



Report to: Development Services Committee

Report Date: June 10, 2014

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**SUBJECT:** RECOMMENDATION REPORT  
Caboto Meadows Inc.  
311 & 313 Helen Avenue  
Draft Plan of Subdivision application to permit a total of 14 new dwellings and two part lots fronting onto the Caboto Trail extension

File Nos. OP/ZA & SU 13 127998

**PREPARED BY:** Sabrina Bordone, M.C.I.P., R.P.P., ext. 8230  
Planner, Central District

**REVIEWED BY:** Richard Kendall, M.C.I.P., R.P.P., ext. 6588  
Manager, Central District

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**RECOMMENDATION:**

- 1) That the report entitled "RECOMMENDATION REPORT, Caboto Meadows Inc., 311 & 313 Helen Avenue, Draft Plan of Subdivision application to permit a total of 14 new dwellings and two part lots fronting onto the Caboto Trail extension, File Nos. OP/ZA & SU 13 127998," be received;
- 2) That the Director of Planning and Urban Design, or his designate, be delegated authority to issue draft plan approval, subject to conditions set out in Appendix 'A', as may be amended by the Director of Planning and Urban Design or his designate;
- 3) That Council authorize servicing allocation for 15.5 semi-detached units (47 population) and 0.5 single-detached units (2 population), and that the Owner provide a clearance letter from the Trustee of the South Unionville Landowners Group, confirming that there is adequate servicing allocation for 15.5 semi-detached units (47 population) and 0.5 single-detached units (2 population) within the servicing allocation assigned to South Unionville;
- 4) That the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner;
- 5) That the draft plan approval for plan of subdivision 19TM-13006 will lapse after a period of three (3) years from the date of issuance in the event that a subdivision agreement is not executed within that period;
- 6) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE**

The purpose of this report is to discuss and recommend conditions of draft approval of a proposed subdivision application in the South Unionville Secondary Plan area.

**BACKGROUND:**

The original properties at 311 and 313 Helen Avenue are located on the south side of Helen Avenue between Glenbar Gardens and South Unionville Park, and back onto Highway 407 (Figure 1).

A 1.45 ha portion of 311 and 313 Helen Avenue has been obtained by the City for the purpose of completing the South Unionville community park. The north portions of the original properties, each containing one detached dwelling, have been retained by their respective owners. The south portions, including the lands required to complete the Caboto Trail extension, have been sold for the purpose of development and are the subject of these applications (Figure 2).

The subject lands, which are vacant, have a width of approximately 123.7 m (406 ft), a depth of 54.3 m (178 ft) and an area of 0.67 ha (1.66 ac). The lands are generally flat with a variety of trees dispersed across the site. The lands are located between 415 and 503 Caboto Trail. With the exception of City-owned lands immediately to the east of the subject lands (as discussed below) the balance of the lands to the east and west, along the south side of Caboto Trail, consist of semi-detached dwellings.

To the immediate east of the subject lands is a 20 m (66 ft) wide City-owned property (unopened road allowance) that has recently been declared surplus. The City-owned property contains an open stormwater channel which drains from the Highway 407 lands to the City's storm sewer. The Applicant has expressed interest in acquiring all or a portion of the surplus City-owned lands, which will likely require separate Zoning and potentially Official Plan amendment applications.

**Proposal for residential development**

Caboto Meadows Inc. is proposing a draft plan of subdivision consisting of 14 semi-detached units (Blocks 1 to 7) and 2 parts lots (Blocks 8 and 9). The applicant is also proposing to create a Block to be conveyed to the City as a road right-of-way (Figure 4) and construct therein a public street connecting the east and west portions of Caboto Trail. The seven new lots would each contain a pair of semi-detached dwellings, for a total of fourteen dwelling units. The part lot located on the west side of the subject lands would be combined with adjacent lands to create a new building lot for a pair of semi-detached dwellings. The part lot located on the east side of the subject lands is intended to be combined with a 5.03 m wide portion of the surplus City-owned lands to create a new lot for a detached dwelling. The proposed draft plan of subdivision, together with the additional adjacent lands to the east and west, would eventually accommodate a total of 17 new dwelling units.

There is no development proposal for the remainder of the surplus City-owned lands at this time as the future owner may need to redesign the grading and stormwater

management facilities in the area to accommodate the relocation of the existing stormwater channel.

### **OPTIONS/ DISCUSSION:**

#### **Public Meeting held on April 1, 2014**

A statutory Public Meeting was held on April 1, 2014. There were no comments from the public with respect to the proposal. Members of Development Services Committee briefly discussed park development in the area. The Committee recommended that the applications for Official Plan Amendment and Zoning By-law Amendments be finalized and enacted, and that the associated application for Draft Plan of Subdivision be referred back to staff for a report and a recommendation. Subsequently, on May 15, 2014, the Official Plan Amendment (OPA No. 218) and Zoning By-law Amendment (By-law 2014-67) were adopted and enacted by Council.

#### **Conditions of Draft Approval**

Conditions of Draft Approval have been prepared by internal departments and external agencies, as detailed in Appendix 'A'. The attached conditions of draft approval relate to issues including, but not limited to:

- The relocation/re-engineering of the existing swale in the event the Applicant purchases the additional City-owned lands to the east;
- The payment of all applicable fees/costs related to the proposed development, including the construction of Caboto Trail;
- The submission of a Tree Inventory and Preservation Plan, and associated tree compensation;
- Adherence to architectural control guidelines; and
- Parameters around servicing allocation (as discussed below).

#### **Servicing Allocation**

The Trustee for the South Unionville area has indicated that there should be sufficient servicing allocation available from the City's Servicing Allocation Update (June 26, 2012) to accommodate the proposed development. There is a Landowners Agreement in place and the Trustee for the Group will need to confirm through a clearance letter that sufficient allocation is available for the proposed 0.5 single detached units and 14.5 semi-detached units, and that the Owner has satisfied all obligations within the Landowners Agreement.

#### **FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)**

Not applicable

#### **HUMAN RESOURCES CONSIDERATIONS**

Not applicable

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The Draft Plan application will align with the City's strategic priorities of Growth Management and Municipal Services by completing a section of roadway within the community and by implementing the proposed development in coordination with available servicing allocation.

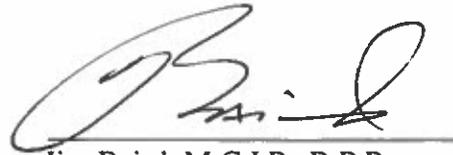
**BUSINESS UNITS CONSULTED AND AFFECTED:**

The requirements of other City Departments and external agencies have been incorporated into the draft plan and recommended Conditions of Draft Approval, which are appended to this report.

**RECOMMENDED BY:**



Rino Mostacci, M.C.I.P., R.P.P.  
Director, Planning & Urban Design



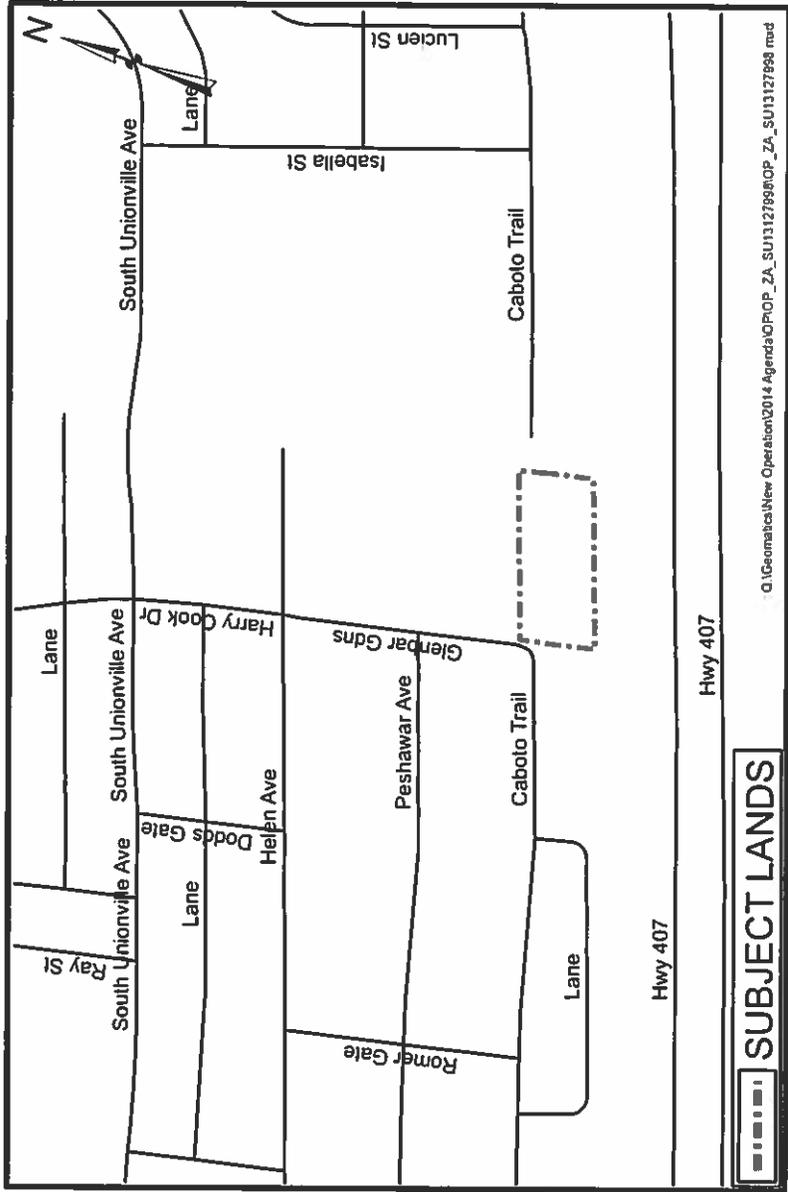
Jim Baird, M.C.I.P., R.P.P.  
Commissioner, Development Services

**ATTACHMENTS:**

- Figure 1: Location Map
- Figure 2: Aerial Photo
- Figure 3: Area Context/Zoning
- Figure 4: Proposed Plan of Subdivision

Appendix 'A' – Conditions of Draft Approval

File path: Amanda\File OP 13 127998\Documents\Recommendation Report



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■■■■■ SUBJECT LANDS



# AIR PHOTO 2012

APPLICANT: CABOTO MEADOWS INC.  
311 & 313 HELEN AVE.

FILE No:OP;ZA;SU13127998(MF)



 SUBJECT LANDS

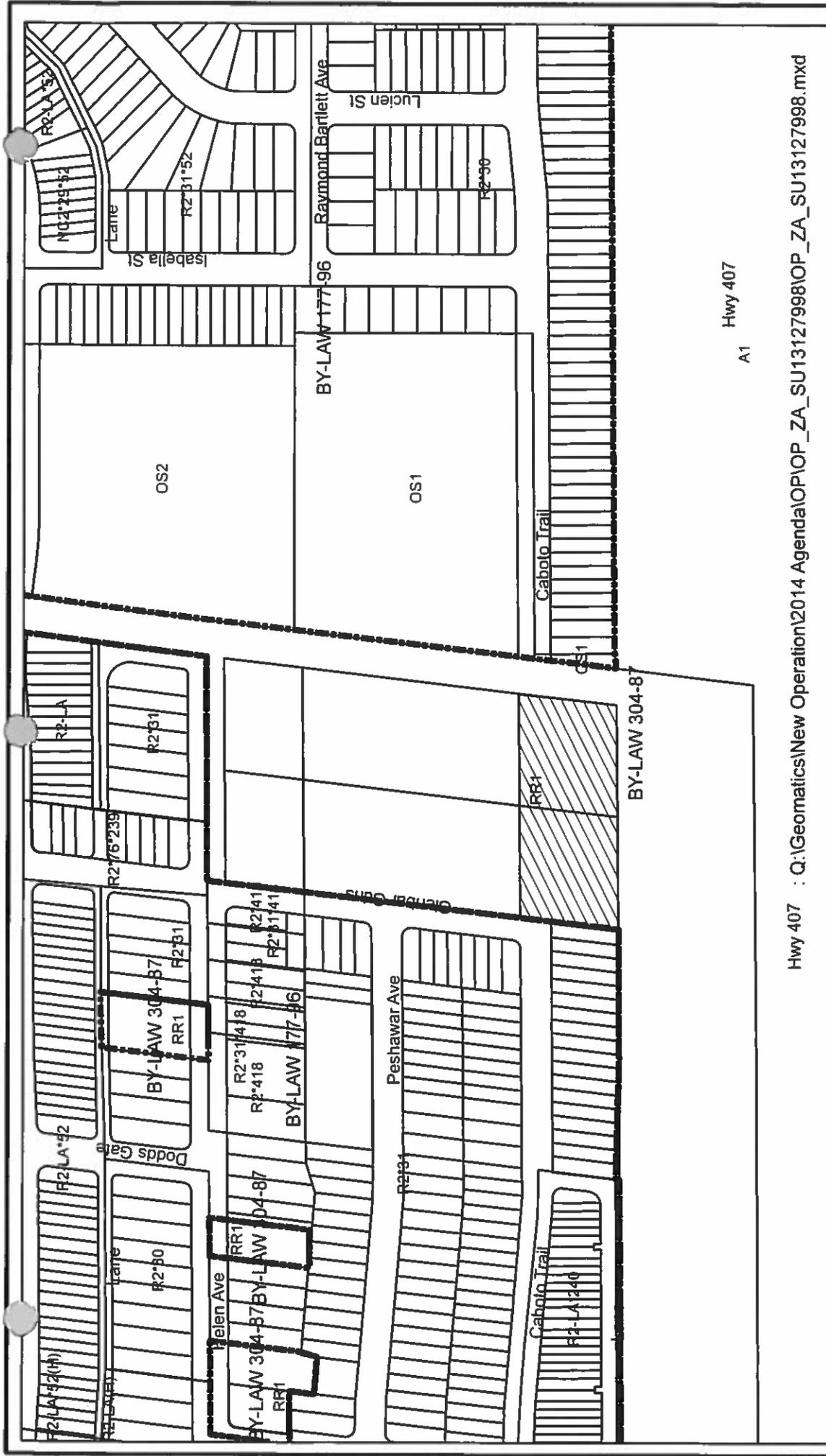


DATE:01/27/14

FIGURE No. 2

Checked By:MF

Drawn By:DD



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# AREA CONTEXT/ZONING

APPLICANT: CABOTO MEADOWS INC.  
311 & 313 HELEN AVE.

 SUBJECT LANDS

FILE No:OP;ZA;SU13127998(MF)

DATE:01/27/14

 MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By:DD

Checked By:MF

FIGURE No. 3



**APPENDIX 'A'**  
**RECOMMENDED CONDITIONS OF DRAFT APPROVAL**  
**PLAN OF SUBDIVISION 19TM-13006**  
**CABOTO MEADOWS INC.**

1. General

- 1.1 Approval shall relate to a draft plan of Subdivision prepared by Gagnon & Law, identified as Project Number 13.1971, Drawing Number 1971, dated November 27, 2013.
- 1.2 This draft approval shall apply for a maximum period of three (3) years from date of issuance by the City, and shall accordingly lapse on XXXX unless extended by the City upon application by the Owner.
- 1.3 The Owner shall enter into a subdivision agreement with the City agreeing to satisfy all conditions of the City and Agencies, financial and otherwise, prior to final approval.
- 1.4 The Owner acknowledges and understands that prior to final approval of this draft plan of subdivision, amendments to the South Unionville Secondary Plan and Zoning By-laws 304-87 and 177-96 to implement the plan shall have come into effect in accordance with the provisions of the Planning Act.
- 1.5 The Owner acknowledges and agrees that the draft plan of subdivision and associated conditions of draft approval may require revisions, to the satisfaction of the City, to implement or integrate any recommendations from studies required as a condition of draft approval, including, but not limited to, Traffic Impact Study, Stormwater Management Study (Environmental Master Drainage Plan), Internal Servicing Study, Noise Impact Study, confirmation of alignment of roads with the locations shown in the draft approved plans, as well as any comments and conditions received from municipal departments and external agencies after draft approval is granted.
- 1.6 In the event, the Owner purchases additional lands from the City on the east side of this subdivision for potential residential development, the Owner agrees to re-engineer/relocate the existing swale at its sole cost and expense to the satisfaction of the Director of Engineering and incorporate the balance of the lands into the draft plan of subdivision. The Owner further agrees to be responsible for the payment of all development charges, re-zoning application fees, developer cost sharing costs and all other costs related to the development and building permits.

2. Roads

- 2.1 The road allowances within the draft plan shall be named to the satisfaction of the City and York Region.

- 2.2 The road allowances within the draft plan shall be dedicated as public highway, free of all costs and encumbrances.
- 2.3 The Owner shall covenant and agree in the subdivision agreement that the public highways shall be designed and constructed in accordance with established municipal standards to the satisfaction of the City (Commissioner of Development Services).
- 2.4 The Owner shall covenant and agree in the subdivision agreement to provide temporary turning circles where required at their cost and remove them and restore the streets to their normal condition at their cost when required by the City, to the satisfaction of the City (Commissioner of Development Services). The design of the temporary turning circles and any implications on surrounding land-use shall be addressed in the subdivision agreement to the satisfaction of the City.
- 2.5 The Owner shall covenant and agree in the subdivision agreement to remove the existing turning circle on the east side of this subdivision at Owner's cost and restore the street and boulevard to their normal condition as per the final design accepted by the Director of Engineering.
- 2.6 Prior to final approval of the draft plan, the portions of Caboto Trail (on east side) which are outside the plan of subdivision must be completed by the Owner to the satisfaction of the City (Commissioner of Development Services).
- 2.7 The Owner shall covenant and agree in the subdivision agreement that construction access shall be restricted to Glenbar Gardens.
- 2.8 The Owner shall covenant and agree in the subdivision agreement to implement the traffic calming measures identified in the Internal Functional Traffic Study. The Owner shall further covenant and agree to implement additional traffic calming measures, prior to assumption of the plan of subdivision, if it is determined by the City that additional traffic calming measures are required.

3. Community Design

- 3.1 The Owner shall implement and incorporate all requirements of the approved South Unionville Design Book into all landscape plans, architectural control guidelines, engineering plans and any other required design documents.
- 3.2 The Owner shall retain a design consultant to prepare architectural control guidelines to be submitted to the Director of Planning and Urban Design for approval prior to execution of the subdivision agreement.
- 3.3 The Owner shall retain a design consultant to implement the Architectural Control Guidelines.

3.4 Plans submitted for model home permits for any building within the plan of subdivision shall bear an approval stamp identifying the architectural company retained for architectural control and the signature of the control architect. The approval stamp shall certify that the floor plans, building elevations and site plans are designed in accordance with the approved architectural control guidelines.

3.5 The Owner shall ensure that the design architect for any buildings within the plan of subdivision shall not also assume the role of control architect for the plan of subdivision.

4. Parks and Open Space

4.1 The Owner shall provide a minimum of 300 mm depth of topsoil in parks, 750 mm depth of topsoil in park tree planting areas and 200 mm depth in the entire municipal boulevard.

5. Community Landscaping

5.1 Prior to execution of the subdivision agreement, the Owner shall submit landscape plans prepared by a qualified person based on the approved Community Design Plan and Architectural Control Guidelines, to the satisfaction of the Director of Planning and Urban Design, which shall include but not be limited to:

- a) street tree planting and tree planting in private yards in accordance with the City of Markham Streetscape Manual dated June 2009 as amended from time to time;
- b) 1.8 m high wood screen corner lot fencing;
- c) streetscape plan including street trees for Caboto Trail;
- d) acoustic fencing; and,
- e) any other landscaping as determined by the Community Design Plan and the Environmental Master Drainage Plan.

5.2 The Owner shall construct all landscaping in accordance with the approved plans at no cost to the City.

5.3 The Owner shall not permit their builders to charge home purchasers for the items listed in Condition 5.1.

5.4 The Owner shall include in all agreements of purchase and sale the following clause:

“PURCHASERS ARE ADVISED THAT AS A CONDITION OF APPROVAL OF THE SUBDIVISION WITHIN WHICH THIS LOT IS LOCATED, THE CITY OF MARKHAM HAS

REQUIRED THE DEVELOPER TO UNDERTAKE AND BEAR THE COST OF THE FOLLOWING ITEMS:

- STREET TREES (TREES PLANTED IN THE CITY BOULEVARD OR IN ADJACENT PUBLIC LANDS OR PRIVATE LOTS TO MEET 5.1 a) AND 5.1b)
- CORNER LOT FENCING
- REAR LOT LINE FENCING AT LANES (IF SPECIFICALLY REQUIRED BY THE CITY)
- TREE PLANTING IN REAR YARDS ADJOINING THE LANES (IF SPECIFICALLY REQUIRED BY THE CITY)
- NOISE ATTENUATION FENCING AS IDENTIFIED IN THE NOISE IMPACT STUDY
- FENCING OF SCHOOL, PARK, WALKWAY AND STORMWATER MANAGEMENT POND BLOCKS
- BUFFER PLANTING FOR OPEN SPACE, WALKWAY AND STORMWATER MANAGEMENT POND BLOCKS AND SINGLE LOADED STREET ALLOWANCES
- SUBDIVISION ENTRY FEATURES AND DECORATIVE FENCING AS IDENTIFIED ON LANDSCAPE PLANS APPROVED BY THE CITY

THE DEVELOPER HAS BORNE THE COST OF THESE ITEMS AND THE HOME PURCHASER IS NOT REQUIRED TO REIMBURSE THIS EXPENSE.”

6. Tree and Woodlot Preservation

- 6.1 The Owner shall submit for approval a tree inventory and tree preservation plan to the satisfaction of the Director of Planning and Urban Design in accordance with the City of Markham Streetscape Manual dated 2009, as amended from time to time.
- 6.2 The Owner shall submit a site grading plan showing the trees to be preserved based on the approved Tree Preservation Plan prior to the issuance of a Top Soil Stripping Permit to the satisfaction of the Director of Planning and Urban Design.
- 6.3 The Owner shall obtain written approval from the Director of Planning and Urban Design prior to the removal of any trees or destruction or injury to any part of a tree within the area of the draft plan.
- 6.4 The Owner shall submit for approval, as part of the tree inventory and tree preservation plan, in accordance with the City of Markham Streetscape Manual a tree compensation schedule detailing replacement and enhancement planting or the replacement value based on the following:

- a) Trees between 20cm and 40cm diameter at breast height (DBH) shall be replaced at a ratio of 2:1
- b) All trees over 40cm DBH shall have an individual valuation submitted to the City by an ISA certified Arborist in accordance with the Council of Tree and Landscape Appraisers (CTLA) Guide for Plant Appraisal (2000)
- c) Where a site does not allow for the 2:1 replacement, the City will negotiate a credit for tree planting on alternate sites
- d) The requirement for the replacement or equivalent economic value following unauthorized tree removal or damage shall be determined by the City.

7. Financial

- 7.1 Prior to execution of the subdivision agreement the Owner shall provide a letter of credit, in an amount to be determined by the Director of Planning and Urban Design, to ensure compliance with applicable tree preservation, fencing, streetscape, buffer, landscaping and other landscaping requirements.

8. Noise Impact Study

- 8.1 Prior to final approval of the draft plan, the Owner shall submit a Noise Impact Study, prepared by a qualified noise consultant, with recommended mitigation measures for noise generated by road traffic on South Unionville Avenue, Helen Avenue and Highway 407 and by any other identified noise sources, to the satisfaction of the City, in consultation with York Region. The Owner further agrees to make any revisions to the draft plan that may be required to achieve the recommendations of the Noise Impact Study.
- 8.2 The Owner shall covenant and agree in the subdivision agreement to implement noise control measures and warning clauses as recommended by the approved Noise Impact Study, to the satisfaction of the City (Commissioner of Development Services).

9. Stormwater Management

- 9.1 Prior to final approval of the draft plan, the Owner shall submit a stormwater management study, prepared by a qualified engineer, detailing the provision of water quality and quantity management facilities, hydraulic gradelines, overland flow routes and erosion and siltation controls for the draft plan for approval by the City and the Toronto and Region Conservation Authority. The Owner acknowledges and agrees that they will be required to construct the proposed stormwater management facilities and overland routes, provide any easements or lands for stormwater and overland flow purposes and to revise the draft plan accordingly, as may ultimately be required.

- 9.2 The Owner shall covenant and agree in the subdivision agreement to undertake the monitoring of watercourse temperatures which may be affected by storm drainage from its development, subject to consultation with and to the satisfaction of the City.
- 9.3 The Owner shall covenant and agree in the subdivision agreement to obtain approval of Site Alteration Plans in accordance with the City's Standards prior to proceeding with any on-site works and more particularly topsoil stripping.

10. Municipal Services

- 10.1 Prior to final approval of the draft plan, the Owner shall prepare, to the satisfaction of the City (Commissioner of Development Services), a Functional Servicing Report to determine the infrastructure required for all municipal services internal to the subdivision and potential upgrades to municipal infrastructure downstream of the subdivision resulted from this development. Any requirements resulting from this Report shall be incorporated into the draft plan and provided for in the subdivision agreement. The owner shall covenant and agree in the subdivision agreement to pay for all external municipal infrastructure upgrades.
- 10.2 The Owner shall covenant and agree in the subdivision agreement that they shall be required to construct, or pay for the construction of, roads, bicycle lanes, curbs, gutters, sidewalks (in accordance with the applicable Council policy), underground and above ground services, street lights, street signs, utilities, stormwater management facilities, etc., to the satisfaction of the City (Commissioner of Development Services).
- 10.3 Prior to final approval of the draft plan, detailed engineering drawings shall be provided by the Owner which will include, but not be limited to grading control plans, plan and profile drawings of all underground and aboveground services, general plans, drainage plans, composite utility plans, stormwater management detail plans, etc. to the satisfaction of the City (Commissioner of Development Services).
- 10.4 The Owner shall acknowledge and agree in the subdivision agreement that building permits will not be issued for lands in any stage of development within the draft plan of subdivision until the Director of Building Services has been advised by the Fire Chief that there is an adequate water supply for firefighting operations and acceptable access for firefighting equipment is available.
- 10.5 The Owner shall covenant and agree in the subdivision agreement to provide, at Owner's cost, the required municipal servicing to the park block on north side, outside of the plan of subdivision, to the satisfaction of the Director of Engineering.

11. Easements

- 11.1 The Owner shall grant required easements to the appropriate authority for public utilities, drainage purposes or turning circles, upon registration of the plan of subdivision. Any off-site easements and works necessary to connect watermain, storm and sanitary sewers to outfall trunks and stormwater management facilities shall be satisfactory to, and dedicated to, the City.

12. Utilities

- 12.1 The Owner shall covenant and agree in the subdivision agreement that hydro electric, telephone, gas and television cable services and any other form of telecommunication services shall be constructed at no cost to the City as underground facilities within the public road allowances or within other appropriate easements, as approved on the Composite Utility Plan, to the satisfaction of the City (Commissioner of Development Services) and authorized agencies.
- 12.2 The Owner shall covenant and agree in the subdivision agreement to enter into any agreement or agreements required by any applicable utility companies, including PowerStream, Enbridge, telecommunications companies, etc.
- 12.3 The Owner shall covenant and agree in the subdivision agreement to facilitate the construction of Canada Post facilities at locations and in manners agreeable to the City of Markham in consultation with Canada Post and that where such facilities are to be located within public rights-of-way they shall be approved on the Composite Utility Plan and be in accordance with the Community Design Plan.
- 12.4 The Owner shall covenant and agree in the subdivision agreement to include on all offers of purchase and sale a statement that advises prospective purchasers that mail delivery will be from a designated Community Mailbox. The Owners will further be responsible for notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sale.
- 12.5 The Owner shall covenant and agree in the subdivision agreement to 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 residents as soon as homes are occupied.
- 12.6 Standard Community Mailbox installations are to be done by Canada Post at locations approved by the municipality and shown on the Composite Utility Plan. Should the developer propose an enhanced Community Mailbox installation, any costs over and above the standard installation must be borne by the developer and be subject to approval by the City in consultation with Canada Post.

12.7 The Owner covenants and agrees that it will permit any telephone or telecommunication service provider to locate its plant in a common trench within the proposed subdivision prior to registration provided the telephone or telecommunications services 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.

13. Traffic Impact Study/Internal Functional Traffic Design Study

13.1 Prior to final approval of the draft plan, the Owner shall prepare, in consultation with the owners of other lands within the South Unionville Secondary Plan area, a Traffic Impact Study / Internal Functional Traffic Design Study to the satisfaction of the City. The Owner shall incorporate the requirements and criteria of the Traffic Impact Study into the draft approved plan and subdivision agreement.

14. Development Charges

14.1 The Owner covenants and agrees to provide written notice of all development charges related to the subdivision development, including payments made and any amounts owing, to all first purchasers of lands within the plan of subdivision at the time the lands are transferred to the first purchasers.

14.2 The Owner shall pay all fees and development charges as set out in the subdivision agreement.

15. Phase I Environmental Site Assessment (ESA)

15.1 Prior to release for registration of the draft plan, the Owner shall:

- i) Submit environmental site assessment reports prepared by a Qualified Person in accordance with the Record of Site Condition Regulation (O. Reg. 153/04) describing the current conditions of the land to be conveyed to the City and any proposed remedial action plan, for peer review and concurrence;
- ii) At the completion of any necessary site remediation process, submit certification from the Qualified Person that the necessary clean up has been carried out and that the land to be conveyed to the City meets the Site Condition Standards of the intended land use;
- iii) File a Record of Site Condition on the Provincial Environmental Site Registry for the land to be conveyed to the City; and

iv) Pay all costs associated with the City retaining a third-party reviewer for the peer review service.

15.2 The Owner shall covenant and agree in the subdivision agreement that if during construction of any infrastructure or building within the subdivision contaminated soils are discovered, the Owner shall submit a further remedial action plan to the City for peer review and concurrence prior to carrying out the clean up, to the satisfaction of the Director of Engineering.

16. Heritage

16.1 Prior to final approval of the draft plan of subdivision or any phase thereof, the Owner shall carry out a cultural heritage resource assessment for the lands within the draft plan to ensure the assessment and identification of appropriate treatment of built heritage and archaeological resources, and further to mitigate any identified adverse impacts to significant heritage resources to the satisfaction of the City (Commissioner of Development Services) and the Ministry of Culture (Heritage Branch). No demolition, grading, filling or any form of soil disturbances shall take place on the lands within the draft plan prior to the issuance of a letter from the Ministry of Culture (Heritage Branch) to the City indicating that all matters relating to heritage resources have been addressed in accordance with licensing and resource conservation requirements.

16.2 The Owner shall covenant and agree in the subdivision agreement to implement any measures recommended by the heritage resource assessment, to the satisfaction of the City and the Ministry of Culture (Heritage Branch).

16.3 Prior to any removal or alteration of any existing buildings, trees or other site features, the Owner shall permit City staff an opportunity to carry out photographic documentation of the property and its features for archival purposes.

17. Well Monitoring Program and Mitigation Plan

17.1 Prior to any site alteration activities, the Owner shall check if there are any active wells within 500 m of the Zone of Influence (ZOI). If any active wells are found within the ZOI, the Owner shall prepare and implement a Well Monitoring Program and Mitigation Plan, in accordance with the City's requirements to the satisfaction of the Director of Engineering.

18. Other City Requirements

18.1 Prior to final approval of the draft plan or any phase thereof, the Owner shall enter into a Developers Group Agreement(s) to ensure the provision of community and common facilities such as school sites, municipal services, parks and public roads in the South Unionville Secondary Plan area, to the satisfaction of the City (Commissioner of Development Services and City Solicitor). A certificate

confirming completion of such agreement(s) shall be provided to the City by the South Unionville Developers Group Trustee to the satisfaction of the City Solicitor.

- 18.2 Prior to final approval, the Trustee of the South Unionville Developers' Group agreement shall deliver a release letter to the City confirming the assignment of servicing allocation and indicating that the Owner has satisfied all conditions of the Group agreement and the Trustee has no objection to the registration of this draft plan of subdivision.
- 18.3 The Owner shall covenant and agree in the subdivision agreement to include warning clauses in agreements of purchase and sale for all units with single car garages advising purchasers of the following:
- the City's parking by-law requires a minimum of two parking spaces, one in the driveway and one in the garage;
  - the City's zoning by-law restricts the width of the driveway, this width does not allow two cars to park side by side; and,
  - overnight street parking will not be permitted unless an overnight street parking permit system is implemented by the City
- 18.4 The Owner shall covenant and agree in the subdivision agreement that part lots (Blocks 8 and 9) may be developed only in conjunction with abutting lands and that no building permits will be issued for said blocks until combined with abutting lands to create building lots in conformity with the zoning by-law and until all applicable fees have been paid.
- 18.5 The Owner shall provide and post display plans in all sales offices which clearly indicate the location of the following facilities in relation to the lot being purchased, prior to any Agreements of Purchase and Sale being executed by the Owner, a builder or their real estate agents:

Park, by type, including Park and Open Space Concept Plans and Streetscape Plans; stormwater management ponds and related facilities; schools by type; place of worship sites; other institutional site by type; commercial site by type; other surrounding land uses and facilities as specified by the City; existing or future: rail facilities, provincial highways, arterial and collector roads, transit routes and stops; City approved sidewalk, walkway and bike route locations; City approved postal box and utility furniture locations or possible locations if prior to approval; City lot grading standards.

All display plans shall be reviewed and approved at the sales office by City staff, prior to the opening of the sales office.

19 Region of York

- 19.1 Prior to final approval York Region shall confirm that adequate water supply and sewage servicing capacity are available and have been allocated by the City of Markham 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.
- 19.2 The Owner shall agree in the Subdivision Agreement that the Owner shall save harmless the City of Markham and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
- 19.3 Prior to final approval, a Functional Servicing Report (FSR) detailing how each of the lots and/or blocks within the draft plan of subdivision will be serviced, shall be submitted to York Region's Capital Planning and Delivery Branch, for review, record and approval.
- 19.4 Prior to final approval, the engineering drawing showing the layout of the watermains sewers shall be submitted to the Region's Capital Planning and Delivery Branch for review and record.
- 19.5 Prior to the final approval the following shall occur:
  - a) the City of Markham approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
  - b) York Region has advised in writing that the required infrastructure to support the capacity assignment associated with this development will be completed within a time frame acceptable to the Region (typically 6 to 36 months dependent upon the completing of development) to permit plan registration; or,
  - c) The Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the City of Markham allocates the capacity to this development.
- 19.6 The Owner shall agree in the subdivision agreement that any direct connection to a York Region water or wastewater system requires Regional approval prior to construction, and engineering drawings showing details of the connection shall be submitted to the Region's Capital Planning and Delivery Branch for approval.
- 19.7 Prior to final approval, the Owner shall provide a copy of the subdivision agreement to the Transportation and Community Planning Department, outlining all requirements of the Transportation and Community Planning Department.
- 19.8 The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation. Regional

Development Charges are payable prior to final approval in accordance with By-law # 2012-36.

19.9 The Regional Planning and Development Services Department shall advise that Conditions 19.1 to 19.10 inclusive, have been satisfied.

20. Ministry of Natural Resources (MNR)

20.1 The Owner shall agree in the subdivision agreement to satisfy all requirements of the Ministry of Natural Resources with respect to a Redside Dace (endangered species) potential impact on the draft plan of subdivision.

21. Ministry of Transportation (MTO)

21.1 The Owner must submit to the MTO for review and approval a copy of the Stormwater Management Report, Site Grading and Servicing Plan, addressing the intended treatment of the calculated runoff.

22. External Clearances

22.1 Prior to final approval of the draft plan of subdivision, clearance letters, containing a brief statement detailing how conditions have been met, will be required from authorized agencies as follows:

- a) The Regional Municipality of York Planning Department shall advise that Conditions 2.1 and 19 have been satisfied.
- b) The Ministry of Culture (Heritage Branch) shall advise that Conditions 16.1 and 16.2 have been satisfied.
- c) The Ministry of Natural Resources shall advise that Condition 20 has been satisfied.
- d) The Ministry of Transportation shall advise that Condition 21 has been satisfied.

Dated:

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Biju Karumanchery, Senior Development Manager