

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 9, 2014

Item 17, Report No. 41, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on December 9, 2014.

17

**ZONING BY-LAW AMENDMENT FILE Z.12.030
DRAFT PLAN OF SUBDIVISION FILE 19T-12V005
BLOCK 33 WEST PROPERTIES INC.
WARD 3 - VICINITY OF WESTON ROAD AND RETREAT BOULEVARD**

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

Recommendation

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

1. THAT Zoning By-law Amendment File Z.12.030 (Block 33 West Properties Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the subject lands, shown on Attachments #2 and #3, from RD3 Residential Detached Zone Three, subject to site-specific Exceptions 9(1221) and 9(1223) to RD4 Residential Detached Zone Four and RS1 Residential Semi-Detached Zone, in the manner shown on Attachment #4.
2. THAT Draft Plan of Subdivision File 19T-12V005 (Block 33 West Properties Inc.), as shown on Attachment #4, BE APPROVED, subject to the conditions of approval set out in Attachment #1 to this report.
3. THAT Draft Plan of Subdivision File 19T-12V005 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 61 residential units (211 persons equivalent).
4. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-12V005 (Block 33 West Properties Inc.), shall include the following clause:

“The Owner shall pay to Vaughan by way of certified cheque cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit in accordance with the Planning Act and the City’s Cash-in-Lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.”

Contribution to Sustainability

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

Goal 2: To ensure sustainable development and redevelopment

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

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

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

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

- a 1.5 m wide sidewalk on the south and west sides of Street “1”, which connects to an existing sidewalk along Retreat Boulevard
- a walkway that connects from the terminus of the cul-de-sac of Street “1” to the adjacent West Wind Park to the east and ensures all dwellings are within a 5-minute walk of public open space
- sustainable and locally sourced building materials

Economic Impact

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

Communications Plan

On November 2, 2012, a Notice of Public Hearing was circulated to all property owners within 150m of the subject lands, and to the Vellore Woods Ratepayers' Association. The Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a Notice sign installed on the property in accordance with the City's Sign Notification Protocol. The recommendation of the Committee of the Whole to receive the Public Hearing report of November 27, 2012, and forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on December 11, 2012. To date, no comments have been received.

Purpose

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

1. Zoning By-law Amendment File Z.12.030 to amend Zoning By-law 1-88, specifically to rezone the subject lands, from RD3 Residential Detached Zone Three, subject to site-specific Exceptions 9(1221) and 9(1223) to RD4 Residential Detached Zone Four and RS1 Residential Semi-Detached Zone, in the manner shown on Attachment #4.
2. Draft Plan of Subdivision File 19T-12V005 to facilitate the development of a residential Draft Plan of Subdivision with the following site statistics:

<u>Lot/Block #</u>	<u>Land Use</u>	<u>Units</u>	<u>Area (ha)</u>
1-15	Single Detached Dwellings (minimum lot frontage of 9.15 m)	15	0.445
16-38	Semi-Detached Dwellings (minimum lot frontage of 15.3 m)	46	1.446
39-40	Reserves	N/A	0.001
<u>Roads</u>	<u>Street 1 (17.5 m wide)</u>	<u>N/A</u>	<u>0.393</u>
TOTAL		61	2.285 ha

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Background - Analysis and Options

Location

The vacant subject lands are located on the southeast corner of Retreat Boulevard and Vellore Park Avenue, being Block 271 on Registered Plan 65M-3898 and Block 63 on Registered Plan 65M-3885, City of Vaughan, as shown on Attachment #3.

The subject lands have a lot area of 2.285 ha with frontage on both Retreat Boulevard and Vellore Park Avenue and abut West Wind Park to the east. The approved Block 33 West Plan identifies the subject lands as a public elementary school site, adjacent to West Wind Park.

On June 7, 2011, the York Region District School Board (YRDSB) advised the Vaughan Planning Department that the lands are no longer required for school purposes. The YRDSB declared the lands surplus and returned the lands to the Owner, being Block 33 West Properties Inc., for development.

Vaughan Official Plan 2010

The subject lands are designated “Low-Rise Residential” by Vaughan Official Plan 2010 (VOP 2010), which permits detached and semi-detached dwelling units to a maximum height of three-storeys. The proposal to facilitate the development of 15 detached and 46 semi-detached dwelling units conforms to VOP 2010.

Zoning By-law 1-88

The subject lands are zoned RD3 Residential Detached Zone Three by Zoning By-law 1-88, subject to site-specific Exceptions 9(1221) and 9(1223), as shown on Attachment #3. To facilitate the proposal, the Owner is proposing to rezone the subject lands to RD4 Residential Detached Zone Four and RS1 Residential Semi-Detached Zone, in the manner shown on Attachment #4.

The RD4 Residential Detached Zone permits single detached dwellings on lots with a minimum lot frontage of 9 m, a minimum lot area of 243 m² and a minimum lot depth of 27 m. Lots 1 – 15 as shown on Attachment #4 comply with all of the minimum requirements of the RD4 Zone.

The RS1 Residential Semi-Detached Zone permits semi-detached dwellings on lots with a minimum lot frontage of 7.5 m per unit, a minimum lot area of 202 m² and a minimum lot depth of 27 m. Lots 16 – 38 as shown on Attachment #4 comply with all minimum requirements of the RS1 Zone.

The proposed rezoning to RD4 and RS1 Zones is appropriate for the subject lands, and will facilitate a proposal that conforms to VOP 2010, specifically, the “Low-Rise Residential” land-use designation and built form, which is compatible with the surrounding low-rise land use context.

Subdivision Design

The proposed Draft Plan of Subdivision shown on Attachment #4 includes 15 lots for single detached dwellings with frontage on Vellore Park Avenue and 23 lots (46 units) for semi-detached dwellings with frontage on Street “1”. The cul-de-sac road (Street “1”) maintains a 17.5 m right-of-way and is to be conveyed to the City of Vaughan as a public road. A 1.5m sidewalk will run the length of Street “1” on the west and south sides, and a safe pedestrian access will be provided from the sidewalk into the adjacent West Wind Park to the east. The terminus of Street “1” is adjacent to West Wind Park.

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All development within the Draft Plan of Subdivision, as shown on Attachment #4, must proceed in accordance with the approved Block 33 West Community Architectural Design Guidelines and approved Block 33 West Vellore Park Landscape Masterplan. A control architect shall be retained at the cost of the Owner with concurrence of the City to ensure compliance with the architectural design guidelines. Conditions to these effects are included in Attachment #1.

The Owner will be required to erect permanent wood fence treatments for flanking residential lots to be coordinated with the environmental noise report and architectural design guidelines. The Owner will also be required to erect an appropriate fence barrier along the limit of the residential lots that abut the commercial lands to the south. The final design of this fence barrier shall be to the satisfaction of the Vaughan Planning and Development/Transportation Engineering Departments. The Owner will also be required to erect a permanent 1.5 m high black vinyl chain-link fence, or approved equal, along the limits of the residential lots that abut the adjacent park to the east. Access to the park shall be maintained for pedestrians along Street "1". Conditions in this respect are included in Attachment #1.

The Vaughan Planning Department has included as a condition of draft approval on Attachment #1, a requirement that the Owner submit upgraded flankage building elevation drawings for the dwellings that will face Retreat Boulevard and West Wind Park to the satisfaction of the Manager of Urban Design.

The subject lands are located within Block 33 West, which is subject to a Developer's Group Agreement. The Owner will be required to satisfy all obligations, financial or otherwise of the Block 33 West Developer's Group Agreement to the satisfaction of the Block 33 West Trustee and the City of Vaughan. A condition of approval to this effect is included in Attachment #1.

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

Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department provides the following comments:

i. Sewage and Water Allocation

On October 29, 2013, 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 over the next three years. Availability of this capacity was subject to the construction and anticipated in-service date for the Regional Southeast Collector (SEC) Sewer expected by Q4-2014.

On April 7, 2014, written confirmation from York Region was received confirming completion of the SEC project remains on schedule and is within twelve months of the anticipated in-service date.

Servicing capacity to File 19T-12V005 (for 61 residential units) was reserved by Vaughan Council resolution on October 29, 2013.

To date, York Region has provided clearances to the City of Vaughan permitting the registration of development applications up to an allowable population of 30,991 persons equivalent of servicing capacity linked to the construction of the SEC. Accordingly, servicing capacity for the subject development is available and unrestricted. Therefore, the following resolution to allocate capacity to the subject development may be recommended for Vaughan Council approval:

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“THAT Draft Plan of Subdivision File 19T-12V005 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 61 residential units (211 persons equivalent).”

A condition to this effect is included in the recommendation of this report.

ii. Noise Attenuation Measures

The subject lands are located adjacent to lands that maintain a large commercial development (Walmart Supercentre). The Owner submitted a revised Noise Impact Feasibility Study, dated June 5, 2014, and prepared by J.E. Coulter Associates Limited to address original comments and provided further information/clarification on potential noise attenuation measures. The Vaughan Development/Transportation Engineering Department has reviewed the revised report and requires that the Owner erect a permanent minimum 2.0 m high privacy fence along the limits of the residential lots (1, 23 – 28, as shown on Attachment #4) that abut the commercial lands. Final design of any permanent fence shall be completed prior to the registration of the subdivision agreement. A condition to this effect is included in Attachment #1.

iii. Road Network

Access to 15 units will be from the existing Vellore Park Avenue and 46 units from the proposed 17.5 m right-of-way (R.O.W.) of Street “1” off Retreat Boulevard, ending in a cul-de-sac. The road on the Plan (identified as Street “1” on Attachment #4) must be designed in accordance with the City’s standards and criteria. A condition to this effect is included in Attachment #1.

iv. Environmental Site Assessment (ESA)

The Development/Transportation Engineering Department conducted Environmental Site Assessment (ESA) reviews. No further ESA reports are noted at this time in order for the development application to proceed to a technical report to the Committee of the Whole.

The Vaughan Development/Transportation Engineering Department completed its review of File 19T-12V005 and has no objection to the final design of the proposed plan of subdivision, subject to the comments above, and the conditions of approval included in Attachment #1.

Vaughan Parks Development Department

The Owner has agreed to provide a pedestrian walkway connection from the terminus of Street “1” into West Wind Park to the east. The connection will connect to the existing walkway within the West Wind Park and will ensure a safe and accessible pedestrian access from the proposed plan of subdivision to West Wind Park. A condition of approval to this effect is included in Attachment #1.

Vaughan Legal Services Department, Real Estate Division

The Vaughan Legal Services Department, Real Estate Division has advised that prior to final approval, the Owner shall satisfy all obligations, financial or otherwise, of the Block 33 West Developer’s Group Agreement to the satisfaction of the Block 33 West Trustee and the City of Vaughan. 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”. A condition of approval to this effect is included in Attachment #1.

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Canada Post

Canada Post has no objections to the approval of the proposed Draft Plan of Subdivision, subject to their conditions listed in Attachment #1.

School Boards

The York Region District School Board (YRDSB) and the York Catholic District School Board (YCDSB) have reviewed the proposed Draft Plan of Subdivision File 19T-12V005 and advise that they have no objections to the proposal or its approval.

Utilities

Bell Canada and Enbridge Gas Distribution have no objection to the approval of the proposed Draft of Plan Subdivision, subject to their conditions listed in Attachment #1.

PowerStream Inc. reviewed the proposed Draft Plan of Subdivision and advised that it is the responsibility of the Owner to contact PowerStream Inc. to determine the type of available service in the area to supply this project and assess PowerStream Inc.'s charges.

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

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

iii. Enhance and Ensure Community Safety/Health and Wellness

The proposed development includes a 1.5 m wide sidewalk that will connect to a walkway entrance into an adjacent West Wind Park to enhance the City's existing inventory of public amenity and pedestrian space.

Regional Implications

York Region requires that the proposed Draft Plan of Subdivision receive water and wastewater servicing allocation from the City of Vaughan, which is subject to the completion of the Southeast Collector. If the City of Vaughan does not grant the proposed Draft Plan of Subdivision 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. As noted above, the development has been assigned allocation from the City of Vaughan. A condition to this effect has been included in the recommendation to this report.

York Region has no objection to draft plan approval of Plan of Subdivision File 19T-12V005, subject to the conditions noted in Attachment #1.

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Conclusion

The York Region District School Board (YRDSB) has deemed the subject lands to be surplus and conveyed back the lands to the original Owner, being Block 33 West Properties Inc., who has submitted Zoning By-law Amendment and Draft Plan of Subdivision applications to facilitate a development consisting of 15 single detached residential lots (15 units) and 23 semi-detached residential lots (46 units).

The Vaughan Planning Department has reviewed Zoning By-law Amendment File Z.12.030 and Draft Plan of Subdivision File 19T-12V005, in accordance with the applicable policies of the City's Official Plan, Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The applications will facilitate a low density residential development form that is consistent and compatible with the surrounding land uses, and conforms to the land use and applicable policies of the Official Plan, and requirements of Zoning By-law 1-88. The Vaughan Planning Department can support the approval of the Zoning By-law Amendment and Draft Plan of Subdivision applications, subject to the comments and recommendations in this report, and Conditions of Approval set out in Attachment #1.

Attachments

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Subdivision File 19T-12V005 and Proposed Zoning

Report prepared by:

Daniel Woolfson, Planner, ext. 8213
Carmela Marrelli, Senior Planner, ext. 8791

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

COMMITTEE OF THE WHOLE DECEMBER 2, 2014

**ZONING BY-LAW AMENDMENT FILE Z.12.030
DRAFT PLAN OF SUBDIVISION FILE 19T-12V005
BLOCK 33 WEST PROPERTIES INC.
WARD 3 - VICINITY OF WESTON ROAD AND RETREAT BOULEVARD**

Recommendation

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

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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

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

iii. Enhance and Ensure Community Safety/Health and Wellness

The proposed development includes a 1.5 m wide sidewalk that will connect to a walkway entrance into an adjacent West Wind Park to enhance the City's existing inventory of public amenity and pedestrian space.

Regional Implications

York Region requires that the proposed Draft Plan of Subdivision receive water and wastewater servicing allocation from the City of Vaughan, which is subject to the completion of the Southeast Collector. If the City of Vaughan does not grant the proposed Draft Plan of Subdivision 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. As noted above, the development has been assigned allocation from the City of Vaughan. A condition to this effect has been included in the recommendation to this report.

York Region has no objection to draft plan approval of Plan of Subdivision File 19T-12V005, subject to the conditions noted in Attachment #1.

Conclusion

The York Region District School Board (YRDSB) has deemed the subject lands to be surplus and conveyed back the lands to the original Owner, being Block 33 West Properties Inc., who has submitted Zoning By-law Amendment and Draft Plan of Subdivision applications to facilitate a development consisting of 15 single detached residential lots (15 units) and 23 semi-detached residential lots (46 units).

The Vaughan Planning Department has reviewed Zoning By-law Amendment File Z.12.030 and Draft Plan of Subdivision File 19T-12V005, in accordance with the applicable policies of the City's Official Plan, Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The applications will facilitate a low density residential development form that is consistent and compatible with the surrounding land uses, and conforms to the land use and applicable policies of the Official Plan, and requirements of Zoning By-law 1-88. The Vaughan Planning Department can support the approval of the Zoning By-law Amendment and Draft Plan of Subdivision applications, subject to the comments and recommendations in this report, and Conditions of Approval set out in Attachment #1.

Attachments

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Subdivision File 19T-12V005 and Proposed Zoning

Report prepared by:

Daniel Woolfson, Planner, ext. 8213
Carmela Marrelli, Senior Planner, ext. 8791

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEYAMA
Director of Development Planning

MAURO PEVERINI
Manager of Development Planning

/CM

ATTACHMENT NO. 1

STANDARD CONDITIONS OF APPROVAL

**DRAFT PLAN OF SUBDIVISION FILE 19T-12V005 (PLAN)
BLOCK 33 WEST PROPERTIES INC.
PART OF LOT 21, CONCESSION 5, 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-12V005 (PLAN), ARE AS FOLLOWS:**

City of Vaughan Conditions

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by KLM Planning Partners Inc., drawing #14:3, dated July 28, 2014.
2. The lands within this Plan shall be appropriately zoned by a zoning by-law which has come into effect in accordance with the provisions of The Planning Act.
3. The 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.
4. Prior to final approval of any part of the Plan, the Owner shall submit a revised Block Plan, to reflect alterations caused from this Draft Plan approval.
5. The Owner shall enter into a subdivision agreement with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payments of development levies, the provisions of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
6. The Owner shall agree to create easements for maintenance purposes for all lots providing less than 1.2 m side yards, or having roof encroachments, prior to transfer of land.
7. Prior to final approval of the Plan, the Owner shall provide all easements required for utility, drainage and construction purposes, which shall be created and granted to the appropriate authority(ies), free of all charge and encumbrances.
8. The road allowances included within this Draft Plan of Subdivision shall be dedicated as public highways without monetary consideration and free of all encumbrances.
9. The road allowances included within this Draft Plan of Subdivision shall be named to the satisfaction of the City and York Region Planning Departments.
10. 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.

11. Any dead ends or open sides of road allowances created by this Draft Plan of Subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.
12. The Owner shall agree in the subdivision agreement that construction access shall be provided only in a location approved by the City.
13. Final engineering design(s) may result in minor variations to the Plan (eg., 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.
14. The Owner shall agree to remove any driveways and buildings on site, which are not approved to be maintained as part of the plan; any modification to off-site driveways required to accommodate this Plan shall be co-ordinated and completed at the cost of the Owner.
15. 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.
16. 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.
17. 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.
18. Prior to the initiation of grading, and prior to the registration of this Draft Plan of Subdivision or any phase thereof, the Owner shall submit to the City for review and approval the following:
 - a) A detailed engineering report that describes the storm drainage system for the proposed development within this draft plan, which report shall include:
 - i. plans illustrating how this drainage system will 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;
 - ii. the location and description of all outlets and other facilities;
 - iii. storm water management techniques which may be required to control minor or major flows; and

- iv. proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction.

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

19. The Owner shall agree in the subdivision agreement that no Building Permits will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed development.
20. The Owner shall agree in the subdivision agreement to design, purchase material and install a streetlighting system in the Plan in accordance with City Standards and specifications. This Plan shall be provided with decorative streetlighting to the satisfaction of the City.
21. 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.
22. The Owner shall agree in the subdivision agreement to maintain adequate chlorine residuals in the watermain within the Plan after successful testing and connection to the potable municipal water system and continue until such time as determined by the City or until assumption of the Plan. In order to maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.
23. The Owner shall agree in the Subdivision Agreement to include the following warning clauses in all Agreements of Purchase and Sale, or Lease for all Lots/Blocks within the Plan:
 - a) Within the entire Subdivision Plan:
 - "Purchasers and/or tenants are advised that 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."

- "Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the Canadian Radio and 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.”

- “Purchasers and/or tenants are advised that driveway widths and curb cut widths are governed by City of Vaughan Zoning By-Law 1-88, as amended, as follows:
 - i. The maximum width of a driveway shall be 6 metres measured at the street curb, provided circular driveways shall have a maximum combined width of 9 metres measured at the street curb.
 - ii. Driveway in either front or exterior side yards shall be constructed in accordance with the following requirements:

Lot Frontage	Maximum Width of Driveway
6 - 6.99 m ¹	3.5 m
7 - 8.99 m ¹	3.75 m
9 - 11.99 m ¹	6 m
12 m and greater ²	9 m

¹The Lot Frontage for Lots between 6 - 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 m and greater shall be comprised of a Minimum of 50% Landscaped Front or Exterior side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior side yard shall be soft landscaping in accordance with Paragraph 4.1.2.”

- “Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox as per requirements dictated by Canada Post. The location of the mailbox shall be shown on the community plan provided by the Owner in its Sales Office.”
- “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.”
- “Purchasers and/or tenants are advised that fencing and/or noise attenuation features along the lot lines of lots and blocks abutting public lands, including public highway, laneway, walkway or other similar public space, is a requirement of this subdivision agreement and that all required fencing and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3 m reserve, as shown on the Construction Drawings.”

- “Purchasers and/or tenants are advised that fencing along the lot lines of Lots and Blocks abutting public lands is a requirement of this subdivision agreement and that all required fencing, noise attenuation feature and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3 metre reserve, as shown on the Construction Drawings.

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

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

- “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.”
- “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.”
- “Purchasers are advised that the planting of trees on City boulevards in front of residential units is a requirement of the subdivision agreement. A drawing depicting the conceptual location for boulevard trees is included as a schedule in this subdivision agreement. This is a conceptual plan only and

while every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete 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 the purchasers for boulevard trees does not guarantee that a tree will be planted on the boulevard in front or on the side of a residential dwelling.”

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.

- b) For Lots 28, 29 and 38 within the Plan in proximity of a Neighbourhood Park:
 - “Purchasers and/or tenants are hereby advised that the Lot abuts a Neighbourhood Park of which noise and lighting may be of a concern due to the nature of the Park for active recreation.”
 - “Purchasers and/or tenants are advised that any encroachments and/or dumping from the lot to the park are prohibited.”
 - “Purchasers and/or tenants are advised that the installation of any gate or access point from the lot to the park is prohibited.”
 - c) For Lots 1 and 22 to 28 both inclusive, within the Plan in proximity of a commercial/employment block:
 - “Purchasers and/or tenants are hereby advised that the Lot abuts a commercial/employment block and traffic, noise and site activities may at times be audible.”
- 24.
- a) Prior to final approval of the Plan, the Owner shall enter into a Developers’ Group Agreement with the other participating landowners within Block 33 West 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 33 West. This Agreement shall also include a provision for additional developers to participate within the Developers’ Group Agreement when they wish to develop their lands.
 - b) The Owner acknowledges that cash-in-lieu of parkland shall be paid in accordance with Section 42 of the Planning Act and conform to the City’s “Cash-In-Lieu of Parkland Policy”.
 - c) Prior to final approval of the Plan, the Trustee for Block 33 West shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 33 West Landowners Cost Sharing Agreement.
25. Prior to initiation of grading or stripping of topsoil and prior to final approval of the Plan, the Owner shall prepare and implement a detailed erosion and sedimentation control

plan(s) addressing all phases of the construction of the municipal services and house building program including stabilization methods, topsoil storage locations and control measures to the satisfaction of the City. The Owner shall prepare the erosion and sediment control plan(s) for each stage of construction (pre-stripping/earthworks, pre-servicing, post-servicing) in accordance with the Toronto and Region Conservation Authority (TRCA) Erosion and Sediment Control Guidelines for Urban Construction, dated December 2006 and implement a monitoring and reporting program to the satisfaction of the City.

26. Prior to final approval of the Plan, the City and York Region shall confirm that adequate water supply and sewage treatment capacity are available to accommodate the proposed development, and has been allocated to the Plan by the City.
27. Prior to final approval of the Plan, the Owner shall submit, to the satisfaction of the City, a listing prepared by an Ontario Land Surveyor of all the Lot and Block areas and Lot frontages and depths in accordance with the approved Zoning By-law for all Lots and Blocks within the Plan.
28. The Owner shall agree in the subdivision agreement to provide a permanent minimum 2.0m high privacy fence along the limits of residential lots where they abut a commercial/employment block, or as per the recommendations of the approved Noise Report, and to the satisfaction of the City.
29. Prior to final approval of the Plan, the Owner shall certify to the City that they are not aware of any soil, groundwater or sediment contamination on or within lands to be conveyed to the municipality which could interfere with its intended use.
30. The Owner shall agree in the subdivision agreement to provide noise attenuation measures to address the noise source(s) associated with the existing commercial development along the south limits of the Plan, as per the recommendations of the approved Noise Report and to the satisfaction of the City. The Owner, if required, shall construct, replace or modify the existing noise barrier external to the Plan along the loading dock area of the commercial development to mitigate the noise sources to acceptable levels, to the satisfaction of the City.
31. Prior to final approval, the Owner shall agree in the subdivision agreement to the following:
 - a) All development shall proceed in accordance with the Council approved Block 33 West Community Architectural Design Guidelines prepared by the Planning Partnership with Sterling Finlayson Architects;
 - b) A control architect shall be retained at the cost of the owner with concurrence of the City to ensure compliance with the architectural design guidelines;
 - c) Prior to the submission of individual Building Permit applications, the control architect shall have stamped and signed drawings certifying compliance with the approved architectural guidelines; and,
 - d) The City may undertake periodic reviews to ensure compliance with the architectural design guidelines. Should inadequate enforcement be evident, the

- a) City may cease to accept drawings stamped by the control architect and retain another control architect, at the expense of the Owner.
6. Prior to final approval, the Owner shall agree in the subdivision agreement to the following:
- a) All development shall proceed in accordance with the approved Block 33 West Vellore Park Landscape Masterplan prepared by NAK Design Group.
7. Prior to final approval:
- a) 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.
 - b) The Owner is to complete a tree inventory and assessment report within and adjacent to park property, satisfactory to the City prior to any grading/construction on their own property. The report is to be completed by a certified arborist and submitted to Parks Operations and Forestry for review.
8. 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 land.
9. The Owner shall agree in the subdivision agreement to erect permanent wood fence treatments for flanking residential lots and residential blocks; to be co-ordinated with the environmental noise report and architectural design guidelines.
10. The Owner shall agree to design and construct an accessible walkway within the existing park, in accordance with the Accessibility for Ontarians with Disability Act, to the satisfaction of Parks Development and Parks Operations and Forestry Department. The new accessible pedestrian walkway shall connect from the proposed concrete sidewalk within the development, to the existing asphalt park pathway. The scope of work associated with the accessible pedestrian walkway shall be fully described within the Subdivision Agreement, including but not limited to:
- a) A letter of credit for the complete costs to design and construct the accessible pedestrian walkway and associated site works.
 - b) Construction drawings and details for the proposed walkway shall comply with the City's Engineering Design Criteria and Standards.
 - c) Any required construction testing and inspections shall comply with the City's Engineering Design Criteria and Standards.

37. 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, L6A 1T1; (905) 832-8585."

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

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

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

38. Prior to the issuance of a Building Permit the Owner shall submit upgraded flankage elevation drawings for Lots 15, 16 and 36 facing Retreat Boulevard and Lots 28, 29 and 38 facing West Wind Park to the satisfaction of the Manager of Urban Design.

York Region Conditions

39. Prior to or concurrent with draft plan approval for any residential units, the Owner shall enter into an Agreement with the City of Vaughan, which Agreement shall be registered on title, committing the Owner to:

- A. Not enter into any Agreements of Purchase and Sale with end users (*) for the subject lands until such time as:
- a) The City approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure;
 - or
 - b) i. The Council of the City of Vaughan has allocated, within the limit of the Regional capacity assignment, adequate available water and wastewater servicing capacities to the subject development; and,
 - ii. York Region has advised in writing that the required infrastructure to support the capacity assignment associated with this development will be completed within a time period acceptable to the Region (usually 12 months) to permit presales.
 - or
 - c) the Regional Commissioner of Environmental Services and the City of Vaughan confirm servicing capacity for this development by a suitable alternative method and the City allocates the capacity to this development.

AND

- B. Not enter into any Agreements of Purchase and Sale with non end users for the subject lands unless the Agreement of Purchase and Sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate Agreement with the City. This Agreement shall be registered on title, committing the Owner to the same terms as set out in item A above.
40. Prior to draft plan approval for any residential units, the Owner shall enter into an indemnity agreement with York Region. The Agreement shall be registered on title, agreeing to save harmless York Region from any claim or action as a result of York Region releasing conditions and pre-conditions of draft approval as part of the draft approval of Plan of Subdivision File 19T-12V005, or any phase thereof by the City of Vaughan, including, but not limited to claims or actions resulting from, water or sanitary sewer service not being available when anticipated. The Agreement shall include a provision that requires all subsequent purchasers of the subject lands, who are not end users, to enter into a separate Agreement with York Region as a condition of the Agreement of Purchase and Sale, agreeing to indemnify York Region on the same terms and conditions as the Owner.
- (*) the term 'end users' for the purpose of the above-noted pre-conditions is defined as the eventual homeowner who is purchasing an individual lot containing a dwelling for the purpose of occupancy.
41. 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.

42. 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.
43. For all lands, the Holding Symbol “(H)” of Section 36 of the Ontario Planning Act shall be used in conjunction with all residential zone categories in order to ensure that final plan approval and development of these lands does not occur until such time as the Holding Symbol “(H)” is removed in accordance with the provisions of the Ontario Planning Act. The Zoning By-law shall specify the terms under which Vaughan Council may consider the removal of the Holding Symbol “(H)”. Said terms shall include a minimum of the following:
 - a) the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
 - a) 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 to 36 months depending on the complexity of the development) to permit the Plan registration; or,
 - b) 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.
44. Prior to final approval, the Owner shall agree to provide and implement walking and cycling connections to the boundary roads and the adjacent land uses to promote the usage of alternative modes of transportation. York Region and the City of Vaughan will not assume any financial responsibility for implementing the walking and cycling connections.
45. Prior to final approval, the Owner shall submit detailed engineering drawings, to the Transportation and Community Planning Department, for review and approval that incorporate the municipal servicing connections between Retreat Boulevard and Street “1”.
46. Prior to final approval, the Owner shall satisfy the York Region Transportation and Community Planning Department that the services to be installed within or in conjunction with the Plan will provide for sidewalks on the east side of Vellore Park Avenue and on the south side of Retreat Boulevard. The sidewalks shall meet the local municipality's standards, and be provided by the Owner along the subject lands' frontage onto roadways that will have transit services.

Future YRT/VIVA transit services are planned for the following roadways or sections of:

- a) Retreat Boulevard

47. Prior to final approval, the Owner shall submit drawings showing, as applicable, the sidewalk locations to the satisfaction of York Region.
48. The Owner shall agree in the Subdivision Agreement to advise all potential purchasers of the future introduction of transit services in this development as identified in Condition 46. This includes current and potential transit routes, bus stops and shelter locations. This shall be achieved through distribution of information/marketing materials (YRT route maps, future plan maps and providing YRT website contact information) at sales offices and appropriate notification clauses in purchase agreements. The YRT route maps and the future plan maps are available from YRT upon request.
49. The Owner shall satisfy the York Region Transportation and Community Planning Department that the services to be installed within or in conjunction with the Plan will include illumination in accordance with the local municipality's design standards along all streets, which will have transit services, sidewalks, pedestrian access and bus stop locations.
50. Prior to final approval, the Owner shall provide a copy of the Subdivision Agreement to the Transportation and Community Planning Department, outlining all requirements of the Transportation and Community Planning Department.
51. 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.

Canada Post Conditions

52. The Owner shall agree to:
 - a) 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.
 - b) Notify the purchaser of the exact Community Mailbox locations prior to the closing of any home sale.
 - c) Consult with Canada Post Corporation to determine suitable locations for the placement of the Community Mailbox and to indicate these locations on the appropriate servicing plan.
 - d) Provide the following for each Community Mailbox site, as shown on the servicing plans:
 - i. Sidewalk section (concrete pad) as per municipal standards, to support the Community Mailboxes.
 - ii. Any required walkway across the boulevard, as per municipal standards.
 - iii. Any required curb depressions.

- e) Provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox location(s). This will enable Canada Post to provide mail delivery to new residences as soon as the homes are occupied.
- f) Provide a copy of the executed Subdivision Agreement to Canada Post.

Bell Canada Conditions

- 53. a) The Owner shall agree in the Agreement, in words satisfactory to Bell Canada, to grant Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.
- b) Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.

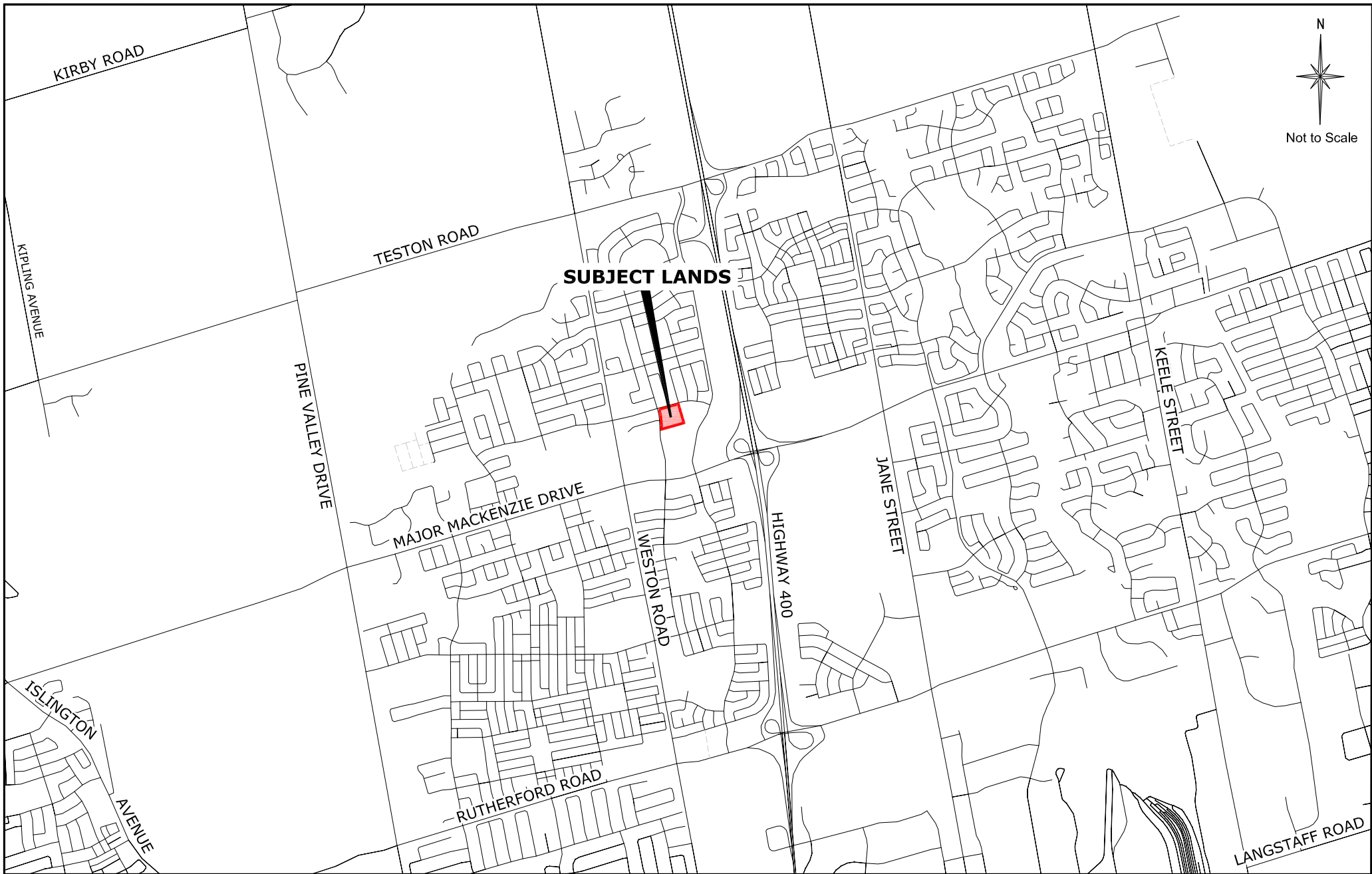
Enbridge Gas Distribution Inc. Conditions

- 54. a) The Owner is responsible for preparing a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities.
- b) Streets are to be constructed in accordance with composite utility plans previously submitted and approved by all utilities.
- c) The Owner shall grade all streets to final elevation prior to the installation of the gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information required for the installation of the gas lines.
- d) The Owner shall provide current municipal approved road cross-sections showing all Utilities in the configuration proposed for all of the street widths within the development. The gas location must be a minimum of 0.6 metres from the street line.

Other Conditions

- 55. Final approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees provided that:
 - a) phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services; and

- b) all government agencies agree to registration by phases and provide clearances, as required in Conditions 1 to 54 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
- 56. The City of Vaughan shall advise that Conditions 1 to 38 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
- 57. York Region shall advise that Conditions 39 to 51 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
- 58. Canada Post shall advise that Condition 52 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.
- 59. Bell Canada shall advise that Condition 53 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.
- 60. Enbridge Gas Distribution Inc. shall advise that Condition 54 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.



Context Location Map

Location:
Part of Lot 21, Concession 5

Applicant:
Block 33 West Properties Inc.

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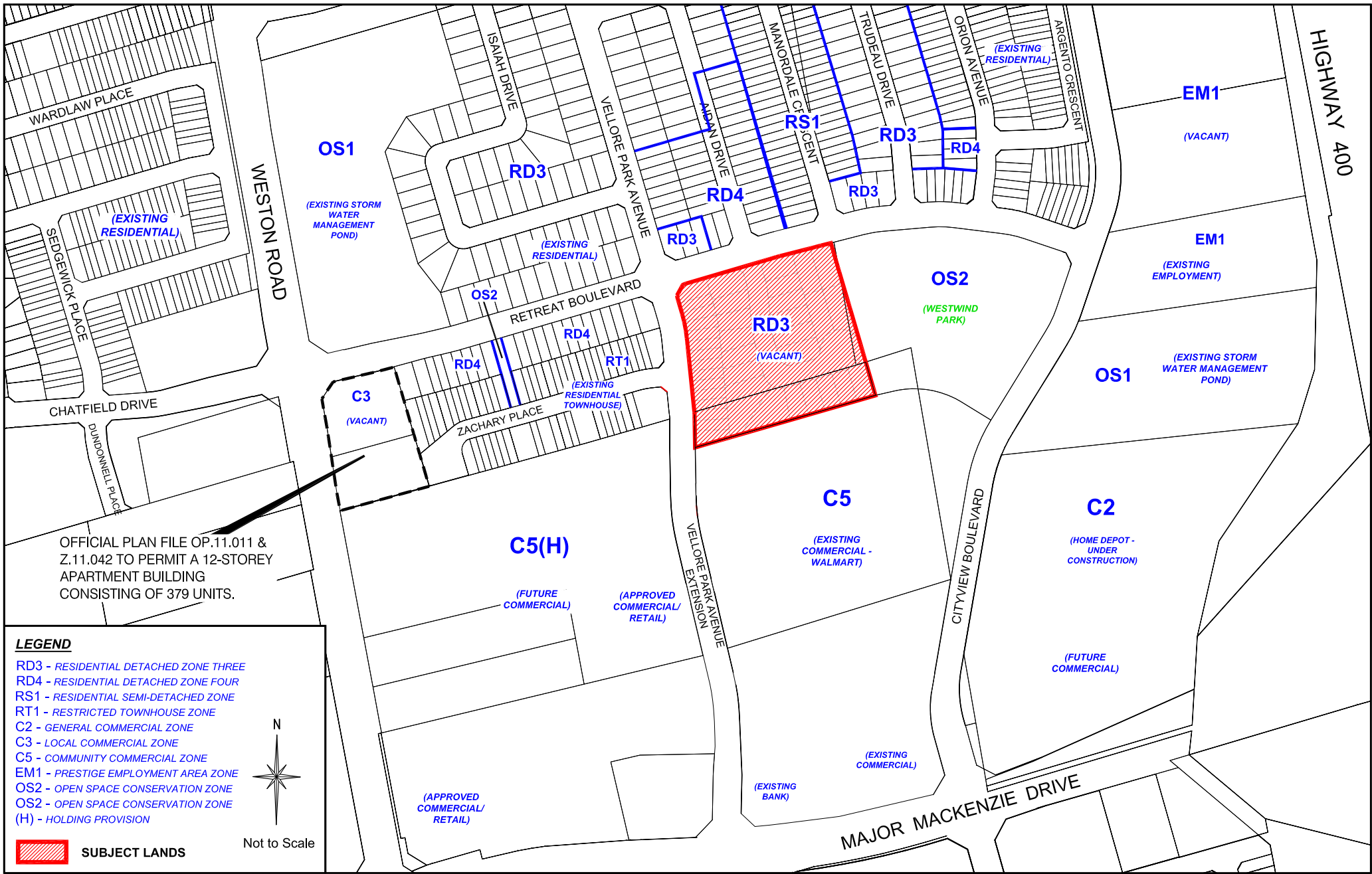


Attachment

Files: 19T-12V005 &
Z.12.030

Date:
December 2, 2014

2



Location Map

Location:
Part of Lot 21, Concession 5

Applicant:
Block 33 West Properties Inc.

N:\DFT\1 ATTACHMENTS\19\19T-12V005\12.030a.dwg

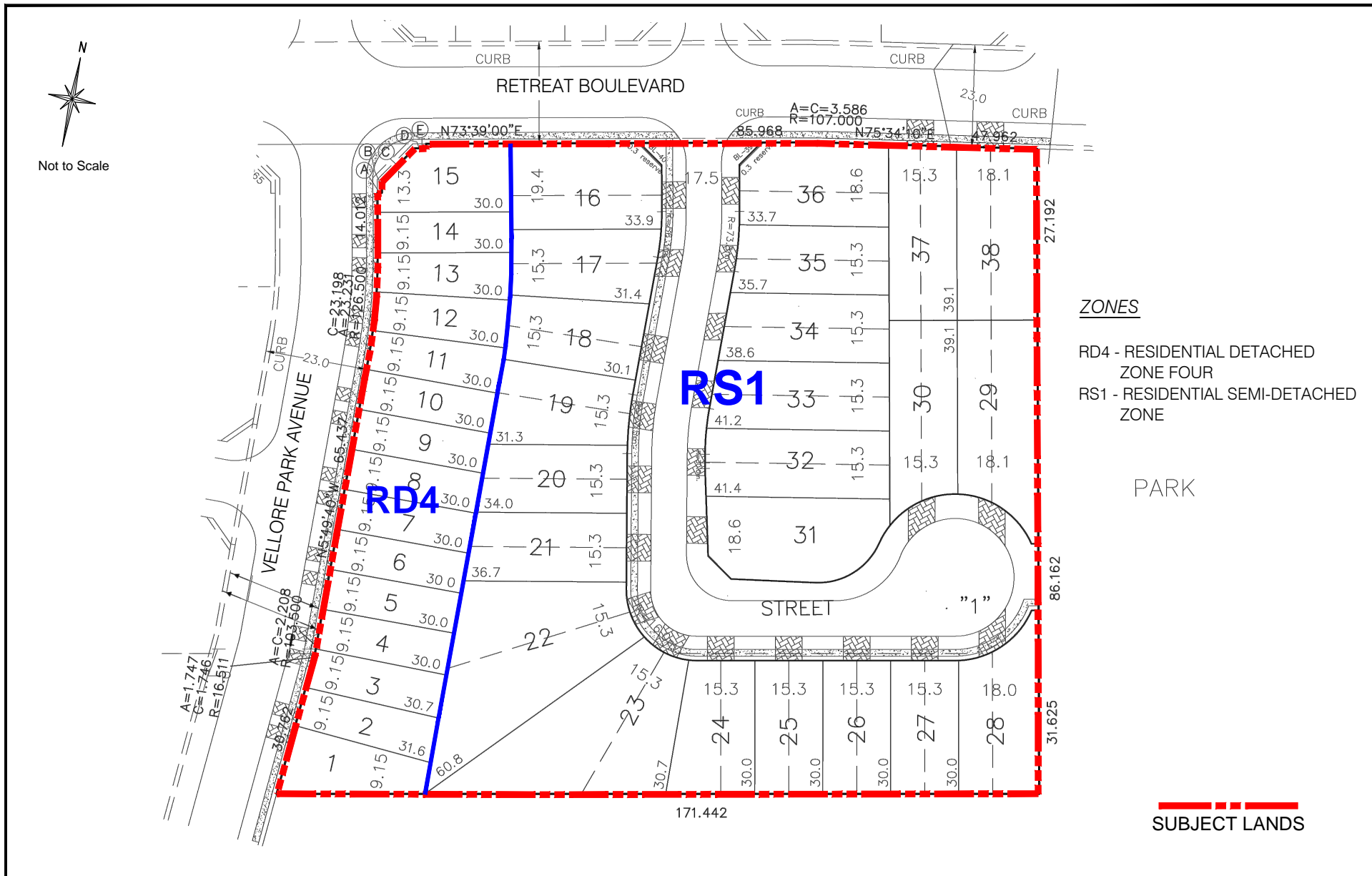


Attachment

Files: 19T-12V005 & Z.12.030

Date:
December 2, 2014

3



Draft Plan of Subdivision / Proposed Zoning

Applicant: Block 33 West Properties Inc.
Location: Part of Lot 21, Concession 5



Attachment

Files: 19T-12V005 &
Z.12.030

Date:
December 2, 2014

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