

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 9, 2014**

Item 39, Report No. 36, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 9, 2014.

**39**

**DRAFT PLAN OF SUBDIVISION FILE 19T-14V003  
ELM THORNHILL WOODS (2013) INC.  
WARD 4 - VICINITY OF THORNHILL WOODS DRIVE AND SUMMERIDGE DRIVE**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, Interim Director of Planning/Director of Development Planning, and Manager of Development Planning, dated September 2, 2014:

**Recommendation**

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

1. THAT Draft Plan of Subdivision File 19T-14V003 (Elm Thornhill Woods (2013) Inc.) to facilitate the residential Draft Plan of Subdivision shown on Attachment #4, BE APPROVED, subject to the conditions of approval set out in Attachment #1 to this report.
2. THAT Vaughan Council adopt the following resolution with respect to the allocation of sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System in accordance with the approved Servicing Capacity Distribution Protocol dated October 29, 2013:

“IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision File 19T-14V003 is allocated sewage capacity from the York - Durham Servicing Scheme and water supply capacity from the York Water Supply System for a total of 17 residential units”.

**Contribution to Sustainability**

The application implements the following Goals and Objectives of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.3: To create a City with sustainable built form

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

- Objective 3.2: To develop and sustain a network of roads that supports efficient and accessible public and private transit

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

- EnerGuide 80 energy efficiency will be achieved
- reduced water consumption through the use of low flush toilets and water restricting shower heads and taps

**Economic Impact**

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

## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 9, 2014**

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#### **Communications Plan**

On April 17, 2014, a Notice of Public Hearing was circulated to all property owners within the expanded polling area as shown on Attachment #3, and to the Preserve Thornhill Woods Association. A copy of the Notice of Public Hearing was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a Notice sign was installed on the property in accordance with the City's Sign Notification Policy. The recommendation of the Committee of the Whole to receive the Public Hearing report of May 14, 2014, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on May 27, 2014.

A representative from the Preserve Thornhill Woods Ratepayers Association, spoke at the Public Hearing in support of the application.

#### **Purpose**

To seek approval from the Committee of the Whole for Draft Plan of Subdivision File 19T-14V003 on the subject lands shown on Attachments #2 and #3, to facilitate a residential subdivision consisting of 17 lots for detached dwellings as shown on Attachment #4. The proposed Draft Plan of Subdivision statistics are as follows:

17 lots for single detached dwellings (minimum 14m frontage)	0.840 ha
Block 18 - 3 m walkway	0.014 ha
Block 19 - Open Space	0.010 ha
Road (Street '1', 17.5 m)	<u>0.358 ha</u>
Total Area	1.222 ha

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

##### **Location**

The vacant subject lands shown on Attachments #2 and #3 are located on the east side of Thornhill Woods Drive, northwest of Bathurst Street and Regional Road 7, being Block 158 on Registered Plan 65M-3523, in Part of Lot 12, Concession 2, City of Vaughan. The subject lands have an area of 1.222 ha with 50 m of frontage on Thornhill Woods Drive. The approved Block 10 Plan identifies the subject lands, along with an approved place of worship site directly north of the subject lands, as a separate elementary school site forming part of a school/park campus that included Thornhill Woods Park and Thornhill Woods Public School. The York Region Catholic District School Board has determined that this school site is no longer required. The surrounding land uses are shown on Attachment #3.

##### **Official Plan**

The subject lands are designated "Low Rise Residential" by Vaughan Official Plan 2010 (VOP 2010), which permits single detached dwelling units. The proposed residential Draft Plan of Subdivision conforms to VOP 2010.

##### **Zoning**

The subject lands are zoned RV3(WS) Residential" Urban Village Zone Three, subject to Exception 9(1063) by Zoning By-law 1-88, which permits single detached residential dwellings with a minimum lot frontage and area of 13.5 m and 317 m<sup>2</sup> respectively. The 17 lots on the proposed Draft Plan of Subdivision, have a minimum lot frontage of 14 m and area of 335 m<sup>2</sup>, which complies with Zoning By-law 1-88.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 9, 2014**

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Subdivision Design

The proposed Draft Plan of Subdivision shown on Attachment #4 includes 17 lots with frontage on a 17.5 m wide cul-de-sac road (Street '1') that extends east from Thornhill Woods Drive. The Plan also includes a proposed walkway (Block 18) that provides a pedestrian connection from Street "1" to Thornhill Woods Park and the lands to the north. Block 19 is currently shown as an Open Space Block which will be combined with the proposed Block 18 Walkway Block. This recommendation to combine Blocks 18 and Block 19 is discussed in the Parks Development Department section of this report.

At the May 14, 2014 Public Hearing questions were raised regarding the existing walkway system which provides a connection from Cortese Terrace and Canelli Heights Court to the Open Space/Woodlot, Thornhill Woods Park and Thornhill Woods Public School. The proposed subdivision will not impact the existing walkway system. This walkway system will be maintained and additional walkway connections, Blocks 18 and 19, will be provided within the proposed development.

All development within the proposed Draft Plan of Subdivision must proceed in accordance with the approved Block 10 Thornhill Woods Landscape Master Plan prepared by Landscape Planning Limited. Prior to final Subdivision approval the Owner shall prepare an urban design brief that addresses Architectural Design Guidelines. Conditions of Draft Plan approval from the Urban Design Division have been included in Attachment #1.

The Vaughan Planning Department has no objection to the approval of the proposed Draft Plan of Subdivision as shown on Attachment #4, subject to the comments in this report and conditions of approval set-out in Attachment #1.

Vaughan Development/Transportation Engineering Department

The Development/Transportation Engineering Department has reviewed the Draft Plan of Subdivision Application and provides the following comments:

a) Road Network

Site access is proposed via a cul-de-sac from Thornhill Woods Drive north of Canelli Heights Court.

b) Servicing

- An existing 1500 mm diameter storm sewer along Thornhill Woods Drive, will convey flow from the subject site to an existing stormwater management pond (Pond #1) (east of Thornhill Woods Drive and north of Highway #7), which was designed to handle the proposed flow from the site and in turn provide quality and quantity control.
- Sanitary flows generated from the subject development are to be conveyed to the existing sanitary sewers along Thornhill Woods Drive and to Summeridge Drive. The existing sanitary sewer along Thornhill Woods Drive has sufficient capacity to accommodate the proposed development.
- The water connection for the site will be provided from the existing 400 mm diameter watermain along Thornhill Woods Drive. No capacity constraints are expected with respect to water supply.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 9, 2014

#### Item 39, CW Report No. 36 – Page 4

In accordance with the City's Servicing Capacity Distribution Protocol as adopted by Vaughan Council on October 29, 2013, formal allocation of servicing capacity is required by Vaughan Council in conjunction with Draft Plan Approval. A servicing allocation resolution is included in the recommendation of this report

The Development/Transportation Engineering Department has no objection to the approval of this Draft Plan of Subdivision application subject to the comments in this report and the conditions of approval set out in Attachment #1.

#### Vaughan Planning Department - Cultural Heritage Division

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

#### Vaughan Parks Development Department

The Parks Development Department has reviewed the proposed Draft Plan of Subdivision and provides the following comments:

- i. The proposed 3 m wide walkway shall be illustrated on a site plan that indicates the required pedestrian path, connecting to the existing pedestrian walkway within the Thornhill Woods Park. All proposed walkway works on City property, including but not limited to, grading, servicing, lighting, removals and restoration required shall form part of the developer's works and responsibilities for this proposed subdivision development at no cost to the City.
- ii. Should the proposed 3 m wide walkway connection to the adjacent Thornhill Woods Park be too restrictive, an alternative walkway route connection to the existing woodlot and open space pathway to the east of the proposed development should be considered as an option.
- iii. All drawings must show a physical connection of the proposed 3 m wide walkway to the proposed municipal sidewalk.
- iv. The proposed Open Space Block 19 should be combined with the proposed engineered walkway block that is shown to connect into the existing park block.
- v. The Parks Development Department has also provided conditions of subdivision approval that are included in Attachment #1 of this report:

#### Vaughan Legal Services Department - Real Estate Division

The Vaughan Legal Services Department, Real Estate Division has confirmed that no cash-in-lieu of parkland dedication in accordance with the Planning Act and the City's Cash-in-Lieu Policy is payable according to the Block 10 parkland dedication calculations.

#### School Boards

The York Region District (Public) School Board, and York Catholic District School Board have advised that they have no objections to the proposal.

#### Canada Post

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

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 9, 2014**

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#### **Utilities**

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

Enbridge Gas Distribution has no objections to the application. The Owner will be required to prepare a composite utility plan that allows for the safe installation of all utilities, including the required separation between utilities. Enbridge Gas Distribution has provided conditions on Attachment #1 to be included in the subdivision agreement.

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

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

i. **Lead and Promote Environmental Sustainability**

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

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

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

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

iii. **Enhance and Ensure Community Safety/Health and Wellness**

The proposed development includes a public walkway, which will connect to the existing City of Vaughan pedestrian walkway within the Thornhill Woods Park to enhance the City's existing inventory of public amenity space.

#### **Regional Implications**

York Region has no objection to the Draft Plan of Subdivision 19T-14V003 subject to the Schedule of Pre-condition and Schedule of Conditions in Attachment #1 of this report.

#### **Conclusion**

The Vaughan Planning Department has reviewed Draft Plan of Subdivision File 19T-14V003, in accordance with the applicable policies of the City's Official Plan, Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The application will facilitate a low density residential development form that is consistent and compatible with the surrounding land uses, and conforms to the land use and applicable policies of the Official Plan, and the requirements of Zoning By-law 1-88. The Planning Department can support the approval of the proposed Draft Plan of Subdivision, shown on Attachment #4, subject to the recommendations in this report and the conditions of approval included in Attachment #1.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 9, 2014**

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**Attachments**

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Subdivision File 19T-14V003
5. Conceptual Streetscape Plan

**Report prepared by:**

Carol Birch, Planner, ext. 8485  
Christina Napoli, Senior Planner, ext. 8483

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

**COMMITTEE OF THE WHOLE    SEPTEMBER 2, 2014**

**DRAFT PLAN OF SUBDIVISION FILE 19T-14V003  
ELM THORNHILL WOODS (2013) INC.  
WARD 4 - VICINITY OF THORNHILL WOODS DRIVE AND SUMMERIDGE DRIVE**

**Recommendation**

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

1. THAT Draft Plan of Subdivision File 19T-14V003 (Elm Thornhill Woods (2013) Inc.) to facilitate the residential Draft Plan of Subdivision shown on Attachment #4, BE APPROVED, subject to the conditions of approval set out in Attachment #1 to this report.
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**Contribution to Sustainability**

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

- EnerGuide 80 energy efficiency will be achieved
- reduced water consumption through the use of low flush toilets and water restricting shower heads and taps

**Economic Impact**

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

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recommendation to combine Blocks 18 and Block 19 is discussed in the Parks Development Department section of this report.

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- ii. Should the proposed 3 m wide walkway connection to the adjacent Thornhill Woods Park be too restrictive, an alternative walkway route connection to the existing woodlot and open space pathway to the east of the proposed development should be considered as an option.
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The Owner will be required to confirm that sufficient wire-line communications/telecommunications infrastructure is available within the proposed development. The Owner will also be required to grant any easements that may be required for telecommunication services. A condition to this effect is included in Attachment #1.

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

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

i. **Lead and Promote Environmental Sustainability**

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

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

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

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

iii. **Enhance and Ensure Community Safety/Health and Wellness**

The proposed development includes a public walkway, which will connect to the existing City of Vaughan pedestrian walkway within the Thornhill Woods Park to enhance the City's existing inventory of public amenity space.

### **Regional Implications**

York Region has no objection to the Draft Plan of Subdivision 19T-14V003 subject to the Schedule of Pre-condition and Schedule of Conditions in Attachment #1 of this report.

### **Conclusion**

The Vaughan Planning Department has reviewed Draft Plan of Subdivision File 19T-14V003, in accordance with the applicable policies of the City's Official Plan, Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The application will facilitate a low density residential development form that is consistent and compatible with the surrounding land uses, and conforms to the land use and applicable policies of the Official Plan, and the requirements of Zoning By-law 1-88. The Planning Department can support the approval of the proposed Draft Plan of Subdivision, shown on Attachment #4, subject to the recommendations in this report and the conditions of approval included in Attachment #1.

### **Attachments**

1. Conditions of Approval
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5. Conceptual Streetscape Plan

**Report prepared by:**

Carol Birch, Planner, ext. 8485  
Christina Napoli, Senior Planner, ext. 8483

Respectfully submitted,

JOHN MACKENZIE  
Commissioner of Planning

GRANT UYEYAMA  
Interim Director of Planning, and  
Director of Development Planning

MAURO PEVERINI  
Manager of Development Planning

/CM

## **ATTACHMENT NO. 1**

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

#### **DRAFT PLAN OF SUBDIVISION FILE 19T-14V003 (PLAN) ELM THORNHILL WOODS (2013) INC. (OWNER) BLOCK 158, REGISTERED PLAN 65M-3523**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN (CITY) THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION FILE 19T-14V003, ARE AS FOLLOWS:**

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

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by KLM Planning Partners Inc., drawing, dated June 25, 2014.
2. Prior to final approval of the Plan, the Owner shall enter into a Developers' Group Agreement with the other participating landowners within Block 10 to the satisfaction of the City. The agreement shall be regarding but not limited to all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services within Block 10. This agreement shall also include a provision for additional developers to participate within the Developers' Group Agreement when they wish to develop their lands.
3. Prior to final approval of the Plan, the Trustee for Block 10 shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 10 Landowners Cost Sharing Agreement.
4. 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 Toronto and Region Conservation Authority (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.
5. Prior to final approval of the Plan, the City and York Region shall confirm that adequate water supply and sewage treatment capacity are available to accommodate the proposed development, and has been allocated to the Plan by the City.
6. Prior to final approval of the Plan, the Owner shall submit, to the satisfaction of the City, a listing prepared by an Ontario Land Surveyor of all the Lot and Block areas and Lot frontages and depths in accordance with the approved Zoning By-law for all Lots and Blocks within the Plan.
7. The Owner shall agree in the subdivision agreement to erect a permanent 1.5m high black vinyl chain link fence and privacy fence along the limits of residential lots where they abut open space lands, park and public walkway to the satisfaction of the City.
8. Prior to final approval of the Plan, the Owner shall certify to the City that they are not aware of any soil, groundwater or sediment contamination on or within lands to be conveyed to the municipality which could interfere with its intended use.

9. The Owner shall agree in the subdivision agreement that the storm drainage works be carried out consistent with the concepts outlined within, and substantially in compliance with, the Master Environmental Servicing Plan, for the Planning Block 10.
10. The Owner shall re-instate Thornhill Woods Drive to the pre-construction conditions or better and to the satisfaction of the City.
11. The Owner shall agree in the subdivision agreement to include the following warning clause in all Offers of Purchase and Sale or Lease for Lots 15 to 17 both inclusive within the Plan in proximity of the Neighbourhood Park:

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

“Purchasers and/or tenants are advised that any encroachments and/or dumping from the lot to the park are prohibited.”

“Purchasers and/or tenants are advised that the installation of any gate or access point from the lot to the park is prohibited.”
12. 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.
13. The road allowances included within this Draft Plan of Subdivision shall be dedicated as public highways without monetary consideration and free of all encumbrances.
14. The road allowances included within this Draft Plan of Subdivision shall be named to the satisfaction of the City and the Regional Planning Department.
15. The road allowances included in the Plan shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 metre reserves. The pattern of streets and the layout of lots and blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.
16. Any dead ends or open sides of road allowances created by this Draft Plan of Subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.
17. The Owner shall agree in the subdivision agreement that construction access shall be provided only in a location approved by the City.
18. Prior to final approval of the Plan, the Owner shall provide easements as may be required for utility, drainage or construction purposes and shall be granted to the appropriate authority(ies), free of all charge and encumbrance.
19. 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.

20. Prior to final approval of the Plan, the Owner shall pay its 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 development of the plan.
21. 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.
22. Prior to the initiation of grading, and prior to the registration of this draft plan of subdivision or any phase thereof, the owner shall submit to the City for review and approval the following:

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

- a. plans illustrating how this drainage system will tie into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
- b. the location and description of all outlets and other facilities;
- c. storm water management techniques which may be required to control minor or major flows; and
- d. proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction.

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

23. The Owner shall implement in the subdivision agreement all the attenuation measures recommended and include the warning clauses into the noise report to the satisfaction of the City.
24. 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.
25. The Owner shall agree in the subdivision agreement to design, purchase material and install a streetlighting system in the Plan in accordance with City Standards and specifications. This Plan shall be provided with decorative streetlighting to the satisfaction of the City.
26. 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.
27. 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.
28. The Owner shall cause the following warning clauses to be included in a schedule to all offers of purchase and sale, or lease for all lots/blocks within the entire Plan:

- a) "Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the City and a conceptual location Plan is included in the subdivision agreement. While every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete any boulevard tree without further notice.

The City has not imposed an amount of a tree fee or any other fee, which may be charged as a condition of purchase for the planting of trees. Any tree fee paid by purchasers for boulevard trees does not guarantee that a tree will be planted on the boulevard in front or on the side of the residential dwelling."

- b) "Purchasers and/or tenants are advised that proper grading of all lots in conformity with the Subdivision Grading Plans is a requirement of this subdivision agreement.

The City has taken a Letter of Credit from the Owner (Subdivision Developer) for the security to ensure all municipal services including, but not limited to lot grading, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for lot grading purposes, is NOT a requirement of this subdivision agreement. The City of Vaughan does not control the return of such deposits and purchasers/tenants must direct inquiries regarding this return to their vendor/landlord."

- c) "Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the CRTC authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs."

- d) "Purchasers and/or tenants are advised that driveway widths and curb cut widths are governed by City of Vaughan Zoning By-law 1-88, as amended, as follows:

- i. The maximum width of a driveway shall be 6 metres measured at the street curb, provided circular driveways shall have a maximum combined width of 9 metres measured at the street curb.
- ii. Driveway in either front or exterior side yards shall be constructed in accordance with the following requirements:

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

<sup>1</sup>The Lot Frontage for Lots between 6.0 – 11.99m shall be comprised of a Minimum of 33% Landscaped Front or Exterior side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior side yard shall be soft landscaping in accordance with Paragraph 4.1.2.

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



- e) "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox as required by Canada Post. The location of the community mailbox shall be shown on the community plan provided by the Owner in its Sales Office."
- f) "Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the building occupants."
- g) "Purchasers and/or tenants are advised that fencing and/or noise attenuation features along the lot lines of lots and blocks abutting public lands, including public highway, laneway, walkway or other similar public space, is a requirement of this subdivision agreement and that all required fencing and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3m reserve, as shown on the Construction Drawings."
- h) "The City has taken a Letter of Credit from the Owner for security to ensure all fencing including, but not limited to privacy fencing, chain link fencing and acoustic fencing, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for fencing, is not a requirement of this subdivision agreement."
- i) "Purchasers and/or tenants are advised that fencing along the lot lines of Lots and Blocks abutting public lands is a requirement of this subdivision agreement and that all required fencing, noise attenuation feature and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3 metre reserve, as shown on the Construction Drawings."

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

The maintenance of the noise attenuation feature or fencing shall not be the responsibility of the City, or the Region of York and shall be maintained by the Owner until assumption of the services of the Plan. Thereafter the maintenance of the noise attenuation feature or fencing shall be the sole responsibility of the lot owner. Landscaping provided on Regional Road right-of-ways by the Owner or the City for aesthetic purposes shall be approved by the Region and maintained by the City with the exception of the usual grass maintenance."

- j) "Purchasers and/or tenants are advised that this plan of subdivision is designed to include rear lot catchbasins. The rear lot catchbasin is designed to receive and carry only clean stormwater. It is the homeowner's responsibility to maintain the rear lot catchbasin in proper working condition by ensuring that the grate is kept clear of ice, leaves and other debris that would prevent stormwater from entering the catchbasin. The rear lot catchbasins are shown on the Construction Drawings and the location is subject to change without notice."
- k) "Purchasers and/or tenants are advised that the Owner (Subdivision Developer) has made a contribution towards recycling containers for each residential unit as a requirement of this subdivision agreement. The City has taken this contribution from the Owner to off-set the cost for the recycling containers, therefore, direct cash deposit from the Purchasers to the Owner for recycling containers purposes is not a requirement of the City of Vaughan. The intent of this initiative is to encourage the home Purchasers to participate in the City's waste diversion programs and obtain their recycling containers from the Joint Operation

Centre (JOC), 2800 Rutherford Road, Vaughan, Ontario, L4K 2N9, (905) 832-8562; the JOC is located on the north side of Rutherford Road just west of Melville Avenue.”

Any additional warning clause as noted in the subdivision agreement shall be included in all Offers of Purchase and Sale or Lease for all Lots and/or Blocks within the Plan to the satisfaction of the City.

29. The Owner shall pay any and all outstanding application fees to the Vaughan Planning Department, in accordance with applicable and in-effect Tariff of Fees By-law.
30. Prior to final approval of any part of the Plan, the owner shall submit a revised Block Plan, to reflect any alterations resulting from this plan.
31. Prior to final approval of the Plan, the owner shall pay its proportionate share of the cost of any external municipal services that have been designed and oversized by others to accommodate the development of the Plan.
32. The Owner shall pay to the City, a woodlot development charge at the rate of \$1,000.00 per residential dwelling unit in accordance with the previous Special Area Woodlot Development Charge By-law and City’s Woodlot Acquisition Front-end Agreement.
33.
  - a) Prior to final approval, the owner shall satisfy all technical, financial and other requirements of PowerStream Inc., its successors and assigns regarding the design, installation, connection and/or expansion of electric distribution services, or any other related matters; the owner shall enter into a development agreement with PowerStream Inc. which addresses the foregoing requirements.
  - b) The Owner shall agree to design, purchase materials, and install a buried hydro distribution system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of PowerStream Distribution Inc. and the City.
34.
  - a) Should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan Planning Department, Culture Heritage Division shall be notified immediately.
  - b) In the event the human remains are encountered during construction activities, the proponent must immediately cease all construction activities. The Owner shall contact the Region of York Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.
35. 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, and 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 Neighbourhood 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 townhouses

- the following notes in BOLD CAPITAL TYPE on the map:

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

"For detailed grading 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.]*

36. 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.
37. Prior to final approval, the Owner shall agree in the subdivision agreement to the following:
  - All development shall proceed in accordance with the approved Block 10 Thornhill Woods Landscape Masterplan prepared by Landscape Planning Limited.
38. Prior to final approval, the owner shall prepare an urban design brief that shall address, but not be limited, to Architectural Design Guidelines.
39. 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.
40. 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 the residential lots that abut the woodlot.
41. 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 the residential lots that abut park land.
42. The Owner shall agree in the subdivision agreement to erect an appropriate fence barrier along limits of the residential lots that abut walkway Block #18, to the satisfaction of the City.
43. The Owner shall agree in the subdivision agreement to erect permanent wood fence treatments for flanking residential lots; to be co-ordinated with the environmental noise report.
44. The Owner shall permit any telephone or telecommunications service provider to locate its plant in a common trench within the proposed Plan 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.
45. Prior to execution of the Subdivision Agreement, the Owner shall provide the City with a Letter of Credit totaling the complete costs to build the lit pedestrian pathway on City property, which shall be held for the estimated construction costs for the proposed site works on the existing park block, which shall include but is not limited to all required geotechnical reports, construction testing, surveying, storm water management brief and all required construction costs to build a lit

pedestrian asphalt pathway. The Owner is responsible for the total cost of the design and construction of all works to complete the lit pedestrian pathway and associated landscape works, including but is not limited to any works of a temporary nature.

46. Upon execution of the Subdivision Agreement:

- a) The Owner is granted permission to enter the City owned park land in order to complete the necessary site works associated with the pedestrian pathway and associated landscape works, which include but are not limited to: construction hoarding fencing, sediment control fencing, tree protection fencing, lighting, grading, sodding, etc. as approved by the City.
- b) The Owner is to construct, install and maintain erosion and sediment control facilities, satisfactory to the City prior to any grading or construction on City property in accordance with the plans that have been submitted to and approved by the City.

47. Prior to commencement of the site works on the park site:

- a) The Owner shall submit construction details that have been based on the Geotechnical Report recommendations for pavement design, retaining structures and pipe bedding, etc. and to the satisfaction of the City.
- b) Once all design development works are reviewed and approved by the City, the Owner shall obtain all approvals and permits required, so that the proposed landscape and hardscape works for the pedestrian pathway and associated landscape works can be constructed.
- c) The Owner shall be responsible to award all contracts and shall supervise all construction and provide all necessary certification by its consultants that these works have been completed as per the approved drawings and specification and to the satisfaction of the City.
- d) The Owner is to complete a tree inventory and assessment report, satisfactory to the City prior to any grading or construction on City property. The report is to be completed by a certified arborist.
- e) The Owner agrees that no construction work, including but not limited to tree cutting, grading or filling, will occur on City property until such time as the Owner has obtained written permission from the City.
- f) The Owner is to prepare an overall site drainage and grading plan, satisfactory to the City for the affected park block area, prior to any grading on the site.
- g) The Owner shall submit a Storm Water Management Report and Plan to the satisfaction of the City, which shows how storm water will be controlled and conveyed on City Property into the existing storm water system based on the proposed works.

48. When the construction of the lit pedestrian pathway and associated landscape works have been substantially completed to the satisfaction of the City, the Owner shall provide the City with the following information:

- a) A certification from the Landscape Architectural consultant, certifying the satisfactory completion of the lit pedestrian pathway and associated landscape works on the existing Park site in accordance with the approved specifications and drawings. This certification must be signed and stamped by a member of the Ontario Association of Landscape Architects (O.A.L.A). Copies of the substantial completion of the works as approved and

confirmed by the project Landscape Architect and proof of publication of such in the Daily Commercial News by the Owner and/or his agent.

- b) A letter of approval from Parks Development and Parks Operations and Forestry indicating that all approved works have been completed and inspected to the satisfaction of the City.
- c) A detailed breakdown of the final as-constructed costs of the park interface and associated landscape areas by the Landscape Architectural consultant to the satisfaction of the City.
- d) A complete set of as-built construction drawings for the lit pedestrian pathway and associated landscape works to the satisfaction of the City.
- e) Copies of all quality assurance test results, supplementary geotechnical reports and construction related reports.
- f) The Owner shall be responsible to maintain the pedestrian pathway and associated landscape works until such time as the required lit pedestrian pathway and associated landscape works are assumed by the City.

#### York Region

#### Pre-Conditions

49. Prior to or concurrent with draft plan approval for any residential units, 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<sup>1</sup> for the subject lands until such time as:
    - a. The City 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 the required infrastructure to support the capacity assignment associated with this development will be completed within a time period acceptable to the Region (usually 12 months) to permit presales;
  - 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 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. The agreement shall be registered on title, committing the owner to the same terms as set out in item A above.
50. Prior to draft plan approval for any residential units, the owner shall enter into an indemnity agreement with York Region, which agreement shall be registered on title, agreeing to save harmless York Region from any claim or action as a result of York Region releasing conditions and pre-conditions of draft approval as part of the draft approval of Plan of Subdivision File 19T-14V03, or any phase thereof, including, but not limited to claims 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, 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.

<sup>1</sup>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

51. The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the City of Vaughan and York Region.
52. Prior to final approval, York Region shall confirm that adequate water supply and sewage servicing capacity are available and have been allocated by the City of Vaughan for the development proposed within this draft plan of subdivision or any phase thereof. Registration of the plan of subdivision shall occur in phases based on the availability of water supply and sewage servicing allocation.
53. 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.
54. Prior to final approval, the engineering drawing showing the layout of the watermains and sewers shall be submitted to the Infrastructure Asset Management Branch.
55. 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, and engineering drawings showing details of the connection shall be submitted to Infrastructure Asset Management for approval.
56. Prior to final approval, the Owner shall provide a copy of the Subdivision Agreement to the Regional Transportation and Community Planning Department, outlining all requirements of the Transportation and Community Planning Department.
57. 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.

#### Enbridge Gas Distribution

58. The owner shall be responsible for preparing a composite utility plan that allows for a safe installation of all utilities, including required separation between utilities.

59. The owner shall construct the streets in accordance with composite utility plans previously submitted and approved by all utilities.
60. 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.
61. 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. The gas location must be a minimum of 0.6 metres from the street line.
62. The Owner shall contact Enbridge Gas Distribution's Customer Connections department by emailing [SalesArea30@enbridge.com](mailto:SalesArea30@enbridge.com) for service and meter installation detail and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.
63. If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the owner.
64. In the event that easements(s) are required to service this development, the owner will provide the easements(s) to Enbridge Gas Distribution at no cost.
65. The owner will grade all allowances to as final elevation as possible, provide necessary field survey information and all approved municipal road cross sections, identifying all utility locations prior to the installation of the gas piping. Enbridge Gas Distribution reserves the right to amend or remove development conditions.

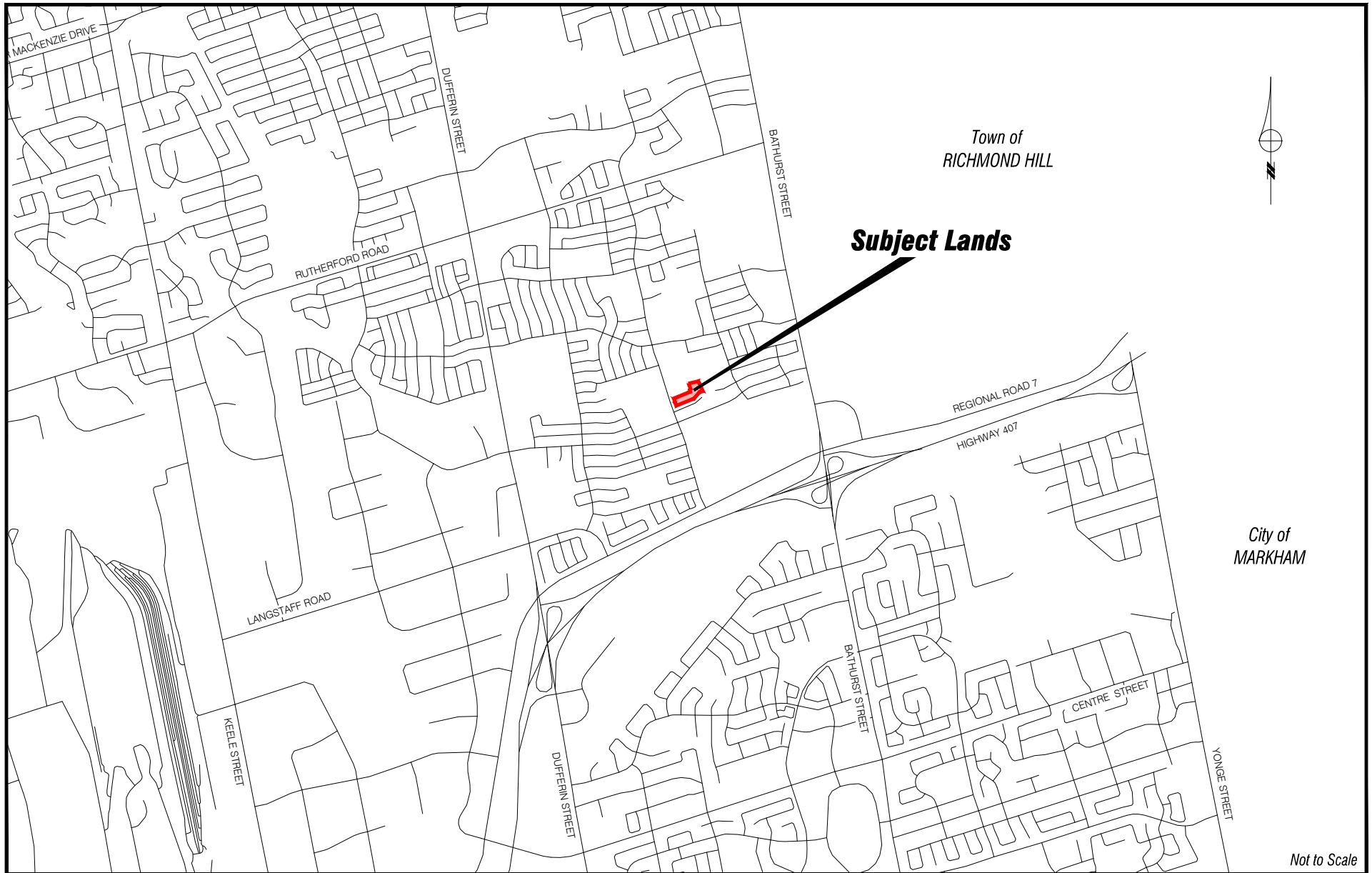
#### Canada Post

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

#### Other Conditions

71. 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 70 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
72. The City shall advise that Conditions 1 to 48 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
73. The York Region Transportation and Community Planning Department shall advise that Conditions 49 to 57 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
74. Enbridge Gas Distribution Inc. shall advise that Conditions 58 to 65 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
75. Canada Post shall advise that Conditions 66 to 70 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 12, Concession 2

APPLICANT:  
Elm Thornhill Woods (2013) Inc.

N:\DFT\1 ATTACHMENTS\19\19T-14V003.dwg

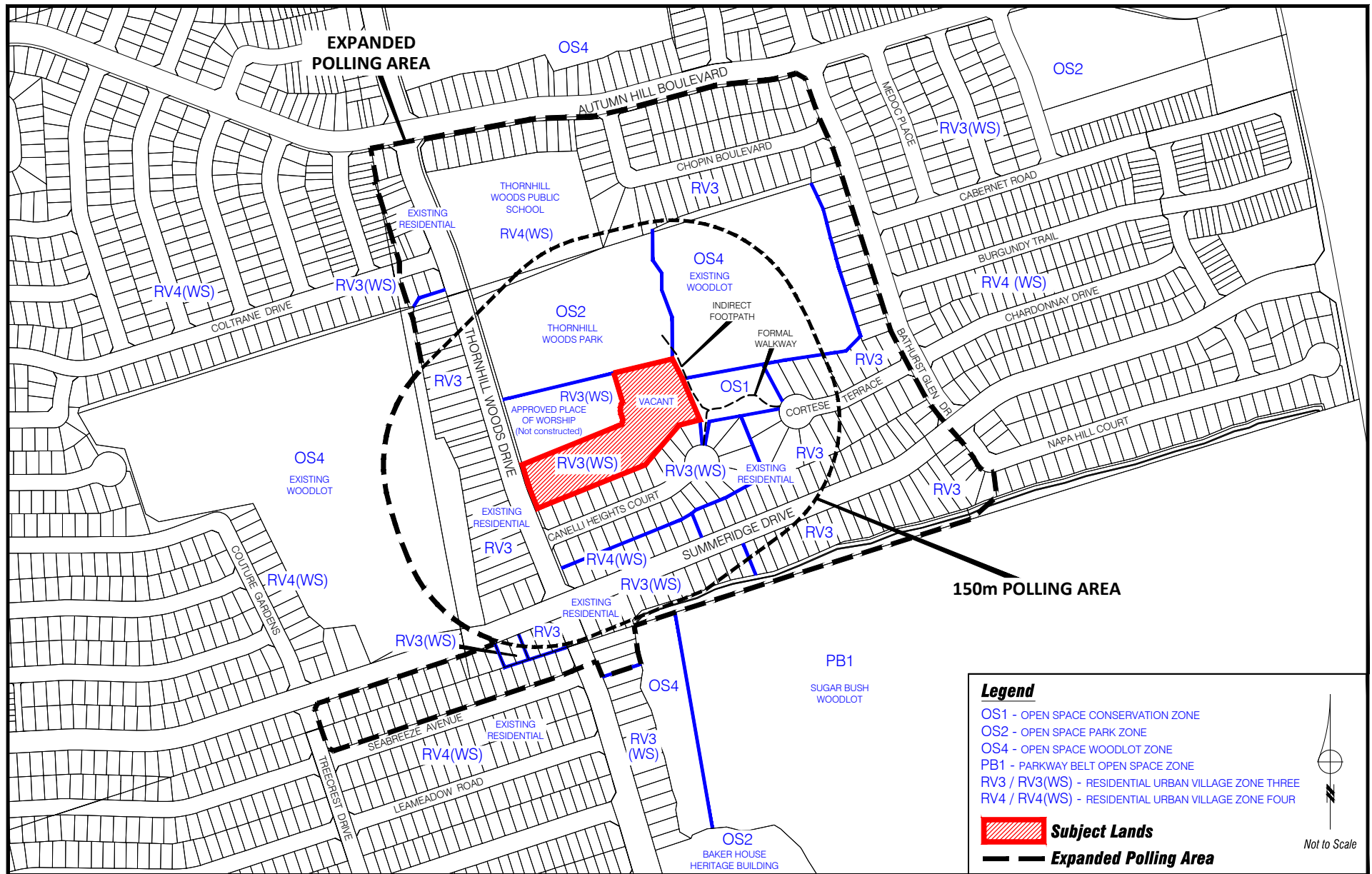


Attachment

FILE:  
19T-14V003

DATE:  
September 2, 2014

2



## Location Map

LOCATION:  
Part of Lot 12, Concession 2

APPLICANT:  
Elm Thornhill Woods (2013) Inc.

N:\DFT\1 ATTACHMENTS\19\19T-14V003.dwg

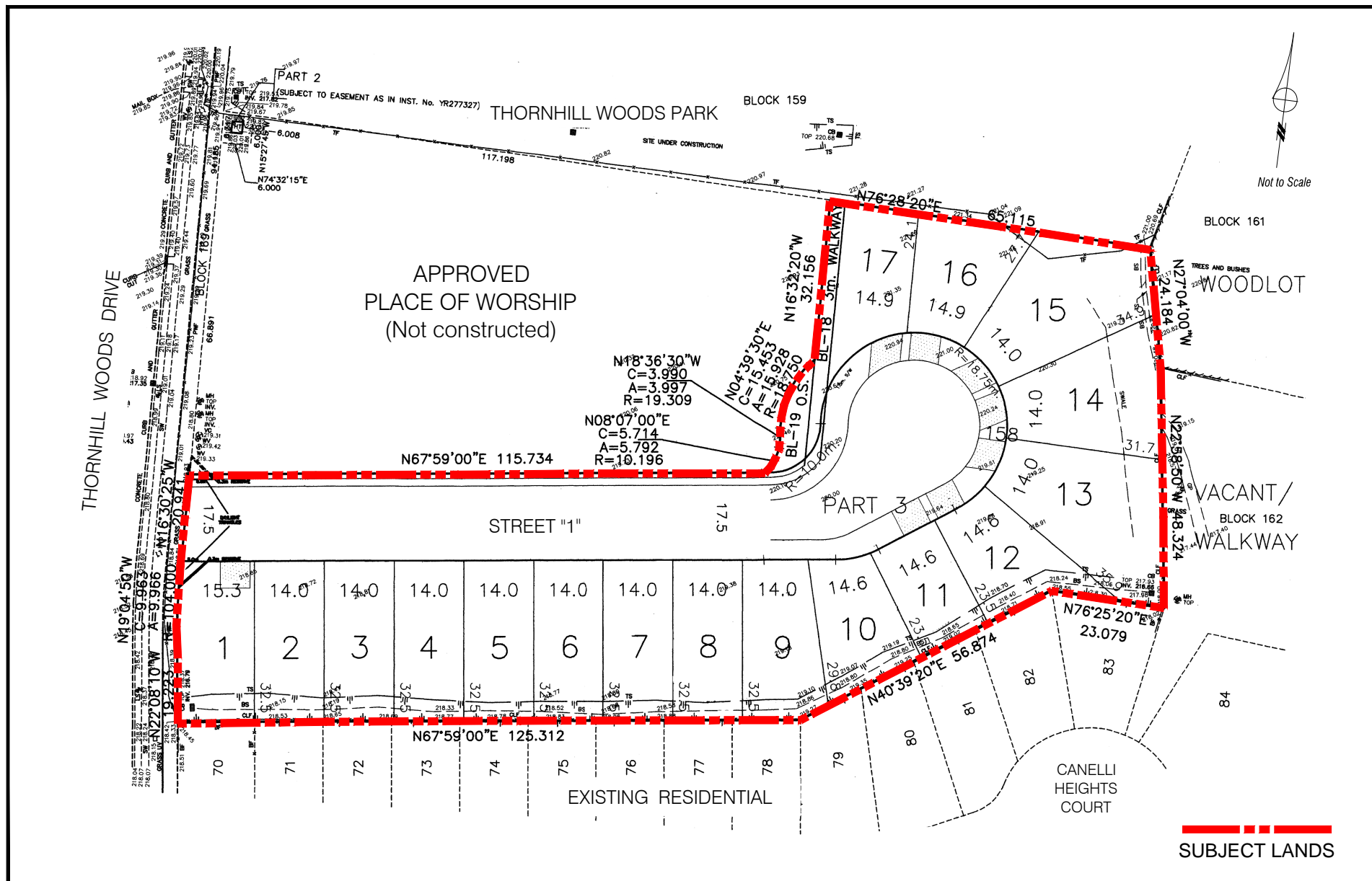


## Attachment

FILE:  
19T-14V003

DATE:  
September 2, 2014

3



# Draft Plan of Subdivision File 19T-14V003

LOCATION:  
Part of Lot 12, Concession 2

APPLICANT:  
Elm Thornhill Woods (2013) Inc.

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Attachment

FILE:  
19T-14V003

DATE:  
September 2, 2014

4

