



Corporate Services

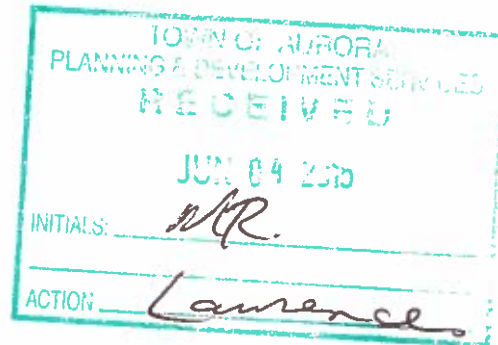
File No.: 19T-15A01 & SUB-2015-01

Refer To: Sara Brockman

May 29, 2015

Mr. Marco Ramunno, MCIP, RPP
Director of Planning and Development Services
Town of Aurora
100 John West Way, P.O. Box 1000
Aurora, ON L3G 6J1

Attention: Lawrence Kuk, Planner



**Re: Draft Plan of Subdivision 19T-15A01
21 Golf Links Drive
(Highland Gate Development Inc.)
Town of Aurora**

York Region has now completed its review of the above noted draft plan of subdivision prepared by Malone Given Parsons Ltd., Project 14-2260, dated February 24, 2015. The proposed development is located between Bathurst Street and Yonge Street, south of Kennedy Street West and north of Henderson Drive, in the Town of Aurora. The draft plan of subdivision consists of 184 single detached residential lots, a high density mixed use block, blocks for parkettes, open space/ vistas, environmental protection, walkways/ servicing blocks, existing parking, and for future residential reserves and streets within a 40.89 ha site.

Water Resources

The proposed development was reviewed in relation to the protection of the quality and quantity of York Region's municipal groundwater supplies. The subject property is located within the 5-year and 25-year Wellhead Protection Areas (WHPA-C and WHPA-D) and has vulnerability scores of 2, 4 and 6 (low to moderate). The subject site is partially located within the Oak Ridges Moraine.

Regional Water Resources staff has no significant concerns with the related proposed Official Plan Amendment. With respect to groundwater quantity, given the proximity of the site to York Region's municipal drinking water wells, construction activities that may require dewatering or groundwater depressurization have the potential to interfere with the quantity of groundwater available for municipal supply. As such, a Dewatering Plan will be required as a condition of draft plan of subdivision approval. Please note the York Region Sewer Use By-law group should be contacted for a dewatering discharge permit, if required. The incorporation of Low Impact Development measures within the proposed development is also encouraged.

Water Resources acknowledges the receipt of the Preliminary Hydrogeological Investigation which includes a Source Water Protection Risk Assessment and Management Plan. Water Resources staff will review this information and provide comments in a subsequent memo. Detailed comments from Regional Water Resources staff are attached hereto.

Infrastructure Management and Project Management Office

Transportation Planning staff have reviewed BA Group's Transportation Considerations Report dated February 2015 provided in support of this application. Detailed comments are outlined in their memorandum dated May 19, 2015, attached hereto.

Sanitary Sewage and Water Supply

This development is within the Aurora Wastewater Service Area and will be serviced from Water Pressure Districts Aurora Central/ Aurora West. It is our understanding that the subject development does not have Council committed water and wastewater allocation for the proposed development. If the Town of Aurora does not grant this development the required allocation from the Region's existing capacity assignments to date, then the development may require additional infrastructure based on conditions of future capacity assignment, which may include:

- Duffin Creek WPCP Outfall Modification – 2016 pending the outcome of the Class Environmental Assessment (EA)
- Duffin Creek WPCP Stages 1 and 2 Upgrades – late 2017 expected completion
- Upper York Sewage Solutions – 2024 expected completion
- Other projects as may be identified in future Master Plan Updates and/or studies

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

In accordance with York Region's servicing protocol respecting draft plans receiving approval prior to servicing allocation being available, staff are requesting that all residential lands be subject to various restrictions (i.e., Holding 'H' zone) to ensure that the water and wastewater servicing are available prior to occupancy. These restrictions are found within the requested schedule of conditions attached. In addition, York Region requests that the Town of Aurora apply a lapsing provision to the draft plan, pursuant to Section 51(32) of the *Ontario Planning Act*, and that York Region be provided an opportunity to comment on any proposed extensions of approval.

Additionally, confirmation is required as to how access and servicing will be provided to Block 226.

Summary

York Region has no objection to draft plan approval of the plan of subdivision subject to the attached Schedule of Pre-Conditions and 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, please contact Sara Brockman, Planner, at extension 75750 or by e-mail at sara.brockman@york.ca .

Yours truly,



Duncan MacAskill, MCIP, RPP
Manager, Development Planning

SB/

Attachments (4) Schedule of Pre-Conditions
 Schedule of Conditions
 Memo from York Region Transportation Planning dated May 19, 2015
 Memo from York Region Water Resources dated May 21, 2015

- c. Highland Gate Development Inc. (Owner) – by e-mail only
 Mr. Matthew Cory, Malone Given Parsons (Agent) – by e-mail only

Schedule of Pre-Conditions
19T-15A01
21 Golf Links Drive
(Highland Gate Development Inc.)
Town of Aurora

Re: Malone Given Parsons, 14-2260, last revised July 9, 2014

1. Prior to or concurrent with draft plan approval, the owner shall enter into an agreement with the Town of Aurora, which agreement shall be registered on title, committing the owner to:
 - A. Not enter into any agreements of purchase and sale with end users¹ for the subject lands until such time as:
 - a. The Town of Aurora approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure;

OR

 - b.
 - i. The Council of the Town of Aurora has allocated, within the limit of the Regional capacity assignment, adequate available water and wastewater servicing capacities to the subject development; and,
 - ii. York Region has advised in writing that it is no earlier than twelve (12) months prior to the expected completion of all water and wastewater infrastructure required to support the Region's capacity assignment pertaining to the Town of Aurora allocation used for the subject development;

OR

 - c. The Regional Commissioner of Environmental Services and the Town of Aurora confirm servicing capacity for this development by a suitable alternative method and the Town of Aurora allocates the capacity to this development.

AND

- B. Not enter into any agreements of purchase and sale with non end users for the subject lands unless the agreement of purchase and sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the Town of Aurora. This agreement shall be registered on title, committing the owner to the same terms as set out in item A above.

2. Prior to draft plan approval, the owner shall enter into an indemnity agreement with York Region. The agreement shall be registered on title, agreeing to save harmless York Region from any claim or action as a result of York Region releasing conditions and pre-conditions of draft approval as part of the draft approval of Plan of Subdivision 19T-15A01 or any phase thereof by the Town of Aurora, 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.

¹ the term 'end users' for the purpose of the above-noted pre-conditions is defined as the eventual homeowner who is purchasing an individual lot containing a dwelling for the purpose of occupancy

Schedule of Conditions
19T-15A01
21Golf Links Drive
(Highland Gate Development Inc.)
Town of Aurora

Re: Malone Given Parsons, 14-2260, last revised July 9, 2014

1. The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the Town of Aurora and York Region.
2. York Region shall confirm that adequate water supply and sewage capacity are available and have been allocated by the Town of Aurora for the development proposed within this draft plan of subdivision or any phase thereof. Registration of the plan of subdivision shall occur in phases based on the availability of water supply and sewage servicing allocation.
3. The Owner shall agree in the Subdivision Agreement that the Owner shall save harmless the Town of Aurora and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
4. Prior to final approval, the engineering drawing showing the layout of the watermains and sewers shall be submitted to the Infrastructure Asset Management Branch for review.
5. For all lands, the Holding (H) provisions of Section 36 of the *Ontario Planning Act* shall be used in conjunction with all residential zone categories in order to ensure that final plan approval and development of these lands does not occur until such time as the Holding (H) symbol is removed in accordance with the provisions of the *Ontario Planning Act*. The Zoning Bylaw shall specify the terms under which Council may consider the removal of the Holding (H) symbol. Said terms shall include a minimum of the following:
 - The Town of Aurora approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
 - York Region has advised in writing that the required infrastructure to support the capacity assignment associated with this development will be completed within a time period acceptable to the Region (usually 6 to 36 months depending on the complexity of the development) to permit the plan registration; or,
 - The Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the Town of Aurora allocates the capacity to this development.
6. Prior to final approval, the Owner shall agree that a basic 36 metre Right-of-Way is required for this section of Bathurst Street. As such, all municipal setbacks shall be referenced from a point 18 metres from the centreline of construction on Bathurst Street, and any additional lands required for turn lanes at intersections will be conveyed to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of York Region Solicitor.

7. The Owner shall agree in the Subdivision Agreement to provide direct shared pedestrian/cycling connection from the proposed subdivision to Bathurst Street to accommodate active transportation and public transit. A drawing is required to show the location of these facilities to the satisfaction of York Region.
8. The Owner shall agree in the Subdivision Agreement to implement all applicable infrastructure improvements related to this draft plan of subdivision based on the recommendations outlined in the BA Group's Transportation Considerations report dated February, 2015, in support of the Official Plan Amendment and draft plan of subdivision.
9. The Owner shall agree in the Subdivision Agreement to provide a TDM communication strategy to communicate and notify York Region and the Town of Aurora to effectively deliver the Information Packages and pre-loaded Presto Cards to residents. This strategy shall also include a physical location for distribution of the Information Packages and pre-loaded Presto Cards.
10. Prior to final approval, the Owner shall provide an updated Traffic Impact Study to the satisfaction of the Regional Transportation Services Department.
11. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Corporate Services Department to implement the recommendations of the functional transportation report/plan as approved by the Corporate Services Department.
12. Prior to final approval, the Owner shall submit detailed engineering drawings, to the Corporate Services Department for review and approval, that incorporate the recommendations of the functional transportation report/plan as approved by the Corporate Services Department. Additionally, the engineering drawings shall include the subdivision storm drainage system, erosion and siltation control plans, site grading and servicing, plan and profile drawings for the proposed intersections, construction access and mud mat design, utility and underground servicing location plans, pavement markings, electrical drawings for intersection signalization and illumination design, traffic control/construction staging plans and landscape plans.
13. Prior to final approval and 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 the Corporate Services Department, 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) Traffic Control/Management Plans;
 - e) Landscaping Plans, including tree preservation, relocation and removals;
 - f) Requirements of York Region Transit/Viva

14. Prior to final approval, the Owner shall provide drawings for the proposed servicing of the site to be reviewed by the Engineering Department of the area municipality. Three (3) sets of engineering drawings (stamped and signed by a professional engineer), and MOE forms together with any supporting information shall be submitted to the Corporate Services Department, Attention: Mrs. Eva Pulnicki, P.Eng.
15. Prior to final approval, the Owner shall submit drawings depicting the following to the satisfaction of York Region:
 - g) All existing woody vegetation within the York Region road Right-of-Way,
 - h) Tree protection measures to be implemented on and off the York Region road Right-of-Way to protect right of way vegetation to be preserved,
 - i) Any woody vegetation within the York Region road Right-of-Way that is proposed to be removed or relocated. However, it is to be noted that tree removal within York Region road's Right-of-Way shall be avoided to the extent possible/practical. Financial or other compensation may be sought based on the value of trees proposed for removal.
 - j) A planting plan for all new and relocated vegetation to be planted within the York Region road Right-of-Way, based on the following general guideline:

Tree planting shall be undertaken in accordance with York Region standards as articulated in Streetscaping Policy and using species from the York Region Street Tree Planting List. These documents may be obtained from the Forestry Section. If any landscaping or features other than tree planting (e.g. flower beds, shrubs) are proposed and included in the Subdivision Agreement, they will require the approval of the Town and be supported by a Maintenance Agreement between the Town and York Region for Town maintenance of these features; any such Maintenance Agreement should indicate that where the area municipality does not maintain the feature to York Region's satisfaction, the area municipality will be responsible for the cost of maintenance or removal undertaken by York Region.

16. Prior to final approval, the Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of the Corporate Services Department recommending noise attenuation features.
17. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Corporate Services Department, to implement the noise attenuation features as recommended by the noise study and to the satisfaction of the Corporate Services Department.
18. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Corporate Services Department, 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.

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

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

20. Where noise attenuation features will abut a York Region Right-of-Way, the Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Corporate Services Department, 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; and
- d) that any landscaping provided on York Region Right-of-Way by the Owner or the area municipality for aesthetic purposes must be approved by the Corporate Services Department and shall be maintained by the area municipality with the exception of the usual grass maintenance.

21. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Corporate Services Department, 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.

22. The Owner shall agree in the Subdivision Agreement that prior to the development approval of lots 1, 174-176, 183, 184 and Block 208, that direct vehicle access from lots 1, 174-176, 183, 184 and Block 208 to Bathurst Street will not be provided. All accesses must be provided via local roads and Highland Gate.

23. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Corporate Services Department 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.

24. Prior to final approval, the Owner shall submit engineering plans for York Region's approval that identify on the plans the Transit requirements.

25. Prior to final approval, the Owner shall conduct a subsurface investigation to assess dewatering and/or depressurization needs, and submit a detailed dewatering plan prepared by a qualified professional to York Region for approval prior to conducting site alterations and/or excavations.
26. Prior to final approval, the Owner shall provide a copy of the Subdivision Agreement to the Corporate Services Department, outlining all requirements of York Region.
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 prior to final approval in accordance with By-law # 2012-36.
28. The Regional Corporate Services Department shall advise that Conditions 1 to 27 inclusive, have been satisfied.