

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 16, 2015

Item 23, Report No. 31, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 16, 2015.

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**ZONING BY-LAW AMENDMENT FILE Z.06.064
DRAFT PLAN OF SUBDIVISION FILE 19T-06V12 (PHASE 1)
COUNTRY WIDE HOMES (PINE VALLEY ESTATES) INC.
(FORMERLY KNOWN AS MARIA AND GIUSEPPE PANDOLFO)
WARD 3 - VICINITY OF PINE VALLEY DRIVE AND TESTON ROAD**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, Director of Development Planning, and Manager of Development Planning, dated September 9, 2015, be approved; and**
- 2) That the following deputations and Communication be received:**
 - 1. Ms. Gillian Evans, Upper Cold Creek Farm, Pine Valley Drive, Woodbridge, and Communication C2, dated September 9, 2015; and**
 - 2. Mr. Sam Balsamo, Countrywide Homes, Highway 7, Vaughan, L4L 3P5.**

Recommendation

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

1. THAT Zoning By-law Amendment File Z.06.064 (Country Wide Homes (Pine Valley Estates) Inc.) BE ENDORSED, to amend Zoning By-law 1-88, specifically to rezone the Phase 1 portion of the subject lands shown on Attachments #2 and #3, from A Agricultural Zone and OS1 Open Space Conservation Zone to RD2 Residential Detached Zone Two, RD3 Residential Detached Zone Three, RT1 Residential Townhouse Zone, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone, in the manner shown on Attachment #4, together with the site-specific exceptions to Zoning By-law 1-88 identified in Table 1 of this report.
2. THAT Draft Plan of Subdivision File 19T-06V12 (Phase 1) (Country Wide Homes (Pine Valley Estates) Inc.) as shown on Attachment #5, BE ENDORSED, subject to the conditions set out in Attachment #1 of this report.
3. THAT the Notice of Approval for Draft Plan of Subdivision File 19T-06V12 (Phase 1) (Country Wide Homes (Pine Valley Estates) Inc.) not be issued until the implementing Official Plan Amendment (OPA) #744 is approved by the Ontario Municipal Board (OMB) and is in full force and effect, and a fully executed Landowner's Cost Sharing Agreement is in place that includes the funding arrangements and conveyances for the Block 40/47 Sanitary Pumping Station and associated works.
4. THAT should the approval of Official Plan Amendment (OPA) #744 result in modifications to the Official Plan or the Block 40/47 Plan, the zoning and Draft Plan of Subdivision File 19T-06V12 (Phase 1) (Country Wide Homes (Pine Valley Estates) Inc.) and supporting documents including the Master Environmental Servicing Plan (MESP) shall be revised to conform to the approved OPA #744 and the Block 40/47 Plan.

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5. THAT prior to the registration of the first Draft Plan of Subdivision or any phase thereof of any Draft Plan of Subdivision located within the Block 40/47 Plan, the Master Environmental Servicing Plan (MESP) must be approved to the satisfaction of the Toronto and Region Conservation Authority, York Region and the City of Vaughan.
6. THAT Draft Plan of Subdivision File 19T-06V12 (Phase 1) (Country Wide Homes (Pine Valley Estates) Inc.) shall be consistent with the approved Master Environmental Servicing Plan and Block 40/47 Plan.
7. THAT Draft Plan of Subdivision File 19T-06V12 (Phase 1) (Country Wide Homes (Pine Valley Estates) Inc.) be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total 192 residential units (670 persons equivalent).
8. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-06V12 (Phase 1) (Country Wide Homes (Pine Valley Estates) Inc.) shall include the following clause:

“The Owner shall provide parkland and/or pay to the City of Vaughan, by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit in accordance with the Planning Act and the City’s Cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.”
9. THAT City Staff be directed to attend the Ontario Municipal Board Hearing in support of the Owner’s appeals to Zoning By-law Amendment and Draft Plan of Subdivision on the terms and conditions set out in this report.
10. THAT the Ontario Municipal Board not issue its written Decision Order(s) until the Owner has satisfied all requirements of the City of Vaughan, the Toronto and Region Conservation Authority and York and Peel Regions.

Contribution to Sustainability

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

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

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

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.2: To develop Vaughan as a City with maximum greenspace and an urban form that supports our expected population growth
- Objective 2.3: To create a City with sustainable built form

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

- Objective 3.1: To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation
- Objective 3.2: To develop and sustain a network of roads that supports efficient and accessible public and private transit

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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:

- a) Subdivision:
 - i) On lot infiltration trenches (locations to be confirmed through detailed design) to reduce/remove pollutants/sediments infiltrating into the ground water;
 - ii) Valleyland edge management planting;
 - iii) On-street bike lanes and routes;
 - iv) Transportation Demand Management (TDM) measures with a pedestrian focused development approach promoting open space or park areas within a 5-minute walk to the majority of dwellings, ensuring attractive, pedestrian-scaled streets and a valley crossing system that is coordinated with the sidewalk network;
- b) Building Materials and Technology:
 - i) Energy efficient construction including steel insulated doors, basement insulation, blown insulation in the attic, high-efficiency furnaces and plumbing fixtures, Energy Star equivalent standard light fixtures, Low Emissivity Energy Star windows and patio doors and locally sourced building materials where feasible;
 - ii) Waste management practices to ensure that all trades work efficiently to reduce and eliminate waste, including on-site waste management, and re-use and recycling of materials;
- c) Native Vegetation Protection:
 - i) educate the future homeowners, where the lots abut open space lands, about the importance of maintaining the native plants and discouraging/prohibiting the installation of gates to avoid unwanted intrusion into the natural area and disposal of refuse in natural areas;
 - ii) prohibit the planting of ornamental plants beyond the backyards; and,
 - iii) provide native vegetation barrier plantings (ie. raspberries) in areas of higher accessibility to deter human intrusion into the natural areas.

Economic Impact

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

Communications Plan

On August 8, 2014, a Notice of Public Hearing was circulated to an extended polling area beyond 150 m (Attachment #2) of the subject lands and to the Millwood Woodend Ratepayers' Association, Rimwood Estates Homeowners Association and the Kleinburg and Area Ratepayers Association. A copy of the Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and Notice Signs were installed on the subject lands in accordance with the City's Notice Sign Procedures and Protocol. The recommendation of the Committee of the Whole

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to receive the Public Hearing report of September 2, 2014 and to forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on September 9, 2014. To date, a letter and a Communication were received by the Vaughan Planning Department:

- i) L. Tonelli, Pine Valley Drive - respecting the proposed 34 townhouse units and negative impact on the general character of the existing lands and buildings: visual impact on nature; density and overdevelopment of the site; being out of character with the community. Traffic and road safety on Pine Valley Drive was also noted.
- ii) F. & B. Di Sarra, Pine Valley Drive – respecting the inconsistency of the buffer shown on the Public Hearing attachments and an inadequate description of the buffer ie. dimensions; draft plan is premature until the buffer has been defined and all affected landowners are in agreement; the preference for estate size lots along the southerly border to create a gradual transition from the existing Greenbelt lands that will remain unchanged; the proposed fence of 1.8 m in height with 1 row of trees is an inadequate buffer and this resident requests that a study be undertaken to determine the appropriate fence height; fence should be maintained by the new owners not the farm to the south and should be required on title; trees should be planted on both sides of the fence along the property line by the developer as visual and acoustic privacy.

A deputation from the adjacent landowner to the south was made at the September 2, 2014, Public Hearing meeting:

D. Toyne & G. Evans – regarding an appropriate buffer between their active farm operation and the proposed development; buffer is a requirement of OPA #744; development will impact their agricultural expansion; provided an example of the City of Surrey in British Columbia where setback is 30 m to the house and 15 – 20 m heavily vegetated buffer and fence.

In response to the issues raised above, the following information is provided:

- i) Proposed townhouse units – A modification to OPA 744 was approved by York Region, which redesignated the lands located at the southeast corner of Pine Valley Drive and the southerly Primary Road access (Street 1 on Attachment #5) from “Medium Density Residential/Commercial” to “Low Rise Residential” which permits street townhouse dwellings, provided they are located adjacent to Pine Valley Drive and/or south of Street “1” (Attachment #5) and that no townhouse lots shall abut the southerly residential boundary of Block 47. Should OPA #744 be approved by the Ontario Municipal Board, the proposed development showing townhouses south of Street 1 conforms to the policies of OPA #744.
- ii) Impact on Pine Valley Drive – as part of the Block Plan 40/47 process, a Transportation Management Plan was submitted to the Vaughan Development Engineering and Infrastructure Planning Services Department for review, and was ultimately approved by Vaughan Council on June 24, 2014.
- iii) Buffer and Fence - The Owner has since revised the draft plan of subdivision and is proposing a 4.5 m wide buffer located at the southerly limit of Lots 119 to 136 inclusive, in private ownership. This buffer will be landscaped by the Owner (Country Wide Homes (Pine Valley Estates) Inc.) with dense trees and plantings. A landscape plan which details the materials used shall be approved by the City prior to registration of the subdivision, should it be approved. The buffer areas at the rear portion of these lots will be zoned OS1 Open Space Conservation Zone. The Owner has also proposed restrictive covenants to be registered on title with each lot, specifying the buffer shall be maintained

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with the landscaping provided and that building or structures and storage of any material is prohibited. A 1.8 m high board fence is proposed along the rear of Lots 119 to 135 inclusive which shall also be maintained by the individual lot owners. Specific draft plan conditions to this effect are included in Attachment 1a) of this report. The proposed zoning by-law will also include a provision that does not permit structures or buildings or storage of materials within the buffer block. More details on the buffer are provided throughout the report.

Purpose

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

1. Zoning By-law Amendment File Z.06.064 to amend Zoning By-law 1-88, specifically to rezone the subject lands from A Agricultural Zone and OS1 Open Space Conservation Zone to RD2 Residential Detached Zone Two, RD3 Residential Detached Zone Three, RT1 Residential Townhouse Zone, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone, in the manner shown on Attachment #4, together with the site-specific exceptions to Zoning By-law 1-88 identified in Table 1 of this report, to facilitate a proposed residential Draft Plan of Subdivision (Phase 1) for 192 dwelling units.
2. Draft Plan of Subdivision File 19T-06V12 (Phase 1) to facilitate a proposed residential Draft Plan of Subdivision as shown on Attachment #5 consisting of the following:

Lot/Block Number	Land Use	Area (ha)	Units
Lots 1, 3-8, 111-114, 135-140, 144-146, 154, Blks 169 and 171	Detached Residential Units (15.2 m frontage)	1.520	22
Lots 2, 9-36, 66-77, 79, 88-94, 100, 109, 110, 115-117, 119-134, 141-143, 147-153, 155-162, Blk 172	Detached Residential Units (13.7 m frontage)	4.691	89.5
Lots 37-65, 80-86, 95, 99, 101-108, Blk 170	Detached Residential Units (12.8 m frontage)	2.23	46.5
Blocks 78, 87, 96-98, 118	6 Townhouse Blocks	0.755	34
Block 175	Valley Buffer	0.158	
Blocks 176 & 177	Landscape Buffer	0.127	
Blocks 178	Road Widening	0.084	
Blocks 179-198	0.3 m Reserve	0.020	
Block 199	Future Development	0.096	
Block 200	Valley	10.659	
Block 201	Temporary Park	0.526	
	Streets	3.380	
	Total	24.246	192

Background - Analysis and Options

Synopsis:

The Owner is proposing to develop the subject lands for a residential plan of subdivision consisting of 158 detached dwelling units and 34 townhouse units (Phase 1), a neighbourhood park and including open space and buffer blocks, as shown on Attachment #5. The Vaughan Planning Department supports the Zoning By-law Amendment and Draft Plan of Subdivision Applications since they implement the Vaughan Council approved Official Plan and is compatible with the surrounding existing and planned land uses.

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Location

The subject lands are located on the west side of Pine Valley Drive, south of Teston Road, known municipally as 10390 Pine Valley Drive, City of Vaughan, as shown on Attachments #2 and #3.

Provincial Policies

The subject Official Plan amendment and Block Plan approval applications were submitted in advance of the Provincial Growth Plan for the Greater Golden Horseshoe – *Places to Grow*, the Greenbelt Plan and the Provincial Policy Statement of 2005 and 2014. As such, the processing of this Plan continues under the Provincial Policies in effect at the time of the originating application.

Official Plan Amendment (OPA) #600 and #744

The subject lands are designated “Urban Area” and “Valley Lands” by OPA #600 and form part of the Vellore Urban Village and are subject to the following policies (in-part):

- The lands designated Urban Area shall be subject to a comprehensive plan providing the technical basis to support secondary plan land use designations consistent with the planning approach of OPA #600;
- The lands or area will be planned for predominantly “executive housing” on large lots with full municipal services, with a gross density between 5.0 and 7.5 units per hectare.

The lands designated as “Urban Area” shall remain subject to the Rural Use Area, Rural-General and Agricultural Area policies of OPA #600 until such time as they are redesignated to specific urban land use categories by an approved amendment to this plan.

An application to amend OPA #600 was submitted by the Block 40/47 Developer’s Group on February 19, 2003, to redesignate the subject lands in a manner that would fulfill the requirements of OPA #600 for a Secondary Plan/Block Plan process and establish land use designations to develop Block 40/47 Planning Area for a predominantly low residential built form. On February 18, 2014, Vaughan Council adopted site-specific Official Plan Amendment (OPA) #744 for the area designated Urban Area in Block 40/47, which includes the subject lands.

The subject lands are designated “Low Density Residential”, “Neighbourhood Park” and “Valley Lands” by OPA #744, which was adopted by Vaughan Council. York Region, the approval authority of this amendment, issued its Notice of Decision to approve OPA #744 with modifications, which was subsequently appealed and is scheduled to be considered by the Ontario Municipal Board (OMB) at a Hearing commencing on September 28, 2015.

Two appeals of OPA #744 dated October 6, 2014 were filed with the OMB. One appeal was submitted by the Owner of the subject lands (previously known as Pandolfo et. al), who is a member of the Block 40/47 Developers Group Inc. The appeal relates to a conditional donation agreement respecting a heritage site within the Phase 2 portion of the property, and is awaiting a ruling from the Canada Revenue Agency (CRA). Phase 2 is not part of these applications that are before Vaughan Council for consideration at this time. The Owner advised the OMB that their appeal is precautionary as they await the CRA ruling.

The Owner is a party to the appeal to OPA #744 and as such, agrees and consents to the inclusion of Conditions #3 and #4 in the Recommendation of this report, and the terms set out therein, as conditions of approval for any Zoning By-law Amendment and/or approval of Draft Plan of Subdivision for the proposed development.

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The second appeal was submitted by a neighbouring landowner (Upper Cold Creek Farm) located adjacent to the Block 40/47 lands, along the southern boundary of the subject lands, which relates to concerns respecting the compatibility of the adjacent land uses with their existing farming operation.

OPA #744 contains the following policy respecting compatibility with adjacent land uses:

"Paragraph 6, Section IV, Clause xv. Compatibility with Adjacent Land Uses

Residential Uses, as provided for in this Plan, shall be developed in a manner that is compatible with adjacent Rural/Agricultural Uses. Measures to ensure compatibility will be considered and implemented through the draft plan of subdivision/zoning approval processes. Such measures may include: the provision of buffer areas, landscaping and screening, increased building setbacks, sympathetic massing and architectural treatments and grading measures that minimize the use of retaining structures."

As supporting documentation for the Zoning By-law Amendment and Draft Plan of Subdivision applications, the Owner submitted an Agrologist report, dated July 7, 2015, and a Witness Statement, dated August 4, 2015, both prepared by Michael Hoffman of AgPlan Limited. AgPlan Limited (Michael Hoffman) prepared the witness statement for the Owner (Country Wide Homes (Pine Valley Estates) Inc.) and will be providing expert opinion evidence at the OMB Hearing regarding Official Plan Amendment #744 (OMB Case No. PL141138), scheduled to commence on September 28, 2015.

The report and witness statement refer to the above noted policy in OPA #744 respecting compatibility with adjacent land uses and informs the comments and opinions in the documents, regarding the proposed buffer between the proposed residential development on the subject lands and the Upper Cold Creek Farm located to the south.

The following mitigation measures are recommended by AgPlan Limited, for the subject Draft Plan of Subdivision and implementing Zoning By-law to address the concerns respecting compatibility with the adjacent farming operation:

- i) Buffer: A 4.5 m wide vegetated buffer strip located at the rear of Lots 119 to 136 inclusive, to provide screening as shown on Attachment #5. The species chosen for the buffer must provide sufficient density to be an identifiable barrier and have sufficient height as a visual barrier. The buffer should not contain any species that will provide seed sources for undesirable plants in the adjacent hay/pasture area nor contain species that are highly invasive. The buffer will be held in private ownership.
- ii) Fencing: A 1.8 m high wood screen fence situated on the rear lot lines of Lots 119 to 135 inclusive.
- iii) Warning Clause: A warning clause to be included on title and as part of a sale/lease agreement that indicates that the adjacent southerly lands are actively farmed and will follow normal farm practices that may: include the application of pesticides; and, generate dust, noise, odour, light etc. which are all allowed and protected by the Farm Practices Protection Act.
- iv) Zoning of the Buffer Area: The buffer area at the rear of Lots 119 to 136 shall be zoned to OS1 Open Space Conservation Zone, which will not permit any uses or structures, or the storage of any material within the buffer area of the buffer area.

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AgPlan Limited concludes that should these compatibility measures be implemented, residential uses can be developed in a manner that is compatible with the adjacent farm.

DBH Soil Services Inc.(Dave Hodgson) was retained by the City of Vaughan to conduct a Peer Review of the findings in the AgPlan Limited agrologist report and witness statement. In a letter dated August 6, 2015, DHB Soil Services advises that the proposed mitigation measures are reasonable and sufficient to address the need for mitigation. As such, the proposed Draft Plan of Subdivision conforms to the policies of OPA #744. The implementation of the mitigation measures identified above will be discussed further in the report.

The proposed Draft Plan of Subdivision implements the Block 40/47 Plan, which facilitates the development of a complete community, with a mix of land-uses and housing types, and an overall gross density that does not exceed 18 units per hectare (uph). The subdivision has an average gross density of 14.978 uph. The proposed Draft Plan of Subdivision is consistent with the Block 40/47 land use plan approved by Vaughan Council on June 24, 2014 (Attachment #6). However, should the OMB approve OPA #744, and the OMB's decision results in modifications to the Official Plan, the Block 40/47 Plan and the proposed Draft Plan of Subdivision and implementing Zoning By-law must be revised to conform to the final approved Official Plan Amendment. A condition to this effect is included in the recommendation of this report and set out in the Conditions of Approval in Attachment #1a).

The Notice of Approval of Draft Plan of Subdivision File 19T-06V12 (Phase 1) will not be issued until such time as OPA #744 is approved by the OMB and is in full force and effect, and a fully executed Landowner's Cost Sharing Agreement is in place that includes the funding arrangements and conveyances for the Block 40/47 Sanitary Pumping Station and associated works. The final approved OPA #744 will be incorporated into Vaughan Official Plan (VOP) 2010 as a site-specific amendment in Volume 2 of the VOP 2010, if approved by the OMB.

On July 14, 2015, the Owner also appealed the subject Draft Plan of Subdivision File 19T-06V12 and Zoning By-law Amendment File Z.06.064 to the Ontario Municipal Board on the basis that no decision has been made by Council on these applications within 120 days as required by the Planning Act. To-date an OMB Hearing date has not been scheduled.

Block 40/47 Plan

In February 2003, the City of Vaughan received Block Plan File BL.40/47.2003 from the Developers Group for Blocks 40 and 47, to establish the comprehensive planning framework for these blocks including, but not limited to, the proposed land uses, housing mix and densities, protection and enhancement of the natural environment, the location of parks and community facilities, servicing infrastructure, transportation (road) network, public transit, urban design, and, phasing for the Blocks to manage growth.

The Block 40/47 Plan was originally considered by Vaughan Council at a Public Hearing on June 21, 2004. On February 18, 2014, Vaughan Council enacted By-law 18-2014 to adopt OPA #744, to establish secondary plan level policies for Block 40/47. Since the initial submission of the Block 40/47 Plan, it has been modified to respond to the policies of OPA #600, as amended by OPA #744, and to respond to comments from various public agencies, stakeholders and Ratepayers Association. OPA #744 designates the lands within the Block 40/47 Plan as required by OPA #600, to guide development in the Blocks and maintain the complex ecosystem functions and cultural heritage attributes associated with the Block Plan area.

A Public Hearing for the revised Block Plan submission, which responds to the policies of OPA #600 as amended by OPA #744, was held on February 25, 2014, and the recommendation to receive the Public Hearing report, was ratified by Vaughan Council on March 18, 2014. On June 24, 2014, Vaughan Council approved the Block 40/47 Plan, subject to York Region approval of

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OPA #744, and fulfillment by landowners of additional conditions, required by staff and agencies. Modifications to the Block 40/47 Plan, arising from comments from the public, external public agencies and the City, has resulted in the approval of an updated Block 40/47 Plan and conditions (Attachment #6). The proposed Draft Plan of Subdivision and Zoning By-law Amendment applications will facilitate development that is consistent with the Vaughan Council approved Block 40/47 Plan shown on Attachment #6.

Zoning

The subject lands are zoned A Agricultural Zone and OS1 Open Space Conservation Zone by Zoning By-law 1-88, as shown on Attachment #3. To facilitate the proposed Draft Plan of Subdivision shown on Attachment #5, an amendment to the zoning by-law is required to rezone the subject lands in the manner shown on Attachment #4, together with the following site-specific zoning exceptions:

Table 1: Proposed Zoning Exceptions

	By-law Standard	Zoning By-law 1-88, RD2 and RD3 Residential Detached Zone Requirements	Proposed Exceptions to the RD2 and RD3 Residential Detached Zone Requirements
a.	Fireplace or Chimney Pilaster Yard Encroachment	Sections 3.14 (a) and (d) in the By-law permit a maximum 0.5 m encroachment into a required yard, with no encroachment in an interior side yard to be closer than 1.2 m to the property line.	Permit a fireplace or chimney pilaster to encroach a maximum of 0.5 m into any yard.
b.	Permitted Encroachment of an Unenclosed Porch (Covered and Uncovered), and Balcony	Section 4.22.2 in the By-law makes reference to “front” and “exterior side” yards, which is proposed to be changed to “rear” and “exterior side” yards.	<p>Permit a covered and unenclosed porch and/or balcony both excavated and unexcavated as permitted encroachments into the rear, yard, subject to the following:</p> <ul style="list-style-type: none"> i) an unenclosed porch (covered or uncovered) to a maximum of 2.5 metres, and eaves, gutters and steps may encroach an additional 0.5 metres; ii) a 1.5 metre no encroachment zone shall be maintained inside the property line within the rear yard and exterior side yard, and within the interior side yard abutting a greenway, walkway, buffer block or stormwater management pond, and at a sight triangle;

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			iii) the maximum finished floor elevation of an unenclosed porch (covered or uncovered, with or without a cold cellar) located in the rear yard or exterior side yard, or in the interior side yard abutting a greenway, walkway, buffer block or stormwater management pond, shall not exceed 1.2 metres above finished grade.
c.	Bay or Box Window Encroachment	Schedule "A3", Note "D" in the By-law also includes an encroachment into the interior side yard, which is proposed to be excluded.	Bay or box windows, or similar window projections constructed with or without footings may encroach into a required front, exterior side or rear yard a maximum of 0.6 m.
d.	Minimum Exterior Side Yard Abutting a Sight Triangle	3 m	1.5 m
e.	Minimum Interior Side Yard Setback Abutting a Non-Residential Use (Walkway, Open Space)	3.5 m	1.5 m
	By-law Standard	Zoning By-law 1-88, OS1 Open Space Conservation Zone Requirements	Proposed Exceptions to the OS1 Open Space Conservation Zone Requirements For the Rear of Lots 119 to 136 Inclusive
a.	Permitted Uses	Recreational, Institutional and Conservation Uses	Only landscaping is permitted within the 4.5 m buffer area. Buildings or structures including swimming pools, pool cabanas, gazebos, sheds or accessory buildings of any kind, and the storage machinery or materials are not permitted

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	By-law Standard	Zoning By-law 1-88, RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
a.	Fireplace or Chimney Pilaster Yard Encroachment	Sections 3.14 (a) and (d) in the By-law permit a maximum 0.5 m encroachment into a required yard, with no encroachment in an interior side yard to be closer than 1.2 m to the property line.	Permit a fireplace or chimney pilaster to encroach a maximum of 0.5 m in any yard.
b.	Permitted Encroachment of an Unenclosed Porch (Covered and Uncovered), Cold Cellars, and Balconies	Section 4.22.2 in the By-law makes reference to “front” and “exterior side” yards, which is proposed to be changed to “rear” and “exterior side” yards.	<p>Permit a covered and unenclosed porch and/or balcony both excavated and unexcavated as permitted encroachments in the rear yard, subject to the following:</p> <ul style="list-style-type: none"> i) an unenclosed porch (covered or uncovered) to a maximum of 2.5 metres, and eaves, gutters and steps may encroach an additional 0.5 metres; ii) a 1.5 m no encroachment zone shall be maintained inside the property line within the rear yard and exterior side yard, and within the interior side yard abutting a greenway, walkway, buffer block or stormwater management pond, and at a sight triangle; iii) the maximum finished floor elevation of an unenclosed porch (covered or uncovered, with or without a cold cellar) located in the rear yard or exterior side yard, or in the interior side yard abutting a greenway, walkway, buffer block or stormwater management pond, shall not exceed 1.2 metres above finished grade.

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c.	Bay or Box Window Encroachments	Section 4.22.2 in the By-law permits an encroachment for a bay or box window into the “front” and “exterior side” yards.	Permit a bay or box window or similar projection with or without footings to encroach into the required front, exterior side or rear yards a maximum of 0.6 m.
d.	Minimum Exterior Side Yard Abutting a Sight Triangle	3 m	1.5 m

i) Proposed Zoning Exceptions

The Owner has requested exceptions to the yard encroachment requirements and side yard abutting a sight triangle for the proposed residential zones in order to maximize interior dwelling floor space and provide for building articulation. These exceptions are similar to those approved by Vaughan Council in the Block 40 South area and are considered acceptable.

To address the OPA #744 policy respecting compatibility with adjacent land uses as discussed earlier in the report, the Owner has provided a 4.5 metre wide landscaped buffer on a portion of the rear of Lots 119 to 136 (in private ownership) that abut the existing farm to the south. The buffer area will be zoned OS1 Open Space Conservation Zone, and the by-law will include a specific provision stating that buildings or structures of any kind, as well as the storage of any equipment will not be permitted in the buffer area. The buffer area will be landscaped with a sufficient height and density to be an identifiable barrier between the existing farm operation to the south and the new development. The landscape plan outlining the planting material and details shall be approved by the City of Vaughan. A 1.8 m high wood fence will also be constructed along the rear lot line of Lots 119 to 135 inclusive that abut the farm property to the south, and will be required to be maintained by the individual lot owners. To ensure the buffer and fence are maintained, the Owner will be including a restrictive covenant on title with each of Lots 119 to 136 inclusive. In addition a warning clause will be included in all offers of purchase and sale/lease advising that the adjacent lands to the south are actively farmed and will follow normal farm practices that may: include the application of pesticides; and, generate dust, noise, odour, light etc. which are all allowed and protected by the Farm Practices Protection Act. Conditions outlining the proposed requirements noted above are included in Attachment 1a).

The Vaughan Planning Department is satisfied that the proposed rezoning of the subject lands in the manner shown on Attachment #4, together with the requested site-specific zoning exceptions discussed above are appropriate for the development of the subject lands.

Block Plan

The Owner, as a result of addressing the City and external agency requirements, and the continuous work on the detailed design as part of the Block 40/47 Plan, must submit an updated Block Plan and Master Environmental and Servicing Plan (MESP) and any related reports, to the satisfaction to the City and Toronto and Region Conservation Authority (TRCA). Conditions to this respect are included in Attachment #1a).

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Subdivision Design

The Draft Plan of Subdivision (Phase 1) is comprised of 158 lots for detached dwellings, 4 residential blocks (2 lots) to be combined with adjacent lands to the north to create full lots, 6 blocks for 34 street townhouse units, a temporary park block and valleylands as shown on Attachment #5. The park is identified as temporary at this time pending the future completion of a design and development plan for the combined Phase 1 and 2 park and open space area. The purpose of the temporary park is to provide neighbourhood park facilities (playground, seating area, play area) to service the Phase 1 development. Once the Phase 2 portion of the Draft Plan of Subdivision is approved for development, the final park boundary will be clearly established. Prior to final approval, the Owner shall prepare Architectural and Urban Design Guidelines, and all development within the Draft Plan of Subdivision shall proceed in accordance with the approved Architectural Design Guidelines and Urban Design Guidelines. Conditions to this effect are included in Attachment #1a).

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

Developers' Group Agreement

It is a standard condition of Draft Plan of Subdivision approval that the participating landowners for the block execute a Developers' Group Agreement respecting the provision of servicing infrastructure and roads for the Block. The Owner of the subject lands is a member of the Block 40/47 Developers' Group, and will be required to participate in the cost sharing for the Block, which includes addressing stormwater management and other infrastructure including providing sidewalks, roads and other municipal services. In addition, on June 23, 2015, Council adopted the following motion:

"That prior to the City Clerk issuing Notice of Draft Plan Approval for any of the draft plans of subdivision in Block 40/47, the City receive confirmation that a fully executed Landowner's Cost Sharing Agreement is in place which includes the funding arrangements and conveyances for the Block 40/47 Sanitary Pumping Station and associated works."

The parties to this agreement shall include all benefiting landowners within Block 40 South, Block 40/47 North, Block 55, and Block 41. Conditions to this effect are included in the recommendation section and Attachment #1a) of this report.

Vaughan Development Engineering and Infrastructure Planning Services Department

The Vaughan Development Engineering and Infrastructure Planning Services Department (DEIPS) has provided the following comments:

a) Road Network

The proposed lots and blocks will be served by a direct connection to Pine Valley Drive to the east and the internal local and minor collector roads will connect to the proposed roads in the adjacent plan to the north, being Draft Plan of Subdivision File 19T-03V25.

Improvements and urbanization to Pine Valley Drive from Teston Road to the south limits of the Block Plan shall include sidewalk and streetlighting to the satisfaction of the City and Region.

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b) Water Distribution

The subject lands are within Pressure District 7 (PD 7) of the York Water Supply System. Block 40/47 North will be serviced within PD 7 by the extension of the existing 450 mm diameter watermain on Teston Road from its current terminus just west of Weston Road. A secondary watermain feed for security and looping purposes will be provided via a connection to the existing system in Block 40 South. This secondary feed will require the crossing of the valley and the location coincides with the sanitary sewer crossing to the Pine Valley North Sewage Pumping Station (PVNSPS) from the west.

The Owner shall upfront finance the cost to design, tender and construct the required external watermain on Teston Road, west of Weston Road, taking into account the Region's plans for upgrading Teston Road, as a component of the first phase works to the satisfaction of the City. A portion of the watermain will be funded from Development Charges in accordance with the City's current Background Study.

c) Sanitary Servicing

The subject lands are ultimately tributary to the Jane-Rutherford Sanitary Trunk located within the Maple Service Area of the York-Durham Sewage System. The closest gravity sewer to the subject lands is currently located in Block 40 South at Lawford Road, north of Major Mackenzie Drive, west of Weston Road. From this point, a sanitary forcemain will be extended northerly, in conjunction with the development of Block 40 South, to the future Pine Valley North Sewage Pump Station (PVNSPS).

d) Pine Valley North Sanitary Pump Station

The development of the westerly portion (23 ha) of Block 40 South and all of the participating Block 40/47 North, Block 55 and Block 41 lands are dependent on the construction of the PVNSPS, which will discharge flows to Block 40 South. The PVNSPS will be located on the east side of Cold Creek on lands external to the Plan being Draft Plan of Subdivision File 19T-06V10, and surrounded by Open Space/Valleylands.

A Developers' Group Cost Sharing Agreement specifically for the design and construction of the PVNSPS and related trunk sewers/forcemain is necessary to ensure an adequate outlet is readily available for all benefitting lands. The parties to this Cost Sharing Agreement shall include all benefitting land owners within Block 40 South, Block 40/47, Block 55, and Block 41.

e) Stormwater Management

The subject lands are located within the Cold Creek basin of the East Humber River Sub-watershed. The lands are traversed by three (3) branches of Cold Creek; the west tributary runs parallel to the west limit of the lands, the central tributary runs north and is located 300m east of Pine Valley Drive, the east tributary runs east from the central tributary to past Weston Road and Teston Road. The storm water management (SWM) plan for lands within Block 40/47 North proposes the establishment of three (3) SWM facilities, one (1) being within Block 47 North, located immediately to the north within Draft Plan of Subdivision File 19T-03V25, which services this Plan. The SWM facilities are proposed to control the urban storm water runoff to the target release rates established for the East Humber River watershed. These facilities will also provide water quality treatment and erosion control.

In order to achieve the necessary water balance requirements for the Block, infiltration galleries are proposed within each of the stormwater management pond blocks. The proposed groundwater recharge/balance analysis included in the recent resubmission of the MESP remains

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under review with the Toronto and Region Conservation Authority (TRCA), Ministry of Natural Resources and Forestry (MNRF) and the City of Vaughan. Accordingly, a Holding Symbol “(H)” shall be applied to the amending zoning by-law for specific lots adjacent to the proposed stormwater management pond blocks to ensure development does not proceed until such time that the City is satisfied with the detailed design of the ponds and the infiltration galleries.

f) Sewage and Water Allocation

On May 19, 2015, the City’s latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed servicing capacity is available to support continued urban growth throughout the City. Servicing capacity was reserved specifically to the Block 40/47 Trustee in the amount of 1,350 residential units (7,456 persons equivalent). Accordingly, servicing capacity to the draft plans within the Block 40/47 Plan is available and unrestricted.

g) Environmental Site Assessment

The Owner submitted an Updated Phase One Environmental Site Assessment (ESA) report dated April 2015, which the City determined to be acceptable.

The Owner is required to submit a Phase Two ESA for any open space/park lands to be conveyed to the City of Vaughan, in accordance with the City’s standards and requirements, with the investigation conducted only after certification of rough grading but prior to the placement of topsoil.

h) Environmental Noise/Vibration Impact

Acoustic measures shall be utilized to mitigate noise impacts from traffic on Pine Valley Drive. A Noise/Acoustic Report shall be submitted at the detailed design stage, which meets Ministry of Environment and Climate Change Guidelines and City criteria. The Owner shall implement all noise abatement measures as recommended in the report to the satisfaction of the City and York Region.

i) Streetlighting

Light-emitting diode (LED) streetlighting shall be utilized throughout the Plan in accordance with the approved Urban Design Guidelines and in accordance with the City’s latest design standards and specifications.

j) Pedestrian/Servicing Bridges

The subject lands are part of the Block 40/47 Plan, where two pedestrian/servicing bridge structures are proposed to cross the Cold Creek Valley systems. These structures will provide multi-use pedestrian and cycling connectivity between the east and west neighbourhoods within Block 40 North. In addition, the structures will be used as a utility corridor to support the necessary watermain and sanitary sewer crossings of the valley. Extensive consultation with MNRF and TRCA was undertaken in order to finalize the proposed bridge and abutment locations based on existing environmental considerations within the valleys.

To date a preliminary design of the proposed bridge structures has been prepared, peer reviewed and approved in principal. The City’s peer review Consultant will continue to assist with the review of the detailed design which may affect the approaches and adjacent lots. On-going operation and maintenance/access requirements will be finalized in conjunction with review of the detailed design to the satisfaction of the City of Vaughan, the TRCA and MNRF.

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As the subject lands are within the Block 40/47 Plan, the Owner shall be required to enter into a Developers' Group Agreement with the other participating landowners within Block 40/47, respecting all cost sharing for municipal services, such as the pedestrian/servicing bridge structures, among other matters, to the satisfaction of the City.

The Vaughan Development Engineering and Infrastructure Planning Services Department and the Parks Development Department have no objection to the development, subject to the conditions of approval in Attachment #1a.

Vaughan Development Planning Department, Urban Design and Cultural Heritage Division

The Urban Design and Cultural Heritage Division of the Vaughan Development Planning Department advises that there are outstanding reports and Ministry of Tourism, Culture and Sport approvals for the subject lands. There are areas that were not subject to archaeological assessment and are located in an area of high archaeological potential, and are required to be assessed by a licensed archaeologist. Specifically, these lands are located within a strip along the northern boundary of the subject lands. The Owner submitted a letter on June 8, 2015 informing that this strip has been assessed through a Stage 1 and Stage 2 archaeological assessment, with no significant findings, and a report will be forthcoming. Further information is required to be submitted as outlined in the Conditions of Approval in Attachment #1a).

Vaughan Parks Development Department

The Vaughan Parks Development Department has no objection to the proposed development, subject to the conditions of approval in Attachment #1a). The department advises that prior to Phase 1 plan registration, the Owner shall enter into a separate agreement with the City respecting the total amount of parkland in Phases 1 and 2 of Draft Plan of Subdivision File 19T-06V12 to be conveyed and/or credited, and construction of the Temporary Park for Block 201 to the satisfaction of the Vaughan Parks Development Department, and the construction of the final park associated with Phase 1, including Block 174. In addition, prior to the execution of the first Subdivision Agreement, the Owner shall design and agree to construct all off-road pedestrian paths and trails in accordance with the approved Block 40/47 Landscape Master Plan, and Streetscape and Urban Design Guidelines, to the satisfaction of and at no cost to the City.

Vaughan Legal Services Department, Real Estate Division

The Vaughan Legal Services Department, Real Estate Division has advised that prior to final approval of the Draft Plan of Subdivision, the Owner is required to enter into a Developers' Group Agreement with the other participating landowners within the Block 40/47 Plan to the satisfaction of the City. The Agreement shall be regarding, but not limited to, all cost sharing for the provision of parks, cash-in-lieu of the dedication of parkland, and road and municipal services within Block 40/47 Plan. This agreement shall also provide a provision for additional developers to join the Developers' Group Agreement, when they wish to develop their lands. The Owner acknowledges that cash-in-lieu of parkland shall be paid in accordance with Section 42 of the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". This is included in the recommendation of this report and conditions of approval in Attachment #1a).

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has provided the following comments:

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a) Environmental Features

Block 40/47 includes significant environmental features located within the East Humber watershed, and more specifically traversed by several tributaries of the Cold Creek system. Cold Creek is a high quality, sensitive cold water system that supports a diverse range of aquatic species and provides habitat for the endangered Redside Dace. Ground and surface water sensitivities are also present given the network of tributaries. Provincially significant valleylands, woodlands, wildlife habitat and wetlands, and tableland wetland features are present. A significant, continuous block of forest exists within the well-defined valley systems in the Block Plan, supporting a number of flora and fauna species of concern including a number of area sensitive, forest dependent breeding birds. This part of the Humber Watershed was identified as one of the “centres of biodiversity” in the City of Vaughan’s natural heritage background report for the new Official Plan, and as such provides a range of ecosystem services.

These aquatic, terrestrial, and landscape attributes combined creates a valley system considered significant within the context of the Provincial Policy Statement (PPS). As part of the City’s Natural Heritage System, it is essential that any negative impacts resulting from urbanization of the area be carefully considered through ecologically-based site design in order to protect the long term health, function and ecological services of the natural system and open space amenity within the Block Plan area, and the broader watershed landscape.

b) Block Plan

The Block Plan includes a trail along the valley wall from the future northern pedestrian bridge. The location and details associated with the trail, given that it will also provide vehicular access, will be subject to review through the permit process. This TRCA comment is applicable to other draft plans in the Block 40/47 area, but not this particular draft plan.

c) Draft Plan of Subdivision

The Master Environmental and Servicing Plan (MESP) forms the background work to the Block Plan and supports the development pattern proposed. As the MESP requires further work, the TRCA requests that the Block Plan conditions related to the MESP be carried forward into the subdivision conditions. It is important to recognize that some of the outstanding matters relate to all of the subdivision plans in the Block as they drain through each other and ultimately into the valley system. The maintenance of water flow to surrounding natural features is an outstanding matter that may specifically impact the layout of the subdivisions as proposed. Given the nature of this outstanding matter, the TRCA anticipates future red-line revisions and a condition reflecting this has been included in Attachment #1c).

The TRCA notes that OPA #744 is before the OMB. The Draft Plan of Subdivision conditions are being provided on a “without prejudice” basis based on plans and information provided to date and the Plans of Subdivision referenced in each set of conditions in the TRCA correspondence dated June 12, 2015, and the Block 40/47 Plan. Should the OMB make any changes to OPA #744 (and by default the Block 40/47 Plan) that will impact the Draft Plans of Subdivision, the conditions attached hereto may no longer be valid and the TRCA will need to provide updated conditions of draft plan approval.

The TRCA has no objection to the proposal subject to the conditions of approval in Attachment #1c), which include the consolidation of matters discussed above, typical subdivision conditions (stormwater, erosion and sediment control, grading, etc.), and the conditions respecting the MESP.

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School Boards

The York Region District (Public) School Board, York Catholic District School Board and the Conseil Scolaire de District Catholique Centre-Sud have advised that they have no objection to the proposal and have no conditions of approval.

Enbridge Gas Distribution

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

Canada Post

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

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 Well-Being

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 neighbourhood public park to enhance the City's existing inventory of public amenity space.

Regional Implications

York Region has advised that the Draft Plan of Subdivision is located within the Maple North Wastewater Service Area and will be serviced from Water Pressure District PD 7. The Region understands that Vaughan Council has committed (reserved or assigned) 2013/Post 2013 water and wastewater servicing capacity allocation for 1,350 units for distribution by the Block 40/47 Group Trustee. If the City does not grant the subject development the required allocation from the Region's existing capacity assignments to date, then the development may require additional infrastructure based on conditions of future capacity assignment, which may include:

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- Duffin Creek Water Pollution Control Plant (WPCP) Outfall - 2017 expected completion;
- Duffin Creek Water Pollution Control Plant (WPCP) Stages 1 and 2 Upgrades - late 2017 expected completion;
- West Vaughan Sewage Servicing - 2018 expected completion;
- West Vaughan Water Servicing - 2018 expected completion;
- East Vaughan Water and Wastewater Servicing - 2021 expected completion; and,
- Other projects as may be identified in the future Water and Wastewater Master Plan Update and/or studies.

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

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

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

Conclusion

The Zoning By-law Amendment and Draft Plan of Subdivision (Phase 1) applications, if approved, would facilitate the development of the subject lands with 192 dwelling units, a neighbourhood park and the protection of valleylands to be in public ownership, as shown on Attachment #5. The proposed Draft Plan of Subdivision conforms to the York Region and City approved Official Plan policies, and is in accordance with the approved Block 40/47 Plan. Should any modifications occur to the development as a result of the OMB decision on OPA #744, or to address City departments and external public agency requirements, the Draft Plan of Subdivision shall be modified to correspond to the OMB approved Official Plan and/or the updated Block 40/47 Plan, which reflects any required modifications.

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

Attachments

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Proposed Zoning
5. Draft Plan of Subdivision File 19T-06V12 (Phase 1)
6. Approved Block 40/47 Plan

Report prepared by:

Carmela Marrelli, Senior Planner, ext. 8791

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

September 9, 2015

Sent via e-mail and hand-delivered

Mayor and Council
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON N1G 5L3

c. 2
Communication
CW: Sep 9/15
Item: 23

Dear Mayor Bevilacqua and Council,

**Re: Protection of Upper Cold Creek Farm, Vaughan
September 9, 2015 Committee of the Whole Agenda Item #23
Zoning By-law Amendment File Z.06.064 (Country Wide Homes)
Draft Plan of Subdivision File 19T-06V12 (Phase 1) (Country Wide Homes)
OMB Appeal of OPA 744, Position of the City of Vaughan**

In October 2014, we appealed the Region of York's approval of Official Plan Amendment 744 ("OPA 744") to ensure our heritage farm, Upper Cold Creek Farm ("UCCF"), is protected from adjacent residential development. The Ontario Municipal Board ("OMB") hearing will begin September 28, 2015. Our issue is that OPA 744 does not provide sufficient protection for our long-standing agricultural operation.

We learned late last week (Friday, September 4, 2015) that the Agenda for the September 9, 2015 Vaughan Committee of the Whole ("COW") meeting may include consideration of the Commissioner of Planning's recommendation that the COW endorse the above zoning by-law amendment ("ZBLA") and draft plan of subdivision of Country Wide Homes. The Country Wide development is adjacent to UCCF.

The ZBLA and draft plan of subdivision propose a 4.5 metre buffer and 1.8 metre high fence - the total extent of the buffering of our farm from new development. This buffering is the substantial component of the proposed Compatibility Policy of OPA 744. A 4.5 metre buffer, tossed into proceedings three weeks before the hearing is to commence, seems at best to be a token gesture.

The COW Report for Country Wide's applications states the developer submitted an Agrologist Report (July 7, 2015), which Vaughan had peer-reviewed in correspondence dated August 6, 2015. This Agrologist Report and peer review were prepared in response to UCCF's concerns with OPA 744, but we were never advised of their creation or provided with a copy of the reports. **May we be provided with copies of this report and subsequent peer review?**

We write to express our disappointment with Vaughan's position at the hearing, and in the processing of the two above-referenced planning applications.

Background

We believe that the proposed housing development threatens the vitality and viability of UCCF. The safety of our livestock and that of the future residents of these homes is not being adequately considered in the development plans. No study e.g. Agricultural Impact Assessment ("AIA") or serious effort has been made by either the developers or the City to understand the impact of this 1,400 unit development on UCCF.

At considerable personal expense, UCCF has hired an expert agrologist, engineer and land use planner to complete an AIA. The AIA details the impacts to the farm and offers three possible mitigation measures.

We believe the City should have, at the very least, directed its own agrologist to peer review the UCCF AIA, or asked OMAFRA or MMAH to do so. Instead, the City, Country Wide Homes, and the Block Plan Group all reject our reasonable request for an AIA, while the Ontario Federation of Agriculture, and staff from the Ministry of Municipal Affairs and Housing (“MMAH”) and Ontario Ministry of Agriculture, Food and Rural Affairs (“OMAFRA”) all believe an AIA is necessary or beneficial to the process of establishing a buffer for UCCF. Now, we learn the City did indeed retain an agrologist to peer review an Agrologist Report from Country Wide. Why was UCCF, and its AIA, cut out of the process?

We note in the Planning Staff Report dated September 9, 2015, Mr. Dave Hodgson (DBH Soil Services Inc.) was hired by the City to peer review Mr. Hoffman’s AgPlan agrology study. We request a copy of Mr. Hodgson’s letter, dated August 6, 2015, that advises the proposed mitigation measures are “reasonable and sufficient”. We have the following questions regarding his opinion and retainer:

- What date was Mr. Hodgson retained?
- Did Mr. Hodgson visit Upper Cold Creek Farm, as we have no record of his attendance on site, or the Block 40/47 lands?
- Did Mr. Hodgson attempt to contact UCCF representatives, but was refused?

We note for the record the outright refusal of the City of Vaughan to honour its agreement to hire an agrologist to peer review Mr. Clark’s AIA is a total betrayal of our long-standing Vaughan farm operation and the entire agricultural community. We intend to make an issue of the late retainer of Mr. Hodgson, and reserve the right to respond to the thoroughness of his assessment leading to staff’s conclusion the mitigation is sufficient.

Positions of the Parties at the OMB Hearing

Both the MMAH and OMAFRA have weighed in on the debate of whether an AIA should be required prior to approval of OPA 744.

OMAFRA agrees an AIA in this case is good policy. In the opinion of Mr. Arthur Churchyard (Rural Planner, Central-East Region, OMAFRA):

“AIA should be done when development is proposed that threatens to impact considers adjacent agricultural operations, or is in close proximity.”

Mr. Churchyard believes the Clark AIA “greatly informs the discussion” on protection of UCCF. Both MMAH and OMAFRA are willing to review the AIA, if asked by the municipality.

Why wouldn’t Vaughan avail itself of this opportunity, or have its own expert review the AIA?

The Ontario Federation of Agriculture (“OFA”) has added their voice to the strong support of making AIA’s fundamental policy for all municipality planning. In fact, the OFA sought and obtained “Participant” status at the OMB, which it has rarely done in the past. OFA’s Participant Statement, submitted by Senior Farm Policy Research, Mr. Peter Jeffery, expressly supports the creation of a “substantial buffer to protect [UCCF]” and endorsed Mr. Clark’s AIA:

“Applying these principles, OFA is of the opinion the Ontario Municipal Board should order mitigation on the Block Plan lands to protect UCCF consistent with Mr. Clark’s recommendations. Using infrastructure to transition the residential land use e.g. stormwater management pond, seems like an excellent solution.”

Even after circulation of the Clark AIA, Vaughan appeared to have decided against retaining an agrologist to peer review. To the best of our knowledge, Vaughan has not asked MMAH or OMAFRA to review the AIA. Without the benefit of an agrologist opinion, Vaughan’s planner

assigned to this file stated her opinion in her witness statement for the September 28, 2015 hearing as:

“No, I do not believe that it is necessary to modify OPA 744 to require an assessment of impact i.e. an Agricultural Impact Assessment (AIA).”

This witness statement is dated August 1, 2015 - prior to receiving Vaughan receiving a letter from its agrologist. Please direct us to the basis for such an opinion, which we see as a complete betrayal of our interests.

Proposal from the Developer

You have before you a staff report describing a proposal for a 4.5-metre vegetated buffer with a 1.8-metre wooden fence. We have reviewed the proposed “buffer” and believe it is a conceptual design to protect future homeowners, not UCCF. As discussed above, we were never advised of the Agricultural Report submitted by Country Wide, or of Vaughan’s retainer of Mr. Hodgson to peer review this Report.

We urge Vaughan Council to address our concerns by taking concrete steps to ensure UCCF is protected in perpetuity. This means taking the same steps to protect the farm as offered to Skandatut, the Redside dace, the inter-fluvial ridge (peninsula), and other sensitive features. We note Vaughan participated fully in these processes, leading to outright development prohibition on some lands e.g. the peninsula.

We have directed Mr. Clark to analyze the planning and agrology justification for the proposed 4.5 metre buffer. At present, we don’t see the work to support it. To our eye, this is business as usual with the farmer as the afterthought.

Sincerely,

Handwritten signatures of Gill Evans and David Toyne. The signature on the left is for Gill Evans and the signature on the right is for David Toyne.

Gill Evans and David Toyne

cc. Minister Jeff Leal (OMAFRA)
Minister Ted McMeekin (MMAH)

COMMITTEE OF THE WHOLE SEPTEMBER 9, 2015

**ZONING BY-LAW AMENDMENT FILE Z.06.064
DRAFT PLAN OF SUBDIVISION FILE 19T-06V12 (PHASE 1)
COUNTRY WIDE HOMES (PINE VALLEY ESTATES) INC.
(FORMERLY KNOWN AS MARIA AND GIUSEPPE PANDOLFO)
WARD 3 - VICINITY OF PINE VALLEY DRIVE AND TESTON ROAD**

Recommendation

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

1. THAT Zoning By-law Amendment File Z.06.064 (Country Wide Homes (Pine Valley Estates) Inc.) BE ENDORSED, to amend Zoning By-law 1-88, specifically to rezone the Phase 1 portion of the subject lands shown on Attachments #2 and #3, from A Agricultural Zone and OS1 Open Space Conservation Zone to RD2 Residential Detached Zone Two, RD3 Residential Detached Zone Three, RT1 Residential Townhouse Zone, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone, in the manner shown on Attachment #4, together with the site-specific exceptions to Zoning By-law 1-88 identified in Table 1 of this report.
2. THAT Draft Plan of Subdivision File 19T-06V12 (Phase 1) (Country Wide Homes (Pine Valley Estates) Inc.) as shown on Attachment #5, BE ENDORSED, subject to the conditions set out in Attachment #1 of this report.
3. THAT the Notice of Approval for Draft Plan of Subdivision File 19T-06V12 (Phase 1) (Country Wide Homes (Pine Valley Estates) Inc.) not be issued until the implementing Official Plan Amendment (OPA) #744 is approved by the Ontario Municipal Board (OMB) and is in full force and effect, and a fully executed Landowner's Cost Sharing Agreement is in place that includes the funding arrangements and conveyances for the Block 40/47 Sanitary Pumping Station and associated works.
4. THAT should the approval of Official Plan Amendment (OPA) #744 result in modifications to the Official Plan or the Block 40/47 Plan, the zoning and Draft Plan of Subdivision File 19T-06V12 (Phase 1) (Country Wide Homes (Pine Valley Estates) Inc.) and supporting documents including the Master Environmental Servicing Plan (MESP) shall be revised to conform to the approved OPA #744 and the Block 40/47 Plan.
5. THAT prior to the registration of the first Draft Plan of Subdivision or any phase thereof of any Draft Plan of Subdivision located within the Block 40/47 Plan, the Master Environmental Servicing Plan (MESP) must be approved to the satisfaction of the Toronto and Region Conservation Authority, York Region and the City of Vaughan.
6. THAT Draft Plan of Subdivision File 19T-06V12 (Phase 1) (Country Wide Homes (Pine Valley Estates) Inc.) shall be consistent with the approved Master Environmental Servicing Plan and Block 40/47 Plan.
7. THAT Draft Plan of Subdivision File 19T-06V12 (Phase 1) (Country Wide Homes (Pine Valley Estates) Inc.) be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total 192 residential units (670 persons equivalent).
8. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-06V12 (Phase 1) (Country Wide Homes (Pine Valley Estates) Inc.) shall include the following clause:

"The Owner shall provide parkland and/or pay to the City of Vaughan, by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1

ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit in accordance with the Planning Act and the City's Cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment."

9. THAT City Staff be directed to attend the Ontario Municipal Board Hearing in support of the Owner's appeals to Zoning By-law Amendment and Draft Plan of Subdivision on the terms and conditions set out in this report.
10. THAT the Ontario Municipal Board not issue its written Decision Order(s) until the Owner has satisfied all requirements of the City of Vaughan, the Toronto and Region Conservation Authority and York and Peel Regions.

Contribution to Sustainability

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

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

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

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.2: To develop Vaughan as a City with maximum greenspace and an urban form that supports our expected population growth
- Objective 2.3: To create a City with sustainable built form

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

- Objective 3.1: To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation
- Objective 3.2: To develop and sustain a network of roads that supports efficient and accessible public and private transit

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:

a) Subdivision:

- i) On lot infiltration trenches (locations to be confirmed through detailed design) to reduce/remove pollutants/sediments infiltrating into the ground water;
- ii) Valleyland edge management planting;
- iii) On-street bike lanes and routes;
- iv) Transportation Demand Management (TDM) measures with a pedestrian focused development approach promoting open space or park areas within a 5-minute walk to the majority of dwellings, ensuring attractive, pedestrian-scaled streets and a valley crossing system that is coordinated with the sidewalk network;

b) Building Materials and Technology:

- i) Energy efficient construction including steel insulated doors, basement insulation, blown insulation in the attic, high-efficiency furnaces and plumbing fixtures, Energy Star equivalent standard light fixtures, Low Emissivity Energy Star windows and patio doors and locally sourced building materials where feasible;
 - ii) Waste management practices to ensure that all trades work efficiently to reduce and eliminate waste, including on-site waste management, and re-use and recycling of materials;
- c) Native Vegetation Protection:
 - i) educate the future homeowners, where the lots abut open space lands, about the importance of maintaining the native plants and discouraging/prohibiting the installation of gates to avoid unwanted intrusion into the natural area and disposal of refuse in natural areas;
 - ii) prohibit the planting of ornamental plants beyond the backyards; and,
 - iii) provide native vegetation barrier plantings (ie. raspberries) in areas of higher accessibility to deter human intrusion into the natural areas.

Economic Impact

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

Communications Plan

On August 8, 2014, a Notice of Public Hearing was circulated to an extended polling area beyond 150 m (Attachment #2) of the subject lands and to the Millwood Woodend Ratepayers' Association, Rimwood Estates Homeowners Association and the Kleinburg and Area Ratepayers Association. A copy of the Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and Notice Signs were installed on the subject lands in accordance with the City's Notice Sign Procedures and Protocol. The recommendation of the Committee of the Whole to receive the Public Hearing report of September 2, 2014 and to forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on September 9, 2014. To date, a letter and a Communication were received by the Vaughan Planning Department:

- i) L. Tonelli, Pine Valley Drive - respecting the proposed 34 townhouse units and negative impact on the general character of the existing lands and buildings: visual impact on nature; density and overdevelopment of the site; being out of character with the community. Traffic and road safety on Pine Valley Drive was also noted.
- ii) F. & B. Di Sarra, Pine Valley Drive – respecting the inconsistency of the buffer shown on the Public Hearing attachments and an inadequate description of the buffer ie. dimensions; draft plan is premature until the buffer has been defined and all affected landowners are in agreement; the preference for estate size lots along the southerly border to create a gradual transition from the existing Greenbelt lands that will remain unchanged; the proposed fence of 1.8 m in height with 1 row of trees is an inadequate buffer and this resident requests that a study be undertaken to determine the appropriate fence height; fence should be maintained by the new owners not the farm to the south and should be required on title; trees should be planted on both sides of the fence along the property line by the developer as visual and acoustic privacy.

A deputation from the adjacent landowner to the south was made at the September 2, 2014, Public Hearing meeting:

D. Toyne & G. Evans – regarding an appropriate buffer between their active farm operation and the proposed development; buffer is a requirement of OPA #744; development will impact their agricultural expansion; provided an example of the City of Surrey in British Columbia where setback is 30 m to the house and 15 – 20 m heavily vegetated buffer and fence.

In response to the issues raised above, the following information is provided:

- i) Proposed townhouse units – A modification to OPA 744 was approved by York Region, which redesignated the lands located at the southeast corner of Pine Valley Drive and the southerly Primary Road access (Street 1 on Attachment #5) from “Medium Density Residential/Commercial” to “Low Rise Residential” which permits street townhouse dwellings, provided they are located adjacent to Pine Valley Drive and/or south of Street “1” (Attachment #5) and that no townhouse lots shall abut the southerly residential boundary of Block 47. Should OPA #744 be approved by the Ontario Municipal Board, the proposed development showing townhouses south of Street 1 conforms to the policies of OPA #744.
- ii) Impact on Pine Valley Drive – as part of the Block Plan 40/47 process, a Transportation Management Plan was submitted to the Vaughan Development Engineering and Infrastructure Planning Services Department for review, and was ultimately approved by Vaughan Council on June 24, 2014.
- iii) Buffer and Fence - The Owner has since revised the draft plan of subdivision and is proposing a 4.5 m wide buffer located at the southerly limit of Lots 119 to 136 inclusive, in private ownership. This buffer will be landscaped by the Owner (Country Wide Homes (Pine Valley Estates) Inc.) with dense trees and plantings. A landscape plan which details the materials used shall be approved by the City prior to registration of the subdivision, should it be approved. The buffer areas at the rear portion of these lots will be zoned OS1 Open Space Conservation Zone. The Owner has also proposed restrictive covenants to be registered on title with each lot, specifying the buffer shall be maintained with the landscaping provided and that building or structures and storage of any material is prohibited. A 1.8 m high board fence is proposed along the rear of Lots 119 to 135 inclusive which shall also be maintained by the individual lot owners. Specific draft plan conditions to this effect are included in Attachment 1a) of this report. The proposed zoning by-law will also include a provision that does not permit structures or buildings or storage of materials within the buffer block. More details on the buffer are provided throughout the report.

Purpose

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

- 1. Zoning By-law Amendment File Z.06.064 to amend Zoning By-law 1-88, specifically to rezone the subject lands from A Agricultural Zone and OS1 Open Space Conservation Zone to RD2 Residential Detached Zone Two, RD3 Residential Detached Zone Three, RT1 Residential Townhouse Zone, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone, in the manner shown on Attachment #4, together with the site-specific exceptions to Zoning By-law 1-88 identified in Table 1 of this report, to facilitate a proposed residential Draft Plan of Subdivision (Phase 1) for 192 dwelling units.
- 2. Draft Plan of Subdivision File 19T-06V12 (Phase 1) to facilitate a proposed residential Draft Plan of Subdivision as shown on Attachment #5 consisting of the following:

Lot/Block Number	Land Use	Area (ha)	Units
Lots 1, 3-8, 111-114, 135-140, 144-146, 154, Blks 169 and 171	Detached Residential Units (15.2 m frontage)	1.520	22
Lots 2, 9-36, 66-77, 79, 88-94, 100, 109, 110, 115-117, 119-134, 141-143, 147-153, 155-162, Blk 172	Detached Residential Units (13.7 m frontage)	4.691	89.5
Lots 37-65, 80-86, 95, 99, 101-108, Blk 170	Detached Residential Units (12.8 m frontage)	2.23	46.5
Blocks 78, 87, 96-98, 118	6 Townhouse Blocks	0.755	34
Block 175	Valley Buffer	0.158	
Blocks 176 & 177	Landscape Buffer	0.127	
Blocks 178	Road Widening	0.084	
Blocks 179-198	0.3 m Reserve	0.020	
Block 199	Future Development	0.096	
Block 200	Valley	10.659	
Block 201	Temporary Park	0.526	
	Streets	3.380	
Total		24.246	192

Background - Analysis and Options

Synopsis:

The Owner is proposing to develop the subject lands for a residential plan of subdivision consisting of 158 detached dwelling units and 34 townhouse units (Phase 1), a neighbourhood park and including open space and buffer blocks, as shown on Attachment #5. The Vaughan Planning Department supports the Zoning By-law Amendment and Draft Plan of Subdivision Applications since they implement the Vaughan Council approved Official Plan and is compatible with the surrounding existing and planned land uses.

Location

The subject lands are located on the west side of Pine Valley Drive, south of Teston Road, known municipally as 10390 Pine Valley Drive, City of Vaughan, as shown on Attachments #2 and #3.

Provincial Policies

The subject Official Plan amendment and Block Plan approval applications were submitted in advance of the Provincial Growth Plan for the Greater Golden Horseshoe – *Places to Grow*, the Greenbelt Plan and the Provincial Policy Statement of 2005 and 2014. As such, the processing of this Plan continues under the Provincial Policies in effect at the time of the originating application.

Official Plan Amendment (OPA) #600 and #744

The subject lands are designated “Urban Area” and “Valley Lands” by OPA #600 and form part of the Vellore Urban Village and are subject to the following policies (in-part):

- The lands designated Urban Area shall be subject to a comprehensive plan providing the technical basis to support secondary plan land use designations consistent with the planning approach of OPA #600;
- The lands or area will be planned for predominantly “executive housing” on large lots with full municipal services, with a gross density between 5.0 and 7.5 units per hectare.

The lands designated as “Urban Area” shall remain subject to the Rural Use Area, Rural-General and Agricultural Area policies of OPA #600 until such time as they are redesignated to specific urban land use categories by an approved amendment to this plan.

An application to amend OPA #600 was submitted by the Block 40/47 Developer’s Group on February 19, 2003, to redesignate the subject lands in a manner that would fulfill the requirements of OPA #600 for a Secondary Plan/Block Plan process and establish land use designations to develop Block 40/47 Planning Area for a predominantly low residential built form. On February 18, 2014, Vaughan Council adopted site-specific Official Plan Amendment (OPA) #744 for the area designated Urban Area in Block 40/47, which includes the subject lands.

The subject lands are designated “Low Density Residential”, “Neighbourhood Park” and “Valley Lands” by OPA #744, which was adopted by Vaughan Council. York Region, the approval authority of this amendment, issued its Notice of Decision to approve OPA #744 with modifications, which was subsequently appealed and is scheduled to be considered by the Ontario Municipal Board (OMB) at a Hearing commencing on September 28, 2015.

Two appeals of OPA #744 dated October 6, 2014 were filed with the OMB. One appeal was submitted by the Owner of the subject lands (previously known as Pandolfo et. al), who is a member of the Block 40/47 Developers Group Inc. The appeal relates to a conditional donation agreement respecting a heritage site within the Phase 2 portion of the property, and is awaiting a ruling from the Canada Revenue Agency (CRA). Phase 2 is not part of these applications that are before Vaughan Council for consideration at this time. The Owner advised the OMB that their appeal is precautionary as they await the CRA ruling.

The Owner is a party to the appeal to OPA #744 and as such, agrees and consents to the inclusion of Conditions #3 and #4 in the Recommendation of this report, and the terms set out therein, as conditions of approval for any Zoning By-law Amendment and/or approval of Draft Plan of Subdivision for the proposed development.

The second appeal was submitted by a neighbouring landowner (Upper Cold Creek Farm) located adjacent to the Block 40/47 lands, along the southern boundary of the subject lands, which relates to concerns respecting the compatibility of the adjacent land uses with their existing farming operation.

OPA #744 contains the following policy respecting compatibility with adjacent land uses:

“Paragraph 6, Section IV, Clause xv. Compatibility with Adjacent Land Uses

Residential Uses, as provided for in this Plan, shall be developed in a manner that is compatible with adjacent Rural/Agricultural Uses. Measures to ensure compatibility will be considered and implemented through the draft plan of subdivision/zoning approval processes. Such measures may include: the provision of buffer areas, landscaping and screening, increased building setbacks, sympathetic massing and architectural treatments and grading measures that minimize the use of retaining structures.”

As supporting documentation for the Zoning By-law Amendment and Draft Plan of Subdivision applications, the Owner submitted an Agrologist report, dated July 7, 2015, and a Witness Statement, dated August 4, 2015, both prepared by Michael Hoffman of AgPlan Limited. AgPlan Limited (Michael Hoffman) prepared the witness statement for the Owner (Country Wide Homes (Pine Valley Estates) Inc.) and will be providing expert opinion evidence at the OMB Hearing regarding Official Plan Amendment #744 (OMB Case No. PL141138), scheduled to commence on September 28, 2015.

The report and witness statement refer to the above noted policy in OPA #744 respecting compatibility with adjacent land uses and informs the comments and opinions in the documents,

regarding the proposed buffer between the proposed residential development on the subject lands and the Upper Cold Creek Farm located to the south.

The following mitigation measures are recommended by AgPlan Limited, for the subject Draft Plan of Subdivision and implementing Zoning By-law to address the concerns respecting compatibility with the adjacent farming operation:

- i) Buffer: A 4.5 m wide vegetated buffer strip located at the rear of Lots 119 to 136 inclusive, to provide screening as shown on Attachment #5. The species chosen for the buffer must provide sufficient density to be an identifiable barrier and have sufficient height as a visual barrier. The buffer should not contain any species that will provide seed sources for undesirable plants in the adjacent hay/pasture area nor contain species that are highly invasive. The buffer will be held in private ownership.
- ii) Fencing: A 1.8 m high wood screen fence situated on the rear lot lines of Lots 119 to 135 inclusive.
- iii) Warning Clause: A warning clause to be included on title and as part of a sale/lease agreement that indicates that the adjacent southerly lands are actively farmed and will follow normal farm practices that may: include the application of pesticides; and, generate dust, noise, odour, light etc. which are all allowed and protected by the Farm Practices Protection Act.
- iv) Zoning of the Buffer Area: The buffer area at the rear of Lots 119 to 136 shall be zoned to OS1 Open Space Conservation Zone, which will not permit any uses or structures, or the storage of any material within the buffer area of the buffer area.

AgPlan Limited concludes that should these compatibility measures be implemented, residential uses can be developed in a manner that is compatible with the adjacent farm.

DBH Soil Services Inc.(Dave Hodgson) was retained by the City of Vaughan to conduct a Peer Review of the findings in the AgPlan Limited agrologist report and witness statement. In a letter dated August 6, 2015, DHB Soil Services advises that the proposed mitigation measures are reasonable and sufficient to address the need for mitigation. As such, the proposed Draft Plan of Subdivision conforms to the policies of OPA #744. The implementation of the mitigation measures identified above will be discussed further in the report.

The proposed Draft Plan of Subdivision implements the Block 40/47 Plan, which facilitates the development of a complete community, with a mix of land-uses and housing types, and an overall gross density that does not exceed 18 units per hectare (uph). The subdivision has an average gross density of 14.978 uph. The proposed Draft Plan of Subdivision is consistent with the Block 40/47 land use plan approved by Vaughan Council on June 24, 2014 (Attachment #6). However, should the OMB approve OPA #744, and the OMB's decision results in modifications to the Official Plan, the Block 40/47 Plan and the proposed Draft Plan of Subdivision and implementing Zoning By-law must be revised to conform to the final approved Official Plan Amendment. A condition to this effect is included in the recommendation of this report and set out in the Conditions of Approval in Attachment #1a).

The Notice of Approval of Draft Plan of Subdivision File 19T-06V12 (Phase 1) will not be issued until such time as OPA #744 is approved by the OMB and is in full force and effect, and a fully executed Landowner's Cost Sharing Agreement is in place that includes the funding arrangements and conveyances for the Block 40/47 Sanitary Pumping Station and associated works. The final approved OPA #744 will be incorporated into Vaughan Official Plan (VOP) 2010 as a site-specific amendment in Volume 2 of the VOP 2010, if approved by the OMB.

On July 14, 2015, the Owner also appealed the subject Draft Plan of Subdivision File 19T-06V12 and Zoning By-law Amendment File Z.06.064 to the Ontario Municipal Board on the basis that no

decision has been made by Council on these applications within 120 days as required by the Planning Act. To-date an OMB Hearing date has not been scheduled.

Block 40/47 Plan

In February 2003, the City of Vaughan received Block Plan File BL.40/47.2003 from the Developers Group for Blocks 40 and 47, to establish the comprehensive planning framework for these blocks including, but not limited to, the proposed land uses, housing mix and densities, protection and enhancement of the natural environment, the location of parks and community facilities, servicing infrastructure, transportation (road) network, public transit, urban design, and, phasing for the Blocks to manage growth.

The Block 40/47 Plan was originally considered by Vaughan Council at a Public Hearing on June 21, 2004. On February 18, 2014, Vaughan Council enacted By-law 18-2014 to adopt OPA #744, to establish secondary plan level policies for Block 40/47. Since the initial submission of the Block 40/47 Plan, it has been modified to respond to the policies of OPA #600, as amended by OPA #744, and to respond to comments from various public agencies, stakeholders and Ratepayers Association. OPA #744 designates the lands within the Block 40/47 Plan as required by OPA #600, to guide development in the Blocks and maintain the complex ecosystem functions and cultural heritage attributes associated with the Block Plan area.

A Public Hearing for the revised Block Plan submission, which responds to the policies of OPA #600 as amended by OPA #744, was held on February 25, 2014, and the recommendation to receive the Public Hearing report, was ratified by Vaughan Council on March 18, 2014. On June 24, 2014, Vaughan Council approved the Block 40/47 Plan, subject to York Region approval of OPA #744, and fulfillment by landowners of additional conditions, required by staff and agencies. Modifications to the Block 40/47 Plan, arising from comments from the public, external public agencies and the City, has resulted in the approval of an updated Block 40/47 Plan and conditions (Attachment #6). The proposed Draft Plan of Subdivision and Zoning By-law Amendment applications will facilitate development that is consistent with the Vaughan Council approved Block 40/47 Plan shown on Attachment #6.

Zoning

The subject lands are zoned A Agricultural Zone and OS1 Open Space Conservation Zone by Zoning By-law 1-88, as shown on Attachment #3. To facilitate the proposed Draft Plan of Subdivision shown on Attachment #5, an amendment to the zoning by-law is required to rezone the subject lands in the manner shown on Attachment #4, together with the following site-specific zoning exceptions:

Table 1: Proposed Zoning Exceptions

	By-law Standard	Zoning By-law 1-88, RD2 and RD3 Residential Detached Zone Requirements	Proposed Exceptions to the RD2 and RD3 Residential Detached Zone Requirements
a.	Fireplace or Chimney Pilaster Yard Encroachment	Sections 3.14 (a) and (d) in the By-law permit a maximum 0.5 m encroachment into a required yard, with no encroachment in an interior side yard to be closer than 1.2 m to the property line.	Permit a fireplace or chimney pilaster to encroach a maximum of 0.5 m into any yard.

	By-law Standard	Zoning By-law 1-88, RD2 and RD3 Residential Detached Zone Requirements	Proposed Exceptions to the RD2 and RD3 Residential Detached Zone Requirements
b.	Permitted Encroachment of an Unenclosed Porch (Covered and Uncovered), and Balcony	Section 4.22.2 in the By-law makes reference to “front” and “exterior side” yards, which is proposed to be changed to “rear” and “exterior side” yards.	<p>Permit a covered and unenclosed porch and/or balcony both excavated and unexcavated as permitted encroachments into the rear, yard, subject to the following:</p> <ul style="list-style-type: none"> i) an unenclosed porch (covered or uncovered) to a maximum of 2.5 metres, and eaves, gutters and steps may encroach an additional 0.5 metres; ii) a 1.5 metre no encroachment zone shall be maintained inside the property line within the rear yard and exterior side yard, and within the interior side yard abutting a greenway, walkway, buffer block or stormwater management pond, and at a sight triangle; iii) the maximum finished floor elevation of an unenclosed porch (covered or uncovered, with or without a cold cellar) located in the rear yard or exterior side yard, or in the interior side yard abutting a greenway, walkway, buffer block or stormwater management pond, shall not exceed 1.2 metres above finished grade.
c.	Bay or Box Window Encroachment	Schedule “A3”, Note “D” in the By-law also includes an encroachment into the interior side yard, which is proposed to be excluded.	Bay or box windows, or similar window projections constructed with or without footings may encroach into a required front, exterior side or rear yard a maximum of 0.6 m.

	By-law Standard	Zoning By-law 1-88, RD2 and RD3 Residential Detached Zone Requirements	Proposed Exceptions to the RD2 and RD3 Residential Detached Zone Requirements
d.	Minimum Exterior Side Yard Abutting a Sight Triangle	3 m	1.5 m
e.	Minimum Interior Side Yard Setback Abutting a Non-Residential Use (Walkway, Open Space)	3.5 m	1.5 m

	By-law Standard	Zoning By-law 1-88, OS1 Open Space Conservation Zone Requirements	Proposed Exceptions to the OS1 Open Space Conservation Zone Requirements For the Rear of Lots 119 to 136 Inclusive
a.	Permitted Uses	Recreational, Institutional and Conservation Uses	Only landscaping is permitted within the 4.5 m buffer area. Buildings or structures including swimming pools, pool cabanas, gazebos, sheds or accessory buildings of any kind, and the storage machinery or materials are not permitted

	By-law Standard	Zoning By-law 1-88, RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
a.	Fireplace or Chimney Pilaster Yard Encroachment	Sections 3.14 (a) and (d) in the By-law permit a maximum 0.5 m encroachment into a required yard, with no encroachment in an interior side yard to be closer than 1.2 m to the property line.	Permit a fireplace or chimney pilaster to encroach a maximum of 0.5 m in any yard.
b.	Permitted Encroachment of an Unenclosed Porch (Covered and Uncovered),	Section 4.22.2 in the By-law makes reference to “front” and “exterior side” yards, which is proposed to be changed to “rear” and “exterior side” yards.	Permit a covered and unenclosed porch and/or balcony both excavated and unexcavated as permitted encroachments in the rear

	By-law Standard	Zoning By-law 1-88, RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
	Cold Cellars, and Balconies		<p>yard, subject to the following:</p> <ul style="list-style-type: none"> i) an unenclosed porch (covered or uncovered) to a maximum of 2.5 metres, and eaves, gutters and steps may encroach an additional 0.5 metres; ii) a 1.5 m no encroachment zone shall be maintained inside the property line within the rear yard and exterior side yard, and within the interior side yard abutting a greenway, walkway, buffer block or stormwater management pond, and at a sight triangle; iii) the maximum finished floor elevation of an unenclosed porch (covered or uncovered, with or without a cold cellar) located in the rear yard or exterior side yard, or in the interior side yard abutting a greenway, walkway, buffer block or stormwater management pond, shall not exceed 1.2 metres above finished grade.
c.	Bay or Box Window Encroachments	Section 4.22.2 in the By-law permits an encroachment for a bay or box window into the “front” and “exterior side” yards.	Permit a bay or box window or similar projection with or without footings to encroach into the required front, exterior side or rear yards a maximum of 0.6 m.
d.	Minimum Exterior Side Yard Abutting a Sight Triangle	3 m	1.5 m

i) Proposed Zoning Exceptions

The Owner has requested exceptions to the yard encroachment requirements and side yard abutting a sight triangle for the proposed residential zones in order to maximize interior dwelling floor space and provide for building articulation. These exceptions are similar to those approved by Vaughan Council in the Block 40 South area and are considered acceptable.

To address the OPA #744 policy respecting compatibility with adjacent land uses as discussed earlier in the report, the Owner has provided a 4.5 metre wide landscaped buffer on a portion of the rear of Lots 119 to 136 (in private ownership) that abut the existing farm to the south. The buffer area will be zoned OS1 Open Space Conservation Zone, and the by-law will include a specific provision stating that buildings or structures of any kind, as well as the storage of any equipment will not be permitted in the buffer area. The buffer area will be landscaped with a sufficient height and density to be an identifiable barrier between the existing farm operation to the south and the new development. The landscape plan outlining the planting material and details shall be approved by the City of Vaughan. A 1.8 m high wood fence will also be constructed along the rear lot line of Lots 119 to 135 inclusive that abut the farm property to the south, and will be required to be maintained by the individual lot owners. To ensure the buffer and fence are maintained, the Owner will be including a restrictive covenant on title with each of Lots 119 to 136 inclusive. In addition a warning clause will be included in all offers of purchase and sale/lease advising that the adjacent lands to the south are actively farmed and will follow normal farm practices that may: include the application of pesticides; and, generate dust, noise, odour, light etc. which are all allowed and protected by the Farm Practices Protection Act. Conditions outlining the proposed requirements noted above are included in Attachment 1a).

The Vaughan Planning Department is satisfied that the proposed rezoning of the subject lands in the manner shown on Attachment #4, together with the requested site-specific zoning exceptions discussed above are appropriate for the development of the subject lands.

Block Plan

The Owner, as a result of addressing the City and external agency requirements, and the continuous work on the detailed design as part of the Block 40/47 Plan, must submit an updated Block Plan and Master Environmental and Servicing Plan (MESP) and any related reports, to the satisfaction to the City and Toronto and Region Conservation Authority (TRCA). Conditions to this respect are included in Attachment #1a).

Subdivision Design

The Draft Plan of Subdivision (Phase 1) is comprised of 158 lots for detached dwellings, 4 residential blocks (2 lots) to be combined with adjacent lands to the north to create full lots, 6 blocks for 34 street townhouse units, a temporary park block and valleylands as shown on Attachment #5. The park is identified as temporary at this time pending the future completion of a design and development plan for the combined Phase 1 and 2 park and open space area. The purpose of the temporary park is to provide neighbourhood park facilities (playground, seating area, play area) to service the Phase 1 development. Once the Phase 2 portion of the Draft Plan of Subdivision is approved for development, the final park boundary will be clearly established. Prior to final approval, the Owner shall prepare Architectural and Urban Design Guidelines, and all development within the Draft Plan of Subdivision shall proceed in accordance with the approved Architectural Design Guidelines and Urban Design Guidelines. Conditions to this effect are included in Attachment #1a).

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

Developers' Group Agreement

It is a standard condition of Draft Plan of Subdivision approval that the participating landowners for the block execute a Developers' Group Agreement respecting the provision of servicing infrastructure and roads for the Block. The Owner of the subject lands is a member of the Block 40/47 Developers' Group, and will be required to participate in the cost sharing for the Block, which includes addressing stormwater management and other infrastructure including providing sidewalks, roads and other municipal services. In addition, on June 23, 2015, Council adopted the following motion:

"That prior to the City Clerk issuing Notice of Draft Plan Approval for any of the draft plans of subdivision in Block 40/47, the City receive confirmation that a fully executed Landowner's Cost Sharing Agreement is in place which includes the funding arrangements and conveyances for the Block 40/47 Sanitary Pumping Station and associated works."

The parties to this agreement shall include all benefiting landowners within Block 40 South, Block 40/47 North, Block 55, and Block 41. Conditions to this effect are included in the recommendation section and Attachment #1a) of this report.

Vaughan Development Engineering and Infrastructure Planning Services Department

The Vaughan Development Engineering and Infrastructure Planning Services Department (DEIPS) has provided the following comments:

a) Road Network

The proposed lots and blocks will be served by a direct connection to Pine Valley Drive to the east and the internal local and minor collector roads will connect to the proposed roads in the adjacent plan to the north, being Draft Plan of Subdivision File 19T-03V25.

Improvements and urbanization to Pine Valley Drive from Teston Road to the south limits of the Block Plan shall include sidewalk and streetlighting to the satisfaction of the City and Region.

b) Water Distribution

The subject lands are within Pressure District 7 (PD 7) of the York Water Supply System. Block 40/47 North will be serviced within PD 7 by the extension of the existing 450 mm diameter watermain on Teston Road from its current terminus just west of Weston Road. A secondary watermain feed for security and looping purposes will be provided via a connection to the existing system in Block 40 South. This secondary feed will require the crossing of the valley and the location coincides with the sanitary sewer crossing to the Pine Valley North Sewage Pumping Station (PVNSPS) from the west.

The Owner shall upfront finance the cost to design, tender and construct the required external watermain on Teston Road, west of Weston Road, taking into account the Region's plans for upgrading Teston Road, as a component of the first phase works to the satisfaction of the City. A portion of the watermain will be funded from Development Charges in accordance with the City's current Background Study.

c) Sanitary Servicing

The subject lands are ultimately tributary to the Jane-Rutherford Sanitary Trunk located within the Maple Service Area of the York-Durham Sewage System. The closest gravity sewer to the subject lands is currently located in Block 40 South at Lawford Road, north of Major Mackenzie Drive, west of Weston Road. From this point, a sanitary forcemain will be extended northerly, in conjunction with the development of Block 40 South, to the future Pine Valley North Sewage Pump Station (PVNSPS).

d) Pine Valley North Sanitary Pump Station

The development of the westerly portion (23 ha) of Block 40 South and all of the participating Block 40/47 North, Block 55 and Block 41 lands are dependent on the construction of the PVNSPS, which will discharge flows to Block 40 South. The PVNSPS will be located on the east side of Cold Creek on lands external to the Plan being Draft Plan of Subdivision File 19T-06V10, and surrounded by Open Space/Valleylands.

A Developers' Group Cost Sharing Agreement specifically for the design and construction of the PVNSPS and related trunk sewers/force main is necessary to ensure an adequate outlet is readily available for all benefitting lands. The parties to this Cost Sharing Agreement shall include all benefitting land owners within Block 40 South, Block 40/47, Block 55, and Block 41.

e) Stormwater Management

The subject lands are located within the Cold Creek basin of the East Humber River Sub-watershed. The lands are traversed by three (3) branches of Cold Creek; the west tributary runs parallel to the west limit of the lands, the central tributary runs north and is located 300m east of Pine Valley Drive, the east tributary runs east from the central tributary to past Weston Road and Teston Road. The storm water management (SWM) plan for lands within Block 40/47 North proposes the establishment of three (3) SWM facilities, one (1) being within Block 47 North, located immediately to the north within Draft Plan of Subdivision File 19T-03V25, which services this Plan. The SWM facilities are proposed to control the urban storm water runoff to the target release rates established for the East Humber River watershed. These facilities will also provide water quality treatment and erosion control.

In order to achieve the necessary water balance requirements for the Block, infiltration galleries are proposed within each of the stormwater management pond blocks. The proposed groundwater recharge/balance analysis included in the recent resubmission of the MESP remains under review with the Toronto and Region Conservation Authority (TRCA), Ministry of Natural Resources and Forestry (MNRF) and the City of Vaughan. Accordingly, a Holding Symbol "(H)" shall be applied to the amending zoning by-law for specific lots adjacent to the proposed stormwater management pond blocks to ensure development does not proceed until such time that the City is satisfied with the detailed design of the ponds and the infiltration galleries.

f) Sewage and Water Allocation

On May 19, 2015, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed servicing capacity is available to support continued urban growth throughout the City. Servicing capacity was reserved specifically to the Block 40/47 Trustee in the amount of 1,350 residential units (7,456 persons equivalent). Accordingly, servicing capacity to the draft plans within the Block 40/47 Plan is available and unrestricted.

g) Environmental Site Assessment

The Owner submitted an Updated Phase One Environmental Site Assessment (ESA) report dated April 2015, which the City determined to be acceptable.

The Owner is required to submit a Phase Two ESA for any open space/park lands to be conveyed to the City of Vaughan, in accordance with the City's standards and requirements, with the investigation conducted only after certification of rough grading but prior to the placement of topsoil.

h) Environmental Noise/Vibration Impact

Acoustic measures shall be utilized to mitigate noise impacts from traffic on Pine Valley Drive. A Noise/Acoustic Report shall be submitted at the detailed design stage, which meets Ministry of Environment and Climate Change Guidelines and City criteria. The Owner shall implement all noise abatement measures as recommended in the report to the satisfaction of the City and York Region.

i) Streetlighting

Light-emitting diode (LED) streetlighting shall be utilized throughout the Plan in accordance with the approved Urban Design Guidelines and in accordance with the City's latest design standards and specifications.

j) Pedestrian/Servicing Bridges

The subject lands are part of the Block 40/47 Plan, where two pedestrian/servicing bridge structures are proposed to cross the Cold Creek Valley systems. These structures will provide multi-use pedestrian and cycling connectivity between the east and west neighbourhoods within Block 40 North. In addition, the structures will be used as a utility corridor to support the necessary watermain and sanitary sewer crossings of the valley. Extensive consultation with MNRF and TRCA was undertaken in order to finalize the proposed bridge and abutment locations based on existing environmental considerations within the valleys.

To date a preliminary design of the proposed bridge structures has been prepared, peer reviewed and approved in principal. The City's peer review Consultant will continue to assist with the review of the detailed design which may affect the approaches and adjacent lots. On-going operation and maintenance/access requirements will be finalized in conjunction with review of the detailed design to the satisfaction of the City of Vaughan, the TRCA and MNRF.

As the subject lands are within the Block 40/47 Plan, the Owner shall be required to enter into a Developers' Group Agreement with the other participating landowners within Block 40/47, respecting all cost sharing for municipal services, such as the pedestrian/servicing bridge structures, among other matters, to the satisfaction of the City.

The Vaughan Development Engineering and Infrastructure Planning Services Department and the Parks Development Department have no objection to the development, subject to the conditions of approval in Attachment #1a.

Vaughan Development Planning Department, Urban Design and Cultural Heritage Division

The Urban Design and Cultural Heritage Division of the Vaughan Development Planning Department advises that there are outstanding reports and Ministry of Tourism, Culture and Sport approvals for the subject lands. There are areas that were not subject to archaeological assessment and are located in an area of high archaeological potential, and are required to be assessed by a licensed archaeologist. Specifically, these lands are located within a strip along the northern boundary of the subject lands. The Owner submitted a letter on June 8, 2015 informing that this strip has been assessed through a Stage 1 and Stage 2 archaeological assessment, with no significant findings, and a report will be forthcoming. Further information is required to be submitted as outlined in the Conditions of Approval in Attachment #1a).

Vaughan Parks Development Department

The Vaughan Parks Development Department has no objection to the proposed development, subject to the conditions of approval in Attachment #1a).The department advises that prior to Phase 1 plan registration, the Owner shall enter into a separate agreement with the City respecting the total amount of parkland in Phases 1 and 2 of Draft Plan of Subdivision File 19T-

06V12 to be conveyed and/or credited, and construction of the Temporary Park for Block 201 to the satisfaction of the Vaughan Parks Development Department, and the construction of the final park associated with Phase 1, including Block 174. In addition, prior to the execution of the first Subdivision Agreement, the Owner shall design and agree to construct all off-road pedestrian paths and trails in accordance with the approved Block 40/47 Landscape Master Plan, and Streetscape and Urban Design Guidelines, to the satisfaction of and at no cost to the City.

Vaughan Legal Services Department, Real Estate Division

The Vaughan Legal Services Department, Real Estate Division has advised that prior to final approval of the Draft Plan of Subdivision, the Owner is required to enter into a Developers' Group Agreement with the other participating landowners within the Block 40/47 Plan to the satisfaction of the City. The Agreement shall be regarding, but not limited to, all cost sharing for the provision of parks, cash-in-lieu of the dedication of parkland, and road and municipal services within Block 40/47 Plan. This agreement shall also provide a provision for additional developers to join the Developers' Group Agreement, when they wish to develop their lands. The Owner acknowledges that cash-in-lieu of parkland shall be paid in accordance with Section 42 of the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". This is included in the recommendation of this report and conditions of approval in Attachment #1a).

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has provided the following comments:

a) Environmental Features

Block 40/47 includes significant environmental features located within the East Humber watershed, and more specifically traversed by several tributaries of the Cold Creek system. Cold Creek is a high quality, sensitive cold water system that supports a diverse range of aquatic species and provides habitat for the endangered Redside Dace. Ground and surface water sensitivities are also present given the network of tributaries. Provincially significant valleylands, woodlands, wildlife habitat and wetlands, and tableland wetland features are present. A significant, continuous block of forest exists within the well-defined valley systems in the Block Plan, supporting a number of flora and fauna species of concern including a number of area sensitive, forest dependent breeding birds. This part of the Humber Watershed was identified as one of the "centres of biodiversity" in the City of Vaughan's natural heritage background report for the new Official Plan, and as such provides a range of ecosystem services.

These aquatic, terrestrial, and landscape attributes combined creates a valley system considered significant within the context of the Provincial Policy Statement (PPS). As part of the City's Natural Heritage System, it is essential that any negative impacts resulting from urbanization of the area be carefully considered through ecologically-based site design in order to protect the long term health, function and ecological services of the natural system and open space amenity within the Block Plan area, and the broader watershed landscape.

b) Block Plan

The Block Plan includes a trail along the valley wall from the future northern pedestrian bridge. The location and details associated with the trail, given that it will also provide vehicular access, will be subject to review through the permit process. This TRCA comment is applicable to other draft plans in the Block 40/47 area, but not this particular draft plan.

c) Draft Plan of Subdivision

The Master Environmental and Servicing Plan (MESP) forms the background work to the Block Plan and supports the development pattern proposed. As the MESP requires further work, the TRCA requests that the Block Plan conditions related to the MESP be carried forward into the

subdivision conditions. It is important to recognize that some of the outstanding matters relate to all of the subdivision plans in the Block as they drain through each other and ultimately into the valley system. The maintenance of water flow to surrounding natural features is an outstanding matter that may specifically impact the layout of the subdivisions as proposed. Given the nature of this outstanding matter, the TRCA anticipates future red-line revisions and a condition reflecting this has been included in Attachment #1c).

The TRCA notes that OPA #744 is before the OMB. The Draft Plan of Subdivision conditions are being provided on a “without prejudice” basis based on plans and information provided to date and the Plans of Subdivision referenced in each set of conditions in the TRCA correspondence dated June 12, 2015, and the Block 40/47 Plan. Should the OMB make any changes to OPA #744 (and by default the Block 40/47 Plan) that will impact the Draft Plans of Subdivision, the conditions attached hereto may no longer be valid and the TRCA will need to provide updated conditions of draft plan approval.

The TRCA has no objection to the proposal subject to the conditions of approval in Attachment #1c), which include the consolidation of matters discussed above, typical subdivision conditions (stormwater, erosion and sediment control, grading, etc.), and the conditions respecting the MESP.

School Boards

The York Region District (Public) School Board, York Catholic District School Board and the Conseil Scolaire de District Catholique Centre-Sud have advised that they have no objection to the proposal and have no conditions of approval.

Enbridge Gas Distribution

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

Canada Post

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

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 Well-Being

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 neighbourhood public park to enhance the City's existing inventory of public amenity space.

Regional Implications

York Region has advised that the Draft Plan of Subdivision is located within the Maple North Wastewater Service Area and will be serviced from Water Pressure District PD 7. The Region understands that Vaughan Council has committed (reserved or assigned) 2013/Post 2013 water and wastewater servicing capacity allocation for 1,350 units for distribution by the Block 40/47 Group Trustee. If the City does not grant the subject development the required allocation from the Region's existing capacity assignments to date, then the development may require additional infrastructure based on conditions of future capacity assignment, which may include:

- Duffin Creek Water Pollution Control Plant (WPCP) Outfall - 2017 expected completion;
- Duffin Creek Water Pollution Control Plant (WPCP) Stages 1 and 2 Upgrades - late 2017 expected completion;
- West Vaughan Sewage Servicing - 2018 expected completion;
- West Vaughan Water Servicing - 2018 expected completion;
- East Vaughan Water and Wastewater Servicing - 2021 expected completion; and,
- Other projects as may be identified in the future Water and Wastewater Master Plan Update and/or studies.

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

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

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

Conclusion

The Zoning By-law Amendment and Draft Plan of Subdivision (Phase 1) applications, if approved, would facilitate the development of the subject lands with 192 dwelling units, a neighbourhood park and the protection of valleylands to be in public ownership, as shown on Attachment #5. The proposed Draft Plan of Subdivision conforms to the York Region and City approved Official Plan policies, and is in accordance with the approved Block 40/47 Plan. Should any modifications occur to the development as a result of the OMB decision on OPA #744, or to address City departments and external public agency requirements, the Draft Plan of Subdivision shall be modified to correspond to the OMB approved Official Plan and/or the updated Block 40/47 Plan, which reflects any required modifications.

The Vaughan Planning Department is satisfied that the proposed Draft Plan of Subdivision (Phase 1) shown on Attachment #5, and the zoning and site-specific exceptions will result in a residential development that is appropriate and compatible with the existing and permitted uses in the surrounding area. The Vaughan Planning Department can support the approval of the Zoning By-law Amendment Application and the proposed zone categories and exceptions, and the Draft

Plan of Subdivision, subject to the recommendations in this report, and the Conditions of Approval set out in Attachment #1.

Attachments

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Proposed Zoning
5. Draft Plan of Subdivision File 19T-06V12 (Phase 1)
6. Approved Block 40/47 Plan

Report prepared by:
Carmela Marrelli, Senior Planner, ext. 8791

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEYAMA
Director of Development Planning

/CM

MAURO PEVERINI
Manager of Development Planning

ATTACHMENT NO. 1

CONDITIONS OF APPROVAL

**DRAFT PLAN OF SUBDIVISION FILE 19T-06V12 - PHASE 1
COUNTRY WIDE HOMES (PINE VALLEY ESTATES) INC. (OWNER)
PART OF LOTS 23 AND 24, CONCESSION 7, CITY OF VAUGHAN**

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN (CITY) THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION FILE 19T-06V12 – PHASE 1 (THE PLAN), ARE AS FOLLOWS:

The Owner shall satisfy the following Conditions of Approval:

1. The Conditions of Approval of the City of Vaughan as set out on Attachment No. 1a).
2. The Conditions of Approval of York Region as set out on Attachment No. 1b) and dated May 27, 2015.
3. The Conditions of Approval of the Toronto and Region Conservation Authority as set out on Attachment No. 1c) and dated June 12, 2015.
4. The Conditions of Approval of Enbridge Gas as set out on Attachment No. 1d) and dated May 8, 2014.
5. The Conditions of Approval of Canada Post as set out on Attachment No. 1e) and dated May 8, 2014.

Clearances

1. 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 commenting agencies agree to registration by phases and provide clearances, as required in the Conditions in Attachments 1a), 1b), 1c), 1d) and 1e), for each phase proposed for registration; and furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
2. The City shall advise that Conditions on Attachment 1a) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
3. York Region shall advise that the Conditions on Attachment 1b) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
4. The Toronto and Region Conservation Authority shall advise that the Conditions on Attachment 1c) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
5. Enbridge Gas shall advise that the Conditions on Attachment 1d) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
6. Canada Post shall advise that the Conditions on Attachment 1e) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.

ATTACHMENT NO. 1a)

CONDITIONS OF APPROVAL

City of Vaughan Conditions

1. The Plan shall relate to the Draft Plan of Subdivision (Phase 1) prepared by KLM Planning Partners Inc., last revised August 19, 2015.
2. The lands within the Plan shall be appropriately zoned by a Zoning By-law, which has come into effect in accordance with the provisions of the Planning Act.
3. The Notice of Draft Plan Approval shall not be issued until such time as the implementing Official Plan Amendment (OPA #744) is in full force and effect, and a fully executed Landowner's Cost Sharing Agreement is in place that includes the funding arrangements and conveyance for the Block 40/47 Sanitary Pumping Station and associated works.
4. Should the Ontario Municipal Board (OMB) approval of Official Plan Amendment (OPA) #744 result in modifications to the Official Plan or the Block 40/47 Plan, the Owner shall revise the Plan to conform to the final approved Official Plan Amendment (OPA #744).
5. Prior to the registration of the first Draft Plan of Subdivision or any phase thereof, of any Draft Plan of Subdivision located within the Block 40/47 Plan, the Master Environmental Servicing Plan must be approved to the satisfaction of the Toronto and Region Conservation Authority, York Region and the City.
6. Prior to the registration of the first Draft Plan of Subdivision or any phase thereof, of any Draft Plan of Subdivision located within the Block 40/47 Plan, the Owner shall submit 6 hardcopies and 14 digital copies of the approved Block 40/47 Master Environmental Servicing Plan and Block 40/47 Block Plan Report to the Vaughan Planning Department, Policy Division.
7. Prior to the registration of the first Draft Plan of Subdivision or any phase thereof, of any Draft Plan of Subdivision located within the Block 40/47 Plan, the Owner shall ensure that any revisions made to the Block 40/47 Plan, as a result of the Ontario Municipal Board appeal of OPA #744 or detailed design be reflected in an update to the May 19, 2015, Block 40/47 Plan prepared by KLM Planning Partners Inc.
8. Prior to the registration of the first phase or any phase thereof, the Plan shall be consistent with the approved Master Environmental Servicing Plan and Block 40/47 Plan.
9. Prior to final approval of the Plan, the Owner shall submit to the satisfaction of the City, a listing prepared by an Ontario Land Surveyor of all the lot and block areas, frontages and depths in accordance with the approved Zoning By-law for all the lots and blocks within the Plan.
10. The Owner shall pay any and all outstanding application fees to the Vaughan Planning Department in accordance with the in-effect Tariff of Fees By-law.
11. 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.
12. a) Prior to the registration of the first phase or any phase thereof of the Plan, the Owner shall enter into a Developers' Group Agreement with the other participating landowners within Block 40/47 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 40/47. This agreement shall also include a provision for additional developers to participate within the Developers' Group Agreement when they wish to develop their lands.

The Owner acknowledges that cash-in-lieu of parkland, if required, shall be paid in accordance with Section 42 of the Planning Act and conform to the City's "Cash-in-Lieu of Parkland Policy". If required, non-participating Owners shall be required, to pay additional cash-in-lieu to the City.

- b) Prior to final approval of the Plan, the Trustee for Block 40/47 shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 40/47 North Landowners Cost Sharing Agreement.
- 13. 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.
- 14. The Owner shall have entered into a Developers' Group Cost Sharing Agreement specifically for the design and construction of the Pine Valley North Sanitary Pump Station and related trunk sewers/force main. The parties to this agreement shall include all benefiting landowners within Block 40 South, Block 40/47 North, Block 55, and Block 41.
- 15. Prior to final approval of the Plan, the Trustee for the Pine Valley North Sanitary Pump Station Cost Sharing Agreement shall provide the City with a letter indicating the Owner has fulfilled all cost sharing obligations for this agreement.
- 16. The Owner shall agree in the Subdivision Agreement to upfront finance the design, tender and construction of the Pressure District 7 Teston Road Watermain to the satisfaction of the City and York Region.
- 17. Prior to the transfer of the dwelling units on Lots 119 to 135 inclusive as shown on the Plan, the Owner shall erect a permanent 1.8 m high board privacy fence along the limits of the aforementioned Lots that abut the agricultural lands to the south as shown on the Construction Drawings, or as amended and approved on the Construction Drawings to the satisfaction of the Development Engineering and Infrastructure Planning Services Department. The Owner's Ontario Land Surveyor (O.L.S) shall certify to the Building Standards Department and Development Engineering and Infrastructure Planning Services Department that the above-noted fence is constructed in accordance with this requirement and constructed with all fencing material and foundations completely on the private lands, all to the satisfaction of the City.
- 18. The road allowances included within the Plan shall be dedicated as public highways without monetary consideration and free of all encumbrances.
- 19. The road allowances included within the Plan shall be named to the satisfaction of the City and York Region.
- 20. 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.
- 21. Any dead ends or open sides of road allowances created by the Plan shall be terminated in 0.3 metre reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.

22. The Owner shall agree in the Subdivision Agreement that construction access shall be provided only in a location approved by the City and York Region.
23. The Owner shall agree to remove any driveways and buildings on site, which are not approved to be maintained as part of the Plan. Any modification to off-site driveways required to accommodate the Plan shall be coordinated and completed at the cost of the Owner.
24. 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 Plan, to the satisfaction of the City.
25. Prior to final approval of the Plan, the Owner shall provide easements as may be required for utility, drainage, access or construction purposes, which shall be granted to the appropriate authority(ies), free of all charge and encumbrance.
26. The Owner acknowledges that the final engineering design(s) may result in minor variations to the Plan (e.g. in the configuration of road allowances and lotting, number of lots, etc.), which may be reflected in the final Plan to the satisfaction of the City.
27. Prior to final approval, a soils report prepared at the Owner's expense shall be submitted to the City for review and approval. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.
28. Prior to the initiation of grading, and prior to the registration of the Plan or any phase thereof, the Owner shall submit to the City for review and approval the following:

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

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

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

29. The Owner shall not apply for Building Permits and the City shall not issue Building Permits until the City is satisfied that adequate road access, potable municipal water supply, sanitary sewers and storm drainage facilities are available to service the Plan or that arrangements have been made for their completion to the satisfaction of the City.

The Owner acknowledges that the servicing of the Plan is dependent on the design and construction of municipal services and public roads on abutting Plans of Subdivision within Block 40/47 North, including the Pine Valley North Sewage Pumping Station, associated servicing and the required sanitary sewer and watermain valley crossings being incorporated into the proposed pedestrian bridges. Furthermore, the Owner acknowledges that should the

design and construction of the abovementioned servicing works be required to service the Plan, the Owner shall provide for the posting of the required financial securities, conveyance of the necessary lands and easements, the preparation of the necessary construction design drawings and the construction of the works to the satisfaction of the City.

30. 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.
31. 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 LED streetlighting to the satisfaction of the City.
32. 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.
33. Prior to final approval of the Plan, the Owner shall permit any telephone or telecommunications service provider to locate its Plant in a common trench within the 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.
34. The Owner shall ensure that the final Plan shall depict all telecommunication structure locations and hydro switch gear easements.
35.
 - 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.
36. The Owner shall agree in the Subdivision Agreement to maintain adequate chlorine residuals in the watermains within the Plan after successful testing and connection to the potable municipal water system and continue until such time as determined by the City or until assumption of the Plan. In order to maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.
37. Prior to final approval of the Plan, the Block 40/47 Master Environmental Servicing Plan (MESP) shall be revised to address the following outstanding items:
 - a) ensure all stormwater management ponds are sized to accommodate the drainage from the potential widening/urbanization of Teston Road and Pine Valley Drive;
 - b) ensure all stormwater management pond blocks are sized to accommodate the required infiltration galleries;

- c) to provide additional grading detail respecting the updated development limits as established by the TRCA, including any information on proposed retaining walls along the southern limits of the Plan;
- d) provide a revised Environmental Noise Feasibility Analysis to reflect any changes to the Block Plan;
- e) provide an updated water supply analysis which takes into account external developable lands immediately north of Teston Road (Block 41);
- f) revise servicing concept to reflect the extension of a proposed Pressure District 7 400mm diameter watermain through Blocks 40 and 47 to Teston Road in accordance with the recommendations of the City's Water/Wastewater Master Plan;
- g) revise the current sanitary servicing concept for Block 40 South per the approved Block 40 South MESP;
- h) update ultimate external sanitary drainage areas (Blocks 41 and 55) tributary to the proposed Pine Valley North Sewage Pumping Station;
- i) provide a development and infrastructure phasing plan including a traffic assessment for each phase of development. The phasing plan shall identify the required skeleton servicing for each phase including road improvements (Teston Road and Pine Valley Drive) and the extension of trunk services and spine services;
- j) include a sanitary drainage plan with all relevant external drainage areas together with profile drawings for skeleton works with inverts;
- k) include the current approved external sanitary drainage concept;
- l) include revised post-development storm drainage area plans;
- m) identify any potential development charge projects associated with the servicing of the Block 40/47N Plan area including estimated costs and benefitting areas;
- n) identify all York Region infrastructure work including the Teston Road and Pine Valley Drive road widening, intersection 'jog' elimination at Teston Road and Pine Valley Drive and other system improvements that are necessary to support the development of the Block Plan area; and,
- o) include a Transportation Demand Management Plan for Block 40/47 North.

The Owner shall agree to implement the recommendations as noted in the aforementioned and approved MESP Report to the satisfaction of the City and the Toronto and Region Conservation Authority (TRCA).

38. Prior to final approval of the Plan, and/or conveyance of land, and/or any initiation of grading or construction, the Owner shall implement the following to the satisfaction of the City:
- a) Submit a Phase One Environmental Site Assessment (ESA) report and, if required and as applicable, a Phase Two ESA, Remedial Action Plan (RAP), Phase Three ESA report in accordance with Ontario Regulation (O. Reg.) 153/04 (as amended) for the lands within the Plan. The sampling and analysis plan prepared as part of the Phase Two ESA, Phase Three ESA, and RAP shall be developed in consultation with the City, implemented, and completed to the satisfaction of the City.

- b) Should a change to a more sensitive land use as defined under O. Reg. 153/04 (as amended) or remediation of any portions of lands within the Plan be required to meet the applicable Standards set out in the Ministry of the Environment and Climate Change (MOECC) 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 MOECC, covering all the lands within the Plan.
 - c) Submit a signed and stamped certificate letter prepared by the Owner's Environmental Qualified Person/Professional (QP) stating that they covenant and agree 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 MOECC document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended).
 - d) Reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.
39. For park/open space block(s) that are being conveyed to the City, prior to final approval of the Plan, and/or conveyance, and/or release of applicable portion of the Municipal Services Letter of Credit, the Owner shall implement the following to the satisfaction of the City:
- a) Submit a Phase Two Environmental Site Assessment (ESA) report in accordance with Ontario Regulation (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.
 - b) Should remediation of any portions of the park/open space block(s) within the Plan be required to meet the applicable standards set out in the Ministry of the Environment and Climate Change (MOECC) document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended), submit a Remedial Action Plan (RAP) and 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 MOECC, covering the remediated park/open space block(s) within the Plan.
 - c) Submit a signed and stamped certificate letter prepared by the Owner's Environmental Qualified Person/Professional (QP) stating that they covenant and agree that the park/open space block(s) to be dedicated to the City 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 MOECC document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended).
 - d) Reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.
40. Prior to final approval, an Environmental Noise Impact Study, prepared at the Owner's expense, shall be submitted to the City for review and approval. The preparation of the noise report shall include the ultimate traffic volumes associated with the surrounding road network. The Owner

shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations set out in the approved noise report to the satisfaction of the City.

41. 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.
42. 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.
43. Blocks 169 to 172 inclusive shall be developed only in conjunction with abutting lands in proposed Draft Plan of Subdivision File 19T-03V25. Block 199 shall be developed only in conjunction with the abutting existing residential lands to the south. The City shall not issue a Building Permit for the said Blocks until the lands are combined to the satisfaction of the City.
44. Prior to final approval of the Plan, the City and York Region shall confirm that adequate water supply and sewage treatment capacity are available and have been allocated to accommodate the proposed development.
45. Construction of the pedestrian utility bridge structures, associated external walkway lines, and servicing and maintenance access corridors for Block 40/47 must be substantially completed to the satisfaction of the City, as part of the first phase development of the Plan and prior to release of the first Building Permit.
46. Prior to the issuance of a Building Permit for any lot or block, the Owner's consulting engineer shall certify, to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Services Department and the Vaughan Building Standards Department that the lot grading complies with the City of Vaughan lot grading criteria and the driveway as shown on the plan submitted for the construction of the building on that particular lot or block conforms in terms of location and geometry (i.e., width, etc.) with the approved or amended and subsequently approved Construction Drawings.
47. No Building Permit shall be issued until the Owner has provided proof that a restriction has been registered that prevents the transfer of the lot or block without the consent of the City where such transfer is to be restricted by any other provision of the Subdivision Agreement.
48. The Owner shall agree to create easements for maintenance purposes for all lots providing side yards less than 1.2 m, or having roof encroachments, prior to the transfer of land.
49. Notwithstanding the provisions (Subsection 5.1) generally included within the Subdivision Agreement, the City may issue model home Building Permits provided that the land is zoned to the satisfaction of the City and the relevant conditions (Subsection 5.18) of the Subdivision Agreement are fulfilled.
50. Prior to the initiation of any grading/soil disturbance on the Plan, an archaeological resource assessment of the entire area within the lands shall be carried out and a report which identifies any significant archaeological sites shall be prepared and submitted to the City and the Ministry of Tourism, Culture and Sport for review and approval. The archaeological resource assessment fieldwork and report shall be carried out by a licensed archaeologist and prepared according to the 2011 Standards and Guidelines for Consultant Archaeologists set by the Ministry and the terms and conditions for archaeological licenses. The archaeological fieldwork and reporting shall be consistent with the conservation, protection, and preservation of the cultural heritage of Ontario. A letter of concurrence with the above requirements from the Ministry of Tourism, Culture and Sport shall be submitted to the City.

- 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's Development Planning Department (Urban Design and Cultural Heritage Division) shall be notified immediately.
 - b) In the event that human remains are encountered during construction activities, the Owner 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.
51. Prior to Final Approval of the Plan, a revised Cultural Heritage Evaluation and Assessment for the East Humber River Tributary within Block 40/47 proposed Block Plan shall be submitted to the satisfaction of the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division. The Cultural Heritage Evaluation and Assessment shall include, but not be limited to the following:
- a) Provide an electronic and hard copy of a survey plan identifying the limits of the area that comprises the Cultural Heritage Landscape. Include information associated with legal description of the lands and graphically identifying the location of viewpoints, view sheds and vistas that are significant and add to the understanding of the connected natural and cultural value of the area. The survey plan is required to include the identification of buffer and sensitive areas that may restrict soil disturbance and/ or require special treatment.
 - b) Include in the report information on the Plan and resubmit the report for review and approval.
 - c) A final clearance of archaeological concerns has not been issued by the Ministry of Tourism, Culture and Sport and reports are outstanding. Any pertinent information in these missing reports related to the Cultural Heritage Landscape of the East Humber River within the Block Plan lands should be included in the resubmittal.
52. Prior to final approval of the Plan, given the local and provincial cultural value of the lands, the Owner is required to circulate the Cultural Heritage Evaluation and Assessment for the East Humber River Tributary within Block 40/47 proposed Block Plan report to the Toronto and Region Conservation Authority (TRCA) and Huron-Wendat Nation for their information and comment in order to provide input related to the commemoration and interpretative strategy for the area.
53. Prior to final approval of the Plan, a commemoration and interpretative strategy for the Cultural Heritage Landscape of the East Humber River, prepared by a qualified heritage consultant in the subject area of expertise, shall be submitted by the Owner to the satisfaction of the City, TRCA, and in consultation with the Huron-Wendat Nation, including, but not limited to:
- a) That the strategy be put together in consultation with stakeholders of the lands and interest groups in accordance with the Provincial Policy Statement (PPS) 2014 policy, in accordance with the Standards and Guidelines for Archaeologists and the York Region Archaeological Management.

The Owner shall implement the commemoration and interpretation plan for the subject lands, for the Cultural Heritage Landscape of the East Humber River within the Plan, to the satisfaction of the City, TRCA, and in consultation with the Huron-Wendat Nation.

54. The Owner acknowledge, in accordance with Regulation O. Reg. 130/92, s. 18, no building or addition is allowed under law to be constructed within 4.57 m (15 feet) of an in-ground grave and it is an offence under the Funeral, Burial and Cremation Services Act, 2002, to disturb a

burial site. Any cemetery or burial site shall have a 4.57 m (15 feet) buffer from all directions from any grave.

55. Prior to final approval of the Plan, a copy of the Draft Plan of Subdivision shall be sent to the Ministry of Government and Consumer Services, Registrar of Cemeteries. The Ministry shall be provided 90 days to provide comments.
56. The Owner agrees and acknowledges that the lotting pattern may be subject to change to accommodate new information relating to archaeology, cemeteries and cultural heritage matters including cultural heritage landscapes.
57. The Owner shall enter into an agreement with the Toronto and Region Conservation Authority (TRCA) for the lands designated "Urban Area" in the approved Block Plan 47 and that the agreement is to the satisfaction of the City, the TRCA, and in consultation with the Huron-Wendat Nation. If a Letter of Credit is established to initiate this process then this condition can be cleared.
58. The Owner protect and secure the Skandatut site on all sides with 2 m high fencing or by the protection recommended in the Stage 4 Archaeological Assessment, whichever is more stringent.
59. Prior to final approval of the Plan, the Owner shall prepare Architectural Control Design Guidelines.
 - a) A control architect shall be retained at the cost of the Owner, with concurrence of the City, to ensure compliance with the Architectural Control Design Guidelines;
 - b) Prior to the submission of individual Building Permit applications, the control architect shall have stamped and signed drawings certifying compliance with the approved Architectural Control Guidelines; and,
 - c) The City may undertake periodic reviews to ensure compliance with the Architectural Control Design Guidelines. Should inadequate enforcement be evident, the City may cease to accept drawings stamped by the control architect and retain another control architect, at the expense of the Owner.
60. Prior to final approval of the Plan, the Owner shall prepare Urban Design Guidelines and a Streetscape Landscape Master Plan. The guidelines and the master plan shall address but not be limited to the following issues:
 - a) Co-ordination of the urban design/streetscape elements including fencing treatments and street tree planting;
 - b) Edge restoration along the open space lands;
 - c) Preliminary Design of Park Block 174 (Phase 2) and Temporary Park Block 201 to integrate with built-form and public realm;
 - d) The appropriate community edge treatment along Pine Valley Drive, including the appropriate landscaping for Buffer Blocks 176 and 177 with low-maintenance plant material;
 - e) Trail system and network within the open space blocks and vista blocks.
61. Prior to final approval, the Owner shall provide a minimum 10 m buffer block abutting the open space blocks along residential lots and residential blocks.

62. 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.
63. Prior to final approval, the Owner shall prepare a detailed edge management plan study for the perimeter of the open space lands. The study shall include an inventory of all existing trees within an 8 metre zone inside the staked edges, and areas where the woodlot/open space edges are disturbed, assessment of significant trees to be preserved and proposed methods of edge management and/or remedial planting shall be included. The Owner shall not remove any vegetation without written approval by the City.

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.

64. 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 Valley Buffer Block 175.
65. 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 and blocks that abut Park Block 174 (Phase 2) and temporary Park Block 201.
66. 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 valleylands that abut park Block 174.
67. The Owner shall agree in the Subdivision Agreement to erect an appropriate fence barrier along limits of the residential lots and blocks that abut landscape buffer Blocks 176 and 177, to the satisfaction of the City.
68. 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 and architectural control design guidelines.
69. The Owner covenants and agrees to provide a 4.5 m vegetated landscape buffer zoned OS1 Open Space Conservation Zone, within the private rear portions of Lots 119 to 136 inclusive. The buffer shall be of sufficient height and density to the satisfaction of the City, to act as a visual barrier, in accordance with the plans to be approved by the City. The subdivision agreement shall require a provision that states:

“Prior to the transfer of Lots_ to __ (Lots 119 to 136 on the Plan) as shown on Schedule “A”, the Owner shall construct the landscaping within the private rear 4.5 metres of the lot as shown on the approved Construction Drawings. The Owner’s Consulting Engineer and Landscape Architect (OALA) shall certify to the Building Standards Department that the above noted landscaping and fencing are constructed in accordance with this requirement.”

70. The Owner covenants and agrees to register the following paragraph which forms part of the subdivision agreement against title to the rear 4.5 m of Lots 119-136 on the Plan, as shown on Schedule “A” as a restrictive covenant running with the lands and to include the following paragraph in all agreements of purchase and sale, or lease for the aforementioned lots:

"No Owner/Tenant of any part of the said lands shall construct any building or structure, including swimming pools, pool cabanas, gazebos, sheds or accessory buildings of any kind, store machinery or materials, remove any existing vegetation, remove or replace fill or remove or relocate the 1.8 m high board fence within the 4.5 m agricultural buffer which forms part of the rear of the said lands. The 4.5 m agricultural buffer applicable to each lot is further described as parts ___ to ___ 65R-_____.

To satisfy this condition, the Owner agrees to provide to the City duly executed copies of the restrictive covenant documents prior to the release of the inhibiting order by the City and the Owner agrees to pay all cost incurred by the City in registering the restrictive covenants on title to the affected lots."

71. The Owner shall convey landscape buffer Blocks 176 and 177 to the City free of all cost and encumbrances.
72. The Owner shall convey valley buffer Block 175 to the Toronto and Region Conservation Authority (TRCA) or the City free of all cost and encumbrances.
73. The Owner shall convey valley Block 200 to the TRCA or the City free of all cost and encumbrances.
74. The Owner acknowledges that Phase 2 will require revisions based on the outcome of a final Park Master Plan for Park Block 174 and Temporary Park Block 201 jointly to the satisfaction and approval of First Nation Huron Wendat, Ministry of Tourism, Culture and Sport, TRCA, Parks Development Department, and the Vaughan Planning Department, Urban Design and Cultural Heritage Division. The revised Park Master Plan shall define permitted programming within the interface/buffer between the residential development and the "Urban Area" archaeological lands. The 10 m protected valley buffers abutting the valley shall be excluded from the final Park Block configuration.
75. Prior to Phase 1 Plan Registration, the Owner shall agree to provide and register all necessary easements to the City on Open Space Valley Blocks and associated buffer blocks which are to be determined through the detailed design process for all necessary public trails.
76. Prior to the execution of the Subdivision Agreement, the Owner shall design and agree to construct all off-road pedestrian paths and trails in accordance with approved Block 40/47 Landscape Master Plan, and Streetscape and Urban Design Guidelines, to the satisfaction of and at no cost to the City.
77. Prior to the execution of the Subdivision Agreement, the Owner shall agree to construct the Temporary Park Block 201, which shall include but not necessarily limited to temporary pedestrian paths, associated hardscape, sodding, block servicing including water, storm, and electrical, playground equipment, safety surfacing, signage, outdoor furniture and lighting to the satisfaction of the Parks Development Department. The Owner acknowledges that costs of park facilities which include playground equipment, playground safety surfacing outdoor furniture, shade structure, signage and lighting may be recoverable through the separate agreement with the City.
78. Prior to the execution of the Subdivision Agreement, the Owner shall agree to develop the requirements for the Temporary Park Block 201 in accordance with items listed below. The timing of these works shall be completed by no later than two growing seasons of the first Building Permit for the phase which contains the park, and/or twenty five percent (25%) occupancy of the homes within the subdivision or surrounding subdivisions served by the park. Given that the park and associated facilities are temporary in nature, the Owner shall agree to provide additional funding in the form of a Letter of Credit to cover costs for relocating park

facilities, outdoor furniture and constructing or reinstating of associated hardscape and softscape works for the future park block per the approved final Park Master Plan.

- a) The Owner shall agree to complete a Temporary Park Plan to the City's standard level of service for Park Block 201 to the Parks Development Department satisfaction, and shall include the following information:
 - i) Boundaries of proposed parkland dedication and the total size of individual blocks;
 - ii) Existing conditions plan illustrating topographic information in order to assess slopes and drainage, and vegetation, identifying species, age, size and condition;
 - iii) Layout plan which illustrates proposed park program requirements as determined by the City;
 - iv) Grading plan illustrating proposed storm water run-off, surface drainage patterns and sub-surface storm water servicing requirements;
 - v) Required restoration works and Edge Management Plan for park block abutting open space and associated buffer(s); and
 - vi) A preliminary construction cost estimate.

The plans are to be completed by a registered Landscape Architect and are required to provide sufficient information to confirm facility and program requirements to the satisfaction of the City.

- b) The Owner shall agree to complete the following:
 - i) A geotechnical investigation and Phase 2 Environmental Site Assessment to be conducted by a qualified Professional Engineer in accordance with O.Reg. 153/04 (as amended) assessing park and open space block for contaminants of concern to the satisfaction of the City. Ensure compliance with the updated Engineering Design Criteria and Standard Drawings Manual;
 - ii) A minimum of five (5) boreholes are required within Temporary Park Block 201. Boreholes are to be taken at regular intervals along the full length of Temporary Park Block 201. Borehole reports will indicate soil type, water content, and density (general compaction). All samples are to be tested in a laboratory to determine their physical properties, including levels of various chemical elements and contaminants;
 - iii) An inventory and analysis report of existing vegetation completed by a Certified Arborist for all existing trees within Temporary Park Block 201 and Park Block 174. The drawings shall indicate the location of all existing trees, including limit of drip line, and the trees to be removed and maintained within the park block. No grading work is permitted within the drip line of existing trees that are to be preserved. All dead, damaged and hazardous trees are to be removed and disposed of off-site;
 - iv) Temporary Park Block 201 shall be graded to conform to the overall grading plan of the subdivision with clean engineered fill compacted to 95% Standard Proctor Dry Density (SPDD), inclusive of any civil work required such as retaining walls, rip rap, swales, and the like to meet grading levels. The temporary park block shall generally be graded to allow for a minimum 2% and no greater than 5% gradient over 75% of the total block area. No fill is to be placed on existing topsoil and the stockpiling of topsoil on the park and open space blocks is prohibited. Spread and fine grade topsoil evenly to a depth of 300 mm over the entire park block. Topsoil for fine grading shall be fertile and friable, natural loam soil with two percent (2%) minimum organic matter for sandy loams and four percent (4%) minimum organic matter for clay loams. Acidity of topsoil shall range from 6.0 pH to 7.5 pH and shall

be capable of sustaining vigorous plant growth. The Owner shall complete all necessary chemical analysis and topsoil fertility tests by a qualified testing laboratory to the satisfaction of the Parks Development Department, and results of testing provided to the Parks Development Department for review and approval. Prior to placing of topsoil, the Owner shall add all amendments as required to amend the existing soils to meet the recommendations of the fertility testing and demonstrate that these standards have been met.

- v) Temporary Park Block 201 shall be sodded with a turf mix approved by the Parks Development Department;
- vi) The perimeter along the sides of the Temporary Park Block 201 abutting Blocks 174, and Phase 2 (Lots 163 to 168) shall be temporarily fenced off with chain-link fencing approved by the Parks Development Department;
- vii) The Owner shall be responsible to maintain the Temporary Park Block 201 until such time as the construction of the park commences or assumption is granted. Maintenance shall entail maintain sufficient grades to prevent standing water, cutting the grass/vegetation a minimum of twice a summer, erosion repairs, cleaning of catchbasins, repair of perimeter fencing and removal of any debris that is dumped on the site, to the satisfaction of the Parks Development Department;
- viii) Temporary Park Block 201 shall not be encumbered by any services or easements including but not limited to utility services, transformer boxes, Canada Post mail boxes and/or access, and the like;
- ix) Temporary Park Block 201 shall include adequate sized servicing connections along the main frontage of the park block, including a water chamber manhole, complete with a curb stop, sanitary manhole, and storm water manhole. All storm water structures are to be located no less than 5 metres away from property lines. A storm water management brief and grading plan for all required storm water services is required to ensure that proposed works have been designed to accommodate storm water flows in accordance with the Engineering Department Design Manual and to the satisfaction of the City;
- x) Electrical services include a 120/240 volt, single phase, three wire power supply to Park Block 201. The power supply drop will consist of a 3 conductor #3/0 aluminum underground cable drop located one metre from the street line and one metre from the property line inside the park block(s). The cable feed will originate from the closest (within 75 metre cable length) single phase pad mounted transformer and will be left coiled and attached to a 2" X 4" wood stake, visible above grade; and,
- xi) All temporary sediment control management measures within parks and open space blocks are to be removed prior to rough grading of the associated block.

79. The Owner shall cause the following warning clauses to be included in a schedule to all Offers of Purchase and Sale, or Lease for all lots/blocks within the entire Plan:

- a) "Purchasers and/or tenants are advised that roads within the Plan may have been constructed using Alternative Development Standards. In April 1995, the Ministry of Housing and the Ministry of Municipal Affairs published the Alternative Development Standards as a guideline to municipalities. The Province of Ontario has been promoting the use of these guidelines which provide for reduced pavement widths."
- b) "Purchasers and/or tenants are advised that traffic calming measures may have been incorporated into the road allowances."

- c) "Purchasers and/or tenants are advised that public transit routes have not been determined for the area within the Plan/development area, however, internal streets may be subject to public transit bus traffic."
- d) "Purchasers and/or tenants are advised that the collector and primary roads within the development area are expected to support more traffic than local roads and, if demand warrants, transit routes in the future."
- e) "Purchasers and/or tenants are advised that the Owner/Builder shall provide information on sustainable transportation, via various media, to all purchasers and/or tenants within the Plan, including pedestrian, cycling facilities, transit routes, roundabouts, and carpooling and park-and-ride facilities (if applicable)."
- f) "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."

- g) "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."

- h) "Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the Canadian Radio-Television Telecommunication Commission (CRTC) authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs."
- i) "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 m measured at the street curb, provided circular driveways shall have a maximum combined width of 9 m 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 ¹	3.5m
7.0 - 8.99m ¹	3.75m
9.0 - 11.99m ¹	6.0m
12.0m and greater ²	9.0m

¹The Lot Frontage for Lots between 6.0 – 11.99 m 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.

²The 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.”

- j) “Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox in accordance with the requirements of Canada Post. The location of the mailbox shall be shown on the Community Plan provided by the Owner in its Sales Office.”
- k) “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.”
- l) “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, 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 m reserve, as shown on the Construction Drawings.

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

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

- m) “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."

- n) "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."
- o) "Purchasers and/or tenants are advised that a park of a temporary nature shall be provided and that the complete neighborhood park may not be fully developed at the time of occupancy."

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.

- 80. The Owner shall cause the following warning clause to be included in a schedule to all Offers of Purchase and Sale, or Lease for Lot 146, adjacent to a park block:

"Purchasers and/or tenants are advised that the lot abuts a neighbourhood park and that lighting and noise should be expected from the use of the park for recreation purposes. A 1.5m high black vinyl chain link fence and a 1.8m high wood privacy fence is to be constructed abutting the park block boundary with all fencing material, including foundations, wholly on the lot as per to delineate the boundary of the park and to screen the yard amenity area on the lot."

- 81. The Owner shall cause the following warning clauses to be included in a schedule to all Offers of Purchase and Sale, or Lease for Lots 136 and 146 inclusive, adjacent to open space valley and associated buffer:

"Purchasers and/or tenants are advised that the lot abuts open space valley and associated buffer, and are designed for naturalization and therefore, shall receive minimal maintenance."

"Purchasers and/or tenants are advised that the lot abuts an open space valley and associated buffer, which may include trails and maintenance access routes and that noise and lighting should be expected from the use of the trail and operation and maintenance of the associated structures and facilities."

"Purchasers and/or tenants are advised that the installation of any gate or access point from the lot and/or block to open space lands is strictly prohibited."

"Purchasers and/or tenants, respecting encroachment and/or dumping are advised that any encroachment and/or dumping from the lot to the open space are prohibited."

- 82. The Owner shall cause the following warning clause to be included in all Offers of Purchase and Sale or Lease for Lots 119 to 136 inclusive:

"Purchasers and/or tenants are advised that the lot abuts an existing and future agricultural operation that is actively farmed and will follow normal farm practices that

may include the application of pesticides and/or generate dust, noise, odour and light which are allowed under and protected by the Farming and Food Production Act 1998. An Agricultural Buffer has been provided within the rear 4.5 metres of the lot consisting of a 1.8 metre high board privacy fence (Lots 119 to 135 inclusive) and planting of sufficient height to act as a visual barrier and at a sufficient density so as to be an identifiable barrier. The Owner of the said lots will be responsible for the maintenance of the vegetation within this buffer and the maintenance and repair of the 1.8 metre high privacy fence.”

83. Prior to the transfer of any lot or block on the Plan, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses required by the Subdivision Agreement have been included in the Offers of Purchase and Sale or Lease for such lots or blocks.

84. 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 Planning Department, at 2141 Major Mackenzie Drive, 905-832-8585.”

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

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

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

ATTACHMENT NO. 1b)
REGION OF YORK
CONDITIONS

Schedule of Conditions
19T-06V12
10390 Pine Valley Drive
Parts of Lots 23 and 24, Concession
(Pandolfo, et al.)
City of Vaughan

Re: KLM Planning Partners Inc., Project No. P-2173, Last Revised May 5, 2015

1. The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the City of Vaughan and York Region.
2. York Region shall confirm that adequate water supply and sewage capacity are available and have been allocated by the City of Vaughan for the development proposed within this draft plan of subdivision or any phase thereof. Registration of the plan of subdivision shall occur in phases based on the availability of water supply and sewage servicing allocation.
3. 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.
4. Prior to final approval, the engineering drawing showing the layout of the watermains and sewers shall be submitted to the Infrastructure Asset Management Branch for review.
5. 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.
6. 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 Bylaw shall specify the terms under which 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.

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7. Prior to final approval, the Owner shall agree to provide direct walking and cycling connections to boundary roadways and adjacent developments to promote the usage of non-auto travel modes. York Region and the City of Vaughan will not assume any financial responsibility for implementing the provision of the pedestrian and cycling connections and facilities.
8. Prior to final approval, the Owner shall agree to submit an updated Traffic Impact Study (TIS) to the satisfaction of the Transportation Services Department.
9. Prior to final approval, the Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required Regional road improvements for this subdivision. The report/plan, submitted to the Community Planning and Development Services Division for review and approval, shall explain all transportation issues and shall recommend mitigative measures for these issues.
10. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Community Planning and Development Services Division to implement the recommendations of the functional transportation report/plan as approved by the Community Planning and Development Services Division.
11. Prior to final approval, the Owner shall submit detailed engineering drawings, to the Community Planning and Development Services Division for review and approval, that incorporate the recommendations of the functional transportation report/plan as approved by the Development Engineering Section of the Community Planning and Development Services Division.
12. Additionally, the engineering drawings shall include the subdivision storm drainage system, erosion and siltation control plans, site grading and servicing, plan and profile drawings for the proposed intersections, construction access and mud mat design, utility and underground servicing location plans, pavement markings, electrical drawings for intersection signalization and illumination design, traffic control/construction staging plans and landscape plans.
13. Prior to final approval, the Owner shall provide drawings for the proposed servicing of the site to be reviewed by the Engineering Department of the area municipality. Three (3) sets of engineering drawings (stamped and signed by a professional engineer), and MOE forms together with any supporting information shall be submitted to the Development Engineering Section, Attention: Mrs. Eva Pulnicki, P.Eng.
14. Prior to final approval, the location and design of the construction access for the subdivision work shall be completed to the satisfaction of the Community Planning and Development Services Division and illustrated on the Engineering Drawings.
15. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Community Planning and Development Services Division, that all existing driveway(s) along the

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Regional road frontage of this subdivision will be removed as part of the subdivision work, at no cost to York Region.

16. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Community Planning and Development Services Division that elevations along the streetline shall be 0.3 metres above the centreline elevations of the York Region roadway, unless otherwise specified by the Community Planning and Development Services Division.
17. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Community Planning and Development Services Division, that the Owner will provide the installation of visual screening along the section of Street "6" fronting Pine Valley Drive, consisting of either a screening fence or a combination of a berm and appropriate planting, to a minimum of 1.8 metres in height, to be located within the Right-of-Way of Street "6". The Owner shall submit to the Community Planning and Development Services Division for review and approval, landscape plans showing the proposed planting for headlight screening purposes.
18. Prior to final approval, the Owner shall submit drawings depicting the following to the satisfaction of York Region staff:
 - a) All existing woody vegetation within the York Region road right of way,
 - b) Tree protection measures to be implemented on and off the York Region road right of way to protect right of way vegetation to be preserved,
 - c) Any woody vegetation within the York Region road right of way that is proposed to be removed or relocated. However, it is to be noted that tree removal within York Region road Right-of-Way shall be avoided to the extent possible/practical. Financial or other compensation may be sought based on the value of trees proposed for removal.
 - d) A planting plan for all new and relocated vegetation to be planted within the York Region road right of way, based on the following general guideline:

Tree planting shall be undertaken in accordance with York Region standards as articulated in Streetscaping Policy and using species from the Regional Street Tree Planting List. These documents may be obtained from the Forestry Section. If any landscaping or features other than tree planting (e.g. flower beds, shrubs) are required, as a condition of approval set out by the City of Vaughan, it is our explicit understanding that the City of Vaughan will assume responsibility for the maintenance for the enhanced landscaping.
19. Prior to final approval, the Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of the Community Planning and Development Services Division recommending noise attenuation features.
20. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Community Planning and Development Services Division, to implement the noise

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attenuation features as recommended by the noise study and to the satisfaction of the Development Engineering Section of the Community Planning and Development Services Division.

21. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Development Engineering Section, that where berm, noise wall, window and/or oversized forced air mechanical systems are required, these features shall be certified by a professional engineer to have been installed as specified by the approved Noise Study and in conformance with the Ministry of Environment guidelines and the York Region Noise Policy.

22. The following warning clause shall be included in a registered portion of the Subdivision Agreement with respect to the lots or blocks affected:

"Purchasers are advised that despite the inclusion of noise attenuation features within the development area and within the individual building units, noise levels will continue to increase, occasionally interfering with some activities of the building's occupants".

23. Where noise attenuation features will abut a York Region Right-of-Way, the Owner shall agree in the Subdivision Agreement, in wording satisfactory to York Region's Community Planning and Development Services Division, as follows:

- a) That no part of any noise attenuation feature shall be constructed on or within the York Region Right-of-Way;
- b) That noise fences adjacent to York Region roads may be constructed on the private side of the 0.3 metre reserve and may be a maximum 2.5 metres in height, subject to the area municipality's concurrence;
- c) That maintenance of the noise barriers and fences bordering on York Region Right-of-Ways shall not be the responsibility of York Region; and
- d) That any landscaping provided on York Region Right-of-Way by the Owner or the area municipality for aesthetic purposes must be approved by the Community Planning and Development Services Division and shall be maintained by the area municipality with the exception of the usual grass maintenance.

24. Prior to final approval, the Owner shall agree that the following lands will be conveyed to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of York Region Solicitor:

- a) A widening across the full frontage of the site where it abuts Pine Valley Drive of sufficient width to provide a minimum of 18 metres from the centreline of construction of Pine Valley Drive,
- b) A 15 metre by 15 metre daylight triangle at the northwest and southwest corners of Street "1" and Pine Valley Drive,

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- c) A 0.3 metre reserve across the full frontage of the site, except at the approved access location, adjacent to the above noted widening, where it abuts Pine Valley Drive,
 - d) An additional 2 metre widening, 40 metres in length, together with a 60 metre taper for the purpose of a southbound right turn lane at the intersection of Pine Valley Drive and Street "1".
25. Prior to final approval, the Owner shall provide a solicitor's certificate of title in a form satisfactory to York Region Solicitor, at no cost to York Region with respect to the conveyance of the above noted lands to York Region.
26. The Region requires the Owner to submit, in general accordance with the requirements of the Environmental Protection Act and O. Reg. 153/04 Records of Site Condition Part XV.1 of the Act (as amended) ("O. Reg. 153/04"), a Phase I environmental site assessment ("Phase I ESA") of the Owner's lands that are the subject of the application, including the lands to be conveyed to the Region (the "Conveyance Lands"). The Phase I ESA cannot be more than 2 years old as of the actual date title to the Conveyance Lands is transferred to the Region. If the Phase I ESA is linked to different phases of development and there will be multiple conveyances of lands, the Phase I ESA prepared in respect of a specific conveyance and phase of development cannot be more than two years old as of the actual date of transfer of title to the Region. If a Phase I ESA is or would be more than two years old as of the actual date of transfer of title to the Region, the Phase I ESA will need to be either updated or a new Phase I ESA obtained by the Owner in accordance with the requirements of this section. The Region, at its discretion, may require further study, investigation, assessment and delineation to determine whether any remedial or other action is required regardless of the findings or conclusions of the Phase I ESA. Any Phase II environmental site assessment required by or submitted to the Region must be prepared in general accordance with the requirements of O. Reg. 153/04 (as noted above). Reliance on the Phase I ESA and any subsequent environmental reports or other documentation prepared in respect of the environmental condition of the lands must be provided to the Region and: (i) will be addressed to "The Regional Municipality of York"; (ii) contain wording to the effect that the Region is entitled to rely on such reports or documentation in their entirety; and (iii) the terms and conditions of the reliance extended (including any wording seeking to limit liability) must be satisfactory to the Region.
27. The Owner shall also provide the Region's Community Planning and Development Services Division with a certified written statement from the Owner or the Owner's authorized representative that no contaminant, pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, on, in or under lands to be conveyed to the Region (including soils, substrata, surface water and groundwater, as applicable): (i) at the time of conveyance, at a level or concentration that exceeds the Environmental Protection Act O. Reg. 153/04 (as amended) full depth generic site condition standards applicable to the intended use of such lands by the Region or any other remediation standards published or administered by governmental authorities applicable to the intended land use; and (ii) in such

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a manner, condition or state, or is emanating or migrating from such lands in a way, that would contravene applicable environmental laws.

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

28. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Community Planning and Development Services Division, to be responsible to decommission any existing wells on the owner's lands in accordance with all applicable provincial legislation and guidelines and to the satisfaction of the area municipality.
29. The Owner shall agree, prior to the development approval of blocks 177 and 176, that direct vehicle access from blocks 177 and 176 to Pine Valley Drive will not be permitted. Access must be obtained through the internal road network.
30. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Community Planning and Development Services Division that Street "1" shall be designed to intersect Pine Valley Drive at a right angle, or on a common tangent.
31. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Community Planning and Development Services Division, that the throat width of Street "1" shall be designed to accommodate one 5.0 metre inbound lane, a 2.0 metre centre median and two 3.5 metre outbound lanes for a distance of 60.0 metres from the widened limit of Pine Valley Drive; no intersection or non-residential access shall be permitted on Street "1" within 60.0 metres of the widened limit of Pine Valley Drive.
32. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Community Planning and Development Services Division, that pedestrian access to Pine Valley Drive shall be provided from Street "1".
33. Prior to final approval, the intersection of Street "1" and Pine Valley Drive, shall be designed to the satisfaction of the Community Planning and Development Services Division with any interim or permanent intersection works including turning lanes, profile adjustments, illumination and/or signalization as deemed necessary by the Community Planning and Development Services Division.
34. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Community Planning and Development Services Division, that all local underground services will be installed within the area of the development lands and not within York Region's road allowance. If a buffer or easement is needed to accommodate the local services adjacent to York Region's Right of Way, then the Owner shall provide a satisfactory buffer or easement to the Area Municipality, at no cost to the Region.
35. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Community Planning and Development Services Division that the Owner will be responsible

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for determining the location of all utility plants within York Region Right-of-Way and for the cost of relocating, replacing, repairing and restoring any appurtenances damaged during construction of the proposed site works. The Owner must review, or ensure that any consultants retained by the Owner, review, at an early stage, the applicable authority's minimum vertical clearances for aerial cable systems and their minimum spacing and cover requirements. The Owner shall be entirely responsible for making any adjustments or relocations, if necessary, prior to the commencement of any construction.

39. Prior to final approval, the Owner shall provide a copy of the Subdivision Agreement to the Community Planning and Development Services Division, outlining all requirements of the Community Planning and Development Services Division.
40. 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.
41. The Regional Community Planning and Development Services Division shall advise that Conditions 1 to 40 inclusive, have been satisfied.

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REGION OF YORK
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*Transportation and Community Planning Department
Transportation Planning
Fax No. 905-895-0191*

MEMORANDUM

TO: John Kazilis, Community Planning

FROM: Vi Bui/Shahid Matloob, Transportation Planning

DATE: July 30, 2013

RE: **Revised 40/47 Block Plan and MESP Documents**
File No.: OP.03.008, BL.40/47.2003
City of Vaughan

Thank you for circulating the aforementioned application for our review. The subject site is located at the southeast and southwest quadrants of Teston Road and Pine Valley Drive intersection.

Transportation Planning Branch staff have reviewed the development application and accompanied TIS prepared by Cole Engineering Ltd. dated May, 2013. The following comments are provided:

1. To address all transportation related comments, as detailed below, pertaining to the aforementioned Traffic Impact Study.
 - a) The study should also analyse traffic conditions five year beyond the full build-out scenario.
 - b) The study area should be expanded to include the intersection of Major Mackenzie Drive and Weston Road.
 - c) A background growth rate of 2% is low for the area. Background traffic analysis for major arterials (Pine Valley Drive, Major Mackenzie Drive and Weston Road) show high growth rates. The Region also believes that jog elimination at Teston Road will increase traffic using its interchange at Highway 400. Therefore, the background growth rate should be adjusted accordingly.
 - d) Future background traffic volumes should also include the Block 55 Plan for 730 residential units. The traffic generated by the Block 55 Plan will affect the Teston Road and Pine Valley Drive intersection.
 - e) Table 1.1 specifies 1392 single family detached housing units, however, Table 6.1 estimates trip generation for 1215 single family detached housing units.

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- f) Section 9.0 – third bullet point, TIS states that “*further improvements, including the widening of Major Mackenzie Drive through the study area will add additional capacity to the road network*”. What additional improvements/widening is the TIS referring to?
- g) The report indicates that a number of intersections/critical movements are expected to operate at or over capacity (Tables 7.1 and 7.2), especially at the intersections of Pine Valley Drive with Major Mackenzie Drive and Teston Road. The report should recommend physical improvements to mitigate the critical movements.
- h) The TIS should analyse, in detail, the intersection of Pine Valley Drive and Teston Road. The analysis should include alternatives with regards to the operational improvements at the intersection. Alternatives may include but not limited to signalize the jogged intersection, realign Teston Road and/or a roundabout.
- i) Traffic Impact Study mentions that a standalone Transportation Demand Management (TDM) plan will be prepared. In order to mitigate the impacts of the proposed development, a comprehensive TDM plan is required in addition to physical transportation network improvements. The TDM plan shall also include but not limited to the following measures:
 - A check list that identifies the programs/measures, associated costs, the applicant’s responsibility and specific actions to carry out the TDM implementation and monitoring;
 - A drawing shall be provided to illustrate the locations of the pedestrian/cycling facilities and connections to adjacent developments and roadways;
 - Provide carefully planned, safe, illuminated and convenient pedestrian walkways and sidewalks linking the development to bus stops and transit stations;
 - Where appropriate, install adequate signage for pedestrians, including directions to nearest transit stops and terminals; and
 - Provide high quality pedestrian amenities such as benches and garbage receptacles.

The Consultant shall submit the revised TIS and the TDM Plan for Region’s review before the final approval.

ATTACHMENT NO. 1c)

TRCA **CONDITIONS**

Appendix E

Pandolfo's & Campione 19T-06V12 – CFN 50917

TRCA respectfully requests that the following conditions of draft plan approval be included within the City's decision:

1. That prior to site alteration, the MESP be completed in support of the Block Plan to the satisfaction of the TRCA including the following:
 - a. Environmental Impact Study including mitigation strategies,
 - b. Headwater Drainage Feature Assessment, that confirms pre-development ground and surface water flows will be maintained post-development from the headwater drainage features which may be proposed to be removed or realigned.
 - c. An approximate overall post-development water balance calculation demonstrating any infiltration deficit or surface water surplus will be mitigated to protect the features and functions.
 - d. A feature based Water Balance for all woodlands, wetlands and watercourses, and demonstrated maintenance of the hydroperiod for natural features to be retained. Including any proposed mitigation measures demonstrating that there will not be a negative impact on the features and functions and the hydroperiod of the natural features.
 - e. A Hyrdogeological Report including current monitoring results and future monitoring recommendations and adaptive management strategies.
 - f. A Complete Conceptual Stormwater Management Report that includes phasing for construction based on the provision of facilities.
 - g. An Adjacent Land Analysis including mitigation and buffers on all plans between the valley system and all land uses, including Parks.
 - h. A Compensation Analysis for features to be altered including details related to the proposed location and feasibility and viability.
 - i. Conceptual Grading and Geotechnical Plans
 - j. And the proposed water and sanitary servicing scheme has been demonstrated to be feasible, minimizes impacts on the natural heritage system and has demonstrated that it can be installed with minimal risk to the environment (now and in the future)
 - k. That the MESP be completed including a final section that outlines the details of conditions, actions and requirements to be carried forward into the development process.
2. That once approved by the City, a final complete copy of the MESP be provided to the TRCA.
3. These conditions relate to the Draft Plan of Subdivision prepared by KLM Planning, dated August 19, 2015.
4. That the prior to site alteration the applicant shall develop and implement a surface and groundwater monitoring plan , including the final the Terms of Reference, future responsibility, timing and budgeting agreements, to the

ATTACHMENT NO. 1c)

TRCA **CONDITIONS**

satisfaction of the TRCA. Monitoring shall address wetland features and functions and assessment of the woodland edges and water quality and quantity for both ground and surface water.

5. That prior to the initiation of grading and prior to the registration of this plan or any phase thereof, the applicant shall submit a detailed report for the review and approval of the TRCA that describes the storm drainage system (quantity, quality and erosion), in accordance with the approved MESP for this area (Block 40/47) to the satisfaction of TRCA. This report shall include:
 - a. A description of the storm drainage system (quality, quantity and erosion) for the proposed development
 - b. plans illustrating how this drainage system will tie into surrounding drainage systems, i.e., identifying if it is part of an overall drainage scheme? How will external flows be accommodated? What is the capacity of the receiving system or feature?;
 - c. stormwater management techniques which may be required to control minor or major flows;
 - d. appropriate Stormwater Management Practices (SWMPs) to be used to treat/manage stormwater, to mitigate the impacts of development on the quality, quantity and erosion of ground and surface water resources as it relates to the natural heritage system, both aquatic and terrestrial;
 - e. proposed methods and plan for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction;
 - f. location and description and impact analysis of all outlets and other facilities which may require a permit pursuant to Ontario Regulation 166/06, the Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourse Regulation;
 - g. overall grading plans for the subject lands;
 - h. demonstrate that the stormwater management systems are designed to maintain the groundwater and surface water functions(hydroperiod) of the existing Provincially Significant Wetlands and Woodlands and watercourses during and after construction.
 - i. a detailed Lot Grading Plan be submitted that complies with the approved conceptual grading plan.
 - j. Detailed functional servicing report.
 - k. Detailed plans and calculations for the proposed lot-level, conveyance, and end-of-pipe controls to be implemented on the site;
 - l. Proposed measures to mitigate the potential erosive impacts of development on the natural heritage system, both on and off-site;
 - m. geotechnical analyses to ensure the integrity of stormwater management pond berms and to determine the need for a liner to limit seepage/piping and groundwater intrusion into the berms;
 - n. Proposed measures to promote infiltration to maintain water balance for the plan area taking into account the feature based water balance requirements;

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TRCA

CONDITIONS

- o. Proposed measures to maintain feature-based water balance/ hydroperiod and to mitigate impacts to those natural features that have been assessed to be potentially impacted by the development and related infrastructure;
 - p. A subsurface investigation (including assessment of groundwater levels) at the locations of the stormwater management ponds and for the final design of site grading and house basement elevations. The recommendations of the subsurface assessment will be used to inform the final design and construction plans;
 - q. An evaluation that addresses the need for groundwater dewatering during construction, including but not limited to details for its disposal, potential impacts to natural features due to groundwater withdrawal, mitigation and any permitting requirements;
 - r. Detailed plans and supporting calculations for all watercourse crossings.
- 6. That the applicant complete and submit an Edge Management Plan and Detailed Restoration Planting Plans including: drainage, buffers, hazard trees, tree protection/removals and restoration, existing vegetation, species planting lists and densities for the back of the residential lots and the perimeter of Open Space and Buffer Blocks, incorporating comprehensive plantings of native, non-invasive species, to the satisfaction of the TRCA, prior to site alteration.
 - 7. That prior to topsoil stripping and prior to the registration of this Plan or any phase thereof, the Owner shall prepare a tree protection and preservation plan for the site that examines opportunities for the retention of larger trees and the means of protecting retained trees/forest edges from development activities to the satisfaction of the TRCA. The recommendations of the tree protection and preservation plan shall be implemented by the Owner to the satisfaction of the TRCA prior to topsoil stripping.
 - 8. That this draft plan of subdivision be subject to red-line revisions in order to meet the requirements of the TRCA. Revisions may be the result of, but not limited to, the implementation measures necessary to maintain water balances across the Block Plan Area.
 - 9. That Valley Block 200 and all Valley Buffer Blocks, including those added by red line revision be dedicated to either the TRCA or the City of Vaughan, free of all charges and encumbrances.
 - 10. That the implementing zoning by-law Valley Block 200 and all Valley Buffer Blocks including those added by red line revision as OS1 Open Space Conservation, which has the effect of prohibiting development, to the satisfaction of the TRCA.
 - 11. That the owner in the subdivision agreement, in wording acceptable to the TRCA:
 - a. carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the MESP and all technical reports referenced in these conditions including Edge Management and Restoration Planting Plans;
 - 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;

ATTACHMENT NO. 1c)

TRCA

CONDITIONS

- c. to obtain all necessary permits pursuant to Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourse) from the TRCA;
 - d. To comply with all Permits approved under Regulation 166/06, as may be amended, including the approved plans, reports and conditions to the satisfaction of TRCA
 - e. to erect a permanent fence adjacent to residential lots that abut Open Space Buffer and Valley Blocks as required by TRCA.
 - f. To prohibit grading works within the Valley and Buffer Blocks unless approved by TRCA;
 - g. To prohibit retaining walls in or adjacent the Valley and Buffer Blocks unless approved by TRCA
 - h. To provide an access as required by TRCA.
 - i. To provide future residents with education pamphlets about natural features in the area and good stewardship practices.
12. That the owner agree in the subdivision agreement to complete an Archaeological Assessment for those areas where infrastructure and trails are proposed within the Valley.
13. That the owner agree in the subdivision agreement to complete a detailed erosion assessment for all locations where drainage facilities will be accommodated in the valley. The Assessment shall include mitigation measures to meet values and assess all impacts associated with maintenance roads and other municipal requirements and ensure all impacts on site and downstream are mitigated. Facility and location details shall be provided. The design shall match pre to post and shall be verified based on three years of continuous monitoring. an Adaptive Management Plan shall be established and implemented based on the monitoring results to the satisfaction of TRCA.
14. Prior to registration or site alteration a feature based water balance shall be completed in accordance with the requirements of TRCA and mitigation measures, if required, designed and implemented to the satisfaction of TRCA. This may result in the alteration of the stormwater management block sizes and the number of lots.
15. That the applicant submit a copy of the fully executed subdivision agreement and required clearance fees to the TRCA, in order to obtain clearance of conditions of draft approval.

ATTACHMENT NO. 1d)
ENBRIDGE GAS
CONDITIONS



ENBRIDGE GAS DISTRIBUTION INC.

500 Consumers Road
North York, ON M2J 1P8

Mailing Address
P.O. Box 650
Scarborough, ON M1K 5E3

May 8, 2014

EUGENE FERA
TOWN PLANNER
CITY OF VAUGHAN
DEVELOPMENT PLANNING DEPARTMENT
2141 MAJOR MACKENZIE DR
VAUGHAN ON L6A 1T1

Dear Eugene Fera:

RE: ZONING B-LAW AMENDMENT
OMEGA DEVELOPMENTS, FORMERLY MARIA & GIUSEPPE PANDOLFO
10,390 PINE VALLEY DRIVE
CITY OF VAUGHAN
FILE NO.: 19T-06V12

Enbridge Gas Distribution does not object to the proposed application(s).

This response does not constitute a pipe locate or clearance for construction.

The applicant shall contact Enbridge Gas Distribution's Customer Connections department by emailing SalesArea30@enbridge.com for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and /or soil trenches) and/or asphalt paving.

If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the applicant.

In the event that easement(s) are required to service this development, the applicant will provide the easement(s) to Enbridge Gas Distribution at no cost.

ATTACHMENT NO. 1d)
ENBRIDGE GAS
CONDITIONS

In the event a pressure reducing regulator station is required, the applicant is to provide a 3 metre by 3 metre exclusive use location that is within the municipal road allowance. The final size and location of the regulator station will be confirmed by Enbridge Gas Distribution's Customer Connections department. For more details contact SalesArea30@enbridge.com .

The applicant will grade all road 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.

Regards,



Nikki DeGroot
Municipal Advisor | GD SA&D, Long Range PIng
TEL: 416-758-4754
municipalnotices@enbridge.com
www.enbridgegas.com

Integrity. Safety. Respect.

ND: rv

ATTACHMENT NO. 1e)

CANADA POST
CONDITIONS



May 8, 2014

**CITY OF VAUGHAN
2141 MAJOR MACKENZIE DRIVE
VAUGHAN ON L6A 1T1**

Attention: Eugene Fera - Planner

**Re: OMEGA DEVELOPMENTS (FORMERLY MARIA & GIUSEPPE PANDOLFO)
10390 PINE VALLY DRIVE
19T-06V12 WARD 1 POSTAL DELIVERY AREA: WOODBRIDGE -THE OF CITY VAUGHAN.**

Dear Sir/Madam:

Thank you for the opportunity to comment on the above noted project.

As a condition of draft approval, Canada Post requires that the owner/developer comply with the following conditions.

- The owner/developer agrees to include on all offers of purchase and sale, a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
- The owner/developer will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any home sale.
- The owner/developer will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailbox and to indicate these locations on the appropriate servicing plan.

ATTACHMENT NO. 1e)
CANADA POST
CONDITIONS

-2-

The owner/developer will provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:

- An appropriately sized sidewalk section (concrete pad) as per municipal standards, to place the Community Mailboxes on.
- Any required walkway across the boulevard, as per municipal standards.
- Any required curb depressions for wheelchair access.

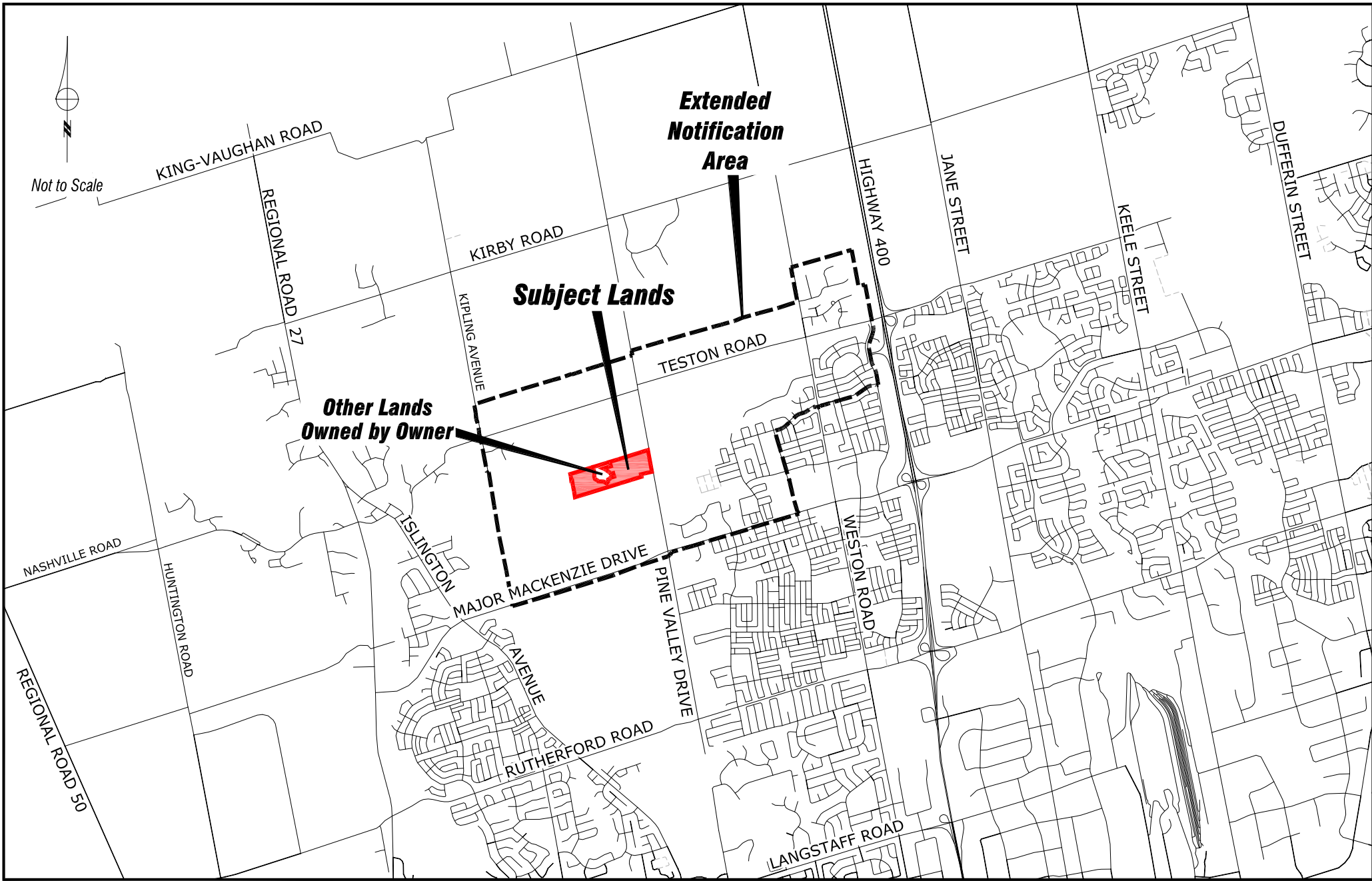
The owner/developer further agrees to determine and provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail delivery to new residence as soon as the homes are occupied.

I trust that this information is sufficient, however, should you require further information, please do not hesitate to contact me at the above mailing address or telephone number.

Sincerely,

Patrick Brown

Patrick Brown
Delivery Planning Officer
Canada Post
1860 Midland Ave 2nd Fl
Scarborough On M1P 5A1
416-751-0160 Ext 2019
Patrick.brown@canadapost.ca



Context Location Map

LOCATION:
Part of Lot 23, Concession 7

APPLICANT:
Country Wide Homes (Pine Valley Estates) Inc.

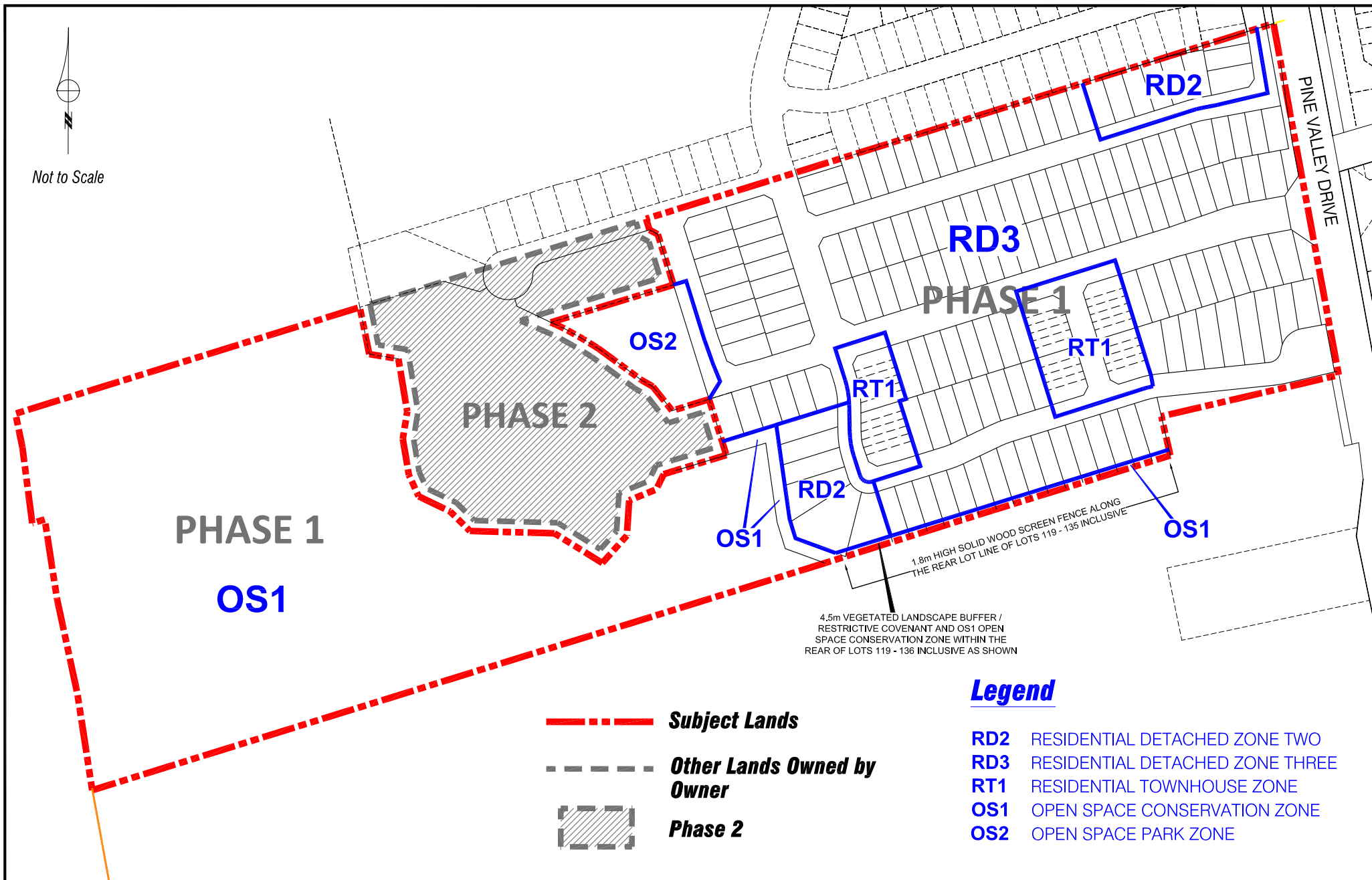


Attachment

FILES: Z.06.064 & 19T-06V12
RELATED FILE: BL.40/47.2003

DATE:
September 9, 2015

2



Proposed Zoning

LOCATION:
Part of Lot 23, Concession 7

APPLICANT:
Country Wide Homes (Pine Valley Estates) Inc.

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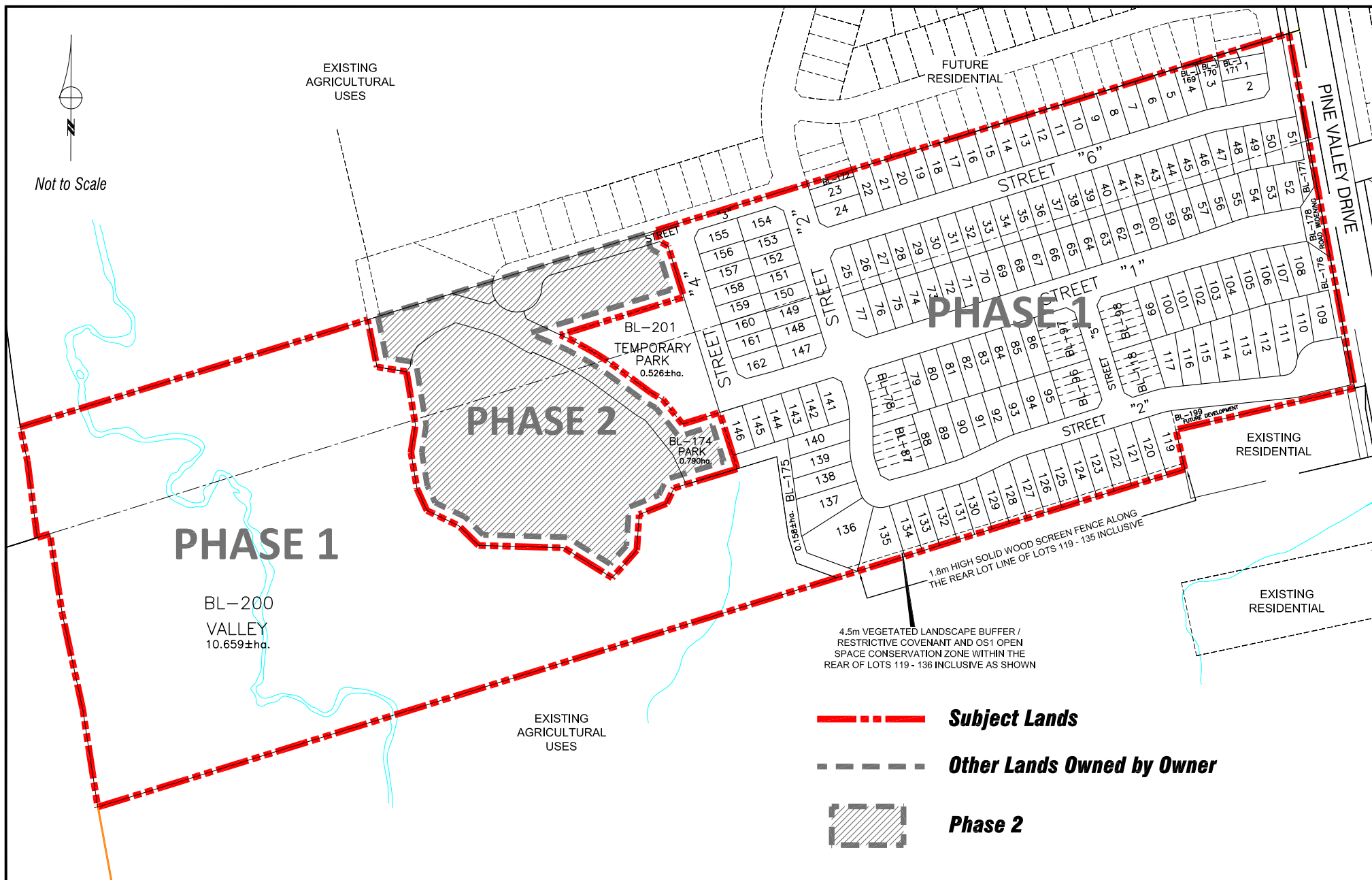


Attachment

FILES: Z.06.064 & 19T-06V12
RELATED FILE: BL.40/47.2003

DATE:
September 9, 2015

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Plan of Subdivision File 19T-06V12

LOCATION:
Part of Lot 23, Concession 7

APPLICANT:
Country Wide Homes (Pine Valley Estates) Inc.

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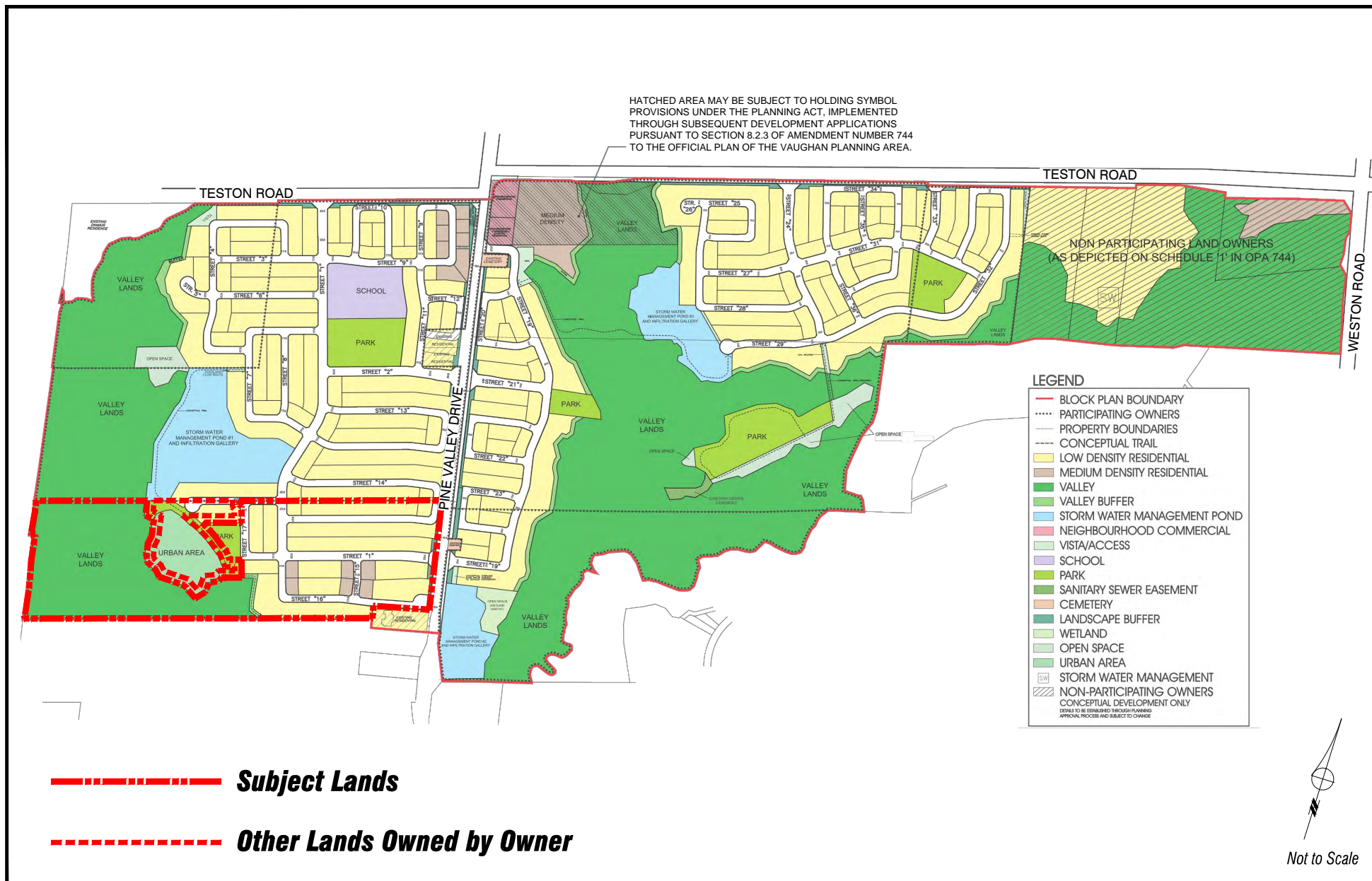


Attachment

FILES: Z.06.064 & 19T-06V12
RELATED FILE: BL.40/47.2003

DATE:
September 9, 2015

5



Block 40/47 Plan

LOCATION:
Part of Lot 23, Concession 7

APPLICANT:
Country Wide Homes (Pine Valley Estates) Inc.

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Attachment

FILES: Z.06.064 & 19T-06V12
RELATED FILE: BL.40/47.2003

DATE:
September 9, 2015

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