. 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.
8. Prior to final approval, easements required for utility, drainage and construction purposes shall be created and granted to the appropriate authority(ies), free of all charge and encumbrances.
9. The road allowances within this Plan shall be named to the satisfaction of the City, in consultation with the Regional 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.

10. The road allowances within the Plan shall be designed in accordance with the City's engineering standards and shall be dedicated to the City free of all charge and encumbrances. The streets, lots and blocks shall be designed to coincide with the development pattern on adjacent properties.
11. Any dead end or open side of a road allowance within the Plan shall be terminated in a 0.3 m reserve, to be conveyed to the City free of all charge and encumbrances, until required for a future road allowance or development of adjacent lands.
12. 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.
13. The Owner shall agree that the location and design of the construction access shall be approved by the City and/or the appropriate authority.
14. Prior to final approval, the Owner shall submit a Soils Report, and the Owner shall agree to implement the recommendations of such report, as approved by the City.
15. 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 co-ordinated and completed at the cost of the Owner.
16. The Owner shall agree that all Lots or Blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing.
17. The Owner shall agree that no Building Permits will be applied for until the City is satisfied that adequate access, municipal water, sanitary and storm services are available.
18. Prior to final approval, the Owner shall prepare a Landscape Master Plan, and the plan shall address but not be limited to the following issues:
 - the Landscape Masterplan shall conform to the approved OPA #240 Woodbridge Community Plan;
 - co-ordination of the urban design/streetscape elements as they relate to the approved Draft Plan of Subdivision;
 - the landscaping for the CPR noise berm with low-maintenance plant material; and,
 - the pedestrian urban connections between streets, built forms, parks, open space lands, and the existing storm water management pond.
19. 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.
20.
 - a) Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit an environmental site assessment report(s) in accordance with the "Ministry of Environment and Energy's Guidelines for Use at Contaminated Sites in Ontario, June 1996", as amended, and shall reimburse the City for the cost of peer review of the reports.
 - b) Should site remediation be required to meet the applicable soil and ground water criteria set out in the above Guidelines, the Owner shall submit to the City prior to final approval,

a copy of the Record of Site Condition acknowledged by a Provincial Officer of the Ministry of the Environment.

- c) The Owner shall provide a certificate by a qualified professional that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City, meet the applicable soil and ground water criteria noted above.
 - d) Where lands are being conveyed to the municipality for parkland purposes, the Owner shall agree that prior to issuance of any Building Permits, the Owner shall submit a Phase 2 Environmental Site Assessment report(s) addressing all Park Blocks in the Plan, in accordance with the Ministry of Environment Guideline for Use at Contaminated Sites in Ontario (June 1996 as amended), to the satisfaction of the City. On-site sampling contained in the reports shall be conducted following completion and certification of the rough grading of the park block(s). Testing may include but not be limited to surface and subsurface soil, ground water, soil vapour, plant and aquatic species sampling and testing of building materials. The Owner shall reimburse the City for the cost of peer review of said report(s).
21. a) Prior to final approval and prior to any works commencing on the site, the Owner shall submit for approval by the City and the Toronto and Region Conservation Authority (TRCA), a detailed engineering report(s) that describes the storm drainage system for the proposed development, which shall include:
- i) plans illustrating how this drainage system will be tied into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, the design capacity of the receiving system and how external flows will be accommodated;
 - ii) the location and description of all outlets and other facilities;
 - iii) stormwater management techniques which may be required to control minor and major flows;
 - iv) proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction;
 - v) overall grading plans for the subject lands; and,
 - vi) stormwater management practices to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat.
- b) The Owner shall agree to implement the recommendations set out in the aforementioned report(s) to the satisfaction of the City and the Toronto and Region Conservation Authority (TRCA).
22. The Owner shall agree:
- a) to obtain all necessary permits pursuant to Ontario Regulation 158 and the Lakes and Rivers Improvement Act from the Toronto and Region Conservation Authority;
 - b) to maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period; and,

- c) to provide a copy of the executed subdivision agreement to The Toronto and Region Conservation Authority.
- 23. Prior to final approval, the Owner shall pay the proportionate share of the cost of any external municipal services, temporary and/or permanent built or proposed, that have been designed and oversized by others to accommodate the subject Plan.
- 24.
 - 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.
- 25. Prior to final approval, the Owner shall submit a Noise and/or Vibration Study, prepared by a qualified consultant for approval by both the City and the Region of York. The preparation of the noise study shall include the ultimate traffic volumes associated with the surrounding road network. The Owner shall agree in the Subdivision Agreement to implement the approved abatement measures.
- 26. The Owner shall convey the following lands to the City or the TRCA, where appropriate, free of all charge and encumbrances:
 - a) Block 30 for open space (park);
 - b) Blocks 31, 32, 33, 34 and 37 for open space purposes; and,
 - c) Block 38 for a noise berm.
- 27. The Owner shall agree to design, purchase materials and install a street lighting system, compatible with the existing and/or proposed systems in surrounding plans, all in accordance with City standards and specifications.
- 28. The Owner shall agree to erect fencing in the locations and of the types as shown on the approved construction drawing and as required by the City, in accordance with an Urban Design and Architectural Design Guidelines.
- 29. The Owner shall agree to pay the City at the time of registration of the Plan, payment at the rate of \$1,000.00 per residential unit, plus \$500.00 per future unit on each part lot, as per Schedule "I", in accordance with the Special Area Woodlot Development Charge By-law.
- 30. Prior to final approval, the Owner shall prepare a detailed Edge Management Plan Study for the perimeter of the open space lands and woodlot. The study shall include an inventory of all existing trees within an 8 metre zone inside the staked edges, and areas where the woodlot/open space edges are disturbed, assessment of significant trees to be preserved and proposed methods of edge management and/or remedial planting shall be included. The Owner shall not remove any vegetation without written approval by the City. The Owner shall provide a report for a 20 metre zone within all staked woodlot and open space edges to the satisfaction of the TRCA and City, which identifies liability and issues of public safety and recommends woodlot/forestry management practices and removal of hazardous and all other trees as identified to be removed prior to assumption of the subdivision.

31. Prior to final approval, the Owner shall submit:
- a) an Urban Design Guidelines Report which shall identify all the objectives of the approved Urban Design Guidelines for the Block Plan.
 - b) an Urban Design/Streetscape Master Plan in accordance with the approved Urban Design Guidelines, which shall address, at minimum, the following:
 - internal landscaping on boulevards as it relates to the road rights-of-ways and the location of underground services (ie. typical road sections incorporating boulevard trees);
 - co-ordination of the urban design/streetscape elements as they relate to the subdivision, including entrance features and medians;
 - landscaping along Lots 1-7, 14-18 and 19-29, including walls and fencing, and typical cross-sections required to determine appropriate locations for buffer landscaping.
32. Prior to final approval, the Owner shall not remove any vegetation or topsoil or start any grading of the lands, without a fill permit issued by the City, and a Development Agreement, if necessary.
33. Prior to final approval, Architectural Design Guidelines shall be submitted for Vaughan Council's approval; the Owner shall agree that:
- a) a Control Architect satisfactory to the City shall be retained at the cost of the Owner, to ensure that all development proceeds in compliance with the approved Architectural Design Guidelines;
 - b) prior to the submission of individual Building Permit applications, the Control Architect shall have stamped and signed the drawings certifying compliance with the approved architectural guidelines; and,
 - c) the City may undertake periodic reviews to ensure compliance with the Architectural 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.
34. a) Prior to final approval and prior to commencement of any work on the site, the proponent shall carry out an archaeological assessment of the subject property to the satisfaction of the City and the Ministry of Culture; and the Owner shall agree to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.
- b) Prior to final approval and prior to the commencement of any work on site, the Owner shall deliver to the City (Cultural Services Division) two copies of the Archaeological Assessment.

- c) Prior to the commencement of any archaeological fieldwork, a copy of the contract information sheet which was submitted to the Ministry of Culture, shall have been forwarded to the City; licensed consultants are urged to review the Archaeological Master Plan Study for the City of Vaughan prior to commencing any fieldwork.
35. The Owner shall cause the following warning clauses to be included in a schedule to all Offers of Purchase and Sale, or Lease for all lots/blocks:
- a) within the entire subdivision plan:
- "Purchasers and/or tenants are advised that for Lots 14-18 that the outcome of studies and agreements may change or delete the location of lots in this location."
 - "Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the dwelling occupants."
 - "Purchasers and/or tenants are advised that the proposed finished Lot and/or Block grading may not meet City of Vaughan lot grading criteria in certain areas, to facilitate preservation of existing vegetation and to maintain existing adjacent topographical conditions."
 - "Purchasers and/or tenants are advised that traffic-calming measures may have been incorporated into the road allowances."
 - "Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the City and a conceptual location Plan is included in the Subdivision Agreement. While every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete any boulevard tree without further notice."
 - "Purchasers and/or tenants are advised that the City has not imposed a "tree fee", or any other fee, which may be charged as a condition of purchase, for the planting of trees. Any "tree fee" paid by a purchaser for boulevard trees does not guarantee that a tree will be planted on the boulevard adjacent to their residential dwelling."
 - "Purchasers and/or tenants are advised that where Canadian National or Canadian Pacific railway 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); CNR/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 Hydro One Networks Inc., or its assigns or successors in interest, may upgrade or remove and replace towers at any time at their discretion, and 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 mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings."
- "Purchasers and/or tenants are advised that any roads ending in a dead end or cul-de-sac may be extended in the future to facilitate development of adjacent lands, without further notice."

b) abutting any open space, woodlot or stormwater facility:

- "Purchasers and/or tenants are advised that the adjacent open space, woodlot or stormwater management facility may be left in a naturally vegetated condition and receive minimal maintenance."

c) abutting a park block:

- "Purchasers and/or tenants are advised that the lot abuts a "Neighbourhood Park", and that noise and lighting should be expected from the designed active use of the park."

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

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

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

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

37. Where the Owner and the City determine that the Owner will develop the park block(s), the Owner shall agree that the design, securities and construction for the park(s) will be addressed through an Agreement in accordance with the City's "Developer Build/Parks Development Policy, OPA #600 and future lands."
38. Where the Owner proposes to proceed with the construction of a model home(s) prior to registration of the Plan, the Owner shall enter into an Agreement with the City, setting out the conditions, and shall fulfill relevant conditions of that agreement prior to issuance of a Building Permit.
39. Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit a topsoil storage plan detailing the location, size, side slopes, stabilization methods and time period, for approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either park or school blocks.
40. 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.
41. The Owner shall agree in the Subdivision Agreement to construct a sidewalk in front of Lots 11-18 inclusive.
42. The Owner shall agree in the Subdivision Agreement to erect a permanent 1.5 metre high black vinyl chain-link fence or approved equal along the limits of:
 - i) the residential lots that abut open space lands and woodlot lands;
 - ii) the residential lots that abut the hydro corridor;
 - iii) the residential lots that abut a Park Block; and,
 - iv) between the Park Block limits and the storm water management pond.
43. 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.
44. 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.
45. 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.
46. 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.
47. 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) Implementation of the "Final Remedial Action Plan (RAP), Proposed Residential Subdivision, Phase 2, 5550 Langstaff Road, Vaughan, Ontario" dated May 8, 2012, by Terra Firma Plus Inc., to the satisfaction of the City, and the Toronto and Region Conservation Authority (TRCA). The RAP includes, but is not limited to, the letter from Terra Firma Plus Inc. Entitled "Dust and Erosion Measures", dated May 24, 2013.
 - (b) Submit a Phase One Environmental Site Assessment (ESA) report, and, if required and as applicable, a Phase Two ESA, Remedial Action Plan (RAP), and a 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.
 - (c) 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.
 - (d) 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 MOE document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended), 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.
 - (e) 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).
 - (f) Reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.
48. The Owner shall agree in the subdivision agreement to include following warning statements, in wording satisfactory to the City, in all agreements of Purchase and Sale/or Lease to Owners/tenants within the Plan:
- (a) abutting or in proximity of any open space, valleylands, woodlots or stormwater facility:
 - "Purchasers and/or tenants are advised that the adjacent open space, woodlot or may be left in a naturally vegetated condition and receive minimal maintenance."
 - (b) abutting or in proximity of any parkland::
 - "Purchasers and/or tenants are advised that the lot abuts a "Neighbourhood Park" of which noise and lighting may be of concern due to the nature of the park for active recreation."

(c) encroachment and/or dumping:

- “Purchasers and/or tenants are advised that any encroachments and/or dumping from the lot to the school site, park, open space, woodlot and/or storm water management facility are prohibited.”

(d) gate of access point:

- “Purchasers and/or tenants are advised that the installation of any gate or access point from the lot to the school site, open space, stormwater management facility, watercourse corridor, woodlot, and/or park is prohibited.”

(e) CP Railway

- “Purchasers and/or tenants are hereby advised that Canadian-Pacific railway 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.”

(f) General

- “Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox as per requirements dictated by Canada Post. The location of the mailbox shall be shown on the community plan provided by the Owner in its Sales Office and will be identified by the Owner prior to any home closing”.
- “Purchasers and/or tenants are advised that, despite the inclusion of noise control features within the development area and within individual units, noise levels including from construction activities and increasing vehicular traffic may continue to be of concern occasionally interfering with some activities of the building occupants.”
- “Purchasers and/or tenants are advised that Langstaff Road may be used as transit routes in the future.”

49. 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 to be in accordance 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.

50. The Owner acknowledges that parkland shall be dedicated and/or cash-in-lieu paid in accordance 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.

51. 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.
52. Prior to initiation of grading or stripping of topsoil and prior to final approval of the Plan, the Owner shall prepare and implement a detailed erosion and sedimentation control plan(s) addressing all phases of the construction of the municipal services and house building program including stabilization methods, topsoil storage locations and control measures to the satisfaction of the City. The Owner shall prepare the erosion and sediment control plan(s) for each stage of construction (pre-stripping/earthworks, pre-servicing, post-servicing) in accordance with the 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.
53. Prior to initiation, the Owner shall transport all waste material from the Phase 2 Lands to an acceptable waste receiving site via Langstaff Road and Gentile Circle in the Plan pursuant to the accepted Final Remediation Action Plan. Access to Campania Court is prohibited unless otherwise approved in writing by the City.
54. Prior to final approval of the Plan, easements required for drainage from the woodlot shall be created and granted to the appropriate authority(ies), free of all charge and encumbrances.
55. Prior to final approval of the Plan, easements required for storm sewer drainage from the road right of way to the storm water management pond shall be created and granted to the appropriate authority(ies), free of all charge and encumbrances.
56. 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.
57. 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.
58. 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.
59. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost any external municipal services that have been designed, oversized and built temporarily or permanent by others to accommodate the development of the Plan.
60. 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.
61. The Owner shall agree in the subdivision agreement to maintain adequate chlorine residuals in the watermain 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.

62. The Owner shall agree in the subdivision agreement to carry out improvements at the south end of Campania Court to provide for the construction of Street B to the satisfaction of the City.
63. Prior to final approval of the Plan, the limits and configuration of the open space Block 33 shall be to the satisfaction of the City.

Region of York

64. The road allowances included within the Draft Plan of Subdivision shall be named to the satisfaction of the area municipality and York Region.
65. 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 Draft Plan of Subdivision shall occur in phases based on the availability of water supply and sewage servicing allocation.
66. 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.
67. 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.
68. For all lands, the Holding (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 (H) symbol 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 (H) symbol. Said terms shall include a minimum of the following:
- the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
 - York Region has advised in writing that 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,
 - 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.
69. 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.
70. 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.
71. 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

72. A detailed engineering report that describes the storm drainage system (quantity and quality), in accordance with the Functional Servicing Study (FSR), which addresses the final design of the stormwater management facilities combined for Phases 1 and 2, and the report must also contain pre-development and post-development hydrologic and hydraulic modeling, and shall include the following;
- a) calculations in support of the forebay design, such as settling and dispersion calculations;
 - b) details for the outlet structures (interim and ultimate conditions) with supporting calculations, such as draw down time calculations, as well as stage-storage-discharge curves for the pond outlet structures;
 - c) the emergency spill way should be designed to convey the greater of the un-routed Regional and the 100-year peak flow assuming 50% blockage of the low flow structure;
 - d) post-development peak flows with the proposed outlet structures in place;
 - e) the storm outfall should be located outside of the 100-year erosion limit. The design of the outfalls should conform to the Toronto and Region Conservation Authority's (TRCA) Storm Outfall and Outfall Channel Design Criteria;
 - f) the provision of a separate Erosion and Sediment Control plan(s) (ESC) for the proposed development. The TRCA prefers separate ESC plans be prepared for each construction stage. A copy of TRCA's Erosion and Sediment Control Guideline for Urban Construction (December 2006) can be found at [www.sustainabletechnologies.ca.](http://www.sustainabletechnologies.ca;);
 - g) best practices for stormwater management should be used to the greatest extent possible. Lot level controls and infiltration measures should also be used; and,
 - h) the Regional Flood Lines should be shown on all Plans, as well as on the cross-section details.
73. The Engineering Report / FSR or Design drawings shall include the following:
- a) stormwater management techniques which may be required to control minor and major flows;
 - b) 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 fish and their habitat;
 - c) proposed method for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction;
 - d) location and description of all outlets and other facilities which may require a permit pursuant to Ontario Regulation 166/06, the TRCA's (*Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*) Regulation;
 - e) overall grading plans and any reassessment as may be required, for the subject lands;
 - f) design features to maintain hydraulic, ecological and geomorphic function of the site;

- g) details and calculations relating to proposed measures to promote infiltration and maintain a water balance for the draft plan area; and,
 - h) submit finalized details and calculations on the conveyance of surface water flows.
74. That the site be reconstructed in accordance with the Preliminary Factual Geotechnical Investigation Report by AMEC Earth and Environmental dated May 5, 2004, the Global Stability Analysis for the Rear Side Slope Sections Proposed Residential Subdivision by Soil Probe Limited dated March 7, 2011, Additional Global Stability Analysis for the Rear Side Slope Section at West End Proposed Residential Subdivision – Phase 2 at 5550 Langstaff Road by Soil Probe Limited dated March 16, 2012, and the Related Addendum supporting the revised design. All retaining walls are to be located on private property within the boundaries of the proposed residential lots.
 75. The valley is to be reconstructed in accordance with the Flood Study Update – Humber River Sheet No. 41 by Skira and Associates, dated February 2012.
 76. The Owner shall provide a letter from the City of Vaughan Parks Development Department confirming the need for, design and location of trails within the valley system.
 77. The implementing Zoning By-law recognize the site's natural features and requisite buffers and that they be zoned into an open space (Blocks 31, 32, 33, 34 and 37), or other suitable zoning category, which has the effect of prohibiting development. Additionally, a depth of 3 metres from the rear lot line of the residential lots abutting the blocks be zoned in a manner that prohibits grading and structures (excluding boundary fences).
 78. Successfully obtain a permit under Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) for matters such as, but not limited to, remediation, site alteration and any trails associated with the development of the subdivision.
 79. An Edge Management and Planting Plan to the satisfaction of TRCA for the open space blocks adjacent to and around Rainbow Creek. This Plan must identify the species, quantities and sizes of plant material to be utilized in order to ensure the entire valley wall system is restored with native vegetation for the purpose of establishing a forest community. The TRCA requires robust native woody vegetation planting to help mitigate potential impacts to the adjacent natural heritage feature(s). Additionally, the Plan must identify and protect the valleyland vegetation to be preserved, including the necessary measures to protect the vegetation.
 80. The Owner shall agree in the Subdivision Agreement, in wording acceptable to the TRCA:
 - a) to carry out, or cause to be carried out, to the satisfaction of the TRCA, the designs and recommendations of the following technical reports:
 - i. Preliminary Factual Geotechnical Investigation Report Proposed Subdivision 5550 Langstaff Road, by AMEC Earth and Environmental dated May 5, 2004;
 - ii. Global Stability Analysis for the Rear Side Slope Sections (3 Representative Sections) Proposed Residential Subdivision Phase II, 5550 Langstaff Road, by Soil Probe Limited dated March 7, 2011;
 - iii. Additional Global Stability Analysis for the Rear Side Slope Section at West End Proposed Residential Subdivision – Phase 2 at 5550 Langstaff Road, by Soil Probe Limited dated March 16, 2012;
 - iv. Flood Study Update - Humber River Map Sheet 41 Langstaff Road to Highway 27, by Skira and Associates dated February 2012;

- v. An Addendum to the Global Stability Analyses confirming the stability of the increased height of the retaining walls, the reduced rear yard setback and the increased fill needed for the proposed design; and,
 - vi. The detailed engineering report as described within Conditions 72 and 73.
 - b) to maintain all stormwater management and erosion and sediment control structures operating and in good repair during the construction period, in a manner satisfactory to the TRCA;
 - c) to obtain all necessary permits pursuant to Ontario Regulation 166/06 from the TRCA; and,
 - d) to erect a permanent fence to the satisfaction of the TRCA for the residential component.
81. A copy of the fully executed Subdivision Agreement be provided to the TRCA when available, in order to expedite the clearance of conditions of draft approval.
 82. All seed mixes within the site and associated linkages must be composed of native species only and according to the TRCA's Seed Mix Guidelines and Seed Mix Species List.
 83. The accepted Remedial Action Plan (RAP), including remediation of the open space Blocks be completed to the satisfaction of the City and the TRCA.
 84. A copy of the Record of Site Condition (RSC) accepted by the Ministry of Environment (MOE) be provided to the TRCA for the open space Blocks to be conveyed to TRCA.
 85. The Owner shall agree to develop a Monitoring Plan to the satisfaction of the City and TRCA. The Monitoring Plan will require that during all phases of construction a qualified Environmental Monitor, retained by and at the expense of the Owner, shall be on site to monitor and report on a weekly basis, the effectiveness of all on-site erosion and sediment control measures, and that should such measures be found ineffective, the Monitor is to act to ensure negative impacts are mitigated in an expedient manner to the satisfaction of the City and TRCA. The Monitoring Plan shall include: Monitor qualifications, reporting procedures, monitoring requirements, mitigation measures, triggers and contingencies. If considered appropriate by the Owner and the City, the Monitor may also be utilized for City purposes.
 86. The Sampling and Analysis Plan undertaken as part of the Phase II Environmental Site Assessment shall be developed in consultation with the TRCA, and implemented and completed to the satisfaction of the TRCA for the Blocks to be conveyed to the TRCA.
 87. A Record of Completion detailing that all TRCA conditions have been fulfilled in a satisfactory manner shall be submitted and completed by qualified certified professionals at the cost of the proponent.
 88. The Owner is required and has agreed to hire a qualified environmental inspector / engineer to be on-site to ensure that the erosion and sediment control measures to be applied are maintained at all times during the construction.
 89. As part of the layered approach to the removal of site material / contaminants during the remedial works, the Owner shall ensure the continued provision of maintenance and upkeep of the erosion and sediment control measures necessary to prevent the migration of materials or other matters during the course of construction.
 90. The Draft Plan of Subdivision shall be modified to clearly identify the valley land, buffer and stormwater management blocks.

91. This Draft Plan of Subdivision may be subject to red-line revision(s) in order to meet the requirements of the conditions listed, as and if necessary.

York Region School Boards

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

Hydro One Networks Inc. (HONI)

93. Prior to final approval, a copy of the lot grading and drainage plan, showing existing and final grades, must be submitted in triplicate to Hydro One Networks Inc. (HONI) for review and approval.
94. Any development in conjunction with the subdivision must not block vehicular access to any HONI facilities located on the right-of-way. During construction, there will be no storage of materials or mounding of earth, snow or other debris on the right-of-way.
95. Temporary fencing must be placed among the easement corridor during construction. Permanent fencing must be erected where subdivision lots directly abut the HONI easement at the Owner's expense.
96. The Owner shall make arrangements satisfactory to HONI for the crossing of the hydro right-of-way by any proposed roads. Separate proposals including detailed lighting and site servicing plans shall be submitted in triplicate to HONI for future road crossings. The Owner must contact Maria Agnew, HONI Senior Real Estate Coordinator at (905)946-6275 to begin the process of acquiring a Construction and Encroachment Agreement.
97. The costs of any relocations or revisions to HONI facilities which are necessary to accommodate this subdivision will be borne by the Owner.
98. The easement rights of HONI and its legal predecessors are to be protected and maintained.

In addition, it is requested that the following be added as a Note to the Conditions of Draft Approval:

99. The transmission lines abutting this subdivision operate at 500,000, 230,000 or 115,000 volts. Section 188 – Proximity – of the Regulations for Construction Projects in the *Occupational Health and Safety Act*, require that no object be brought closer than 6 metres (20 feet) to an energized 500kV conductor. The distance for 230 KV conductors is 4.5 metres (15 feet), and for 115kV conductors it is 3 metres (10 feet). It is the Owner's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the *Act*. They should also be aware that the conductors can raise and lower without warning, depending on the electrical demand placed on the line.

Canadian Pacific Railway (CPR)

100. Dwellings must be constructed such that the interior noise levels meet MOE criteria. CPR has reviewed the Noise & Vibration Impact Feasibility Study as prepared by J.E. Coulter Associates and support the implementation of the recommendations contained therein. To note, the report recommends that vibration analysis be carried out again once the site grading work has been completed.
101. 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 within 300 m of the railway right-of-way, warning prospective purchasers or tenants of the existence of the Railway's operating right-of-way, the

possibility of alterations including the possibility that the Railway may 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 uses of its facilities and/or operations.

102. Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the Railway, and be substantiated by a drainage report to be reviewed by the Railway.
103. A 1.83 metre high chain-link fence shall be constructed and maintained along the common property line of the Railway and the development by the Owner/developer at his expense, and the Owner/developer is made aware of the necessity of including a covenant running with the lands, in all deeds, obliging the purchasers of the land to maintain the fence in a satisfactory condition at their expense.

Canada Post

As a condition of draft approval, Canada Post requires that the Owner/Developer comply with following conditions:

104. The Owner/Developer shall agree to include on all Offers of Purchase and Sale, a statement which advise the prospective purchaser that mail delivery will be from a designated Community Mailbox.
105. The Owner/Developer shall be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any home sale.
106. The Owner/Developer shall consult with Canada Post Corporation to determine suitable locations for the placement of the Community Mailbox and to indicate these locations on the appropriate servicing plan.
107. The Owner/Developer shall provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:
 - a) appropriately sized sidewalk section (concrete pad) as per municipal standards, to place the Community Mailboxes on;
 - b) any required walkway across the boulevard, as per municipal standards; and,
 - c) any required curb depressions for wheelchair access.
108. The Owner/Developer shall further agree to determine and provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed for the permanent Community Mailbox locations. This will enable Canada Post to provide mail delivery to new residences as soon as the homes are occupied.

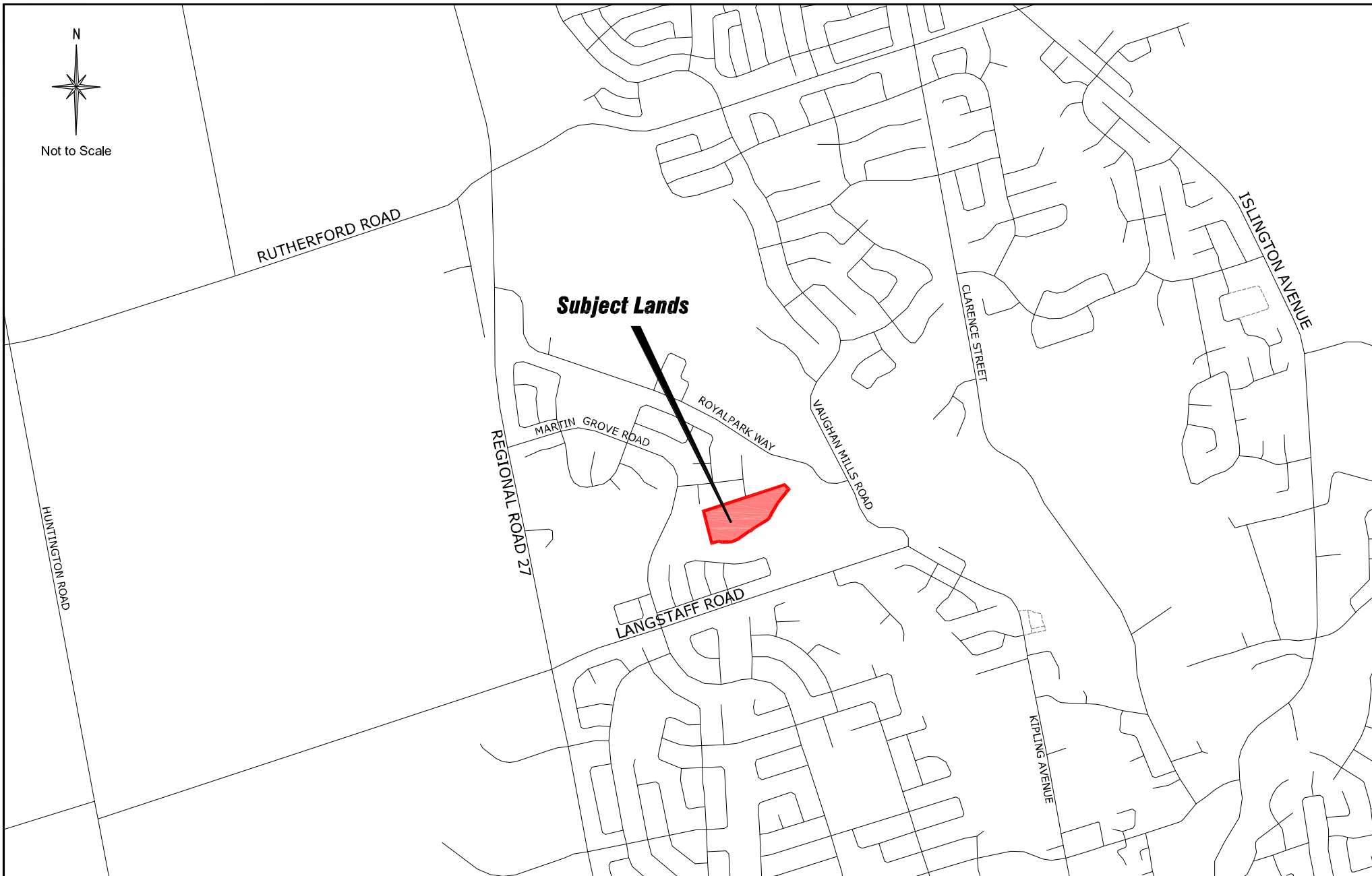
Enbridge Gas Distribution Inc.

109. The Owner shall be responsible for preparing a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities.
110. Streets shall be constructed in accordance with composite utility plans previously submitted and approved by all utilities.

111. The Owner shall grade all streets to final elevation prior to the installation of the gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information required for the installation of the gas lines.
112. The Owner shall provide current City approved road cross-sections showing all utilities in the configuration proposed for all of the street widths within the development.

Other Conditions

113. 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 112 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
114. The City shall advise that Pre-Conditions 1 and 2 and Conditions 1 to 63 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
115. The Region of York shall advise that Pre-Conditions 1 and 2 and Conditions 64 to 71 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
116. The Toronto and Region Conservation Authority shall advise that Conditions 72 to 91 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
117. The York Region School Boards shall advise that Condition 92 has been satisfied; the clearance letter shall include a brief statement detailing how this condition has been met.
118. Hydro One Networks Inc. shall advise that Conditions 93 to 99 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
119. Canadian Pacific Railway shall advise that Conditions 100 to 103 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
120. Canada Post shall advise that Conditions 104 to 108 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
121. Enbridge Gas Distribution Inc. shall advise that Conditions 109 to 112 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



Context Location Map

LOCATION:
Part of Lot 11, Concession 8

APPLICANT:
1668135 Ontario Inc.

N:\DFT\1 ATTACHMENTS\19\19T-12V003Z.12.024.dwg

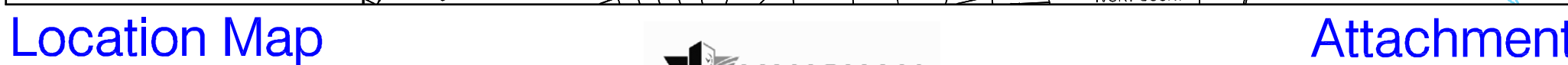


Development Planning Department

Attachment

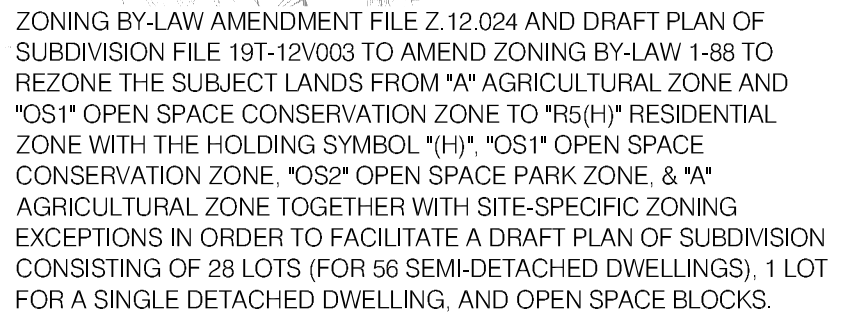
FILES:
19T-12V003 Z.12.024
DATE:
June 18, 2013

2



3

LOTS 14 - 18 TO BE PLACED INTO A "FUTURE DEVELOPMENT BLOCK". CITY OF VAUGHAN TO BE SATISFIED WITH PROTECTION MEASURES FOR THE ABUTTING WOODLOT PRIOR TO REMOVAL OF "(H)"

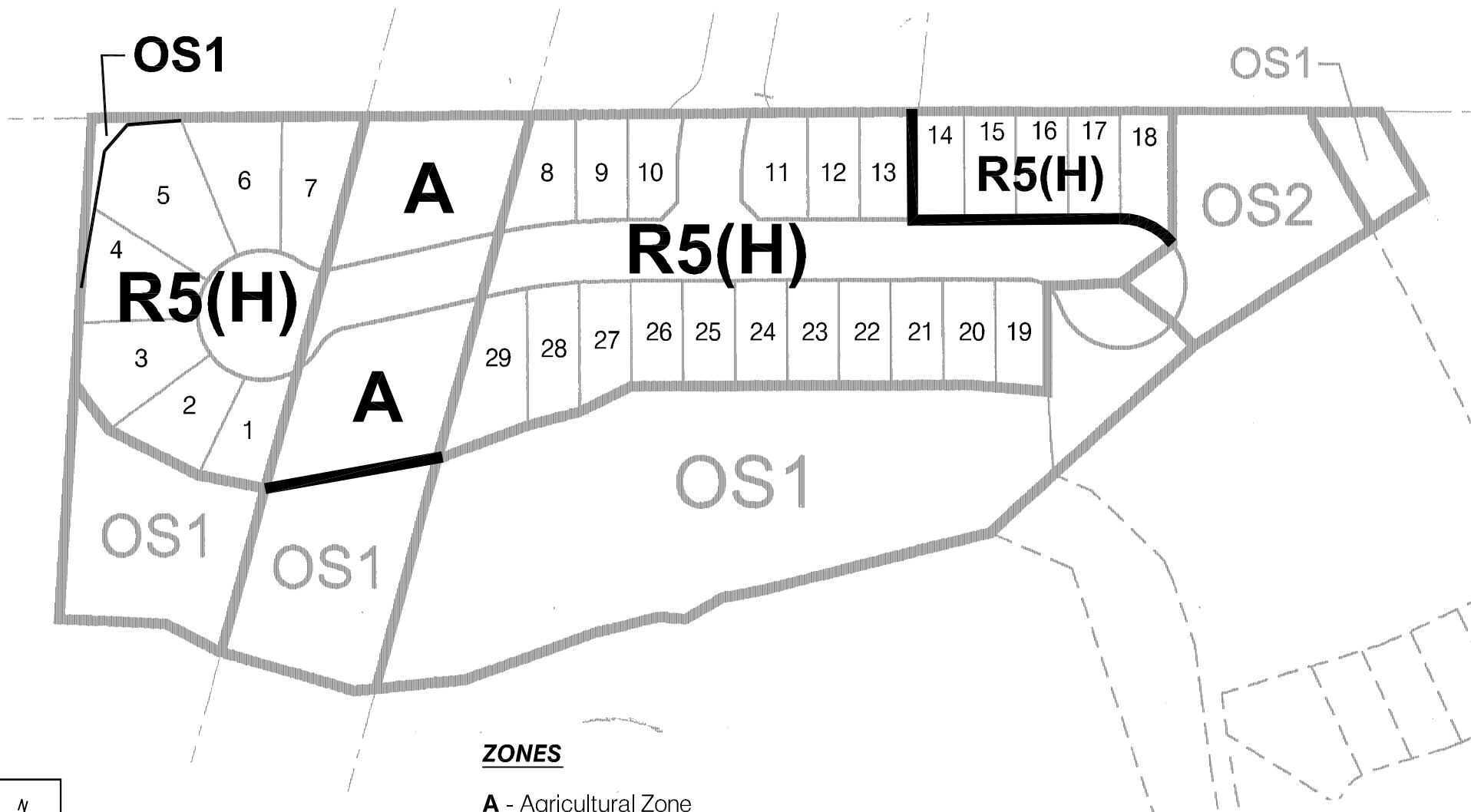


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DATE:
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ZONES

A - Agricultural Zone
R5 - Residential Zone
OS1 - Open Space Conservation Zone
OS2 - Open Space Park Zone
(H) - Holding Provision

Proposed Zoning

LOCATION:
 Part of Lot 11, Concession 8

APPLICANT:
 1668135 Ontario Inc.



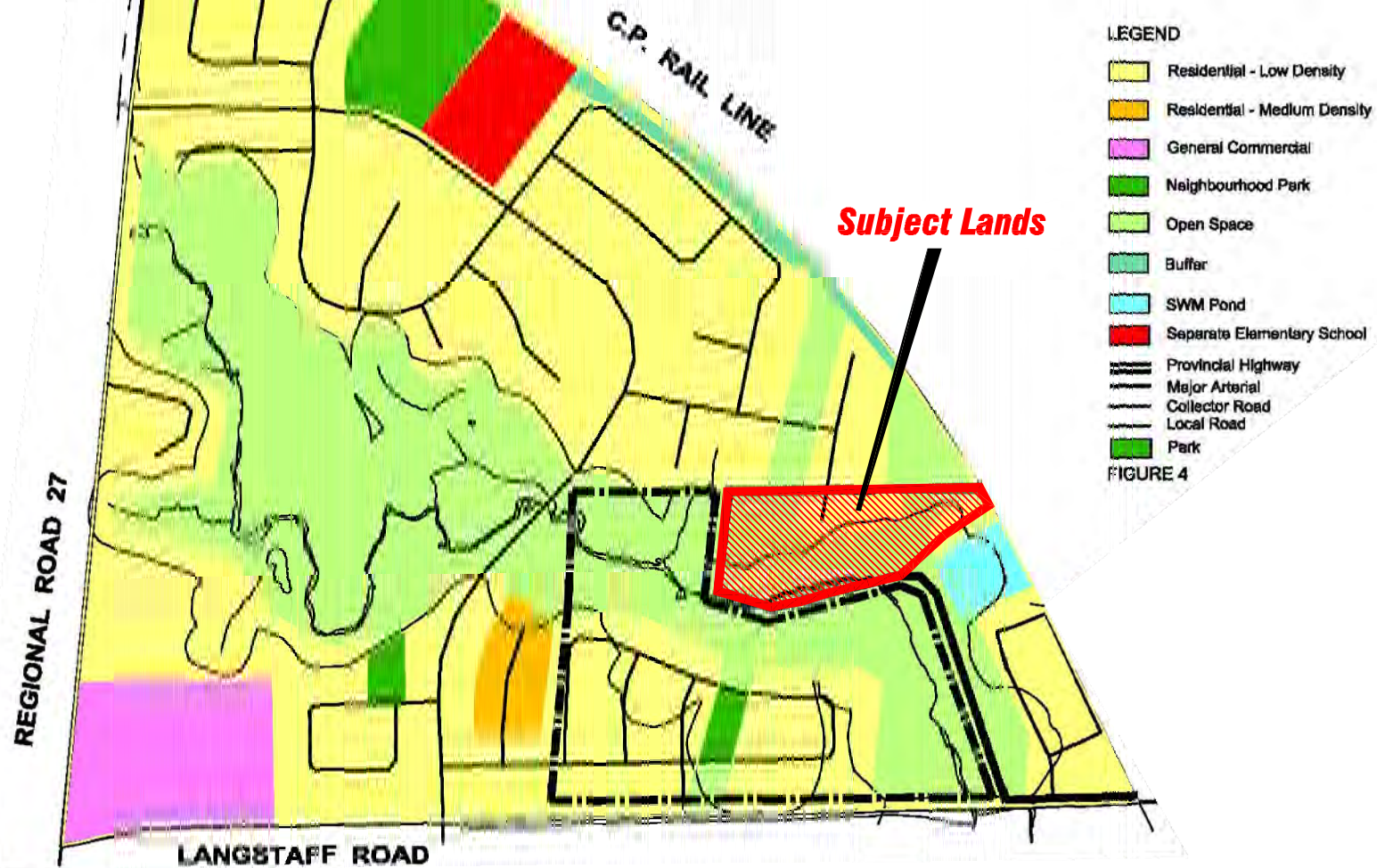
Development Planning Department

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 19T-12V003 Z.12.024
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 June 18, 2013

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LAND USE PLAN NEIGHBOURHOOD 4A DEVELOPMENT PLAN WOODBIDGE COMMUNITY (REVISED 2006)



Not to Scale

Neighbourhood 4A Plan

LOCATION:
Part of Lot 11, Concession 8

APPLICANT:
1668135 Ontario Inc.



Development Planning Department

Attachment

FILES:
19T-12V003 Z.12.024
DATE:
June 18, 2013

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THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 089-2013

A By-law to amend City of Vaughan By-law 1-88.

WHEREAS the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

AND WHEREAS there has been no amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are not in conformity;

NOW THEREFORE the Council of the Corporation of the City of Vaughan **ENACTS AS FOLLOWS:**

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
 - a) Rezoning the lands shown as “Subject Lands” on Schedule “1” attached hereto from A Agricultural Zone and OS1 Open Space Conservation Zone, to R5(H) Residential Zone with the addition of the Holding Symbol “H”, A Agricultural Zone, OS1 Open Space Conservation Zone, and OS2 Open Space Park Zone in the manner shown on the said Schedule “1”.
 - b) Adding the following Paragraph to Section 9.0 “EXCEPTIONS”:

“(1390) A. The following provisions shall apply to all lands zoned with the Holding Symbol “(H)” as shown on Schedule “E-*1517”, until the Holding Symbol “(H)” is removed pursuant to Subsection 36(3) or (4) of the Planning Act:

 - i) Lands zoned with the Holding Symbol “(H)” shall be used only for a use legally existing as of the date of the enactment of By-law 089-2013, or the production of field crops.”

B. Notwithstanding the provisions of:

 - a) Subsection 4.0 and Schedule “A” respecting the Minimum Zone Requirements;
 - b) Subsection 4.0 and Schedule “A” respecting Maximum Lot Coverage;
 - c) Subsection 3.14(c) respecting a covered porch encroachment into a required front yard;
 - d) Subsection 4.1.1 j) respecting the Maximum Height of Retaining Wall on a property line between two residential lots;

the following provisions shall apply to the lands shown as “Subject Lands” on Schedule “E-*1517”:

 - ai) the Minimum Rear Yard Setback for Lots 1, 2, 4, and 19-27 shall be 6.0 m;
 - aii) structures, including pools, are prohibited within 3.0 m of the rear

lot line for Lots 1-5 and 19-29 (inclusive). This clause shall not prevent boundary fencing and retaining walls;

aiii) structures, including pools, are prohibited within 2.5 m of the rear lot line for Lots 14-18 inclusive. This clause shall not prevent boundary fencing and retaining walls;

aiv) the Minimum Exterior Side Yard Setback for Lot 10 shall be 2.8 m (to dwelling) and 1.7 m (porch to a daylight triangle);

av) the minimum setback from the railway to a dwelling shall be 30 m;

bi) the Maximum Lot Coverage shall be 53%;

ci) a covered porch encroachment into a required front yard of 1 m shall be permitted;

di) the Maximum Height of retaining walls on a property between two residential lots shall be 2.4 m (along the rear lot lines) for Lots 19-29 (inclusive), with no minimum setback requirement.”

c) Adding Schedule “E-*1517” attached hereto as Schedule “1”.

d) Deleting Key Map 8C and substituting therefor the Key Map 8C attached hereto as Schedule “2”.

2. Schedules “1” and “2” shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 25th day of June, 2013.

Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk

SUMMARY TO BY-LAW 089-2013

The lands subject to this By-law are located south of Campania Court, on the north side of Langstaff Road, west of the Canadian Pacific Rail line, in Part of Lot 11, Concession 8, City of Vaughan.

The purpose of this By-law is to rezone the subject lands from A Agricultural Zone and OS1 Open Space Conservation Zone to R5(H) Residential Zone with the addition of the Holding Symbol "H", A Agricultural Zone, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone. The implementing By-law also includes exceptions to the minimum rear yard, side yard, and lot area requirements of By-law 1-88 for certain lots to facilitate a draft approved plan of subdivision (File 19T-12V003). The By-law also provides a minimum dwelling setback of minimum of 30 m from a railway right-of-way and restricts the placement of structures within rear yards of certain lots.

The Holding Symbol "(H)" shall be removed from the subject lands zoned R5(H) Residential Zone upon:

- i) Vaughan being in receipt of confirmation of the Ministry of Environment's Acknowledgement/Registration of the Record of Site Condition; or,
- ii) confirmation from the financial institution that is financing the development of the Draft Plan of Subdivision (19T-12V003) that funding would not be provided if receipt of confirmation of the Ministry of Environment's Acknowledgement/Registration of the Record of Site Condition is a condition of the Holding Symbol "(H)"; and, the applicant entering into an Agreement with the City, if required, to satisfy any additional conditions with respect to the remediation of the lands subject to this By-law to the satisfaction of the City. This will be subject to further discussions with the applicant, if needed.

In addition to the above, the Holding Symbol "(H)" shall be removed from the subject lands zoned R5(H) Residential Zone, and identified as Lots 14-18 upon:

- i) the City of Vaughan being satisfied with the protection of the abutting woodlot, the grading of these lots, the height of retaining walls, noise attenuation, and, the interface with the abutting public park.