

Item:



## Committee of the Whole Report

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**DATE:** Tuesday, June 05, 2018

**WARD:** 1

**TITLE: ZONING BY-LAW AMENDMENT FILE Z.17.024  
DRAFT PLAN OF SUBDIVISION FILE 19T-17V008  
NASHVILLE (BARONS) DEVELOPMENTS INC.  
WARD 1 - VICINITY OF HUNTINGTON ROAD AND NASHVILLE  
ROAD**

**FROM:**

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To seek approval from the Committee of the Whole for Zoning By-law Amendment and Draft Plan of Subdivision Files Z.17.024 and 19T-17V008 for the Subject Lands shown on Attachments #2 and #3 to rezone the Subject Lands to permit a residential Draft Plan of Subdivision (Attachment #4) consisting of lots for 48 detached dwelling units and a linear park and to retain the two existing dwellings fronting onto Nashville Road.

**Report Highlights**

- To seek approval from the Committee of the Whole to rezone the Subject Lands to permit a residential subdivision consisting of lots for 48 detached dwelling units and retain two existing detached dwelling units fronting onto Nashville Road.
- Three of the proposed detached dwelling units will have access onto Whisper Lane, and 45 detached dwelling units having access from Nashville Road through the extension of Ranchview Street.
- The Development Planning Department supports the approval of the Draft Plan as it is consistent with the Provincial Policy Statement, and conforms to the Growth Plan, the York Region Official Plan and Vaughan Official Plan 2010. The Draft Plan is compatible with the existing and planned land uses in the surrounding area.

## **Recommendations**

1. THAT Zoning By-law Amendment File Z.17.024 (Nashville (Barons) Developments Inc.) BE APPROVED; to amend Zoning By-law 1-88 on the Subject Lands shown on Attachments #2 and #3, specifically to rezone the Subject Lands from “A Agricultural Zone”, “M3 Transportation Industrial Zone” and “RR Rural Residential Zone” to “RD3(H) Residential Detached Zone Three”, “RD4(H) Residential Detached Zone Four” and “RR(H) Rural Residential Zone” all with the addition of the Holding Symbol “(H)”, and “OS2 Open Space Park Zone” in the manner shown on Attachment #4, together with the site-specific zoning exceptions identified in Table 1 to this report.
2. THAT the Holding Symbol “(H)” shall not be removed from the Subject Lands or any portion thereof, until the following conditions are addressed to the satisfaction of the City:
  - a) The proposed water, wastewater and stormwater servicing scheme for the development of the Subject Lands, as detailed in a Functional Servicing Report, shall be to the satisfaction of the Development Engineering Department; and
  - b) The consolidation of Lot 27 with the abutting 101 m<sup>2</sup> of the York Region Well lands to the south when the lands are obtained from York Region to create a buildable lot.
3. THAT Draft Plan of Subdivision File 19T-17V008 (Nashville (Barons) Developments Inc.), as redlined, BE APPROVED; to facilitate a residential Draft Plan of Subdivision comprised of 48 lots for detached dwellings, a linear park and the maintenance of two dwellings fronting onto Nashville Road, as shown on Attachment #4, subject to the Conditions of Pre-Approval and Approval set out in Attachment #1.
4. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision File 19T-17V008 (Nashville (Barons) Developments Inc.) be reserved servicing capacity for a total of 50 residential units (200 persons equivalent). This reservation shall automatically be revoked after a period of twelve months in the event that the Draft Plan of Subdivision has not proceeded to registration.”

## **Background**

The Subject Lands (“Subject Lands”) are located south of Nashville Road, east of the CP Rail Line and are municipally known as 737 and 739 Nashville Road, as shown on Attachment #2 and #3. The surrounding land uses are shown on Attachment #3.

***Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol***

On October 13, 2017, a Notice of a Public Hearing was circulated to all property owners within 150 m of the Subject Lands and to the Kleinburg and Area Ratepayers' Association ("KARA"). A copy of the Notice of Public Hearing was also posted on the City's web-site at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed on the property in accordance with the City's Notice Signs Procedures and Protocols.

A Committee of the Whole (Public Hearing) was held on November 7, 2017, to receive comments from the public and the Committee of the Whole. The recommendation of the Committee of the Whole to receive the Public Hearing report of November 7, 2017, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on November 21, 2018. Vaughan Council also directed that a community meeting be held with the Local and Regional Councillors, the Owner, the Ratepayers' Association and residents. A community meeting was held on January 25, 2018. The Deputations were made by the following at the Public Hearing and community meeting and written submissions have been received by the Development Planning Department:

Deputations

1. Don Givens, Malone Given Parsons, Renfrew Drive, Markham, and Communication C6, dated November 6, 2017, representing the applicant;
2. Denise and Nino Savoiaro, Whisper Lane, Kleinburg, and Communication C2, dated October 29, 2017;
3. Sam Barbieri, English Daisy Court, Kleinburg;
4. David Crocco, English Daisy Court, Kleinburg;
5. John Piccirilli, English Daisy Court, Kleinburg;
6. Richard Lorello, Treelawn Boulevard, Kleinburg; and
7. Marsha Lomis, Nashville Road, Kleinburg, representing KARA.

Communications/Written Submissions

1. T. Candaras, Weston Road, Woodbridge, dated October 24, 2017 and November 5, 2017;
2. M. Baldassarra, dated October 30, 2017;
3. C. Baldassarra, dated November 7, 2017;
4. E. Bortoluzzi, English Daisy Court, dated February 1, 2018

The following is a summary of to the comments provided in the deputations and written submissions received by the Development Planning Department, submitted at the Public Hearing of November 7, 2017, and the Community Meeting held on January 25, 2018 and responses to each:

- a) The residents of Whisper Lane and English Daisy Court do not want the Whisper Lane cul-du-sac opened to provide through access for the Subject Lands.

On March 9, 1993, Subdivision Plan 65M-2920 was registered for the Whisper Lane/English Daisy Court subdivision. The Plan provided for the design of Whisper Lane to ultimately be a 20 m wide local road, which would temporary terminate as a cul-du-sac until such time as lands on the north side of the cul-du-sac were to be developed. The original proposed Draft Plan of Subdivision, (Attachment #5) presented at the Public Hearing included the extension of Whisper Lane to the west to intersect with the extension of Ranchview Street, which would connect to Nashville Road. The residents of Whisper Lane and English Daisy Court commented that the proposed road connection would generate additional traffic through their community and create safety concerns.

The Owner at the Community Meeting proposed maintaining Whisper Lane as a cul-du-sac and providing three lots with frontage onto Whisper Lane, as shown on Attachment #4. The remainder of the Draft Plan of Subdivision (“Draft Plan”) will have one access point onto Nashville Road through the extension of Ranchview Street.

- b) The proposed lot sizes and unit type are not consistent with the existing lot sizes and unit types.

The original Draft Plan includes lots with minimum frontages ranging from 9.1 m to 12.2 m and minimum lot areas from 335 m<sup>2</sup> to 760 m<sup>2</sup> and a variety of lot depths, as shown on Attachment #5. The Plan also includes Blocks for street townhouses that would be subdivided into lots with a minimum frontage of 6.1 m and a minimum area of 167 m<sup>2</sup>. The lot frontages for the existing lots on Whisper Lane and English Daisy Court range between 16 m to 27 m with lot areas ranging between 1,378 m<sup>2</sup> to 1,432 m<sup>2</sup>.

The Owner has revised the Draft Plan as shown on Attachment #4, to provide lot frontages ranging from 15.2 m to 24.8 m and lot areas from 704 m<sup>2</sup> to 982 m<sup>2</sup>, for the lots fronting onto Whisper Lane. The Draft Plan includes lots with minimum frontages between 11.6 m and 16.9 m, as well as 23.3 m (Lot 27), and minimum lot areas ranging from 300 m<sup>2</sup> to 900 m<sup>2</sup>. The proposed street townhouse Blocks have been eliminated from the Draft Plan and the total number of dwelling units has been reduced from 66 units to 48 units. However, some members of the community have commented that larger lot frontages and areas should be provided and that the number of units be further reduced.

Policy 9.1.2.3 of Vaughan Official Plan 2010 (“VOP 2010”) provides development criteria to maintain the character of older, established residential neighbourhoods that are characterized by large lots and/or by their historical, architectural or landscape value which includes the following:

- i) Lot frontage: In the case of lot creation, new lots should be equal to or exceed the frontages of the adjacent nearby and facing lots;

- ii) Lot area: The area of new lots should be consistent with the size of adjacent and nearby lots;
- iii) Lot configuration: New lots should respect the existing lotting fabric;
- iv) Front yards and exterior side yards: Buildings should maintain the established pattern of setbacks for the neighbourhood to retain a consistent streetscape;
- v) Rear yards: Buildings should maintain the established pattern of setbacks for the neighbourhood to minimize visual intrusion on the adjacent residential lots;
- vi) Building heights and massing: Should respect the scale of adjacent residential buildings and any city urban design guidelines prepared for these Community Areas; and
- vii) Lot coverage: In order to maintain the low-density character of these areas and ensure opportunities for generous amenity and landscaping areas, lot coverage consistent with development in the area and as provided for in the zoning by-law is required to regulate the area of the building footprint within the building envelope, as defined by the minimum yard requirements of the zoning by-law.

In addition, the City initiated the Community Area Policy Review for Low-Rise Residential Designations, which has resulted in the Council adopted Urban Design Guidelines (“Guidelines”) for Infill Development in Established Low-Rise Residential Neighbourhoods and the Community Area Policy Review for Low-Rise Residential Designations Study (“Study”). The Guidelines were approved by Council on October 19, 2016, and serve to help clarify and implement the existing Policy 9.1.2.3 of VOP 2010 related to compatibility. The Study was approved by Council on April 19, 2017, and a future Official Plan Amendment to implement the Study recommendations will be forwarded to Vaughan Council for adoption at a future date.

The Subject Lands abut an established large-lot neighbourhood, in accordance with the Guidelines, which includes the following characteristics:

- Deep front yard setbacks of approximately 12 metres or greater;
- Deep rear yard setbacks of 15 metres or greater;
- Wide and/or circular/semi-circular driveways;
- Attached garages that generally are not dominant features, with varying orientations and designs;
- Large detached houses generally occupying less than a third of the lot; and
- Expansive landscaped front and rear yards.

The Draft Plan has regard for some of the characteristics of a medium-lot neighbourhood as described in the Guidelines, including the following:

- Lot frontages ranging from 10 to 20 metres;
- Front yard setbacks from 6 to 15 metres;
- Rear yard setbacks between 7.5 to 10 metres;
- Front yard landscaped area generally less than 50% of the yard; and
- Two-storey detached dwellings are the predominant housing type.

The Guidelines acknowledge that new development, such as the Draft Plan, which has some of the characteristics of a medium-lot neighbourhood, may be able to interface with an established large-lot neighbourhood. Compatibility with the established neighbourhood can be maintained as the Subject Lands will be developing in accordance with the development characteristics of a medium-lot neighbourhood.

The revised Draft Plan, shown on Attachment #4, includes Lots 29 to 31 inclusive, with lot frontages of 24.8 m, 15.2 m and 16.1 m on Whisper Lane and lot coverages of 34.55%, 31.97% and 29.10% respectively. These lots are comparable to the existing lot frontages on Whisper Lane and English Daisy Court, which range between the 18 m to 27 m and the maximum permitted lot coverage of 35%. Further, the minimum front yard and minimum rear yard setbacks will be 7.5 m for Lots 29 to 31 inclusive, which is the same minimum Zoning By-law requirement for the existing dwelling units on Whisper Lane and English Daisy Court.

Lots 1 to 28 inclusive have lot frontages that range from 11.6 m to 31.8 m will have access to Nashville Road through Street "A" (Ranchview Street) and do not directly connect to other streets in the surrounding community. These lots are located internal to the Draft Plan and therefore, do not affect the Nashville Road Streetscape. At the Community Meeting, the Owner agreed to replace the existing chain link fence along the common property line with a wood fence to provide more privacy to the existing residents on Nashville Road. This requirement will be included as a condition of approval in Attachment #1 to this report.

c) The Draft Plan will result in increased traffic along Nashville Road.

The Development Engineering Department reviewed the Traffic Impact Assessment, which included a review of existing traffic patterns, full build-out of the surrounding area and planned road improvements to the road network (i.e. the jog elimination and road widening of Major Mackenzie Drive and the future Highway 427 extension) and have advised that the broad road network designed for the proposed Draft Plan complies with the Block 61 West background studies and that the Subject Lands can be adequately accommodated with road access.

d) A park is required in the community.

VOP 2010 specifies the requirements for new parkland for new residential development at the rate of 5% of the total gross land area or one hectare of parkland per 300 dwelling units or a combination of these, whichever is the highest. Furthermore, VOP 2010 and the Active Together Master Plan (Parks, Recreation and Libraries) outlines park classifications and sizes. For example, a neighbourhood park is between 0.75 to 5 hectares in size. The Parks Development Department has reviewed the original Draft Plan, (Attachment #5,) and advised that the 0.17 ha park (Block 39) did not meet the program requirements for a City park due to the configuration and size. Further, a 1.58 ha neighborhood park is proposed in Draft Plan of Subdivision File 19T-17V007 ("Plan 19T-17V007") located the west of the CP railway.

The revised Draft Plan shown on Attachment #4 also eliminates the park (Block 40) that was originally proposed on Attachment #5 and includes a multi-use trail/path along the east side of the rail line within Blocks 52 and 53, which will lead to the sidewalk on Nashville Road. This multi-use trail/path will provide access along Nashville Road to access the proposed neighborhood park located the west of the CP railway.

e) Is the preservation of trees being considered.

The Owner submitted a Tree Inventory and Preservation Plan and Report for the Subject Lands. The Report concludes that of the 219 trees on and within six metres of the Subject Lands, 53 trees will remain and tree protection measures will be put in place prior to development to protect the trees on the Subject Lands and on the abutting lands. The removal of 163 trees will be necessary to accommodate the Draft Plan and/or due to the poor condition of the tree. The Owner shall not remove trees without written approval by the City. A condition of approval to this effect is included in Attachment #1a) of this report.

The Owner shall provide an updated Tree Inventory and Preservation Plan and Report which shall provide the value of the replacing removed trees using the Urban Design Tree Replacement Valuation for review and approval by the City, as replacement trees cannot be replanted on the Subject Lands, excluding street trees. A condition to this effect is included in Attachment #1a). The cash value of the replacement trees is placed in a reserve fund for future tree planting on City owned lands in the same community.

### **Previous Reports/Authority**

[Committee of the Whole \(Public Hearing\) November 7, 2017](#)

On May 24, 2018 a courtesy notice of this Committee of the Whole meeting was sent to all individuals who made a deputation at the Public Hearing, submitted written correspondence to the Development Planning Department, or requested notification regarding the Applications.

### **Analysis and Options**

***Zoning By-law Amendment and Draft Plan of Subdivision Applications (“Applications”) have been submitted to permit a residential development***

The Owner has submitted the following applications (the “Applications”) to permit a development consisting of 48 lots for detached dwelling units on the Subject Lands shown on Attachments #2 and #3:

1. Zoning By-law Amendment File Z.17.024 for the Subject Lands shown on Attachments #2 and #3, specifically to rezone the Subject Lands from “A Agricultural Zone”, “M3 Transportation Industrial Zone” and “RR Rural Residential Zone” to “RD3(H) Residential Detached Zone Three”, “RD4(H) Residential Detached Zone Four” and “RR(H) Rural Residential Zone” all with the addition of the Holding Symbol “(H)”, and “OS2 Open Space Park Zone” in

the manner shown on Attachment #4, together with site-specific zoning exceptions identified in Table 1 of this report.

2. Draft Plan of Subdivision File 19T-17V008 to facilitate a residential Plan of Subdivision (the “Draft Plan”) for the Subject Lands shown on Attachment #4 consisting of the following:

<b>Lots/ Blocks</b>	<b>Land Use</b>	<b>Area (ha)</b>	<b>Number of Units</b>
1-48	Detached Residential Units	2.29	48
49-50	Existing Detached Units	0.30	2
51	Future Residential	0.01	
52	Linear Park, red-line revised to be a Buffer	0.26	
53	15m Wide Berm	0.43	
54-60	0.3m Reserves	0.01	
	Streets	0.95	
<b>TOTAL</b>		<b>4.25</b>	<b>50</b>

***The Draft Plan is consistent with the Provincial Policy Statement (“PPS”), 2014***

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the *Provincial Policy Statement, 2014* (“PPS”). The PPS provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities; the wise use and management of resources; and protecting public health and safety.

The PPS recognizes that local context and character is important. Policies are outcome oriented, and some policies provide flexibility in their implementation provided that Provincial interests are upheld. The *Planning Act* requires that Vaughan Council’s planning decisions be consistent with the PPS. The Development Planning Department has reviewed the Draft Plan in consideration of the policies of the PPS and is of the opinion that the Draft Plan is consistent with provincial policies, specifically:

- Section 1.1.1 - to accommodate an appropriate range of residential, employment, institutional, recreation, park and open space uses;
- Section 1.1.3 - settlement areas being the focus of development based on densities and land uses which efficiently use land;
- Section 1.5.1 - planning for and providing publicly accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages; and
- Section 1.7 - encouraging a sense of place, by promoting well-designed built form, cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.

The Draft Plan shown on Attachment #4 is for residential uses within a settlement area to conform with the “Low-Rise Residential” land use designation and site-specific Policy 12.7 in Vaughan Official Plan 2010 (“VOP 2010”). The Owner also proposes to provide a publicly accessible built and natural settings for recreation, including open space areas, trails and linkages as shown on Attachment #4. On this basis, the Development is consistent with the PPS.

***The Draft Plan conforms to the Growth Plan for the Greater Golden Horseshoe, 2017 (“Growth Plan”)***

The Provincial *Growth Plan for the Greater Golden Horseshoe Growth Plan 2017* (“Growth Plan”) is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, and housing. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. Council’s planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan. The proposed Draft Plan is consistent with the policy framework of the Growth Plan as the built form would utilize the Subject Lands more efficiently, make more efficient use of existing infrastructure, and provide housing at densities that are supportive of the Growth Plan objectives, specifically:

- Section 2.2.1 - directing growth to settlement areas that have existing or planned municipal water and wastewater systems;
- Section 2.2.2 - contributing to meeting 40% of residential development within a delineated built-up area by 2031 and identifying the appropriate type and scale of development and transition of built form to adjacent areas;
- Section 4.2.7 - implementing the goals and objectives of the municipal cultural heritage plan, and the conservation of cultural heritage resources.

The Draft Plan shown on Attachment #4 provides for a residential Draft Plan within a settlement area and a delineated built-up area that conforms to VOP 2010. Accordingly, the proposed Draft Plan conform to the Growth Plan.

***The Draft Plan conforms to the York Region Official Plan 2010 (“YROP”)***

The York Region Official Plan 2010 (“YROP”) guides economic, environmental and community building decisions across York Region. The Subject Lands are designated “Towns and Villages” on Map 1, “Regional Structure” of the YROP. Section 5.0 of the YROP states that “Growth will also occur in new community areas, Towns and Villages throughout the Region.” Section 3.5.4 of the YROP requires that “local municipal official plans and zoning bylaws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability within each community.” The Draft Plan is comprised of different sized lots to facilitate detached dwellings with a range of unit sizes in the community. The proposed Draft Plan conforms to the YROP.

***The Draft Plan conforms to Vaughan Official Plan 2010 (“VOP 2010”)***

The Subject Lands are designated “Low-Rise Residential” and Vaughan Official Plan VOP 2010 and are located within a “Community Area”.

The “Low-Rise Residential” policies of VOP 2010 permit the proposed detached dwelling units up to a maximum building height of three-storeys.

Policy 2.2.3 of VOP 2010 states that, “Community Areas are characterized by predominantly Low-Rise Residential housing stock, with local amenities including local *retail, community facilities, schools* and parks, and they provide access to the City’s natural heritage and open spaces. The policies of this Plan will protect and strengthen the character of these areas. As the City grows and matures, these Community Areas will remain mostly stable. However, incremental change is expected as a natural part of maturing neighbourhoods. This change will be sensitive to, and respectful of, the existing character of the area.”

Policy 2.2.3.2 of VOP 2010 further states, “That Community Areas are considered Stable Areas and therefore Community Areas with existing development are not intended to experience significant physical change. New development that respects and reinforces the existing scale, height, massing, lot pattern, building type, character, form and planned function of the immediate local area is permitted, as set out in the policies in Chapter 9 of this Plan.”

The Draft Plan conforms with the Community Area policy objectives through the placement of three lots that front onto Whisper Lane with compatible lot frontages, lot size and development standards for the future detached dwellings, which maintain a consistent streetscape with the existing lots and detached dwellings on Whisper Lane and English Daisy Court. The remaining 45 lots are located to the interior of the Draft Plan and will not affect the Nashville Road streetscape. The proposed land use conforms to the Community Area policies of VOP 2010.

***The proposed rezoning and site-specific zoning exceptions identified in Table 1 would permit the Draft Plan, which is compatible with the existing and planned community***

The Subject Lands are zoned “A Agricultural Zone”, “M3 Transportation Industrial Zone” and “RR Rural Residential Zone”, as shown on Attachment #3, and are subject to Site-Specific Exception 9(896) which does not permit the Draft Plan. A Zoning By-law Amendment is required to rezone the Subject Lands to “RD3(H) Residential Detached Zone Three”, “RD4(H) Residential Detached Zone Four” and “RR(H) Rural Residential Zone” all with the addition of the Holding Symbol “(H)”, and “OS2 Open Space Park Zone” in the manner shown on Attachment #4, together with the following site-specific zoning exceptions:

Table 1:

	<b>Zoning By-law 1-88 Standard</b>	<b>RD3 Residential Detached Zone Three Requirements</b>	<b>Proposed Exceptions to the RD3 Residential Detached Zone Three Requirements</b>
a.	Definition of “Lot Line, Rear”	Means the lot line most nearly opposite the front lot line, but if the side lot lines intersect, means the point of intersection.	East Lot Line (Lot 29)
b.	Minimum Lot Frontage	12 m	Require a Minimum Lot Frontage of:  24.8 m of Lot 29 15.2 m of Lot 30 16 m of Lot 31
c.	Minimum Lot Area	324 m <sup>2</sup>	Require a Minimum Lot Area of:  704 m <sup>2</sup> of Lot 29 982 m <sup>2</sup> of Lot 30 774 m <sup>2</sup> of Lot 31
d.	Minimum Front Yard	i) 4.5 m the main building ii) 6 m for the attached garage that faces a lot line	Require a Minimum Front Yard Setback of 7.5 m for the main building and attached garage that faces a lot line
e.	Minimum Interior Side Yard	1.2 m	1.2 m (on one interior side yard and either 0.6 m or 1.2 m on the other interior side yard, which abuts another interior side yard of 0.6 m or 1.2 m) for a lot with a Lot Frontage of 15 m to 25 m (Lots 29 and 30)

	<b>Zoning By-law 1-88 Standard</b>	<b>RD3 Residential Detached Zone Three Requirements</b>	<b>Proposed Exceptions to the RD3 Residential Detached Zone Three Requirements</b>
f.	Maximum Driveway Width	6 m	Require a Minimum Driveway Width of 10 m For Lot 29

	<b>Zoning By-law 1-88 Standard</b>	<b>RD4 Residential Detached Zone Four Requirements</b>	<b>Proposed Exceptions to the RD4 Residential Detached Zone Four Requirements</b>
a.	Minimum Lot Frontage	9 m	Require a Minimum Frontage ranging from 11.6 m - 31.8 m For Lots 1 - 28 and 32 - 48 as shown on Draft Plan (Attachment #4)
b.	Minimum Front Yard	<ul style="list-style-type: none"> <li>i) 4.5 m the main building</li> <li>ii) 6 m for the attached garage that faces a lot line</li> </ul>	3 m for the main building and attached garage that faces a lot line (Lots 27 and 28)
c.	Minimum Rear Yard	7.5 m	2.5 m (Lots 27 and 28)
d.	Minimum Interior Side Yard	1.2 m	i) 1.2 m (on one interior side yard and either 0.6 m or 1.2 m on the other interior side yard, which abuts another interior side yard of 0.6 m or 1.2 m) for a Lot Frontage of 11.6 m to 18 m

	<b>Zoning By-law 1-88 Standard</b>	<b>RD4 Residential Detached Zone Four Requirements</b>	<b>Proposed Exceptions to the RD4 Residential Detached Zone Four Requirements</b>
			ii) 0.6 m (Lot 27 and 28)
e.	Minimum Lot Depth	27 m	11 m (Lot 27) 15 m (Lot 28)
f.	Maximum Interior Garage Width	i) 4.5 m (for lot frontages 11 m to 11.49 m / for corner lots 14.01 m to 14.49 m)  ii) 5 m (for lot frontages 11.5 m / for corner lots 14.5 m to 14.99 m)	5.5 m (for lots regardless of whether the lot is a corner lot for lot frontages between 11 m to 14.99 m)
g.	Minimum Interior Garage Width (Lot Frontage 12 m to 17.99 m or Lot Frontage for a Corner Lot or a Lot Abutting a Buffer Block between 15 m to 18 m)	5.5 m	3 m (Lots 8, 17, 18, 37, 40, 41, 46 and 48)

	<b>Zoning By-law 1-88 Standard</b>	<b>“RR Rural Residential Zone” Requirements, subject to Exception 9(896)</b>	<b>Proposed Exceptions to the “RR Rural Residential Zone” Requirements, subject to Exception 9(896) Requirements</b>
a.	Minimum Lot Area	3,160 m <sup>2</sup> (Lot 49) 3,550 m <sup>2</sup> (Lot 50)	1,400 m <sup>2</sup> (Lot 49) 1,500 m <sup>2</sup> (Lot 50)
b.	Minimum Front Yard	15 m	12 m (Lot 49) 14 m (Lot 50)
c.	Minimum Rear Yard	15 m	8 m (Lot 49) 11 m (Lot 50)
d.	Minimum Interior Side Yard (Existing Dwellings)	4.5 m	i) 2.5 m West Lot Line (Lot 49) ii) 1 m West Lot Line (Lot 50)
e.	Maximum Lot Coverage	10%	22%

	<b>Zoning By-law 1-88 Standard</b>	<b>RD3 Residential Detached Zone Three and RD4 Residential Detached Zone Four Requirements</b>	<b>Proposed Exceptions to the RD3 Residential Detached Zone Three and RD4 Residential Detached Zone Four Requirements</b>
a.	Minimum Setback to a Railway Right-of-Way	Zoning By-law 1-88 does not include a minimum setback from a railway right-of-way.	Require a minimum 30 m building setback from the railway-right-of-way for a building or structure, either temporary or permanent, or swimming pool above or below grade.

The Development Planning Department has reviewed the proposed rezoning and site-specific exceptions to Zoning By-law 1-88, and provides the following comments:

a) Zone Categories

Lots 29 to 31 inclusive and Lots 1 to 28 on the Draft Plan are proposed to be zoned RD3 Residential Detached Zone Three and RD4 Residential Detached Zone respectively. These Zone categories of Zoning By-law 1-88 most closely represent the lot frontages and/or lot areas proposed in the Draft Plan. Lots 29 to 31 inclusive have lot frontages and lot areas that exceed the minimum lot frontage of 12 m and minimum lot area of 324 m<sup>2</sup> in the RD3 Residential Detached Zone Three. However, to address concerns that were raised in the written responses and at the Community Meeting respecting the number of lots being proposed onto Whisper Lane, site-specific zoning standards are proposed that exceed the minimum lot area and minimum lot frontage requirements to provide compatible lots with the existing community.

b) Definitions

The proposal to amend the definition of “Lot Line, Rear” is due to the irregular configuration of Lot 29. This is a technical exception to define the rear lot line.

c) Minimum Lot Frontage, Lot Area and Front Yard

The proposed minimum lot frontage and lot area requirements provide standards that exceed the RD3 Residential Detached Zone Three and RD4 Residential Detached Zone Four requirements in Zoning By-law 1-88 in order to provide compatible lots with the existing community. The increased front yard setback provides for consistent building setbacks with the existing buildings in the Whisper Land and English Daisy Court.

d) Minimum Interior Side Yard

The proposed interior side yards are considered to be appropriate and will permit the future development of detached units that are consistent with other dwellings in Block 61. The proposed side yards will not have a negative impact on the visual quality of the streetscape, lot drainage or grading, the pairing and larger undisturbed areas for streetscaping and tree planting.

The future development of the detached dwellings is also subject to the Block 61 West Nashville Heights Architectural Design Guidelines.

The Owner has requested an increase in the maximum interior garage width to permit dwelling units with attached garages that accommodate a minimum of two cars. The proposed 5.5 m garage size is in keeping with similar approvals in the surrounding Community. The dwelling units will also be subject to the Block 61 West Nashville Heights Architectural Design Guidelines.

e) Interior Garage Dimensions

The Owner has requested the interior garage width be reduced to 3 m for eight lots, specifically Lots 8, 17, 18, 37, 40, 41, 46 and 48, to provide single-car garages. These particular lots have smaller lot frontages and wider rear yards. The lots would still comply with the zoning requirement to provide two parking spaces, with one space being provided in the garage and one space being provided on the driveway.

f) Maximum Driveway Width

The increase in maximum driveway width for Lot 29 is due to its irregular lot configuration and the placement of the proposed dwelling with the attached garage on the lot.

g) "RR Rural Residential Zone" Requirements

Lots 49 and 50 are zoned "RR Rural Residential Zone" by Zoning By-law 1-88, subject to site-specific Exception 9(896). Lots 49 and 50 will be zoned "RR(H) Rural Residential Zone" with the Holding Symbol ("H") by Zoning By-law 1-88, subject to site-specific Exception 9(896). The site-specific Exception is for the minimum lot area, frontage and yard, and maximum lot coverage requirements for these lots. However, the rear portion of these lots are being severed to create new lots (Lots 1 to 3 inclusive and Part of Lots 4 to 7 inclusive), as shown on Attachment #4. The front portion of each lot, which front onto Nashville Road, is being maintained with its existing dwelling unit. Modifications to the zoning requirements in the Exception are required to recognize the new lot fabric of these lots. The new minimum lot area, frontage and yard, and maximum lot coverage requirements for these lots are in keeping with the existing lots on Nashville Road. Also, Lots 49 and 50 will be zoned with the Holding Symbol ("H"). The Holding Symbol ("H") will not be removed until the Owner provides a sanitary sewer design that complies with City and/or Regional standards, including the Kleinburg Water and Wastewater Master

Plan for Lots 49 and 50. A condition to this effect is included in the Recommendations of this report and the Conditions of Approval in Attachment #1a).

h) Minimum Setback to a Railway Right-of-Way

The Canadian Pacific Railway (“CP”) requires a minimum 30 m setback from the railway right-of-way all residential units. This requirement is not contained in Zoning By-law 1-88 and is usually dealt with through a site-specific provision in the implementing Zoning By-law. This setback requirement will be included in the implementing site-specific Zoning By-law amendment for the Subject Lands, should the applications be approved.

In consideration of the above, the Development Planning Department is satisfied that the proposed zone categories and site-specific exceptions zoning to the “RD3 Residential Detached Zone Three” and “RD4 Residential Detached Zone Four” of Zoning By-law 1-88, and to the “RR Rural Residential Zone” by Zoning By-law 1-88 subject to site-specific Exception 9(896), are appropriate, maintain the intent of the Low-Rise Residential Designation of VOP 2010 and will result in development that is consistent with the surrounding area.

***The Subject Lands will be zoned with the Holding Symbol “(H)”***

The Subject Lands will be zoned with the Holding Symbol “(H)” in the manner shown on Attachment #4. The Holding Symbol “(H)” is being placed on the Subject Lands as the Functional Servicing Report (“FSR”) to address water, wastewater and stormwater servicing scheme for the development must be updated to the satisfaction of the DE Department. In addition, the Holding Symbol “(H)” will be placed on Lot 27 until the abutting 101 m<sup>2</sup> of land is obtained from the Region to create a buildable lot. The Holding Symbol “(H)” will not be removed until the following conditions are satisfied:

- a) The proposed water, wastewater and stormwater servicing scheme for the development of the Subject Lands, as detailed in a Functional Servicing Report, shall be to the satisfaction of the Development Engineering Department; and
- b) The consolidation of Lot 27 with the abutting 101 m<sup>2</sup> of the York Region Well lands to the south when the lands are obtained from York Region to create a buildable lot.

A condition to this effect is included in the Recommendations of this report and the Conditions of Approval in Attachment #1a).

***The Development Planning Department has no objection to the approval of the Draft Plan, subject to the Conditions of Approval***

Subdivision Design

The proposed Draft Plan of Subdivision shown on Attachment #4, includes an east and a west section which are not connected. The east section includes three lots with

detached dwellings fronting on Whisper Lane. The location of these lots will terminate Whisper Lane as originally planned in Registered Plan 65M-2920. The west section includes 45 lots for detached dwellings with access to Nashville Road via Ranchview Street and proposed Streets “A” and “B” as shown on Attachment #4.

The proposed land uses for the Draft Plan includes 48 detached dwelling units on lots with frontages between 11.6 m to 24.8 m, a 0.26 ha linear park, red-line revised to be a buffer, a 15 m wide (0.43 ha) berm and to the retention of two existing dwellings on lots fronting onto Nashville Road, as shown on Attachment #4.

The Owner has advised that 101 m<sup>2</sup> of land is to be acquired from the York Region Well lands as shown on Attachment #4, and will be consolidated with Lot 27. Lot 27 will be developed with the abutting York Region lands to the south when the lands are obtained. A condition to this effect is included in Attachment #1a) of this report.

All development within the Draft Plan of Subdivision is required to proceed in accordance with the Vaughan Council approved Block 61 West Nashville Heights Architectural Design Guidelines and the approved Block 61 West Nashville Heights Landscape Master Plan. A condition to this effect is included in Attachment #1a) of this report.

The Development Planning Department is satisfied with the proposed Draft Plan design, subject to the comments in this report, and the Conditions of Approval outlined in Attachment #1a) of this report.

#### Kleinburg-Nashville Heritage Conservation District Plan

The current portion of the Subject Lands that are zoned “RR Rural Residential Zone”, are located within the Kleinburg-Nashville Heritage Conservation District (“KNHCD”) Plan, as shown on Attachment #4 and are designated under Part V of the *Ontario Heritage Act*. (“OHA”). Therefore, all planning applications, demolitions and new constructions must be consistent with the KNHCD Plan.

The Owner has advised that 737 and 739 Nashville Road, which are developed with existing detached dwellings (Attachment #4), may be severed from the Draft Plan. Should there be any severance of these lands from the Draft Plan the existing boundary of the KNHCD Plan will not change. The retained lands (the front portions of 737 and 739 Nashville Road) will continue to be designated under Part V of the OHA. By-law 183-2003 that designates the KNHCD Plan Area cannot be amended through any applications under the *Planning Act*.

737 and 739 Nashville Road are not identified as contributing properties within the KNHCD Plan. The KNHCD Plan is divided into distinct areas and these properties are located within the “Residential Villages” area. As such, those policies within the KNHCD Plan will apply. Lots 1 to 7 inclusive, notwithstanding that only part of Lots 4 to 7, are located in KNHCD Plan Area will also require Heritage Vaughan Committee Review and

Council approval. For the Subject Lands that are outside the KNHCD Plan Heritage Vaughan Committee Review is not required.

Policy 10.1.2.23 of VOP 2010 requires any new detached dwelling on lands located within the KNHCD to be subject to Site Development Approval. However, if the lands are proceeding through the Plan of Subdivision process and comply with the approved Kleinburg-Nashville Heritage Conservation District Guidelines, Site Development Approval is not required. Prior to final approval of the Draft Plan or any phase thereof, the Owner shall submit a Heritage Permit application for the proposed demolition and new construction on Lots 1 to 7 inclusive, which are located within the boundary of the KNHCD. The Heritage Permit shall be reviewed by the Heritage Vaughan Committee and requires approval by City of Vaughan Council. A condition to this effect is included in Attachment #1a). Heritage Vaughan approval shall be required as part of the Building Permit.

The Kleinburg Railway Station which was built in 1907, to replace the original 1870 Railway Station, was previously located south of Lot 1 within Block 53. In 1976, the Railway Station was relocated to the Kleinburg Core at 10415 Islington Avenue (north portion of the Kleinburg Public School site). The Railway Station played an important role in the development of the Nashville community as it supported commercial enterprises as mills, a lumber yard and a hotel. As such to recognize the importance of the Railway Station, the Cultural Heritage Resource Impact Assessment prepared by the Owner recommends commemorating the Railway Station with place naming and an interpretative plaque near the original location of the Railway Station south of Lot 1. A condition to this effect is included in Attachment #1a).

The Development Planning Department, has no objection to the Draft Plan, subject to the conditions in the Recommendations section in this report and the Conditions of Approval outlined in Attachment #1a) of this report.

### Archaeology

The Development Planning Department, Urban Design and Cultural Heritage Division has reviewed the Stages 1 and 2 Archaeological Assessment, Stage 3 Archaeological Assessment and the Preliminary Stage 4 Excavation Report the Line Site and require the corresponding letters from the Ministry of Tourism, Culture and Sport that the Assessments meets the Ministry's guidelines. The Development Planning Department, Urban Design and Cultural Heritage Division has no objection to the Draft Plan, subject to the conditions in this report and the Conditions of Approval outlined in Attachment #1a) of this report.

### Developer's Group Agreement

The participating landowners in Block 61 must execute a Developer's Group Agreement regarding the provision of servicing infrastructure, roads for the parks and open spaces. The Owner is a member of the Block 61 Developers' Group and shall be required to

satisfy all obligations, financial and otherwise, to the satisfaction of the Block 61 Trustee and the City of Vaughan. A condition to this effect is included in Attachment #1a).

***The Policy Planning and Environmental Sustainability Department has no objection to the approval of the Draft Plan, subject to the Conditions of Approval***

The Policy Planning and Environmental Sustainability Department, has advised that there are no natural heritage features on the Subject Lands and therefore, have no further concerns respecting these applications. However, all applications regardless of their location are required to abide by the *Endangered Species Act (2007)* regulated by the Ministry of Natural Resources and Forestry (“MNRF”). The Owner is required to complete an information request form and submit it to the MNRF for confirmation of any potential Species at Risk on the Subject Lands. A condition to this effect is included in Attachment #1a).

A condition of approval included in Attachment #1a) to this report requires the Tree Inventory and Preservation Plan Report to be updated to the satisfaction of the City and which shall include:

- a) The value of the tree replacements using the Urban Design Tree Replacement Valuation must be quantified;
- b) Reference to the appropriate documents in the summary letter in the Landscape Master Plan Linear Park (Sheet MP); and
- c) Street tree plantings should not be included in this Urban Design Tree Replacement Valuation calculation. Identify the trees being planted for tracking purposes including species and size.

The Policy Planning and Environmental Sustainability Department, has no objection to the Draft Plan, subject to the conditions in this report and the Conditions of Approval included in Attachment #1a) of this report.

***The Development Engineering Department has no objection to Draft Plan, subject to Conditions of Approval***

a) General Comments

The Development Engineering (“DE”) Department has reviewed the Draft Plan and provides the following comments:

The Owner shall address the DE Department’s requirements. The Draft has been redlined to reflect the following items:

- i) Outline and label the sidewalk locations and projected driveway positions to the curb for each lot. The driveways shall have minimum 1 m separation to the adjacent lot’s driveway; and

ii) Identify all the blocks required to facilitate the Whisper Lane cul-de-sac under the ultimate condition.

b) Water Servicing

The Draft Plan is proposed to be serviced by connecting the existing watermain on Nashville Road through the future "Street "A" (Ranchview Street), to facilitate a water connection within Pressure District 6 ("PD-6") and Pressure District Kleinburg-Nashville Road ("PD-KN"). The water service will be terminated within the Subject Lands to a proposed fire hydrant on Street "C". The DE Department is satisfied that the Draft Plan can be adequately supplied with water service, subject to the comments in the report and conditions in Attachment #1a).

c) Sanitary Servicing

The Subject Lands are located within Block 61 East. The Kleinburg Water and Wastewater Master Plan ("WWMP") identifies the Subject Lands as being tributary to the Kleinburg Wastewater Treatment Plant via the Stevenson Road Pumping Station.

The Owner has submitted a Functional Servicing Report that explores an alternative servicing scheme for the Subject Lands that directs the sanitary flow westerly to the Block 61 West Draft Plan of Subdivision File 19T-17V007 (Nashville (Barons) Developments Inc. and Nashville (10 Acres) Developments Inc.), west the CP rail corridor, through a proposed pipe to be installed under the railway tracks. The Block 61 West sanitary network was not designed to accommodate the additional flows from the Subject Lands. Additional analysis is required to determine if sufficient residual capacity is available in this sewer system to accommodate the servicing of the Subject Lands.

If the alternative servicing scheme is acceptable to the City, the Owner will still be required to contribute its proportional financial contribution to the infrastructure identified in the WWMP that has been designed and constructed to accommodate the Subject Lands, such as the Stevenson Road Pumping Station.

In addition, the current sanitary design illustrates that Lots 49 and 50 fronting on to Nashville Road, and Lots 29, 30 and 31 fronting on to Whisper Lane are to be serviced by a proposed sanitary sewer within the Draft Plan via easements between Lots 2 and 3, and Lots 23 and 24, respectively. This servicing proposal presents maintenance and operational challenges to the City and therefore requires further review. As such, DE is recommending that the Holding Symbol "(H)" be placed on the zoning of the Subject Lands, which can be lifted once the Owner provides a sanitary servicing design for the Plan to the satisfaction of the City. Conditions to this effect are included in the Recommendations and conditions in Attachment #1a) of this report.

d) Storm Servicing

The current stormwater management ("SWM") design proposes to discharge flow towards an existing conveyance ditch within the CP railway right-of-way by storm

sewers under the roadway, underground storage chambers under the proposed railway grading berm, and over land ditches that are to be constructed adjacent the railway berm. The DE Department is satisfied that the Subject Lands can be serviced to adequately accommodate stormwater discharge, but not in its current design, as the proposed measures do not conform to City Standards, including the use of underground chambers within blocks to be conveyed to the City lands and not directing flow to a SWM facility. As such, the Owner shall address the comments in the report and conditions in Attachment #1 a) to facilitate the acceptance of the SWM design, to the satisfaction of the City.

The use of underground Stormtech Chambers (“STC”) for the detention of stormwater adjacent to the proposed road right-of-way within Berm Block 53 does not conform to City standards for this Draft Plan, as this block is to eventually be assumed, owned and maintained by the City. The City Standard necessitates that SWM flows for this Draft Plan be guided directly to a SWM facility. The Subject Lands have three nearby SWM ponds available to service the Draft Plan’s stormwater flow as follows:

- i) The existing SWM pond servicing the Burbidge subdivision located east of the Subject Lands has been designed to accommodate a portion of the storm drainage originating from the Draft Plan, conveyed through the existing storm sewer infrastructure on Whisper Lane; and
- ii) The two SWM ponds servicing the Nashville Heights subdivision located within Block 61 West can be ultimately designed and constructed to accommodate the SWM flow from the Draft Plan. The City notes that draft plan conditions supplied for Draft Plan of Subdivision File 19T-17V007 requires expansion of the existing temporary SWM ponds in Block 61 West to accommodate its storm discharge. The DE Department advises the Owner to explore opportunities to facilitate the storm flows from the Draft Plan to the Block 61 West SWM ponds, as these ponds have not yet been constructed in their final condition. Opportunities to facilitate shared sewer easement corridor with the proposed sanitary sewer under the CP railway right-of-way should also be investigated.

If residual flow remains after discharging flows to SWM facilities, the use of underground storm storage infrastructure may be permitted, if the type of storage is a concrete box or pipe and not a proprietary facility. The infrastructure should be removed from under the grading berm and shifted within the future road right-of-way for ease of maintenance access.

e) Storm Drainage

The water balance calculations demonstrate that with the proposed mitigation measures including roof leader disconnects to lawns, soil amendment, and rear yard infiltration trenches (Lots 21 to 26, 30 to 35, and 41 to 45), pre-development infiltration volumes can be achieved, which is a requirement for the Wellhead Protection Area (“WHPA”). The DE Department defers to the TRCA to comment on the infiltration volume to

achieve the WHPA requirement. The Owner is required to indicate the location of all proposed infiltration trenches within the residential lots.

At the detailed design stage, the supporting detailed documentation/test results and/or calculations demonstrating that the soils are conducive to infiltration techniques, and that the location and infiltration measures are sized appropriately such that predevelopment annual infiltration volumes are achieved shall be required.

The November 2016 Geotechnical Report states that the soils (engineered fill) in the area of the proposed berm will need to be compacted to ensure the structural integrity of the proposed berm. As per the Grading and Servicing Plan drawing, the proposed underground STC are proposed to be located in this area. Thus, infiltration from the STC may not be practical. If this is still the case, the Owner must advise how the required compacted soil will impact the proposed quantity control measures. The FSR must be updated to address the functionality, design and or location of the STC as necessary.

The Grading and Servicing Drawing illustrates the proposed infrastructure within the Subject Lands including the storm sewer network and proposed underground storage chambers. The major and minor drainage system are also illustrated on this drawing. Although further details for this infrastructure can be provided at the detailed/subdivision design stage, it is not clear how 100% of runoff from the Subject Lands will be conveyed and treated by the oil grit separators (“OGS”) and infiltration galleries.

f) Grading Design, and Erosion and Sediment Control

An evaluation of the grading design and erosion and sediment control measures will be conducted when the detailed drawings are submitted for the City’s review. The following shall be noted with regards to this design:

- i) A variety of erosion control best management practice manuals are available, however the Erosion and Sediment Control Guidelines for Urban Construction (“ESCG”) (December 2006) was created as a consolidated document that best suits jurisdictions within the Greater Golden Horseshoe Area Conservation Authorities for common usage in land development, construction and water management. Erosion and sediment control mitigation measures are to be implemented during construction to minimize silt laden runoff discharge from the Subject Lands in accordance with the ESCG.
- ii) The design of the sidewalk should be investigated to facilitate access through the Block 52.

The Hydrogeological Investigation identified that the quality of filtered and unfiltered groundwater samples taken within the Subject Lands to exceed York Region Storm Sewer Guideline (“YRSSG”) parameters. Therefore, it is noted that if groundwater is encountered and collected within infiltration trenches, that the resulting discharge will require quality control mitigation measures before discharge to municipal sewers. The

Hydrogeological Investigation will require updating to detail the impacts to the proposed infiltration trenches.

g) Noise

The Owner shall satisfy all requirements with respect to noise attenuation and ensure all recommendations are implemented in accordance with the Environmental Noise Assessment prepared by Valcoustics Canada Ltd. (March 5, 2018), including warning clauses respecting the noise generated road or rail traffic. Conditions to this effect are included in Attachment #1a) to this report.

h) Environmental Site Assessment (“ESA”)

The submitted Environmental Site Assessment (“ESA”) documentation has been reviewed and is acceptable to the City. The Owner shall be required to undertake an additional limited Phase Two ESA investigation on park land and open space lands that are to be conveyed to the City. The details of the requirements shall be included in the future Subdivision Agreement, should the Applications be approved.

i) Transportation

Access to the Subject Lands is from the future Ranchview Street connection to Nashville Road to the north, with an emergency access to Nashville Road proposed through the redlined Buffer Block 52. The DE Department is satisfied that the Subject Lands can be adequately accommodated with road access, subject to the comments in the report and conditions in Attachment #1.

The transportation requirements must be addresses and therefore, the Draft Plan of Subdivision has been redlined to:

- i) Outline and label the sidewalk locations and projected driveway positions to the curb for each lot. The driveways shall have minimum 1 m separation to the adjacent lot’s driveway;
- ii) Identify the all blocks required to facilitate the Whisper Lane cul-de-sac under the ultimate condition;
- iii) Provide a minimum of 20 m tangential segment (straight line) in all directions as per City Standard Drawing C-5 for the Street “A” and Street “B” Road intersection;
- iv) Provide the cul-de-sac details for Street “C” and Whisper Lane in accordance with City Standard Drawing C-3;
- v) Provide a pedestrian sidewalk (at least one side) on all City roads. All City streets should meet City Standard Drawing B-12;
- vi) Show pedestrian sidewalk and connectivity on the Plan;
- vii) Provide for any street intersecting with an arterial road/Regional road a minimum 23 m wide right-of-way for a distance of 60 m from the York Region road; and
- viii) Provide details/designs for Ranchview Street and Nashville Road intersection to meet City Standards Drawing D-5, which require the Region’s approval.

The DE Department has no objections to the Draft Plan, subject to their Conditions of Approval outlined in Attachment #1a) of this report.

***Servicing Allocation is available for the Draft Plan***

On February 21, 2018, 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.

Accordingly, servicing capacity to Draft Plan 19T-17V008 is available and unrestricted. Therefore, the following resolution to allocate capacity to the subject development may be recommended for Council approval:

“THAT Draft Plan of Subdivision File 19T-17V008 be reserved servicing capacity for a total of 50 residential units (200 persons equivalent). This reservation shall automatically be revoked after a period of twelve months in the event that the Draft Plan of Subdivision has not proceeded to registration.”

A Holding Symbol “(H)” and No Pre-sale Agreement conditions are included for the Draft Plan. These conditions shall apply to the Draft Plan until the ultimate servicing scheme is decided and the Draft Plan has been allocated servicing capacity by Council resolution, to the satisfaction of the City of Vaughan.

The Infrastructure Planning and Corporate Asset Management Department has no objections to the Draft Plan subject to condition in the Recommendations of this report and in Attachment #1a).

***The Fire and Rescue Service Department has no objection to the Draft Plan, subject to Conditions of Approval***

The Fire and rescue Services Department has no objection to the Draft Plan. The Fire and Rescue Services Department has advised that fire hydrants (municipal or private) are required to be installed in accordance with the Ontario Building Code, and the fire hydrants shall be unobstructed and ready for use at all times. In addition, access roadways shall be maintained and suitable for large heavy vehicles, and temporary municipal addresses must be posted and visible for responding emergency vehicles in a manner satisfactory to the City. A condition to this effect is included in Attachment #1a) of this report.

***The Office of the City Solicitor, Real Estate Department has no objection to the Draft Plan, subject to Conditions of Approval***

The Office of the City Solicitor, Real Estate Department has advised that prior to final approval of the Draft Plan, the Owner shall enter into a Developers' Group Agreement with the other participating landowners within Block 61 West to the satisfaction of the City. The agreement shall include, but not be limited to, all cost sharing for the provision

of parks, cash-in-lieu of parkland, road and municipal services within Block 61 West. This agreement shall also provide a provision for additional developers to participate in 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 conform to the City's Cash-in-Lieu of Parkland Policy. A condition to this effect is included in the Recommendations of this report and in the conditions set out in Attachment #1a).

***The Parks Development Department has no objection to the approval of the Draft Plan, subject to Conditions of Approval***

The Parks Development Department have reviewed the Draft Plan Subdivision and the revised Community Services and Facilities Impact Study, dated February 2018. The Parks Development Department have advised that Block 52 identified as a 0.26 ha linear park shall not be considered creditable parkland for the purposes of meeting parkland dedication requirements given the that the size and configuration of Block 52 render it nonprogrammable. The Parks Development Department requires that the Draft Plan be redlined to refer to Block 52 as a "Buffer" instead of a "Linear Park". A condition to this effect is included in the Recommendations section of this report and in Attachment #1a) and the Draft Plan has been redlined to reflect this change as shown on Attachment #4.

The Parks Development Department supports the Draft Plan of a multi-use recreational trail/path within Blocks 52 and 53 (15 m Berm) as demonstrated in the Landscape Master Plans. The Owner shall agree to prepare the trail plans and details to the satisfaction of the City. A condition to this effect is included in Attachment #1a).

To meet parkland dedication requirements under the *Planning Act*, VOP 2010 (Policy 7.3.3 Parkland Dedication) and By-Law 139-90, as amended by By-law 205-2012, parkland dedication and/or cash-in-lieu of parkland shall be provided. A parkland dedication chart shall be provided showing sufficient information to demonstrate parkland dedication calculations to the City's satisfaction. A condition to this effect is included in the Recommendations section of this report and in Attachment #1a).

***The Financial Planning and Development Finance Department has no objection to the Draft Plan, subject to Conditions of Approval***

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 Development Charges. The Owner shall pay to the City the applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and the York Catholic District School Board. A condition to this effect is included in Attachment #1a) of this report.

***The Toronto and Region Conservation Authority have provided Conditions of Approval***

The Toronto and Region Conservation Authority (“TRCA”) have included their conditions for the Draft Plan included as Attachment #1c) of this report.

***Alectra Utilities Corporation has no objection to the Draft Plan, subject to Conditions of Approval***

Alectra Utilities Corporation has no objection to the approval of the Draft Plan, subject to their Conditions of Approval in Attachment #1d) of this report.

***Enbridge Gas Distribution Inc. has no objection to the Draft Plan, subject to Conditions of Approval***

Enbridge Gas Distribution Inc. has no objection to the development applications subject to the conditions included in Attachment #1e) of this report.

***The School Boards have no objection to the Draft Plan***

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 regarding the Draft Plan of Subdivision.

***Metrolinx has no objection to the Draft Plan***

Metrolinx has indicated they have deferred to the Canadian Pacific Railway (“CP”) to provide comments given that the Subject Lands do not contain any future GO Station sites. CP owns the adjacent corridor, thus making CP the primary rail commenting agency. Metrolinx has advised that they have no objection to the Draft Plan and have no conditions regarding the proposed Draft Plan.

***Canadian Pacific Railway (“CP”) has no objection to the Draft Plan, subject to Conditions of Approval***

Canadian Pacific Railway has indicated that a minimum 30 m building setback from the railway right-of-way be included as a condition of draft approval. This will ensure the safety and comfort of adjacent residents and mitigate any potential environmental factors. This setback requirement has been provided in the Draft Plan and will be included in the implementing Zoning By-law, should the subject applications be approved. CP’s Conditions of Approval are included in Attachment #1f) of this report.

## ***Canada Post has no objection to the approval of the Draft Plan, subject to Conditions of Approval***

Canada Post has no objection to the Draft Plan, subject to the Owner installing mail box facilities and equipment to the satisfaction of Canada Post. Conditions to this effect are included in Attachment #1g) of this report

## **Financial Impact**

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

## **Broader Regional Impacts/Considerations**

York Region has reviewed the proposed Draft Plan and has advised that the Subject Lands are partially located within the boundaries for Wellhead Protection Areas A, B and Q, the Highly Vulnerable Aquifer (“HVA”) and the Significant Groundwater Recharge Area (“SGRA”) under the *Clean Water Act, 2006*. The Subject Lands, which are located within the Wellhead Protection Area, must adhere to the Wellhead Protection Policies outlined in the York Region Official Plan (“YROP 2010”) and prior to final approval, the Owner shall conduct and submit a Source Water Impact and Assessment Mitigation Plan, to the satisfaction of the Region, to identify and address any potential water quality and water quantity threats to the municipal groundwater supplies.

York Region advised that the Traffic Impact Study must be revised to address matters including requirements for turning lanes at the proposed intersection of Nashville Road and Ranchview Street and the appropriate locations for sidewalk connections. The Traffic Impact Study must also be revised to be consistent with York Region’s Mobility Plan Guidelines for Development Applications.

York Region has no objection to the approval of the Draft Plan, subject to their Conditions of Approval in Attachment #1b) of this report.

## **Conclusion**

The Development Planning Department has reviewed Zoning By-law Amendment File Z.17.024 and Draft Plan of Subdivision File 19T-17V008, which if approved, would facilitate the development of the Subject Lands with 48 lots for detached dwelling. The Draft Plan would also maintain two existing dwelling units currently located within the Kleinburg-Nashville Heritage Conservation District Plan. The proposed rezoning and Draft Plan is consistent with the policies in the PPS, conforms to the Growth Plan, York Region Official Plan and Vaughan Official Plan 2010.

The Development Planning Department is satisfied that the proposed redlined Draft Plan, shown on Attachment #4, and the proposed zoning and site-specific exceptions identified in Table 1 of this report will result in a residential development that is appropriate and compatible with the existing and permitted uses in the surrounding area. The Development Planning Department can support the approval of the Zoning By-law Amendment and the Draft Plan of Subdivision applications, subject to the

Recommendations in this report, and the Conditions of Approval set out in Attachment #1.

**For more information**, please contact: Judy Jeffers, Planner, Development Planning Department extension 8645.

### **Attachments**

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Subdivision File 19T-17V008 (Red-line Revised) and Proposed Zoning
5. Original - Draft Plan of Subdivision and Proposed Zoning

### **Prepared by**

Judy Jeffers, Planner, ext. 8645

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Mauro Peverini, Director of Development Planning, extension 8407

/LG

**ATTACHMENT NO. 1**

**CONDITIONS OF PRE-APPROVAL AND APPROVAL**

**DRAFT PLAN OF SUBDIVISION FILE 19T-17V008 (“THE PLAN”)  
NASHVILLE (BARONS) DEVELOPMENTS INC.  
PART OF LOT 25, CONCESSION 9, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN (THE “CITY”)  
THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF  
PLAN OF SUBDIVISION FILE 19T-17V008 (THE “PLAN”), ARE AS FOLLOWS:**

The Owner shall satisfy the following Conditions of Pre-Approval and Approval:

1. The Conditions of Pre-Approval and 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 January 26, 2018.
3. The Conditions of Approval of the Toronto and Region Conservation Authority as set out on Attachment No. 1c) and dated April 4, 2018.
4. The Conditions of Approval of Alectra Utilities Corporation as set out on Attachment No. 1d) and dated October 18, 2017.
5. The Conditions of Approval of Enbridge Gas Distribution Inc. as set out on Attachment No. 1e) and dated October 13, 2017.
6. The Conditions of Approval of Canadian Pacific Railway as set out on Attachment No. 1f) and dated November 9, 2017.
7. The Conditions of Approval of Canada Post as set out on Attachment No. 1g) and dated November 27, 2017.

**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 1), 1a), 1b), 1c),

1d), 1e), 1f) and 1g) 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 the Conditions on Attachment No. 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 No. 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 No. 1c) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
5. Alectra Utilities shall advise that the Conditions on Attachment No. 1d) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
6. Enbridge Gas Distribution Inc. shall advise that the Conditions on Attachment No. 1e) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
7. Canadian Pacific Railway shall advise that the Conditions on Attachment No. 1f) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
8. Canada Post shall advise that the Conditions on Attachment No. 1g) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.

**ATTACHMENT NO. 1 a)**

**PRE-CONDITIONS AND CONDITIONS OF DRAFT PLAN APPROVAL**

**DRAFT PLAN OF SUBDIVISION FILE 19T-17V008 (“THE PLAN”)  
NASHVILLE (BARONS) DEVELOPMENTS INC.  
PART OF LOT 25, CONCESSION 9, CITY OF VAUGHAN (“THE CITY”)**

**PRE-CONDITIONS OF APPROVAL**

1. Prior to final approval, the Owner shall enter into an agreement with the City of Vaughan, which agreement shall be registered on title, committing the Owner to:
  - A. Not enter into any agreements of purchase and sale with end users (\*) for the Plan until such time as:
    - a. the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure; and
    - b. The Council of the City of Vaughan has allocated adequate available water supply and sewage servicing capacity to the Plan.
2. Prior to final approval, the Owner shall enter into an indemnity agreement with York Region, which agreement shall be registered on title, agreeing to save harmless York Region from any claim or action as a result of York Region releasing conditions of draft approval as part of the draft approval of Plan of Subdivision File 19T-17V008 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 home Owner who is purchasing an individual lot containing a dwelling for the purpose of occupancy.

**CONDITONS OF APPROVAL**

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by Malone Given Parsons Ltd., Project No. 17-2595, dated July 7, 2017 (revised February 9, 2018) and red-lined revised as of June 5, 2018, as follows:
  - a) Revise Block 52 to be referred as a “Buffer” instead of a “Linear Park”;

- b) Outline and label the sidewalk locations and projected driveway positions to the curb for each lot. The driveways shall have minimum 1.0 m separation to the adjacent lot's driveway;
  - c) Identify the all blocks required to facilitate the Whisper Lane cul-de-sac under the ultimate condition;
  - d) Provide a minimum of 20 m tangential segment (straight line) in all directions as per City Standard Drawing C-5.for the Street "A" and Street "B" Road intersection;
  - e) Provide the cul-de-sac details for Street "C" and Whisper Lane in accordance with City Standard Drawing C-3;
  - f) Provide a pedestrian sidewalk (at least one side) must be provided on all City roads. All City streets should meet City Standard Drawing B-12;
  - g) Show pedestrian sidewalk and connectivity on the Plan;
  - h) Provide for any street intersecting with an arterial road/Regional road a minimum 23 m wide right-of-way for a distance of 60 m from the Regional road; and
  - i) Provide details/designs for Ranchview Street and Nashville Road intersection to meet City Standards Drawing D-5, which require the Region's approval.
2. The lands within this Plan shall be appropriately zoned by a Zoning By-law which has come into effect in accordance with the provisions of the *Planning Act*.
  3. The lands within this Plan shall be zoned with the Holding Symbol "(H)" which shall not be removed until the conditions to permit the removal of the Holding Symbol "(H)" are addressed as follows:
    - a) The proposed water, wastewater and stormwater servicing scheme for the development of the Subject Lands, as detailed in a Functional Servicing Report, shall be to the satisfaction of the Development Engineering Department; and
    - b) The consolidation of Lot 27 with the abutting 101 m<sup>2</sup> of the York Region Well lands to the south when the lands are obtained from York Region to create a buildable lot.
  4. The Owner shall pay any and all outstanding application fees to the Development Planning Department, in accordance with the in-effect Tariff of Fees By-law.

5. The Owner shall enter into a Subdivision Agreement with the City to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payment of development levies, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
6. Prior to final approval of the Plan, the Owner shall enter into a Developer's Group Agreement with other participating landowners within Block 61 to the satisfaction of the City. The agreement shall be regarding but not limited to all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services within Block 61. This agreement shall also provide a provision for additional developers to participate with the Developer's Group Agreement when they wish to develop their lands.

The Owner acknowledges that parkland shall be dedicated and/or cash-in-lieu of parkland paid in accordance with Section 42 of the *Planning Act* and conform to the City's "Cash-in-Lieu of Parkland Policy".

7. Prior to final approval of the Plan, the Trustee for Block 61 shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 61 Developers' Group Agreement.
8. The Owner shall agree in the Subdivision Agreement to pay its financial contribution and/or front-end financing of all applicable external municipal infrastructure such as road improvements (Nashville Road, Whisper Lane), watermains, sewers, sidewalks, etc., that are necessary to service the Plan to the satisfaction of the City.
9. 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 permanently built or proposed, that have been designed and oversized by others to accommodate the development of the Plan.
10. The Owner shall agree in the Subdivision Agreement to pay its proportional financial contribution and/or front-end the construction of the Nashville Road sanitary sewer as outlined within the Kleinburg Water and Wastewater Master Plan ("WWMP"), Project No. WW-08. The cost of works outlined within the Kleinburg WWWP will be used to establish the Owner's proportion contribution to the local improvement project ultimately valued at \$1,842,280.
11. The Owner shall agree in the Subdivision Agreement to pay its proportional financial contribution of the Stevenson Road Pumping Station and associated sanitary forcemain works as the Plan is identified as lands external to the Molise Kleinburg Estates Subdivision Plan 19T-06V14 ("Molise Lands") that is tributary to the sanitary network improvements. The pumping station was oversized

through the Molise Lands and the cost of works outlined within Schedule "M1" of the subdivision agreement for the Molise Lands.

12. The existing Lots 49 and 50 fronting onto Nashville Road and proposed Lots 29, 30 and 31 fronting onto Whisper Lane shall be subject to the Holding Symbol "(H)". These lots are located in an existing area, fronting existing City and Regional roads and the proposed sanitary servicing strategy is to conform to the Kleinburg WWP. The Holding Symbol "(H)" is to only be lifted once the Owner provides a sanitary sewer design that complies with City and/or Regional standards, including the Kleinburg WWP. The Owner shall obtain confirmation from Regional Transportation and Services Department and the City that the sanitary sewers are designed within their respective standard with available conveyance capacity and allocation.
13. All proposed watercourse-roadway crossings/culverts shall be constructed in conjunction with each corresponding development. The timing for construction of these works shall be to the satisfaction of the City.
14. Prior to final approval of the Plan, the Owner shall obtain confirmation from the City and York Region that adequate water supply and sewage treatment capacity are available and have been allocated to accommodate the Plan.
15. The road allowances within this Plan shall be named to the satisfaction of the City and York Region. Proposed street names shall be submitted by the Owner for approval by Vaughan Council and shall be included on the first engineering drawings.
16. The Plan cannot be developed until adequate access and municipal services are available to service the Plan or demonstrated that alternative arrangements have been made for their completion to the satisfaction of the City.
17. The Owner shall agree in the Subdivision Agreement that no Building Permit(s) 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 Plan.
18. 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.
19. 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.

20. The Owner shall agree in the Subdivision Agreement that no Building Permit(s) shall be issued until the Owner has provided proof that a restriction has been registered that prevents the transfer of the lot and/or block without the consent of the City where such transfer is to be restricted by any other provision of the Subdivision Agreement.
21. 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.
22. Prior to final approval of the Plan, the Owner shall provide easements as may be required for utility, drainage or construction purposes, which shall be granted to the appropriate authority(ies), free of all charges and encumbrances.
23. 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 the transfer of the land.
24. The Owner shall agree in the Subdivision Agreement that construction access shall be provided only in a location approved by the City and/or York Region.
25. 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.
26. The Owner shall agree in the Subdivision Agreement that no Building Permit(s) shall be issued for any lots and/or blocks until the Owner's consulting engineer certifies, to the satisfaction of the City, that the lot grading complies with the City of Vaughan lot grading criteria and the driveway(s) as shown on the Plan submitted for the construction of the building(s) on the subject lots and/or blocks conform in terms of location and geometry (i.e. width, etc.) with the approved or amended and subsequently approved Construction Drawings.
27. Notwithstanding the provisions generally included within the Subdivision Agreement, the City may issue model home Building Permit(s) provided that the land is zoned to the satisfaction of the City and the relevant conditions of the Subdivision Agreement are fulfilled.
28. Where the Owner proposes to proceed with the construction of a model home(s) prior to registration of the Plan, the Owner shall enter into an agreement with the City, setting out the conditions, and shall fulfill relevant conditions of that agreement prior to issuance of a Building Permit(s).

29. The Owner shall agree that all lots or blocks to be left vacant shall be graded, seeded, fenced with temporary fencing maintained and signed to the satisfaction of the City to prohibit dumping and trespassing.
30. Prior to the 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.
31. Prior to the initiation of the grading or stripping of top soil and final approval, the Owner shall submit a top soil storage plan detailing the location, size, slopes stabilization methods and time period, for approval by the City. Top soil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either the park/trail, open space and/or buffer block(s).
32. 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 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 of Site Condition ("RSC") filed on the Environmental Site Registry including the acknowledgement letter from the MOECC, covering all 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.
33. Prior to final approval of the Plan, 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 of the report including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.
34. Prior to final approval of the Plan, the Functional Servicing Report addressing water and sanitary servicing infrastructure requirements and stormwater management measures, and the availability of water and sanitary servicing capacity for the Plan shall be approved to the satisfaction of the Development Engineering Department.
35. The Owner shall agree in the Subdivision Agreement to pay a onetime payment to the City for the incremental cost for future maintenance and monitoring of the non-standard stormwater management underground detention tank and oil/grit separator located within lands to be dedicated to the City.
36. 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 a detailed engineering report(s) that describes the storm drainage system for the proposed the Plan, which shall include:
- a) plans illustrating how this drainage system will tie into the 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 and major flows; and
  - d) proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction.

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

37. Prior to final approval of the Plan and/or commencement of construction within the Plan, the Owner shall submit the revised calculations and figures for the Block 61 West Master Environmental Servicing Plan (“MESP”) to address the proposed sanitary and storm outflow contribution to the Block 61 West sewer networks. These revisions figures must be prepared to determine potential impacts to the Plan and corresponding infrastructure, to the satisfaction of the City.
38. Prior to final approval of the Plan and/or commencement of construction within the Plan, the Owner shall refine and update the downstream sanitary and storm (if applicable) sewer design sheets and related drawings to demonstrate that the subject lands can be adequately serviced within the Block 61 West sewer system, and conform to the City’s comments on the sewer design. The sanitary sewer analysis shall be completed using the City and York-Durham Sewage System (“YDSS”) standards as these lands are proposed to connect through the Barons West sanitary sewer network.
39. Prior to final approval of the Plan and/or commencement of construction within the Plan, the Owner shall submit a detailed hydrogeological impact study that identifies, if there are any, local wells that may be influenced by construction and if necessary, outline a monitoring program to be undertaken before, during and after construction of the Plan.
40. The Owner shall agree in the Subdivision Agreement to decommission any existing wells and driveways on the Plan in accordance with all applicable provincial legislation and guidelines and to the satisfaction of the City.
41. 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 as 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.
42. Prior to final approval of the Plan, a Water Supply Analysis Report shall be submitted to the satisfaction of the City, which shall include a comprehensive water network analysis of the water distribution system and shall demonstrate that adequate water supply for the fire flow demands is available for the Plan and

each phase thereof. The analysis shall include, but not be limited to, conducting a hydrant flow test in accordance to the recommendations set forth within the Functional Servicing Report. The Owner shall loop the watermain to facilitate a continuous flow of water throughout the system and to ensure water quality within the watermains servicing the Draft Plan.

43. The Owner shall agree to provide the following for the purpose of fire safety and firefighting operations:
  - a) hydrants for firefighting, municipal or private, as identified in the plans and Ontario Building Code requirements to be installed;
  - b) hydrants shall be unobstructed and ready for use at all times;
  - c) access roadways shall be maintained and suitable for large heavy vehicles; and
  - d) temporary municipal address to be posted and visible for responding emergency vehicles satisfactory to the City.
44. The road allowances included within the Plan shall be dedicated as public highways without monetary consideration and free of all encumbrances.
45. 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 m 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.
46. Any dead end or open side of a road allowance created by this Plan shall be terminated in 0.3 m 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.
47. Prior to final approval of the Plan, and/or commencement of construction within the Plan, the Owner shall update the Traffic Impact Assessment to provide the Nashville Road and Ranchview Street/Street "A" intersection design criteria respecting lane width/configuration, curb radii, turning lanes storage and taper length and a sight line analysis for the intersection, along with any required mitigation measures to the satisfaction of the City.
48. Prior to final approval of the Plan, the Owner shall ensure all necessary approvals to facilitate the road intersection of Ranchview Street - Street "A" and Nashville Road in accordance with the Traffic Impact Study (TIS), to the satisfaction of the City. The TIS is to analyze operation of the existing intersection and this intersection is subject to approval by the Region of York.

49. The Owner shall agree in the Subdivision Agreement to pay for all Dedication By-Law(s) for Whisper Lane to dedicate all necessary lands for the existing cul-de-sac treatment to remain. The Owner shall also agree in the Subdivision Agreement to rebuild and construct the cul-de-sac in its ultimate condition and align the proposed driveways fronting onto Whisper Lane to the satisfaction of the City.
50. Prior to final approval of the Plan, the Owner shall retain the services of a qualified Transportation Consultant to provide an updated transportation report/plan outlining the required York Region and City road improvements. The report/plan submitted to the City and York Region for review and approval, shall demonstrate that adequate road capacity is available for the proposed development, and shall explain all transportation issues and recommend mitigative measures for these issues. An updated transportation report shall include a traffic management/roadway detour plan for the proposed roadway improvements. The Owner shall agree in the Subdivision Agreement to implement the recommendations of the updated transportation report/plan and traffic management master plan to the satisfaction of the City.
51. Prior to final approval of the Plan, the Owner shall retain the services of a qualified Transportation Consultant to evaluate, oversee and finalize the intersections design/roadway network as per the recommendations in the Traffic Management Master Plan/Updated Transportation Report, to the satisfaction of the City. The Owner acknowledges that the engineering design for alternative road network/design, traffic calming measures, pedestrian and cycling infrastructure and designated transit route(s) may result in variation(s) to the road and lotting pattern.
52. Prior to final approval of the Plan, the Owner shall prepare a comprehensive Traffic Management Plan ("TMP") based on an updated traffic study, The TMP shall include the details of the future traffic signal locations, traffic calming measures, future transit routes, pedestrian network, traffic controls, park/school treatment, phasing, etc. that reflects the latest road network to the satisfaction of the City.
53. Prior to final approval of the Plan, the Owner shall carry out or cause to be carried out, the design and construction of the traffic calming/management measures that are identified on the TMP. In the event that these traffic calming measures are found to be insufficient and/or ineffective by the City prior to the assumption of the municipal services on the Plan, then the Owner shall design and construct additional traffic calming measures to the satisfaction of the City.

54. Prior to final approval of the Plan, the Owner shall agree that any additional lands required for public highway purposes, where daylight triangles do not conform to the City Standard Design Criteria, will be conveyed to the City, free of all costs and encumbrances.
55. Prior to final approval of the Plan, the Owner shall provide drawings for the location and design of proposed bicycle parking at transit stops, school campuses, commercial sites, and other destinations within the Plan such as retail/entertainment, to the satisfaction of the Development Engineering Department.
56. The Owner shall agree in the Subdivision Agreement to provide information on sustainable transportation, via various media, to all purchasers and/or tenants within the Plan, including pedestrian, cycling facilities, transit routes, roundabouts, and carpooling and park-and-ride facilities (if applicable) to the satisfaction of the Development Engineering Department.
57. Prior to final approval of the Plan, the Owner shall submit an environmental noise and/or vibration report to the City for review and approval. The preparation of the noise/vibration report shall include the ultimate traffic volumes associated with the surrounding road network and railway according to the Ministry of Environment Guidelines. The Owner shall convey any required buffer block(s) for acoustic barrier purposes, free of all costs and encumbrances, to the satisfaction of the City. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations set out in the approved noise/vibration report to the satisfaction of the City.
58. The Owner shall agree in the Subdivision Agreement to design, purchase material and install a street lighting system in the Plan in accordance with City standards and specifications. The Plan shall be provided with decorative street lighting to the satisfaction of the City.
59. Prior to final approval of the Plan, the Owner shall obtain, all necessary approvals/permits from the Canadian Pacific Railway ("CP") as new infrastructure is proposed and grading alterations will be undertaken adjacent to the CP corridor.
60. Prior to final approval of the Plan, the Owner shall complete an information request form and submit it to the regulated by the Ministry of Natural Resources and Forestry ("MNR") for confirmation of any potential Species at Risk in accordance with the *Endangered Species Act (2007)* to the satisfaction of the City.
61. The Owner is required to contact the City's Environmental Services Department at least 72 hours prior to connecting to and/or disconnecting from any existing municipal water services to ensure that City staff is present on site to observe the

works and to provide any additional requirements to the City's satisfaction.

62. Prior to the initiation of any grading/ soil disturbance on the Plan, an Archaeological Resource Assessment of the entire area within the Plan 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.
63. The Owner shall agree to notify both the Ministry of Tourism, Culture and Sport and the City of Vaughan's Development Planning Department, Urban Design and Cultural Heritage Division immediately in the event that:
  - a) archaeological resources are found on the property during grading or construction activities, to which the Owner must cease all grading or construction activities; and
  - b) where human remains are encountered during grading or construction activities, the proponent must cease all grading or construction activities. The proponent shall contact York Region Police, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.
64. Prior to final approval of the Plan or any phase thereof, the Owner shall submit a Heritage Permit application for the proposed demolition and/or new construction on Lots 1 to 7 inclusive, which are located within the boundary of the Kleinburg-Nashville Heritage Conservation District. The Heritage Permit shall be reviewed by the Heritage Vaughan Committee and requires approval by City of Vaughan Council.
65. Prior to final approval of the Plan or any phase thereof, the Owner shall submit a commemoration plan for the Kleinburg Railway Station through place-naming and an interpretative plaque near the station's original location to the satisfaction of the City.
66. For park/trail/open space block(s) and/or buffer block(s) that is to be conveyed to the City, prior to final approval of the Plan, and/or conveyance, and/or release of applicable portion of 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/buffer block(s) in the Plan for contaminants of concern to the satisfaction of the City. On-site sampling of park/open space/buffer block(s) shall be conducted only after the City has certified the rough grading of the park/trail/open space/buffer 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/buffer block(s) within the Plan be required to meet applicable standards set out in the Ministry of 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 Act Plan (RAP) and a complete copy of the satisfactory registration of the Record of Site Condition (RSC) filed on the Environmental Site Registry including the acknowledge letter from MOECC, covering the remediated park/open space/buffer 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/buffer 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 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.
67. Prior to final approval of the Plan, to meet dedication requirements under the Planning Act, VOP 2010 (Section 7.3.3 Parkland Dedication) and By-Law 139-90, as amended by 205-2012, parkland dedication and/or cash-in-lieu of parkland shall be provided. A parkland dedication chart shall be provided showing sufficient information to demonstrate parkland dedication calculations to the City’s satisfaction. The parkland dedication chart shall be used for valuating, determining and identifying the total amount of final payment representing the cash-in-lieu of parkland dedication to the City based on developable lands of the individual Owner’s lands.
68. Prior to final approval of the plan, the Owner shall design and agree to construct all multiuse recreational trails, at a maximum width of 3 meters, in accordance with the approved Landscape Master Plan, the City standards, and to the satisfaction of and at no cost to the City.

69. Prior to final approval of the Plan, the Owner shall provide a complete inventory and analysis of existing vegetation (to be completed by a Certified Arborist) for all existing trees within and adjacent to the proposed work area within a multi-use recreational trails to the satisfaction of the City, for the Forestry and Horticulture, Transportation Services, Parks Operations and Forestry Department to review and to advise of the tree compensation value and the appropriate securities in the form of a Letter of Credit shall be required.
70. Prior to final approval of the Plan, the Owner shall design and agree to construct all multi-use recreational trails/paths in accordance with approved Landscape Master Plan, Streetscape and Urban Design Guidelines, and Traffic Management Master Plan and to the satisfaction of and at no cost to the City.
71. The Owner shall agree in the Subdivision Agreement to complete the construction of the multi-use recreational trails/paths to coincide with streetscape works to the satisfaction of the City.
72. The Owner shall agree to convey into public ownership lands within which the multi-use recreational trail shall be located and constructed.
73. Prior to draft Plan 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, proposed methods of tree preservation, and trees to be removed. In addition, the study shall quantify the value of the tree replacements using the Urban Design Tree Replacement Valuation. The Owner shall not remove trees without written approval by the City.
74. Prior to final approval of the Plan, the Owner shall complete an information request form and submit it to the regulated by the Ministry of Natural resources and Forestry ("MNR") for confirmation of any Species at Risk in accordance with the *Endangered Species Act* (2007) to the satisfaction of the City.
75. Prior to the landscape plan review by the Urban Design and Cultural Heritage Division, a fee shall be paid by the Owner to the Development Planning Department in accordance with the in-effect Council approved Tariff of Fees By-law for Vaughan Planning Applications - Landscape Plan Review.

This fee will include staff's review and approval of proposed streetscaping/landscaping within the development (including but not limited to urban design guidelines, landscape master plan, architectural design guidelines, perfect submission landscape architectural drawings, stormwater management pond planting plans, and natural feature edge restoration/management plans) and inspections for tree removals permit clearance, start of guaranteed maintenance period, and assumption of the development by the City.

76. Prior to final approval, the Owner shall agree in the Subdivision Agreement that all development shall proceed in accordance with the Vaughan Council approved Block 61 West Nashville Heights Architectural Design Guidelines prepared by John G. Williams Limited, Architect. The Owner shall agree that:
- a) the guidelines shall be updated to include an addendum for this area of development;
  - b) a control architect be retained at the cost of the Owner with concurrence of the City to ensure compliance with the approved architectural design guidelines;
  - c) prior to the submission of individual Building Permit applications, the control architect shall have stamped and signed the drawings certifying compliance with the approved architectural guidelines; and
  - d) the City may undertake periodic reviews to ensure compliance with the architectural guidelines. Should inadequate enforcement be evident, the City may cease to accept drawings stamped by the control architect and retain another control architect, at the expense of the Owner.
77. Prior to final approval, the Owner shall agree in the Subdivision Agreement that all development shall proceed in accordance with the approved Block 61 West Nashville Heights Landscape Master Plan prepared by NAK Design Strategies, including but not be limited to the following issues shall agree that:
- a) the master plan shall be updated to include an addendum for this area of development;
  - b) co-ordination of the urban design/streetscape elements including lot fabric, built form, fencing treatments, street tree planting and park lands;
  - c) sustainability design practices/guidelines;
  - d) the plan shall address the appropriate landscape treatment with a multi-use pedestrian trail for the Canadian Pacific Railway (“CP”) noise berm block;
  - e) the plan shall address the appropriate landscaping for the CP noise berm with low-maintenance plant material; and
  - f) the plan shall address the pedestrian urban connections between streets, built forms, and park lands.
78. The Owner shall agree in the Subdivision Agreement to warranty the landscape vegetation screen on the CP railway landscape buffer on Block 53 for a period of five (5) years following the date of assumption of the Plan.

79. The Owner shall agree in the Subdivision Agreement to erect an appropriate fence barrier along the limits of residential Lot 1 that abuts Buffer Block 52, as red-lined, to the satisfaction of the City.
80. The Owner shall agree in the Subdivision Agreement to erect an appropriate fence barrier along the limits of the existing residential lands to the north that abut Buffer Block 52, as red-lined, to the satisfaction of the City.
81. The Owner shall agree in the Subdivision Agreement to erect an appropriate fence barrier along the limits of Block 53 that abut the Canadian Pacific Railway lands, to the satisfaction of the City.
82. The Owner shall agree in the Subdivision Agreement to erect permanent wood fence treatments for flanking residential lots and blocks; to be co-ordinated with the environmental noise report and architectural control design guidelines.
83. The Owner shall convey the Buffer Block 52, as red-lined, and CP Berm Block 53 to the City free of all cost and encumbrances
84. 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.
85. 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.
86. Prior to final approval of the Plan, the Owner shall permit any telephone or telecommunications service provider to locate its plant in a common trench within the proposed Plan of Subdivision prior to release of the Plan for registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its plant so as to permit connection to individual dwelling units within the subdivision as and when each dwelling unit is constructed.
87. Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of Alectra Utilities (formerly PowerStream Inc.), its successors and assigns, regarding the design, installation, connection and/or expansion of electric distribution services, or any other related matters; the Owner shall enter into a development agreement with PowerStream Inc. which addresses the foregoing requirements.

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 Alectra Utilities and the City.

88. The Owner shall include the following warning clauses as a schedule in all Offers of Purchase and Sale, or Lease for all lots/blocks within the entire Plan:

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

The City has NOT imposed an amount for 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 a residential dwelling."

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

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

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

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

- i. The maximum width of a driveway shall be 6.0 metres measured at the street curb, provided circular driveways shall have a maximum combined width of 9.0 metres measured at the street curb.
- ii. Driveways in either front or exterior side yards shall be constructed in accordance with the following requirements:

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

<sup>1</sup> The 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.

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

- e) “Purchasers and/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 information plan provided by the Owner in its sales office.”
- f) “Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including those from road or rail traffic, and construction activities, may be of concern and occasionally interfere with some activities of the dwelling occupants.”
- g) “Purchasers and/or tenants are advised that fencing and/or noise attenuation features along the lot lines of lots and blocks abutting public lands, including public highways, walkways or other similar public spaces, 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.”

- h) “Purchasers and/or tenants are advised that the City has taken a Letter of Credit from the Owner as a 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 deposits from the purchaser and/ or tenant to the City and/or Owner, for fencing, is NOT a requirement of this Subdivision Agreement.”
- i) “Purchasers and/or tenants are advised that fencing along the lot lines of lots and blocks abutting public lands is a requirement of this Subdivision Agreement and that all required fencing, noise attenuation features and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3m reserve, as shown on the Construction Drawings.

The City has taken a Letter of Credit from the Owner as a 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 deposits 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 features 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 features or fencing shall be the sole responsibility of the lot owner. Landscaping provided on Regional Road rights-of-way by the Owner or the City for aesthetic purposes shall be approved by York Region and maintained by the City with the exception of usual grass maintenance.”

- j) “Purchasers and/or tenants are advised that this Plan is designed to include rear lot catchbasins. The rear lot catchbasin is designed to receive and carry only clean stormwater. It is the homeowner’s responsibility to maintain the rear lot catchbasin in proper working condition by ensuring that the grate is kept clear of ice, leaves and other debris that would prevent stormwater from entering the catchbasin. The rear lot catchbasins are shown on the Construction Drawings and the location is subject to change without notice.”
- k) “Purchasers and/or tenants are advised that the Owner 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 recycling containers, therefore, direct cash deposits from the purchasers and/or tenants to the Owner for recycling container purposes is NOT a requirement of the City of Vaughan. The intent of this initiative is to encourage the purchasers and/or tenants to participate in the City’s waste diversion programs and

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

Any additional warning clause as noted in the Subdivision Agreement shall be included in all Offers of Purchase and Sale or Lease for all lots and/or blocks within the Plan to the satisfaction of the City.

89. The Owner shall include the following warning clauses as a schedule in all Offers of Purchase and Sale, or Lease within the Plan:
- a) abutting or in proximity of any open space, vista, buffer, woodlot or stormwater facility:
    - “Purchasers and/or tenants are advised that the adjacent open space, vista, buffer, woodlot or stormwater facility may be left in a naturally vegetated condition and receive minimal maintenance.”
  - b) abutting or in proximity of any park, multi-use recreational trail/path, open space, vista, buffer, walkway or school block:
    - “Purchasers and/or tenants are advised that the abutting park, multi-use recreational trail/path, open space, vista, buffer or walkway may be a concern due to the noise and lighting generated by the active recreation nature of the site.”
    - “Purchasers and/or tenants are advised that the City may construct a trail in the future together with satisfactory security and safety arrangements, and that noise should be expected from the active use of the trail.”
  - c) streets:
    - “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 for municipalities. The Province of Ontario has been promoting the use of these guidelines which provide for reduced pavement widths.”
    - “Purchasers are advised that traffic calming measures may have been incorporated into the road allowances.”
    - “Purchasers and/or tenants are advised that the collector and primary roads within the Plan are expected to support more traffic than local

roads and, if demand warrants, transit routes in the future.”

- “Purchasers and/or tenants are advised that internal streets may be subject to public transit bus traffic.”

d) encroachment and/or dumping:

- “Purchasers and/or tenants are advised that any encroachments and/or dumping from the lot/block to the park/trail, open space, vista, buffer, woodlot or stormwater management facility are prohibited.”

e) gate of access point:

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

f) infiltration trench:

- “Purchasers and/or tenants are advised that their rear yard lot area has been designed to incorporate an infiltration trench or soak-away pit system to achieve groundwater balance. It is the responsibility of the homeowner to maintain the infiltration trench or soak-away pit systems in good operating condition, which may include periodic cleaning of the rear yard catch basin. No planting activity or structures are permitted on the infiltration trenches and soak-away pits.”

g) Major Mackenzie Drive:

- “Purchasers and/or tenants are advised that Major Mackenzie Drive is being realigned and reconstructed from Huntington Road to Highway 27.”

h) Highway 427:

- “Purchasers and/or tenants are advised that the Ministry of Transportation obtained approval for the 427 Transportation Corridor Environmental Assessment from Highway 7 to Major Mackenzie Drive in November 2010 and a preliminary design has been recently completed. The future extension of Highway 427 may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise attenuation measures in the design of the development and individual dwelling(s).”
- “Purchasers and/or tenants are advised that Huntington Road improvements and realignment opposite the terminus point of the future

Highway 427 northbound off-ramp at Major Mackenzie Drive may be required in the future to facilitate the realignment of Huntington Road in an easterly direction to intersect with Major Mackenzie Drive opposite the future Highway 427 northbound off-ramp terminus.”

- “Purchasers are advised that Huntington Road is proposed to be terminated at Major Mackenzie Drive in accordance with the approved Highway 427 Transportation Corridor Environmental Assessment.”

i) Canadian Pacific Railway:

- “Purchasers and/or tenants are advised that where Canadian Pacific Railway (“CP”) company, or its assigns or successors in interest, has a right-of-way within 300 m from the subject lands, and there may be future alterations or expansions to the rail facilities or operations which may affect the living environment of the residents in the vicinity, notwithstanding any noise and vibration attenuating measures included in the development and individual dwelling(s); CP will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.”
- “Purchasers and/or tenants are advised that despite the inclusion of a landscape vegetation screen along the CP railway safety berm adjacent to Street “C”, railway traffic will be visible. A screen wall will not be erected on the CP railway berm adjacent to Street “C”. The landscape vegetation screen has been designed with a combination of mature deciduous and coniferous plant material intended to partially screen the view of passing trains. Despite the vegetative screen, portions of passing trains will still be visible to residents in the abutting neighbourhood. This landscape vegetation screen is not intended to mitigate railway noise in public outdoor areas within the residential neighbourhood. Noise mitigation features for dwelling units and the associated dwelling unit outdoor living areas have been implemented on the individual affected Lots and Blocks within the Plan of Subdivision in order to achieve sound levels within the limits recommended by the Ministry of the Environment.”

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

91. 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(s) 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 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, buffer blocks, stormwater management facilities and trails;
- the location of institutional uses, including schools, places of worship, and community facilities;
- the location and type of commercial sites;
- colour-coded residential for singles, semis, multiples, and apartment units; and
- the following notes in BOLD CAPITAL TYPE on the map:

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

# ATTACHMENT NO. 1b)



Corporate Services  
File No.: 19T-17V08  
Regional File No.: SUBP.17.V.0034  
Refer To: Justin Wong

January 26, 2018

Mr. Mauro Peverini  
Director of Development Planning  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

Attention: Judy Jeffers, M.C.I.P., R.P.P.

**Re: Draft Plan of Subdivision 19T-17V08 (SUBP.17.V.0034)  
737 & 739 Nashville Road  
Part of Lot 25, Concession 9  
(Nashville Developments (Barons) Inc.)  
City of Vaughan**

York Region has now completed its review of the above noted draft plan of subdivision prepared by Malone Given Parsons Ltd., Project No. 17-2595, dated July 7, 2017. The proposed development is located on lands municipally known as 737 & 739 Nashville Road, east of Huntington Road and on the south side of Nashville Road, in the City of Vaughan. The draft plan of subdivision will facilitate the development of 29 single detached units, 37 townhouse units and blocks for parks, a berm, reserves and streets, within a 4.25 ha site.

## **Transportation**

Regional Transportation and Infrastructure Planning staff have reviewed the Traffic Impact Study (TIS), prepared by Poulos & Chung, dated June 2017. Staff advises that the TIS shall be revised to be consistent with York Region's Mobility Plan Guidelines for Development Applications (November 2016). It should be noted that there was no consultation with Regional staff on the proposed scope of work. As such, this TIS is incomplete and shall be revised to be consistent with the Transportation Mobility Plan Guidelines and to address the following comments:

- a) The development proposes a new full move access (public road) onto Nashville Road. However, the TIS does not include any analysis to determine the requirements for turning lanes at the proposed intersection. The TIS shall assess and identify the turn lane requirements for both Nashville Road and the proposed street to accommodate for future site generated traffic. In addition, the development also proposes a connection to the Whisper Lane. A similar analysis shall be carried out to determine and identify the need for a westbound left turn lane for the Islington Avenue and Whisper Lane intersection.

- b) The TIS proposes a sidewalk on Street “A” connecting to the existing Whisper Lane right-of-way, however, Whisper Lane currently has no sidewalks. As such, consultation with the City of Vaughan is required to determine the appropriate locations for sidewalk connections.

## **Water Resources**

Regional Water Resources staff advises that the subject property is partially located within the boundaries for Wellhead Protection Area A (WHPA-A), and Wellhead Protection Area B (WHPA-B) with Vulnerability Scores of 10 and 8, Wellhead Protection Area Q (WHPA-Q), Highly Vulnerable Aquifer (HVA) and partially within the boundaries for a Significant Groundwater Recharge Area (SGRA) under the *Clean Water Act, 2006*. Technical comments relating to the Contaminant Management Plan (CMP), Source Water Impact Assessment and Mitigation Plan (SWIAMP), Low Impact Development (LID) measures and best practices, are attached hereto.

## **Sanitary Sewage and Water Supply**

Residential development requires servicing capacity allocation prior to final approval. If the City of Vaughan does not grant this development allocation from the existing capacity assignments to date, the development may require additional Regional infrastructure based on conditions of future capacity assignment, which may include:

- West Vaughan Sewage Servicing: Humber Pumping Station Expansion (completion 2025)
- Other projects as may be identified in future 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

Based on our review of the Functional Servicing Report (FSR) submitted, it is our understanding that the wastewater is connecting to the City of Vaughan’s infrastructure by way of a CP Railway crossing and the water servicing is connecting directly to the Region’s 750mm diameter watermain on Nashville Road and the Region’s 600mm diameter Watermain in the Whisper Lane right-of-way. Regional staff advises that Figure 4.2 of the FSR incorrectly shows the watermain on Nashville Road to have a diameter of 600mm.

The two proposed direct connections to the Regional watermains require Regional approval prior to construction. The following documentation is required to support the proposal to connect to Regional infrastructure:

- a) Engineering drawings showing details of the connection(s) with the ownership/jurisdiction clearly identified on the drawings;
- b) Disinfection Plan;
- c) Flushing and sampling program; and
- d) MOECC Form 1 – Record of Watermains Authorized as a Future Alteration

The Owner is further advised that York Region requires two (2) weeks advanced notice prior to the works related to connection to the Regional infrastructure. The Region reserves the right to

# ATTACHMENT NO. 1b)

19T-17V08 (SUBP.17.V.0034)  
(Nashville Developments (Barons) Inc.)

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inspect the site during the works. The Region's operator is required to be on site during the tapping/connection and disinfection works.

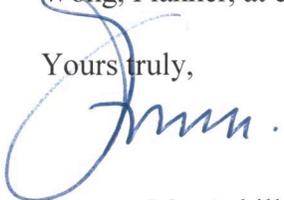
Should there be any change in the proposed servicing scheme, the Owner shall forward the revised plan to the Region for review and record.

## **Summary**

York Region has no objection to draft plan approval of the plan of subdivision subject to the attached Schedule of Conditions. We request a copy of the notice of decision, draft approved plan, and the conditions of draft approval should the plan be approved.

Should you have any questions regarding the above or the attached conditions please contact Justin Wong, Planner, at extension 71577 or through electronic mail at [justin.wong@york.ca](mailto:justin.wong@york.ca).

Yours truly,



Duncan MacAskill, M.C.I.P., R.P.P.  
Manager, Development Planning

JW/

Attachments (5)      Schedule of Conditions  
Water Resources Memorandum dated November 6, 2017  
Water Resources – Wellhead Protection Area (Figure 1a)  
Water Resources – Wellhead Protection Area (Figure 1b)  
Water Resources – Vulnerability Score (Figure 2)

YORK-#8088108-v1-19T-17V08\_-\_Regional\_Condition\_Letter

**Schedule of Conditions**  
**19T-17V08 (SUBP.17.V.0034)**  
**737 & 739 Nashville Road**  
**Part of Lot 25, Concession 9**  
**(Nashville Developments (Barons) Inc.)**  
**City of Vaughan**

Re: Malone Given Parsons Ltd., Project No. 17-2595, dated July 7, 2017

**Conditions to be Included in the Subdivision Agreement**

1. 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.
2. The Owner shall agree in wording satisfactory to Development Engineering, to implement the noise attenuation features as recommended by the noise study and to the satisfaction of Development Engineering.
3. The Owner shall agree in wording satisfactory to Development Engineering, 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.
4. The following warning clause shall be included in 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."
5. Where noise attenuation features will abut a York Region right-of-way, the Owner shall agree in wording satisfactory to York Region's Development Engineering, 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-way shall not be the responsibility of York Region
6. The Owner shall agree in wording satisfactory to Development Engineering, 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.

7. The Owner shall agree in wording satisfactory to Development Engineering that the Owner will be responsible 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.

### **Conditions to be Satisfied Prior to Final Approval**

8. The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the City of Vaughan and York Region.
9. 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.
10. The Owner shall provide an electronic set of the final engineering drawings showing the watermains and sewers for the proposed development to the Community Planning and Development Services Division and the Infrastructure Asset Management Branch for record.
11. The Owner shall conduct and submit a Source Water Impact and Assessment Mitigation Plan (SWIAMP), to the satisfaction of the Region, to identify and address any potential water quality and water quantity threats to the municipal groundwater supplies. The SWIAMP shall be prepared by a qualified professional, to the satisfaction of the Water Resources Branch. The SWIAMP must follow the York Region document Guidance for Proposed Developments in Wellhead Protection Areas in York Region (October 2014).
12. The Owner shall have prepared, by a qualified professional transportation consultant, a revised Transportation Mobility Plan Study that is consistent with the Region's Transportation Mobility Plan Guidelines (November 2016) to the satisfaction of the Region. The revised Traffic Impact Study (TIS) shall address all transportation related comments, as detailed in the comments section above, pertaining to the TIS prepared by Poulos & Chung dated June 2017.
13. The Owner shall agree to provide direct pedestrian and cycling connections to the boundary roadways and adjacent developments, as well as facilities on the site to promote the usage of non-auto travel modes. The Owner shall provide drawings showing the pedestrian and cycling connections and facilities.
14. Concurrent with the submission of the subdivision servicing application (MOE) to the area municipality, the Owner shall provide a set of engineering drawings, for any works to be

constructed on or adjacent to the York Region road, to Development Engineering, Attention: Manager, Development Engineering, that includes the following drawings:

- a) Plan and Profile for the York Region road and intersections;
  - b) Grading and Servicing;
  - c) Intersection/Road Improvements, including the recommendations of the Traffic Report;
  - d) Construction Access Design;
  - e) Utility and underground services Location Plans;
  - f) Signalization and Illumination Designs;
  - g) Line Painting;
  - h) Traffic Control/Management Plans;
  - i) Erosion and Siltation Control Plans;
  - j) Landscaping Plans, including tree preservation, relocation and removals;
  - k) Requirements of York Region Transit/Viva.
15. The Owner shall submit a detailed Development Charge Credit Application to York Region, if applicable, to claim any works proposed within the York Region right-of-way. Only those works located in their ultimate location based on the next planning upgrade for this right-of-way will be considered eligible for credit, and any work done prior to submission without prior approval will not be eligible for credit.
16. 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 Development Engineering, Attention: Mrs. Eva Pulnicki, P.Eng.
17. The location and design of the construction access for the subdivision work shall be completed to the satisfaction of Development Engineering and illustrated on the Engineering Drawings.
18. The Owner shall demonstrate, to the satisfaction of Development Engineering, that all existing driveway(s) along the Regional road frontage of this subdivision will be removed as part of the subdivision work, at no cost to York Region.
19. The Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of Development Engineering recommending noise attenuation features.
20. 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 Nashville Road of sufficient width to provide a minimum of 18 metres from the centreline of construction of Nashville Road, and

# ATTACHMENT NO. 1b)

- b) 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 Nashville Road and adjacent to the above noted widening(s).
21. 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.
22. The Region requires the Owner submit a Phase One Environmental Site Assessment ("ESA") in general accordance with the requirements of the Environmental Protection Act and O. Reg. 153/04 Records of Site Condition, as amended ("O. Reg. 153/04"). The Phase One ESA must be for the Owner's property that is the subject of the application and include the lands to be conveyed to the Region (the "Conveyance Lands"). The Phase One ESA cannot be more than two (2) years old at: (a) the date of submission to the Region; and (b) the date title to the Conveyance Lands is transferred to the Region. If the originally submitted Phase One ESA is or would be more than two (2) years old at the actual date title of the Conveyance Lands is transferred to the Region, the Phase One ESA will need to be either updated or a new Phase One ESA submitted by the Owner. Any update or new Phase One ESA must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. The Region, at its discretion, may require further study, investigation, assessment, delineation and preparation of reports to determine whether any action is required regardless of the findings or conclusions of the submitted Phase One ESA. The further study, investigation, assessment, delineation and subsequent reports or documentation must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. Reliance on the Phase One ESA and any subsequent reports or documentation must be provided to the Region in the Region's standard format and/or contain terms and conditions satisfactory to the Region.

The Region requires a certified written statement from the Owner that, as of the date title to the Conveyance Lands is transferred to the Region: (i) there are no contaminants of concern, within the meaning of O. Reg. 153/04, which are present at, in, on, or under the property, or emanating or migrating from the property to the Conveyance Lands at levels that exceed the MOECC full depth site condition standards applicable to the property; (ii) no 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, in, on or under the Conveyance Lands; and (iii) there are no underground or aboveground tanks, related piping, equipment and appurtenances located at, in, on or under the Conveyance Lands.

The Owner shall be responsible for all costs associated with the preparation and delivery of the Phase One ESA, any subsequent environmental work, reports or other documentation, reliance and the Owner's certified written statement.

23. The Owner shall demonstrate, to the satisfaction of Development Engineering, 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

## ATTACHMENT NO. 1b)

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.

24. The Owner shall agree to advise all potential purchasers of the existing and future introduction of transit services in this development. This includes current and potential transit routes, on-demand services, bus stops and shelter locations. This shall be achieved through distribution of information/marketing materials (YRT/Viva route maps, future plan maps & providing YRT/Viva website contact information) at sales offices and appropriate notification clauses in purchase agreements. The Owner/consultant is to contact YRT/Viva Contact Centre (tel. 1-866-668-3978) for route maps and the future plan maps. Future YRT/Viva transit services are planned to operate on Nashville Road.
25. The Owner shall submit engineering plans for York Region's approval that identify on the plans the Transit requirements.
26. The Owner shall provide a copy of the Subdivision Agreement to the Regional Corporate Services Department, outlining all requirements of the Corporate Services Department.
27. 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 in accordance with Regional Development Charges By-law in effect at the time that Regional development charges, or any part thereof, are payable.
28. The Regional Corporate Services Department shall advise that Conditions 1 to 27 inclusive, have been satisfied.

**MEMORANDUM**

TO: Justin Wong, Planner, CS  
Vick Bilkhu, Development Review Coordinator, CS

FROM: David Berg, Source Protection Project Assistant, Water Resources  
Angelika Masotti, Source Protection Program Coordinator, Water Resources

DATE: November 6, 2017

RE: **Comments on Draft Plan of Subdivision application 19T-17V08**  
737 and 739 Nashville Road  
City of Vaughan  
(Nashville (Barons) Development Inc.)

---

York Region is pleased to provide the following comments on the Draft Plan of Subdivision

*Comments for Draft Plan of Subdivision application are provided below.*

application noted above for the lands located at 737 and 739 Nashville Road in the City of Vaughan. The Draft Plan of Subdivision application is to permit the construction of 66 units comprised of 29 detached dwellings, 7 blocks for 37 street townhouse dwelling units, parks and a linear park, and to retain two existing houses fronting onto Nashville Road. It is Water Resources understanding that the development will be municipally serviced.

The site is within the boundaries for Wellhead Protection Area A (WHPA-A), and Wellhead Protection Area B (WHPA-B) with Vulnerability Scores of 10, and 8, Wellhead Protection Area Q (WHPA-Q), Highly Vulnerable Aquifer (HVA) and Partially within the boundaries for a Significant Groundwater Recharge Area (SGRA) under the *Clean Water Act, 2006*.

The following documentation, related to the subject lands was provided to the Water Resources Group for review:

- NASR Circulation Memo dated October 24, 2017
- Draft Plan of Subdivision prepared by Malone Given Parsons LTD. Dated July 7, 2017
- Source Water Impact Assessment and Mitigation Plan (SWIAMP) Nashville Heights Development Part of Lot 24 Concession 9 Vaughan, Ontario File No. 1-16-0168-46 prepared by Terraprobe, dated May 3, 2017

Water Resources staff has reviewed the documentation listed above and based on the proposal does not have any concerns, subject to the following conditions and comments, with the Draft

Plan of Subdivision application as it relates to Source Protection policy. Should the proposal change and/or the application be amended Water Resources will require recirculation for comment and/or approval.

### **Summary of Conditions for Draft Plan of Subdivision application:**

Development proposed on the subject property within the Wellhead Protection Area must adhere to the Wellhead Protection Policies outlined in the York Region Official Plan (ROP, 2010) and Regional Official Plan Amendment 5 (ROPA 5, 2013).

1. Prior to Draft Plan of Subdivision approval, the Owner shall conduct and submit a Source Water Impact and Assessment Mitigation Plan (SWIAMP), to the satisfaction of the Region, to identify and address any potential water quality and water quantity threats to the municipal groundwater supplies. The SWIAMP shall be prepared by a qualified professional, to the satisfaction of Regional Environmental Services staff in the Water Resources group. The SWIAMP must follow the York Region document Guidance for Proposed Developments in Wellhead Protection Areas in York Region (October 2014). A SWIAMP is required for any of the activities listed below if they will occur on the site for the storage or manufacture of:
  - a) petroleum-based fuels and or solvents;
  - b) pesticides, herbicides, fungicides or fertilizers;
  - c) construction equipment;
  - d) inorganic chemicals;
  - e) road salt and contaminants as identified by the Province;
  - f) the generation and storage of hazardous waste or liquid industrial waste, and a waste disposal sites and facilities;
  - g) organic soil conditioning sites and the storage and application of agricultural and non-agricultural source organic materials; and,
  - h) snow storage and disposal facilities.

Water Resources has received a SWIAMP (Source Water Impact Assessment and Mitigation Plan (SWIAMP) Nashville Developments Vaughan, Ontario, File No. 1-16-0168-46, prepared by Terraprobe, dated May 3, 2017) that covers this application that was approved May 2017. Water Resources requires confirmation that the SWIAMP is still valid and no updates are required for this portion of the overall development.

### **Summary of Comments for Draft Plan of Subdivision application:**

2. Dense Non-Aqueous Phase Liquids (DNAPLs) are prohibited within WHPA-A/B under the Clean Water Act as they are considered significant drinking water threats.
3. Should the proposed development include bulk fuel or bulk chemicals within the HVA, a Contaminant Management Plan (CMP) will be required prior to Draft Plan of Subdivision approval, for Water Resources review and approval.

4. The owner is to be advised that Low Impact Development (LID) measures are encouraged to be applied to the site. As per York Region Official Plan policy 2.3.37, developments should maximize infiltration through integrated treatment approach techniques to minimize stormwater volume and contaminant loads. This should include, but not be limited to, techniques such as rainwater harvesting, phosphorus reduction, constructed wetlands, bioretention swales, green roofs, permeable surfaces, clean water collection systems, and the preservation and enhancement of native vegetation cover. The use of the following resource is encouraged: Low Impact Development Stormwater Management Planning and Design Guide and is available using the following link: <http://www.creditvalleyca.ca/low-impact-development/low-impact-development-support/stormwater-management-lid-guidance-documents/low-impact-development-stormwater-management-planning-and-design-guide/>
5. Should significant dewatering be required, a dewatering plan shall be prepared by a qualified person and submitted by the proponent to the Region for approval prior to excavation. If there will be water discharging to the Regional storm or sanitary sewer, it is recommended that the proponent consult with Regional Sewer use by-law group and obtain a dewatering discharge permit as necessary. Please contact the Sewer Use By-law group at [SewerUsebylaw@york.ca](mailto:SewerUsebylaw@york.ca) or 1-877-464-9675.
6. As the site is within a wellhead protection area, Water Resources does encourage the use of best management practices during construction and post construction with respect to the handling and storage of chemicals (such as used oil, degreasers and salt) on site. It is strongly recommended that Risk Management Measures are put in place with respect to chemical use and storage including spill kits, secondary containment, a spill response plan and training.
7. With respect to the use of salt on the property, Water Resources recommends the use of a contractor who is certified by Smart About Salt, and use of best management practices identified in the TAC Synthesis of Best Management Practices for Salt and Snow are followed: <http://tac-atc.ca/en/bookstore-and-resources/free-resources-and-tools/syntheses-practice>

If you have any questions or comments, please contact Angelika Masotti, Source Protection Program Coordinator at extension 75128.

AM/db

Figure 1: 737 & 739 Nashville Road, Vaughan

Production Well

Subject Site

Oak Ridges Moraine

**Wellhead Protection Areas**

WHPA-A

WHPA-B

WHPA-C

WHPA-C1

WHPA-D

0 30 60 Meters



Produced by: Water Resources  
Environmental Promotion & Protection  
Environmental Services  
© The Regional Municipality of York, October, 2017  
eDOCS: 7938397



Figure 1b: 737 & 739 Nashville Road, Vaughan

Production Well

Subject Site

Oak Ridges Moraine

**Wellhead Protection Areas**

WHPA-A

WHPA-B

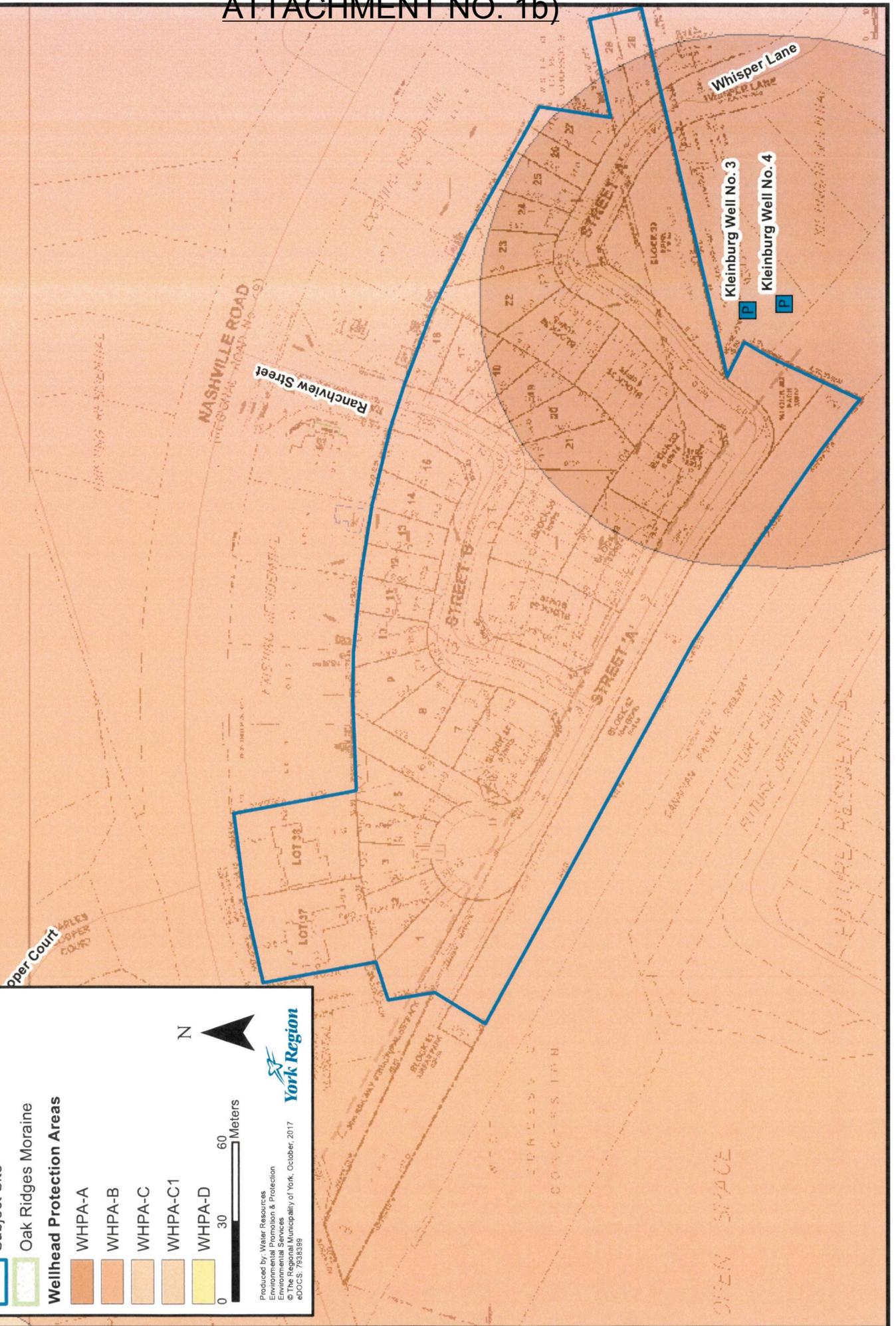
WHPA-C

WHPA-C1

WHPA-D



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Environmental Promotion & Protection  
Environmental Services  
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eDOCS: 7938399



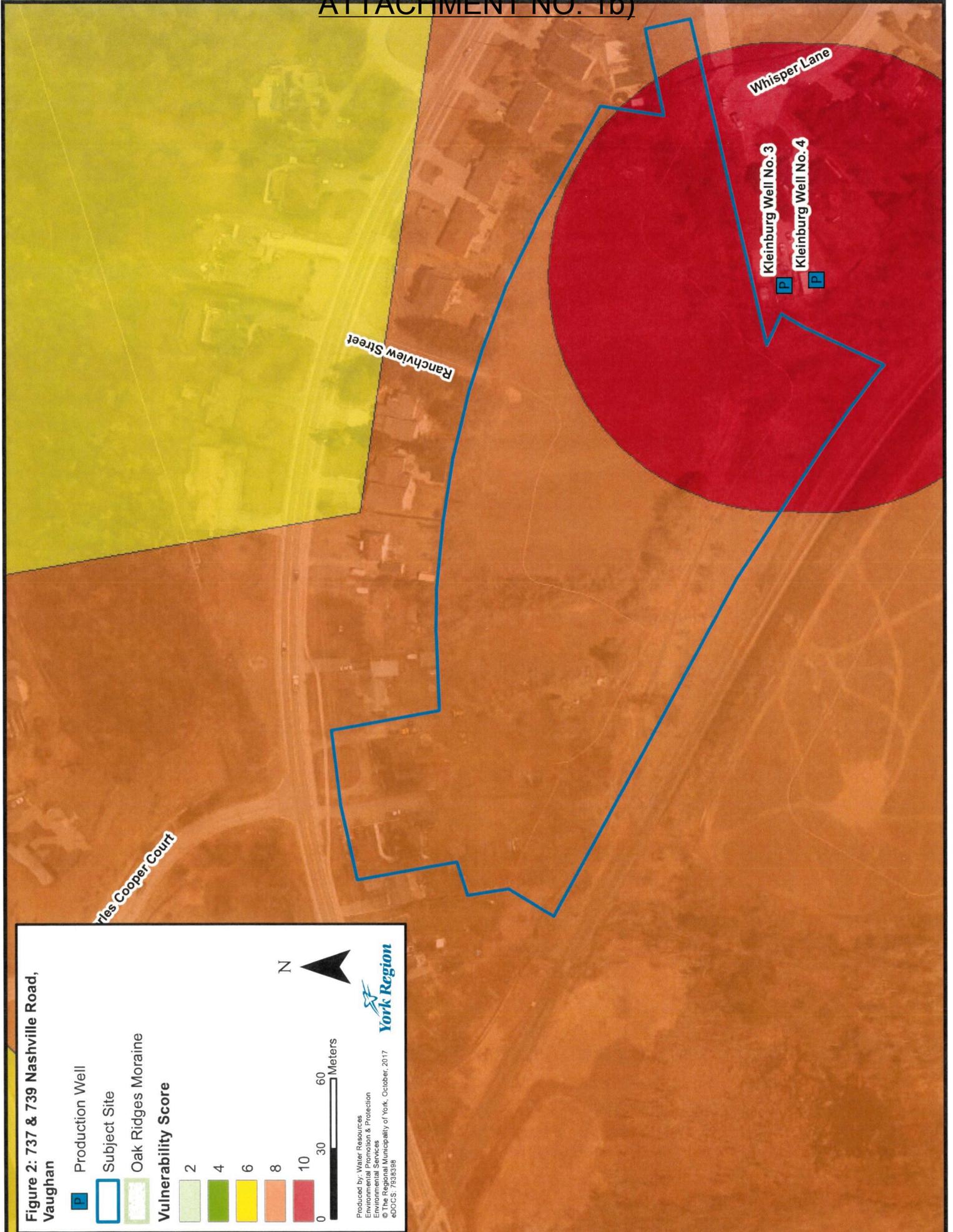


Figure 2: 737 & 739 Nashville Road, Vaughan

Production Well

Subject Site

Oak Ridges Moraine

**Vulnerability Score**

2

4

6

8

10

0 30 60 Meters



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Environmental Monitoring & Protection  
Engineering & Technical Services  
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eDOC# 7538398

## ATTACHMENT NO. 1c)



April 4, 2018

Ms. Judy Jeffers  
Development Planning Department  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

CFN 58866  
E-XREF CFN 57142

**Sent via email**  
**[judy.jeffers@vaughan.ca](mailto:judy.jeffers@vaughan.ca)**

Dear Ms. Jeffers:

**Re: Conditions of Approval  
Draft Plan of Subdivision Application 19T-17V008  
Zoning By-law Amendment Application Z.17.024  
Part of West Half of Lot 25, Concession 9  
737 and 739 Nashville Road  
Within Block 61 East  
City of Vaughan, Regional Municipality of York  
(Nashville Developments (Barons) Inc.)**

The purpose of this letter is to acknowledge receipt of and to provide comments on revised Draft Plan of Subdivision Application 19T-17V008 and Zoning By-law Amendment Application Z.17.024 in Block 61 East, in the City of Vaughan. Appendix 'B' provides a complete list of the materials received.

### **Background**

It is Toronto and Region Conservation Authority (TRCA)'s understanding that the Owner has submitted the subject revised applications to facilitate the development of a residential subdivision consisting of 48 dwelling units and three streets, with various other blocks for future residential, linear park, berm and reserve purposes. The plan also proposes the retention of two existing houses fronting onto Nashville Road. The Owner proposes to rezone the lands from Agriculture (A), Transportation Industrial Zone (M3), and Rural Residential (RR) with site specific exception 9(896) to Residential Detached Zone 3 (RD3) and Residential Detached Zone 4 (RD4) with site specific exceptions, Open Space Park Zone (OS2), and Rural Residential (RR) with site specific exception 9(896).

The subject lands are situated within the Block 61 East plan area in the City of Vaughan and are surrounded by existing single family residential homes, the Canadian Pacific Railway and the Kleinburg Municipal Well. There are natural heritage features and hazards within 120 metres of the subject site.

### **Application-Specific Comments**

TRCA received the first submission on November 14, 2017. A second revised submission was received on March 21, 2018 and included materials that had been missing from the first circulation.

TRCA staff are currently reviewing the revised applications and supporting background reports.

### **Recommendation**

Based on the above, TRCA staff recommends that these applications be deferred until all agencies and departments have completed their review.

# ATTACHMENT NO. 1c)

Ms. Judy Jeffers \_\_\_\_\_

\_\_\_\_\_ April 4, 2018

However, should the City proceed to take these files forward to the Committee of the Whole in June, we have included our conditions for Draft Plan of Subdivision 19T-17V008 in Appendix 'A'.

TRCA's preliminary comments on Zoning By-law Amendment Application Z.17.024 can be found within the conditions of draft plan approval.

TRCA's detailed comments on the revised applications and supporting background reports will be provided under separate cover. It is our expectation that the Owner will address all of TRCA's outstanding comments through fulfillment of the conditions of draft plan approval. This may necessitate redline revisions to the draft plan.

Should any revisions to the draft plan of subdivision application or zoning by-law amendment application be proposed now or in the future, TRCA asks to be given the opportunity to amend our conditions and comments accordingly.

Please provide the Notice of Decision for both the draft plan of subdivision and zoning by-law amendment once they are approved.

## **Fees**

Finally, we thank the Owner for providing the initial \$20,000.00 application fee. This application will be subject to a clearance fee at the time of clearance, which will be based on the fee schedule in effect at that time.

We trust these comments are of assistance. Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

Coreena Smith, EP, MCIP, RPP  
Acting Planning Manager, Planning and Development  
Extension 5269

cc: By Email

Joan MacIntyre, Malone Given Parsons Ltd.  
Aaron Hershoff, TACC Developments  
Ruth Rendon, City of Vaughan

/Encl.

J:\DSS\York Region\Vaughan\58866 20180404 Nashville Barons East Conditions 1.docx

**Appendix 'A' – TRCA's Conditions and Comments**

**Draft Plan of Subdivision Application 19T-17V008  
Zoning By-law Amendment Application Z.17.024  
Part of West Half of Lot 25, Concession 9  
737 and 739 Nashville Road  
Within Block 61 East  
City of Vaughan, Regional Municipality of York  
(Nashville Developments (Barons) Inc.)**

**TRCA's Conditions of Draft Plan Approval**

TRCA recommends approval of Draft Plan of Subdivision 19T-17V008, Part of West Half of Lot 25, Concession 9, City of Vaughan, Regional Municipality of York, prepared by Malone Given Parsons Ltd., revised February 9, 2018, subject to the following conditions:

1. Prior to topsoil stripping and prior to the registration of this plan or any phase thereof, the Owner shall submit a detailed engineering report and plans to the satisfaction of TRCA for any proposed topsoil stripping in the plan area. This report shall include:
  - i. Detailed plans illustrating the topsoil stripping proposal, including but not limited to the locations, staging and methodology; and
  - ii. An erosion and sediment control report and plans for the subject lands that includes proposed measures for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after topsoil stripping.

The Owner shall carry out, or cause to be carried out, the recommendations of the engineering report and details of the plans approved by TRCA for topsoil stripping purposes to the satisfaction of TRCA.

2. Prior to site alteration (with the exception of topsoil stripping) and prior to the registration of this plan or any phase thereof, the Owner shall submit a detailed engineering report (or reports) to the satisfaction of TRCA. This report shall include:
  - i. A description of the storm drainage system (quantity and quality) for the proposed development;
  - ii. Plans illustrating how this drainage system will tie into surrounding drainage systems, i.e., identifying if it is part of an overall drainage scheme, how external flows will be accommodated, the design capacity of the receiving system;
  - iii. Appropriate stormwater management techniques which may be required to control minor and major flows;
  - iv. Appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to the natural heritage system, both aquatic and terrestrial;
  - v. Detailed plans and calculations for the proposed lot-level, conveyance and end-of-pipe controls to be implemented on the site;
  - vi. Proposed measures to promote infiltration and maintain water balance for the plan area;

# ATTACHMENT NO. 1c)

Ms. Judy Jeffers

April 4, 2018

- vii. Proposed measures to maintain feature-based water balance and to mitigate impacts to those natural features that have been assessed to be potentially impacted by the development;
- viii. 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;
- ix. Grading plans and cross-sections for the subject lands;
- x. An erosion and sediment control report and plans for the subject lands that includes proposed measures for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction; and
- xi. The location and description of all outlets and other facilities or works which may require permits from TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06), as may be amended.

The Owner shall carry out, or cause to be carried out, the recommendations of the engineering reports and details of the plans approved by TRCA to the satisfaction of TRCA. This shall be identified as a requirement within the subdivision agreement.

3. Prior to topsoil stripping and prior to the registration of this plan or any phase thereof, the Owner shall prepare a tree inventory and protection plan for the site to the satisfaction of TRCA. The Owner shall carry out, or cause to be carried out, the tree inventory and protection plan approved by TRCA prior to topsoil stripping to the satisfaction of TRCA. This shall be identified as a requirement within the subdivision agreement.
4. Prior to the registration of this plan or any phase thereof, the Owner shall prepare comprehensive edge management plans / restoration planting plans to the satisfaction of TRCA for the Berm (Block 53) pursuant to the Memorandum of Understanding (Nashville Developments Inc. et al. and TRCA, December 9, 2016) and Environmental Impact Study (Beacon Environmental, March 2018, as may be further amended). The Owner shall carry out, or cause to be carried out, the edge management works / restoration plantings approved by TRCA to the satisfaction of TRCA. This shall be identified as a requirement within the subdivision agreement.
5. Prior to the registration of this plan or any phase thereof, the Owner shall prepare trail plans and details to the satisfaction of TRCA for areas within and adjacent to the Berm (Block 53) and Linear Park (Block 52). The Owner shall carry out, or cause to be carried out, the trail installation pursuant to the plans and details approved by TRCA to the satisfaction of TRCA. This shall be identified as a requirement within the subdivision agreement.
6. Prior to the registration of this plan or any phase thereof, the Owner shall obtain all necessary permits from TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06), as may be amended, to the satisfaction of TRCA.
7. The Berm (Block 53) shall be dedicated to TRCA or the City of Vaughan, free of all charges and encumbrances.
8. The implementing zoning by-law shall recognize the Berm (Block 53) in an OS2 Open Space Park Zone, or other suitable zoning category, which has the effect of prohibiting development

# ATTACHMENT NO. 1c)

Ms. Judy Jeffers \_\_\_\_\_

\_\_\_\_\_ April 4, 2018

- and recognizing the significance of these lands for restoration / naturalization purposes, to the satisfaction of TRCA.
9. The implementing zoning by-law shall be prepared to the satisfaction of TRCA.
  10. The Owner shall provide a copy of the adopted implementing zoning by-law to TRCA, when available, to facilitate the clearance of conditions of draft plan approval.
  11. The Owner agrees in the subdivision agreement, in wording acceptable to TRCA:
    - i. To carry out, or cause to be carried out, to the satisfaction of TRCA, the recommendations of the reports/strategies and details of the plans referenced in TRCA's conditions of approval;
    - ii. To install and maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period, in a manner satisfactory to TRCA;
    - iii. To obtain all necessary permits from TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06), as may be amended, to the satisfaction of TRCA;
    - iv. To comply with the permits approved under Ontario Regulation 166/06, as may be amended, including the approved plans, reports and conditions to the satisfaction of TRCA; and
    - v. To erect a permanent fence along all residential lots and blocks that abut the Berm (Block 53) and in other areas as may be required to protect existing and future open space lands from unauthorized/non-programmed entry to the satisfaction of TRCA.
  12. This draft plan of subdivision shall be subject to red-line revision(s) in order to meet the requirements of the conditions of TRCA, if necessary, to the satisfaction of TRCA.
  13. The Owner shall provide a copy of the fully executed subdivision agreement to TRCA, when available, in order to expedite the clearance of conditions of draft plan approval.

## **TRCA's Comments on the Zoning By-law Amendment Application**

Please further note that TRCA's comments on Zoning By-law Amendment Application Z.17.024 can be found above within the conditions of draft plan approval for Draft Plan of Subdivision Application 19T-17V008.

Should any revisions to the draft plan of subdivision application or zoning by-law amendment application be proposed now or in the future, TRCA asks to be given the opportunity to amend our conditions and comments accordingly.

## **Appendix 'B' – Materials Received**

*Received on February 2, 2018*

- TRCA application fee.

*Received on March 21, 2018*

- Request for Comments, prepared by the City of Vaughan, dated March 20, 2018;
- Draft Plan of Subdivision 19T-17V008, Part of West Half of Lot 25, Concession 9, City of Vaughan, Regional Municipality of York, prepared by Malone Given Parsons Ltd., revised February 9, 2018;
- Letter, Revised Zoning By-law Amendment and Draft Plan of Subdivision, prepared by Malone Given Parsons Ltd., dated March 5, 2018;
- Draft Zoning By-law;
- Comment Matrix, revised March 6, 2018;
- Functional Servicing Report, prepared by Schaeffers Consulting Engineers, revised February 2018;
- Drawing No. SS/SG, Grading and Servicing Plan, prepared by Schaeffers Consulting Engineers, dated May 2017;
- Drawing No. SC-1, Erosion and Siltation Control Plan, prepared by Schaeffers Consulting Engineers, dated May 2017;
- Hydrogeological Investigation, prepared by Terraprobe Inc., revised February 14, 2018;
- Source Water Impact Assessment and Mitigation Plan (SWIAMP), prepared by Terraprobe Inc., revised February 14, 2018;
- Environmental Impact Study, prepared by Beacon Environmental Limited, dated March 2018;
- Tree Inventory and Preservation Plan Report (with figures), prepared by Kuntz Forestry Consulting Inc., revised March 2, 2018;
- Sheet L1, Site Plan, prepared by NAK Design Strategies, revised March 2018;
- Sheet MP, Landscape Master Plan, Linear Park/Trail Design, prepared by NAK Design Strategies, revised March 2018;
- Phase One Environmental Site Assessment, prepared by Soil Engineers Ltd., revised September 7, 2017;
- Phase Two Environmental Site Assessment, prepared by Soil Engineers Ltd., revised October 12, 2017;
- Preliminary Report on the Stage 4 Excavation of The Line Site (AIGv-420), prepared by This Land Archeology, dated January 31, 2018;
- Report on the Stage 1-2 Archeological Assessment and Stage 3 Archeological Assessment, prepared by This Land Archeology, dated January 5, 2018;
- Cultural Heritage Impact Assessment, prepared by Golder Associates Ltd., dated February 14, 2018;
- Community Services & Facilities Study, prepared by Malone Given Parsons Ltd., revised February 2018;
- Digital copy of the review materials (including other studies such as noise and traffic).

# ATTACHMENT NO. 1d)



**Date:** October 18<sup>th</sup> , 2017

**Attention:** **Judy Jeffers**

**RE:** Request for Comments

**File No.:** **Z.17.024 + 19T-17V008**

**Applicant:** Nashville Developments ( Barons ) Inc.

**Location** 737 & 739 Nashville Road

# ATTACHMENT NO. 1d)



## COMMENTS:

- We have reviewed the Proposal and have no comments or objections to its approval.
- We have reviewed the proposal and have no objections to its approval, subject to the following comments (attached below).
- We are unable to respond within the allotted time for the following reasons (attached) you can expect our comments by \_\_\_\_\_.
- We have reviewed the proposal and have the following concerns (attached below)
- We have reviewed the proposal and our previous comments to the Town/City, dated \_\_\_\_\_, are still valid.

Alectra Utilities (formerly PowerStream) has received and reviewed the submitted plan proposal. This review, however, does not imply any approval of the project or plan.

The owner, or his agent, for this plan is required to contact Alectra to discuss all aspects of the above project. Alectra will require site plan drawings, draft m-plans, legal plans, architectural design drawings, electrical consultant's drawings, number of units/lots in the subdivision/development and type of the subdivision/development (i.e., single family residential, town homes, condominium town homes, industrial etc.), square footage of the buildings, the required voltage, amperage and building loads, along with the completed and signed Subdivision Application Information Form (SAIF). Alectra will then use this information to determine the type of available service in the area to supply this project and determine the design fee for the subdivision or development.

Once Alectra has received the design fee and requested information, Alectra will prepare the hydro design, obtain the owner's /developer's approval of the design and obtain the required approvals from the local municipality and prepare the cost of the electrical distribution system (EDS) installation. Alectra will provide the owner/developer with an "Offer to Connect" (OTC) agreement which will specify all the details and the responsibilities of each party.

The information on the SAIF must be as accurate as possible to reduce unnecessary customer costs, and to provide a realistic in-service date. The information from the SAIF is also used to allocate/order materials, to assign a technician to the project, and to place the project in the appropriate queue.

All proposed buildings, billboards, signs, and other structures associated with the development must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the Ontario Electrical Safety Code and the Occupational Health and Safety Act.

If there are any existing components of Alectra's electrical distribution system on the proposed project site, they will have to be relocated by Alectra at the Developer's cost. Any conflicts due to driveway locations or clearances to the existing overhead or underground distribution system will have to be relocated by Alectra at the Developer's cost.

We trust this information is adequate for your files.

Regards,  
Mr. Tony D'Onofrio  
Supervisor, Subdivisions & New Services  
**Phone:** 1-877-963-6900 ext. 24419  
**Fax:** 905-532-4401  
**E-mail:** [tony.donofrio@alectrautilities.com](mailto:tony.donofrio@alectrautilities.com)

**Subdivision Application Information Form is available by calling 1-877-963-6900 ext. 31297**

# ATTACHMENT NO. 1e)



Enbridge Gas Distribution  
500 Consumers Road  
North York, Ontario M2J 1P8  
Canada

October 13, 2017

Judy Jeffers  
Senior Planner  
City of Vaughan  
Development Planning Division  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

Dear Judy Jeffers,

Re: Draft Plan of Subdivision & Zoning By-Law Amendmnet  
Nashville Developments (Barons) Inc.  
737 and 739 Nashville Road and Part Lot 25, Concession 9  
City of Vaughan  
File No.: 19T-17V008 & Z-17-024

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](mailto: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.

The applicant will grade all road allowances to as close to 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.

# ATTACHMENT NO. 1e)

Enbridge Gas Distribution reserves the right to amend or remove development conditions.

Sincerely,

A handwritten signature in black ink that reads "Alice Coleman". The signature is written in a cursive, flowing style.

**Alice Coleman**

Municipal Planning Coordinator  
Long Range Distribution Planning

—  
**ENBRIDGE GAS DISTRIBUTION**  
TEL: 416-495-5386  
[MunicipalPlanning@enbridge.com](mailto:MunicipalPlanning@enbridge.com)  
500 Consumers Rd, North York, ON, M2J 1P8  
[enbridgegas.com](http://enbridgegas.com)  
**Integrity. Safety. Respect.**

AC/jh

# ATTACHMENT NO. 1f)

**Jeffers, Judy**

---

**From:** Josie Tomei <Josie\_Tomei@cpr.ca>  
**Sent:** November-09-17 3:26 PM  
**To:** Jeffers, Judy  
**Subject:** COMMENTS VAUGHAN 19T-17V008 & Z.17.024 737 and 739 Nashville Rd Nashville Developments (Barons) Inc. Mi 16.7 Mactier  
**Attachments:** Principal Main CP.pdf

VAUGHAN 19T-17V008 & Z.17.024 737 and 739 Nashville Rd Nashville Developments (Barons) Inc.

This is in reference to your circulation of the Rezoning and Draft Plan of Subdivision Applications for the above noted site in the City of Vaughan. The proposed development is located adjacent to mile 16.7 of our Mactier Subdivision, which is classified as a Principal Main Line. Canadian Pacific Railway is not in favour of residential developments adjacent to our right-of-way, as this land use is not compatible with railway operations. The health, safety and welfare of potential residents could be adversely affected by railway activities.

However, to ensure the safety and comfort of adjacent residents and to mitigate as much as possible the inherent adverse environmental factors, we request that CP's standard requirements (attached) ) be included as conditions of approval. The attached are based on a collaborative project by the Federation of Canadian Municipalities and the Railway Association of Canada, the Guide for New Development in Proximity to Railway Operations (<http://www.proximityissues.ca>).

We would appreciate being circulated with all future correspondence related to this application.

Regards,



**Josie Tomei SR/WA**  
Specialist Real Estate Sales &  
Acquisitions  
905-803-3429  
800-1290 Central Parkway West  
Mississauga, ON L5C 4R3

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# ATTACHMENT NO. 1f)



## PRINCIPAL MAIN LINE REQUIREMENTS

1. Berm, or combination berm and noise attenuation fence, having extensions or returns at the ends, to be erected on adjoining property, parallel to the railway right-of-way with construction according to the following:
  - a) Minimum total height 5.5 metres above top-of-rail;
  - b) Berm minimum height 2.5 metres and side slopes not steeper than 2.5 to 1.
  - c) Fence, or wall, to be constructed without openings and of a durable material weighing not less than 20 kg. per square metre (4 lb/sq.ft.) of surface area.

No part of the berm/noise barrier is to be constructed on railway property.

A clause should be inserted in all offers of purchase and sale or lease, and be registered on title or included in the lease for each dwelling affected by any noise and vibration attenuation measures, advising that any berm, fencing, or vibration isolation features implemented are not to be tampered with or altered, and further that the owner shall have the sole responsibility for and shall maintain these features.

Dwellings must be constructed such that the interior noise levels meet the criteria of the appropriate Ministry. A noise study should be carried out by a professional noise consultant to determine what impact, if any, railway noise would have on residents of proposed subdivisions and to recommend mitigation measures, if required. The Railway may consider other measures recommended by the study.

2. Setback of dwellings from the railway right-of-way to be a minimum of 30 metres. While no dwelling should be closer to the right-of-way than the specified setback, an unoccupied building, such as a garage, may be built closer. The 2.5 metre high earth berm adjacent to the right-of-way must be provided in all instances.
3. Ground vibration transmission to be estimated through site tests. If in excess of the acceptable levels, all dwellings within 75 metres of the nearest track should be protected. The measures employed may be:
  - a) Support the building on rubber pads between the foundation and the occupied structure so that the maximum vertical natural frequency of the structure on the pads is 12 Hz;
  - b) Insulate the building from the vibration originating at the railway tracks by an intervening discontinuity or by installing adequate insulation outside the building, protected from the compaction that would reduce its effectiveness so that vibration in the building became unacceptable; or
  - c) Other suitable measures that will retain their effectiveness over time.
4. A clause should be inserted in all offers of purchase and sale or lease and in the title deed or lease of each dwelling within 300m of the railway right-of-way, warning prospective purchasers or tenants of the existence of the Railway's operating right-of-way; the possibility of alterations including the possibility that the Railway may expand its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuating measures in the design of the subdivision and individual units, and that the Railway will not be responsible for complaints or claims arising from the use of its facilities and/or operations.
5. Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the Railway, and be substantiated by a drainage report to be reviewed by the Railway.
6. A 1.83 metre high chain link security fence be constructed and maintained along the common property line of the Railway and the development by the developer at his expense, and the developer is made aware of the necessity of including a covenant running with the lands, in all deeds, obliging the purchasers of the land to maintain the fence in a satisfactory condition at their expense.
7. Any proposed utilities under or over railway property to serve the development must be approved prior to their installation and be covered by the Railway's standard agreement.

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November 27, 2017

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

Attention: Judy Jeffers - Planner

**Re: Z.17.024 & 19T-17V008**

**RELATED FILES:**

**NASHVILLE DEVELOPMENT (BARONS) INC.**

**737 & 739 NASHVILLE ROAD & PART LOT 25, CONCESSION 9**

**THE CITY OF VAUGHAN WARD 1 POSTAL DELIVERY AREA: KLEINBURG.**

Dear Sir/Madam:

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

As a condition of Condominium 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.1g)

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.

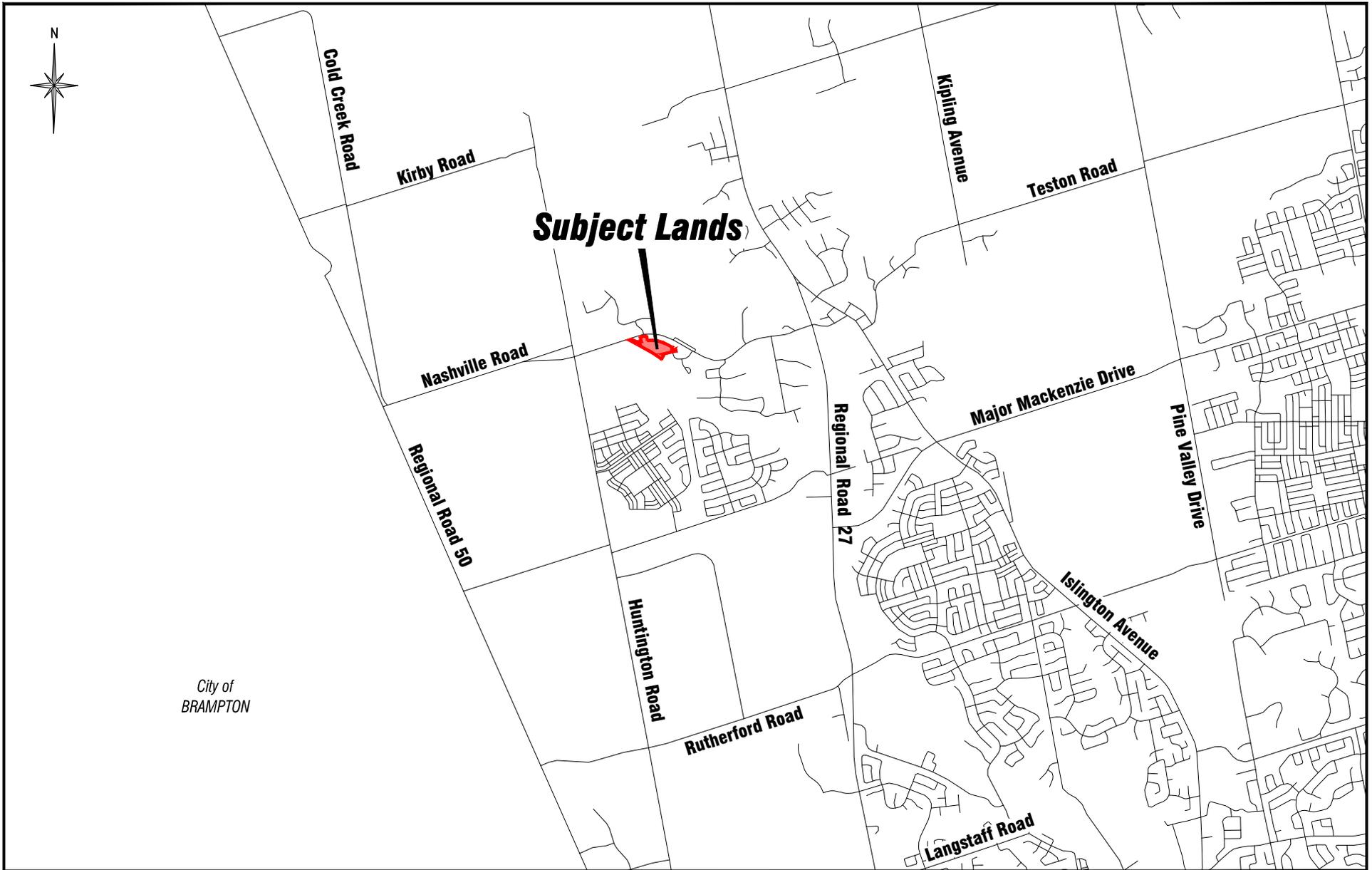
I trust that this information is sufficient, however, should you require further information, please do not hesitate to contact me at the above mailing address or telephone number.

Sincerely,

*Patrick Brown*

---

Patrick Brown  
Delivery Planning Officer  
Canada Post  
1860 Midland Ave 2<sup>nd</sup> Fl  
Scarborough ON M1P 5A1  
416-751-0160 Ext 2019  
[Patrick.brown@canadapost.ca](mailto:Patrick.brown@canadapost.ca)



# Context Location Map

LOCATION:  
Part of Lot 25, Concession 9

APPLICANT:  
Nashville (Barons) Developments Inc.



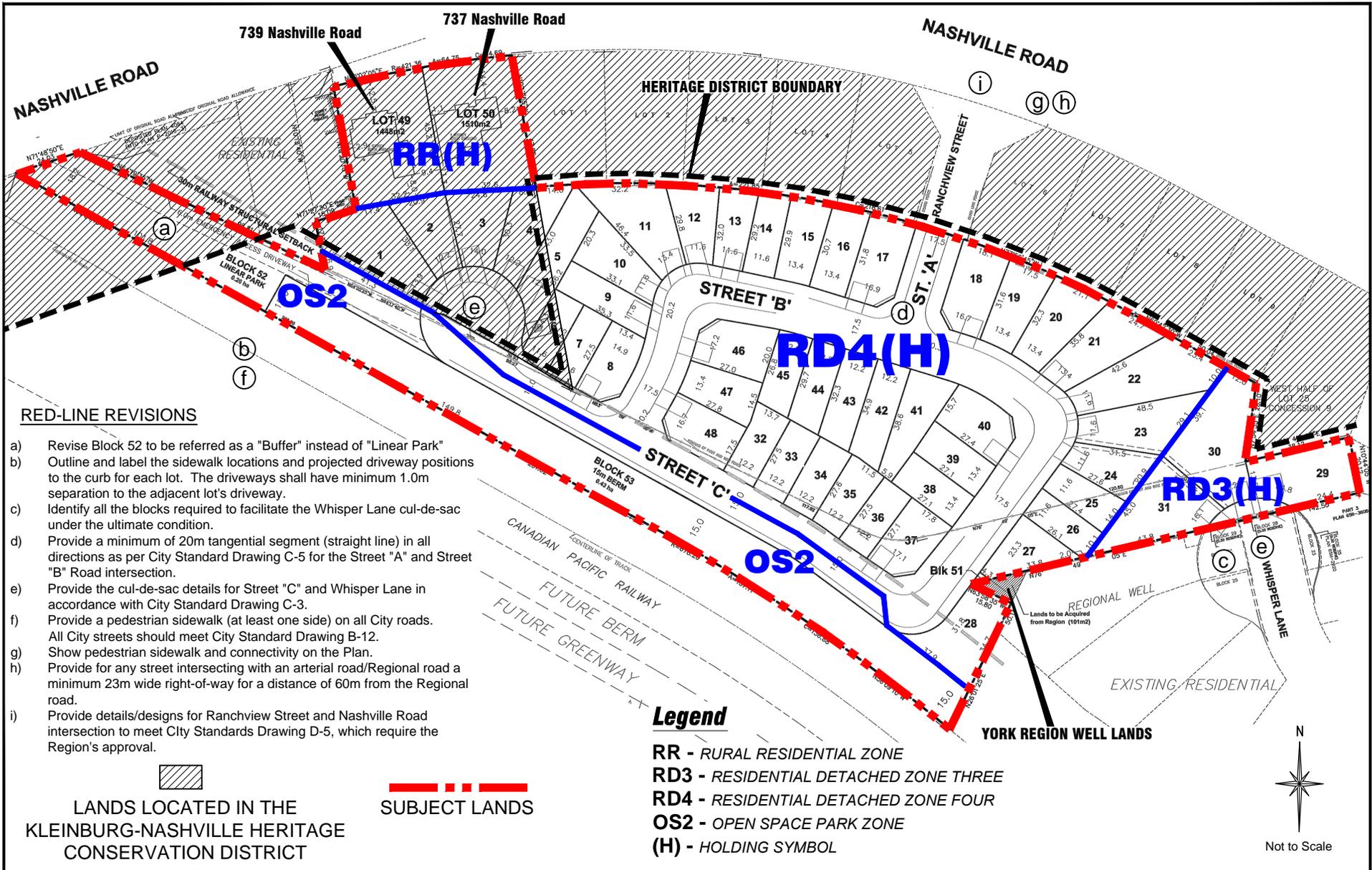
# Attachment

FILES: Z.17.024 &  
19T-17V008

DATE:  
June 5, 2018

# 2





## Draft Plan of Subdivision File 19T-17V008 (Red-Line Revised) and Proposed Zoning

LOCATION:  
Part of Lot 25, Concession 9

APPLICANT:  
Nashville (Barons) Developments Inc.

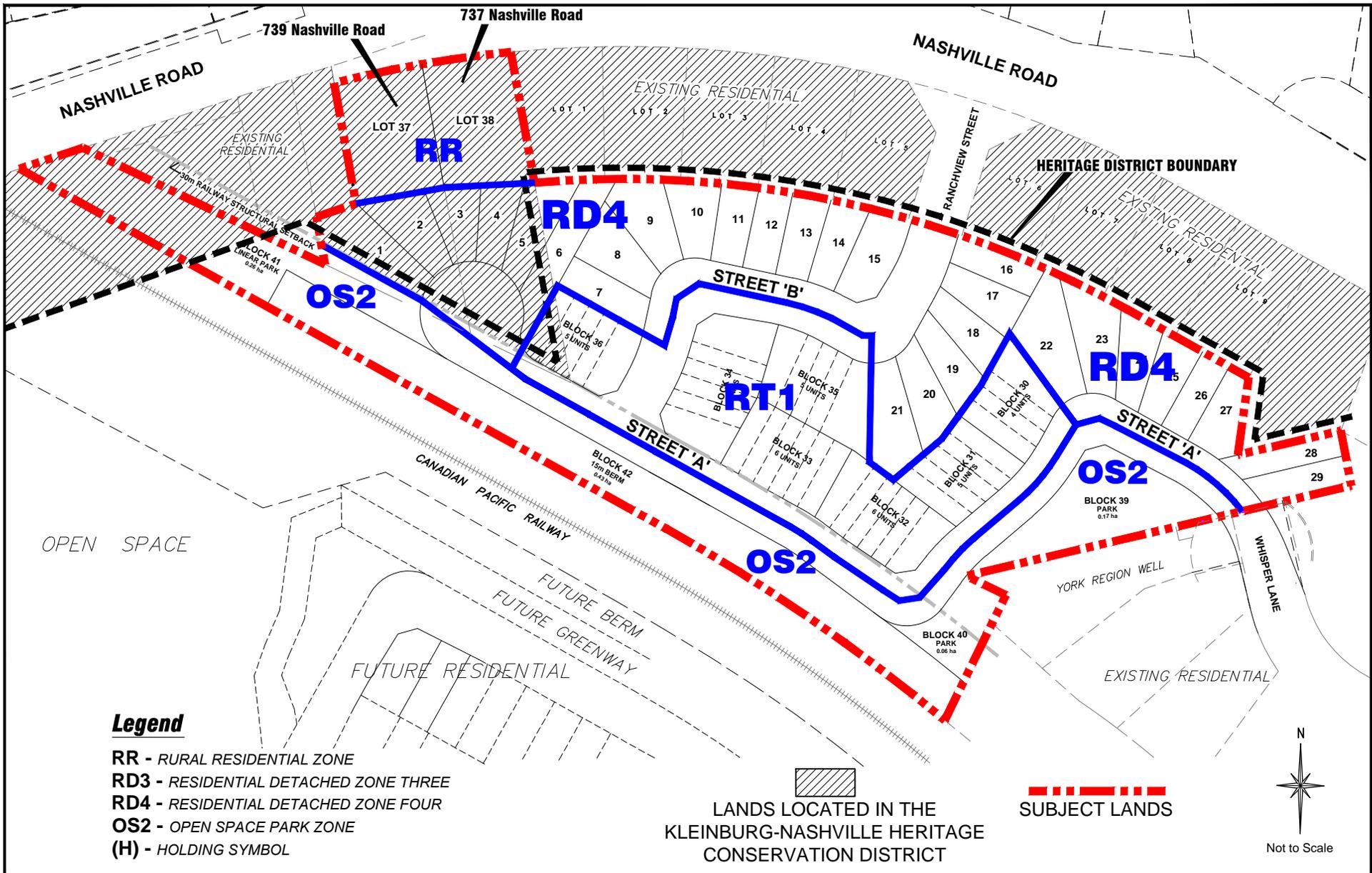


## Attachment

FILES: Z.17.024 &  
19T-17V008

DATE:  
June 5, 2018

# 4



# Original - Draft Plan of Subdivision and Proposed Zoning

LOCATION:  
Part of Lot 25, Concession 9

APPLICANT:  
Nashville (Barons) Developments Inc.



# Attachment

FILES: Z.17.024 &  
19T-17V008

DATE:  
June 5, 2018

# 5