

EXPLANATORY NOTE

BY-LAW 2005 -

A by-law to amend By-law 304-87, as amended

Angus Glen Farm Ltd. & Angus Glen Golf Club Ltd.

19TM-030004

Part of Lots 19 and 20, Concession 5

LANDS AFFECTED

The by-law applies to a 22 hectare (54.36 ac ac) property, located on the south side of Major Mackenzie Drive, east of Glenbourne Drive.

EXISTING ZONING

The lands subject to this By-law are presently zoned Agriculture One (A1), Rural Residential Estate (RRE) and Open Space One (O1), by By-law 304-87, as amended.

PURPOSE AND EFFECT

The purpose and effect of this by-law is to delete the lands from By-law 304-87, as amended, so that they may be incorporated into By-law 177-96, as amended, to permit a draft plan of subdivision. By-law 304-87 is the Town's rural area by-law. By-law 177-96 is the Town's expansion area by-law.

A by-law to amend By-law 304-87, as amended

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM
HEREBY ENACTS AS FOLLOWS:

1. By-law 304-87, as amended, be and the same is hereby further amended by deleting the lands outlined on Schedule 'A' hereto from the designated area of By-law 304-87, as amended.
2. This by-law shall not come into force until By-law 2006-XX, amending By-law 177-96, as amended, comes into force and the subject lands of this by-law become incorporated into the designated area of By-law 177-96, as amended.
3. All other provisions of By-law 304-87, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

MAJOR MCKENZIE DRIVE EAST

GLENBOURNE PARK DRIVE

STAND A CT

ANGUS GLEN BOULEVARD



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 304-87



BOUNDARY OF AREA COVERED BY THIS BY-LAW

THIS IS SCHEDULE 'A' TO BY-LAW
PASSED THIS DAY

.....MAYOR

.....CLERK

NOTE: 1) DIMENSIONS ARE IN METRES
2) REFERENCE SHOULD BE MADE TO
THE ORIGINAL BY-LAW LODGED IN
THE OFFICE OF THE CLERK

SCALE 1:

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EXPLANATORY NOTE

BY-LAW 2005 -

A by-law to amend By-law 177-96, as amended

Angus Glen Farm Ltd. & Angus Glen Golf Club Ltd.

19TM-030004

Part of Lots 19 and 20, Concession 5

LANDS AFFECTED

The by-law applies to a 22 hectare (54.36 ac) property, located on the south side of Major Mackenzie Drive, east of Glenbourne Drive.

EXISTING ZONING

The lands subject to this By-law are presently zoned Agriculture One (A1), Rural Residential Estate (RRE) and Open Space One (O1), by By-law 304-87, as amended.

PURPOSE AND EFFECT

The purpose and effect of this by-law is to incorporate the lands into appropriate residential zone categories within By-law 177-96, as amended. The proposed residential zoning designations are Single Detached which will permit 173 single detached lots, 57 townhouse lots, and 120 garden apartments.

Exceptions have been included to restrict the height, require minimum lot areas, permit a convenience store and apartment dwellings.

The following conditions must be met prior to lifting the Holding Zone:

- a) The Holding provision (H) shall not be lifted until sufficient servicing capacity has been allocated.
- b) Site Plan approval has been issued.

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM
HEREBY ENACTS AS FOLLOWS:

1. By-law # 177-96, as amended, is hereby further amended as follows:
 - 1.1 By expanding the designated area of the By-law to include those lands comprising Part of Lot 19 and 20, Concession 5 as more particularly outlined on Schedule 'A' hereto.
 - 1.2 By zoning the lands

Single Detached Residential-F23*329	R1-F23*329
Residential Two	R2
Residential Two*330	R2*330
Residential Two-Lane Access*118	R2-LA*118
Residential Two-Lane Access	R2-LA
Residential Four*331 (Hold)	R4*331(H)
Open Space One	OS1
 - 1.3 By adding the following new subsection to Section 7 – EXCEPTIONS to By-law 177-96:
 - 7.329 South side of Major Mackenzie Drive, east of Glenbourne Park Drive – Angus Glen Farm Ltd. & Angus Glen Golf Club Ltd., Angus Glen Community

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *329 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.
 - 7.329.1 Zone Standards

The following specific zone standards apply:

 - a) Minimum Lot Area – 0.12 ha
 - b) Maximum number of *storeys* - 2
 - 7.330 South side of Major Mackenzie Drive, east of Glenbourne Park Drive – Angus Glen Farm Ltd. & Angus Glen Golf Club Ltd., Angus Glen Community

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *330 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.
 - 7.330.1 Additional Permitted Uses

The following additional uses are permitted:

 - a) *retail stores* in the first storey with a maximum *net floor area* of 100 square metres.

7.330.2 Special Parking Provisions

The following specific zone standards apply:

- a) Retail stores shall be exempt from providing the parking spaces required.

7.331 South side of Major Mackenzie Drive, east of Glenbourne Park Drive – Angus Glen Farm Ltd. & Angus Glen Golf Club Ltd., Angus Glen Community

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *331 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.331.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) *Apartment Dwellings*

7.331.2 Zone Standards

The following specific zone standards apply:

- a) Minimum setback to the Open Space One (OS1) zone – 7.5 m.
- b) Maximum number of storeys - 4.

1.4 HOLDING PROVISION

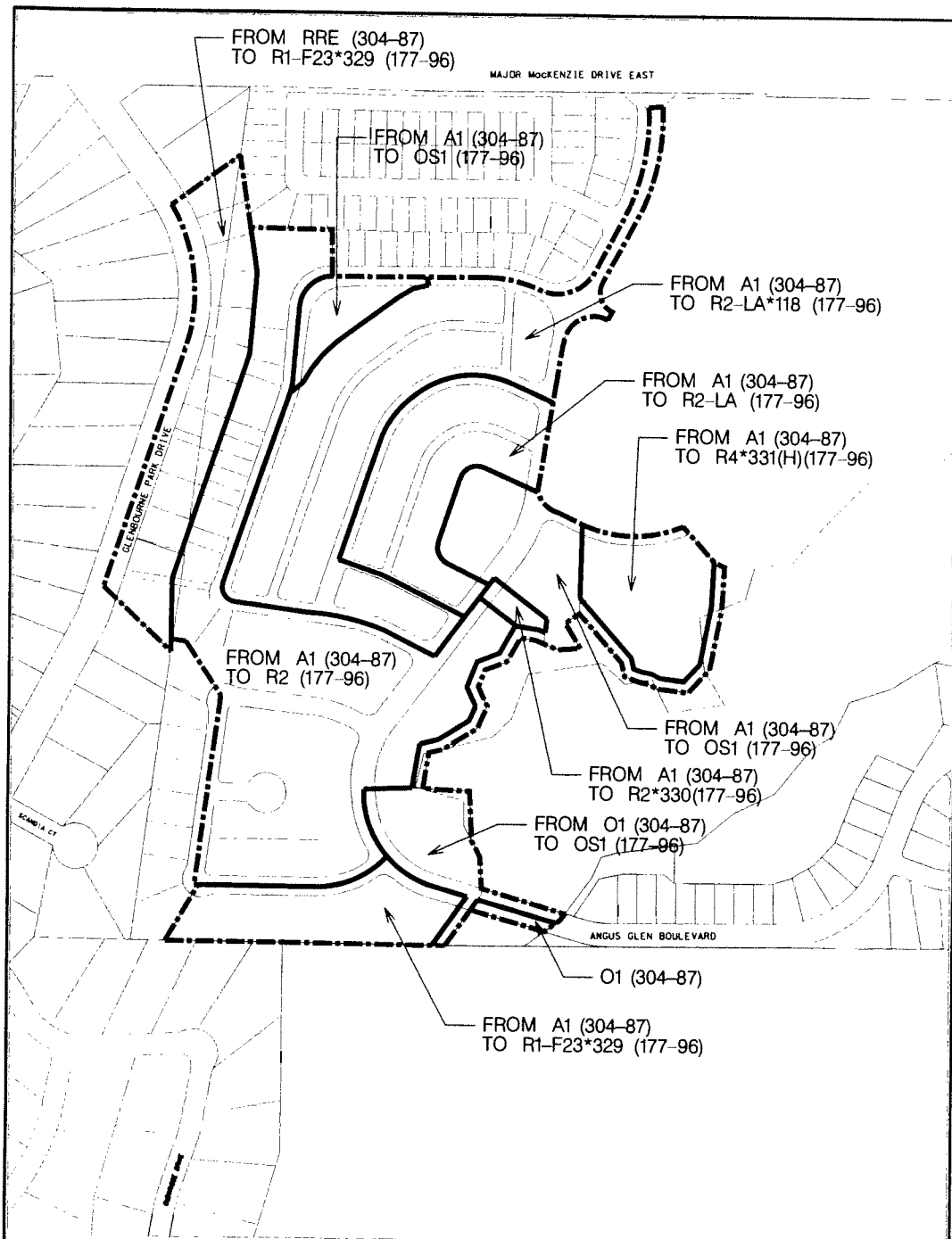
For the purpose of this By-law, a Holding (H) *zone* is hereby established and is identified on Schedule 'A' attached hereto by the letter (H) in parenthesis following the zoning symbol.

No person shall hereafter *erect* or *alter* any *building* or *structure* on lands subject to a '(H)' provision for the purpose permitted under this By-law until an amendment to this By-law to remove the letter '(H)' has come into effect pursuant to the provisions of Section 36 of the Planning Act.

Prior to removing the (H) Holding provision, the following conditions must be met to the satisfaction of the Town of Markham:

- a) The Holding provision (H) shall not be lifted until sufficient servicing capacity has been allocated.
- b) Site Plan approval has been issued.

- 2. All other provisions of By-law 177-96, as amended, not inconsistent with the provisions of this by-law shall continue to apply.



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 177-96



BOUNDARY OF AREA COVERED BY THIS BY-LAW
ZONE BOUNDARY

- | | | |
|--|---|--|
| <input type="checkbox"/> R1 RESIDENTIAL ONE | <input type="checkbox"/> R4 RESIDENTIAL FOUR | <input type="checkbox"/> *No. EXCEPTION SECTION NUMBER |
| <input type="checkbox"/> R2 RESIDENTIAL TWO | <input type="checkbox"/> RRE RURAL RESIDENTIAL ESTATE | |
| <input type="checkbox"/> R2-LA RESIDENTIAL TWO LANE ACCESS | <input type="checkbox"/> OS1 OPEN SPACE ONE | |

THIS IS SCHEDULE 'A' TO BY-LAW
PASSED THIS DAY

..... MAYOR

..... CLERK

NOTE: 1) DIMENSIONS ARE IN METRES
2) REFERENCE SHOULD BE MADE TO
THE ORIGINAL BY-LAW LODGED IN
THE OFFICE OF THE CLERK

SCALE 1: 5000

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OFFICIAL PLAN
of the
TOWN OF MARKHAM PLANNING AREA
AMENDMENT NO. XXX

To amend the Official Plan (Revised 1987), as amended, to incorporate Amendment No. 3 to the Angus Glen Secondary Plan (PD 31-1) for part of the Angus Glen Planning District (Planning District No. 31)

ANGUS GLEN WEST VILLAGE

June 2006

OFFICIAL PLAN
of the
MARKHAM PLANNING AREA
AMENDMENT NO. XXX
ANGUS GLEN WEST VILLAGE

To amend the Official Plan (Revised 1987), as amended, to incorporate Amendment No. 3 to the Angus Glen Secondary Plan (PD 31-1) for part of the Angus Glen Planning District (Planning District No. 31).

This Official Plan Amendment was adopted by the Corporation of the Town of Markham, By-law No. _____ - ____ in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the _____ day of _____, 2006.

Mayor

Town Clerk

THE CORPORATION OF THE TOWN OF MARKHAM

BY-LAW NO. _____

Being a by-law to adopt Amendment No. XXX to the Town of Markham Official Plan (Revised 1987) as amended.

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM, IN ACCORDANCE WITH THE PROVISIONS OF THE PLANNING ACT, R.S.O., 1990 HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. XXX to the Town of Markham Official Plan (Revised 1987) attached hereto, is hereby adopted.
2. THAT this by-law shall come into force and take effect on the date of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS _____ DAY OF _____, (*year*)

TOWN CLERK

MAYOR

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PART I - INTRODUCTION

(This is not an operative part of
Official Plan Amendment No. XXX)

PART I - INTRODUCTION

1.0 GENERAL

- 1.1** PART I – INTRODUCTION is included for information purposes and is not an operative part of this Official Plan Amendment.

PART II - THE OFFICIAL PLAN AMENDMENT, including Schedules ‘A’ and ‘B’ attached thereto, constitutes Amendment No. XXX to the Official Plan (Revised 1987), as amended, and is required to enact Amendment No. 3 to the Angus Glen Secondary Plan (PD 31-1) for the Angus Glen Planning District (Planning District No. 31). Part II is an operative part of this Official Plan Amendment.

PART III - THE SECONDARY PLAN AMENDMENT including Schedules “C”, “D” and Figure 5.2.3 f) attached thereto, constitutes Secondary Plan Amendment No. 3 to the Angus Glen Secondary Plan 31-1 for the Angus Glen Planning District (Planning District No. 31). This Secondary Plan Amendment may be identified by the symbol PD 31-1-3. Part III is an operative part of this Amendment.

Part IV - APPENDICES, includes amendments to Appendices 1 and 2 of the Angus Glen Secondary Plan (PD 31-1) for part of the Angus Glen Secondary Planning District (Planning District No. 31), as amended. The Appendices are included as information only and are not an operative part of this Amendment.

2.0 LOCATION

The Amendment applies to lands approximately 49.59 hectares (122.5 acres) in area, which are located east of Warden Avenue, on the south side of Major Mackenzie Drive. The subject lands constitute draft plan of subdivision 19T-03004.

3.0 PURPOSE

The purpose of this Amendment is:

- to delete Schedule ‘AA’ DETAILED LAND USE of the Secondary Plan and replace it with a new Schedule ‘AA’ amended to reflect the changes that have been made to the draft plan of subdivision as proposed by the applicant;
- to delete Schedule ‘BB’ TRANSPORTATION PLAN of the Secondary Plan and replace it with a new Schedule ‘BB’ amended to reflect the updated road pattern;
- to provide an exception permitting townhouses with direct frontage on private streets on the lands designated LOW DENSITY HOUSING, situated on the south side of Major Mackenzie Drive, north of the existing

golf course, as shown on Figure 5.2.3 f) to Part III of this Amendment attached thereto;

- to redesignate the lands containing the Peter Stoeber (Stiver) House (Part of Lot 20, Concession 5) from LOW DENSITY RESIDENTIAL to COMMUNITY AMENITY AREA 1, and to include an exception that restricts the permitted uses on the lands to a spa or single-detached dwelling only;
- to introduce the NEIGHBOURHOOD COMMERCIAL CENTRE as a commercial category within the Secondary Plan;
- to redesignate the lands containing the Casely House (Part of Lot 19, Concession 5) from LOW DENSITY RESIDENTIAL to NEIGHBOURHOOD COMMERCIAL CENTRE, and to include an exception that restricts the permitted uses on the lands to a convenience store or a single-detached dwelling only;
- to make amendments to Schedule 'A' – LAND USE and Schedule 'H' – COMMERCIAL/INDUSTRIAL CATEGORIES to the Official Plan (Revised 1987), as amended, where necessary to facilitate the Secondary Plan Amendment.
- to update and replace Appendices 1 and 2 of the Secondary Plan and all references to these within Official Plan Amendment No. 19 to the Official Plan (Revised 1987), as amended.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

This Amendment is required due to changes made by the applicant to the proposed draft plan of subdivision. Council has agreed to these changes, which are reflected in a revised land use schedule, as provided for in Part III attached thereto, and include:

- a) a redesignation of the lands, located south of Major Mackenzie Drive, west of the Stollery pond, from MEDIUM DENSITY RESIDENTIAL to LOW DENSITY RESIDENTIAL;
- b) a redesignation of the lands, situated on the south side of Major Mackenzie Drive, north of the existing golf course, from MEDIUM DENSITY RESIDENTIAL to HIGH DENSITY RESIDENTIAL;
- c) a redesignation of a portion of the lands from LOW DENSITY RESIDENTIAL to NEIGHBOURHOOD PARK;
- d) a redesignation of a portion of the lands from OPEN SPACE to NEIGHBOURHOOD PARK;
- e) a redesignation of the proposed lots adjacent to the existing residential community to the west from LOW DENSITY RESIDENTIAL – SPECIAL CONTROL to LOW DENSITY RESIDENTIAL;
- f) a redesignation of the lands containing the Peter Stober (Stiver) House (Part of Lot 20, Concession 5) from LOW DENSITY RESIDENTIAL to COMMUNITY AMENITY AREA 1;
- g) a redesignation of the lands containing the Casely House (Part of Lot 19, Concession 5) from LOW DENSITY RESIDENTIAL to NEIGHBOURHOOD COMMERCIAL CENTRE;

- h) a redesignation of a portion of the lands from LOW DENSITY RESIDENTIAL to OPEN SPACE;
- i) a deletion of a road connection to the existing rural residential development to the west and the introduction of a pedestrian walkway in its place;
- j) revisions to the existing hazard lands boundary as per the revised draft plan of subdivision; and,
- k) revisions to the internal road pattern.

PART II - THE OFFICIAL PLAN AMENDMENT

(This is an operative part of
Official Plan Amendment No. XXX)

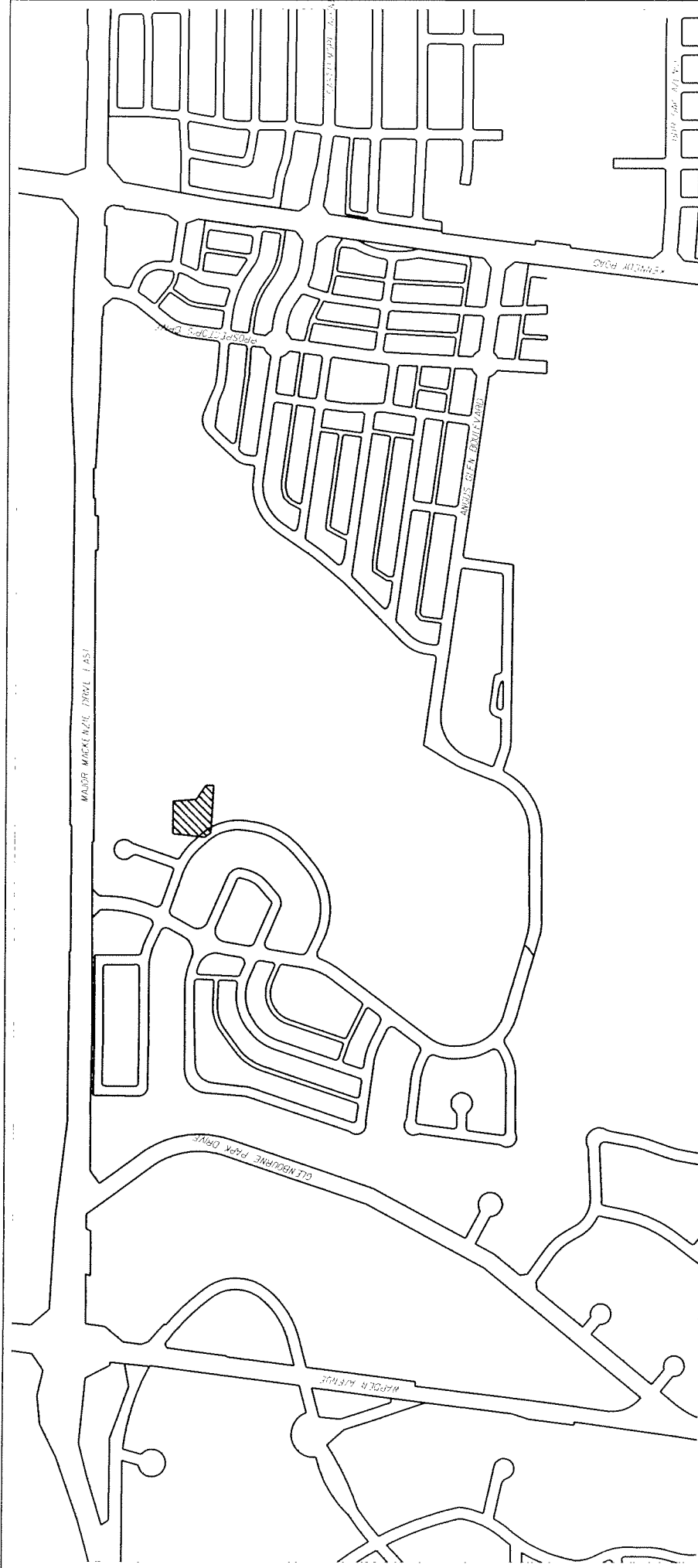
PART II - THE OFFICIAL PLAN AMENDMENT

1.0 THE OFFICIAL PLAN AMENDMENT

- 1.1** Section 1.1.2 of Part II of the Official Plan (Revised 1987) as amended, is hereby amended by the addition of the number XX to the list of amendments, to be placed in numerical order including any required grammatical punctuation.
- 1.2** Section 1.1.3 (c) of Part II of the Official Plan (Revised 1987) as amended, is hereby amended by the addition of the number XXX to the list of amendments listed in the second sentence of the bullet item dealing with the Angus Glen Secondary Plan PD 31-1, for Angus Glen Planning District, to be placed in numerical order including any required grammatical and punctuation changes prior to the words “to this Plan”.
- 1.3** Section 9.2.15 of Part II of the Official Plan (Revised 1987) as amended, is hereby amended by the addition of the number XXX to the list of amendments, to be placed in numerical order including any required grammatical and punctuation changes prior to the words “to this Plan”.
- 1.4** Schedule ‘A’ – LAND USE to the Official Plan (Revised 1987) as amended, is hereby amended as shown on Schedule ‘A’ attached hereto.
- 1.5** Schedule ‘H’ – COMMERCIAL/INDUSTRIAL CATEGORIES to the Official Plan (Revised 1987) as amended, is hereby amended as shown on Schedule ‘B’ attached hereto.
- 1.6** No additional changes to the text or schedules of the Official Plan (Revised 1987), as amended, are being made by this Amendment. This Amendment is also being made to incorporate changes to Schedules ‘AA’ and ‘BB’ and the text of the Angus Glen Secondary Plan (PD 31-1) for the Angus Glen Planning District (Planning District No. 31). These changes are outlined in Part III which comprises Amendment No. XXX to the Angus Glen Secondary Plan (PD 31-1).

2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the Official Plan, as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.



AMENDMENT TO SCHEDULE 'H' – COMMERCIAL /INDUSTRIAL CATEGORIES

TOWN OF MARKHAM OFFICIAL PLAN (REVISED 1987) AS AMENDED

BOUNDARY OF AREA COVERED BY THIS AMENDMENT



COMMUNITY AMENITY AREA

PART III - THE SECONDARY PLAN AMENDMENT

(This is an operative part of Official Plan Amendment No. XXX)

PART III - THE SECONDARY PLAN AMENDMENT

1.0 THE SECONDARY PLAN AMENDMENT

- 1.1** Part I of Official Plan Amendment No. 19 to the Official Plan (Revised 1987), as amended, which introduces Secondary Plan PD 31-1 for the Angus Glen Planning District is hereby amended, as follows:

- 1.1.1** Replace the List of Appendices in Section 1.0 with the following:

“APPENDIX NO. 1 – HOUSING MIX – TARGETS FOR NEW CONSTRUCTION

APPENDIX NO. 2 – DEVELOPMENT SUMMARY

APPENDIX NO. 3 – POSSIBLE STREET TYPE CATEGORIES”

- 1.1.2** Section 5.0 is hereby amended by replacing the number “4000” with the number “4500” in the first sentence.

- 1.1.3** By replacing the last paragraph of Subsection 5.0 a) as follows:

“The concept plan proposed a housing mix for principal dwelling units of 58% low density residential, 25% medium density residential and 17% high density residential. This mix contributes to the targets established in OPA No. 5 and the objectives of the Provincial Policy Statement on Land Use Planning for Housing. Subsequently, during the course of planning for the Angus Glen West Village, the targets were revised, as outlined in Appendix No. 1”.

- 1.2** Secondary Plan PD 31-1 for the Angus Glen Planning District (being Part III of OPA No. 19 to the Official Plan, Revised 1987, as amended) is hereby amended, as follows:

- 1.2.1** By deleting Schedule ‘AA’ - DETAILED LAND USE of the Secondary Plan in its entirety, and replacing it with a new Schedule ‘AA’, as shown on Schedule ‘C’ attached hereto.

- 1.2.2** By deleting Schedule ‘BB’ - TRANSPORTATION PLAN of the Secondary Plan in its entirety and replacing it with a new it with a new Schedule ‘BB’, as shown on Schedule ‘D’ attached hereto.

- 1.2.3** Section 5.2.1 e) is hereby amended by replacing the number “1250” with the number “1541”.

1.2.4 Section 5.2.3 f) is hereby added as follows:

“Notwithstanding Section 5.2.3 a) of the Secondary Plan, townhouses with direct frontage on a private street shall be permitted on the lands designated Low Density Housing situated on the south side of Major Mackenzie Drive, north of the existing golf course, as shown on Figure 5.2.3 f) attached hereto”.

1.2.5 Section 5.2.6 c) is hereby amended by replacing “18%” with “25%”.

1.2.6 Section 5.3.1 is hereby deleted and replaced with the following:

“5.3.1 General

In accordance with Section 3.4.3 of the Official Plan (Revised 1987) as amended, the Community Amenity Area and Neighbourhood Commercial Centre categories are applied within this Secondary Plan”.

1.2.7 Section 5.3.3 h) is hereby added as follows:

“Notwithstanding Section 5.3.3 a) of the Secondary Plan, a spa or single-detached dwelling shall be the only uses permitted on the lands containing the Peter Stoeber (Stiver) House (Part of Lot 20, Concession 5)”.

1.2.8 Section 5.3.4 is hereby added as follows:

“5.3.4 Neighbourhood Commercial Centre

General

- a) Lands within the Neighbourhood Commercial Centre shall be subject to the provisions of Section 3.4 and the specific provisions of Section 3.4.6.3 of the Official Plan (Revised 1987) as amended, and to further provisions of this Secondary Plan.
- b) Development of land designated Neighbourhood Commercial Centre shall be subject to the provisions of the Official Plan, of this Secondary Plan and resulting development guidelines”.

1.2.9 Section 5.3.4 c) is hereby added as follows:

“Notwithstanding Section 3.4.6.3 c) of the Official Plan (Revised 1987) as amended, a convenience store or single-detached dwelling shall be the only uses permitted on the lands containing the Casley House (Part of Lot 19, Concession 5)”.

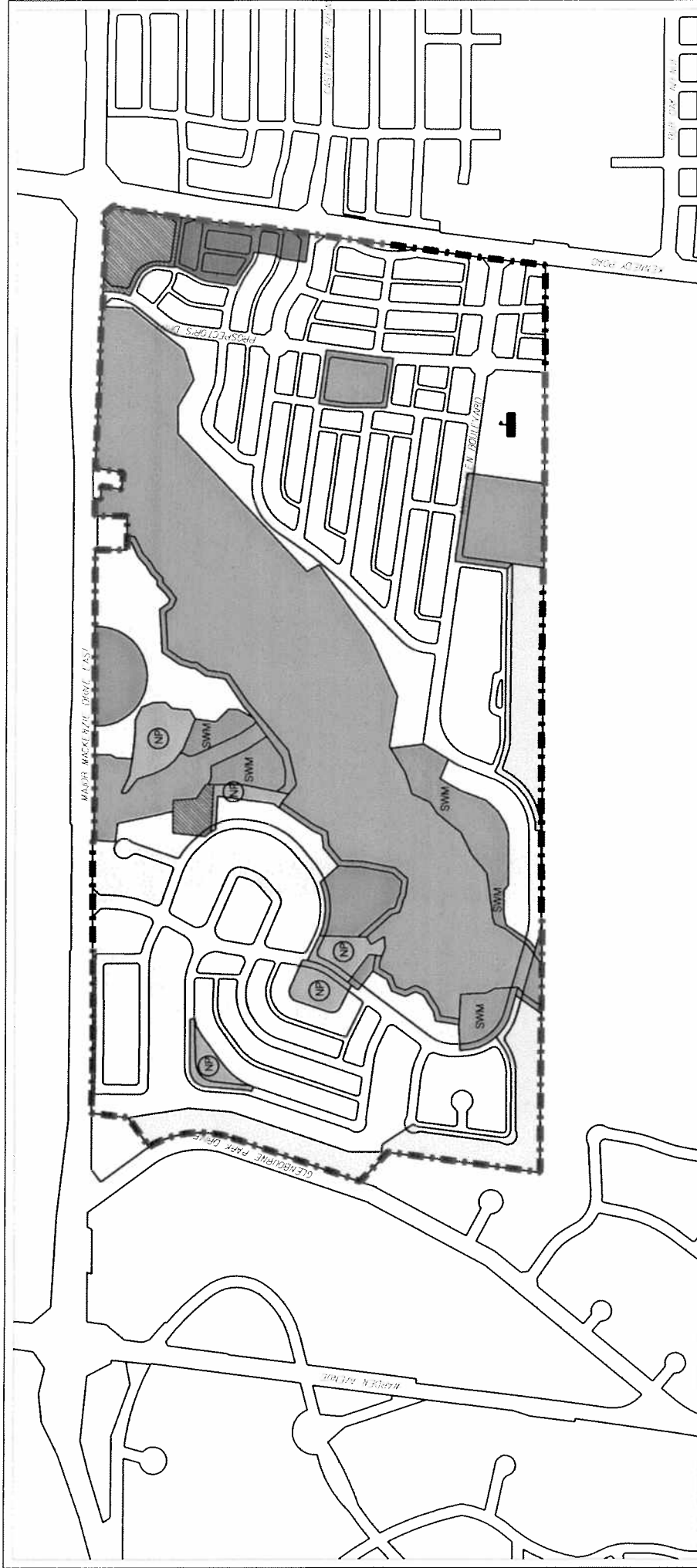
2.0 IMPLEMENTATION AND INTERPRETATION

This Amendment shall be implemented by an amendment to the Zoning By-law 177-96, as amended, in conformity with the provisions of this Amendment.

The provisions of the Official Plan, (Revised 1987), as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

(Date)

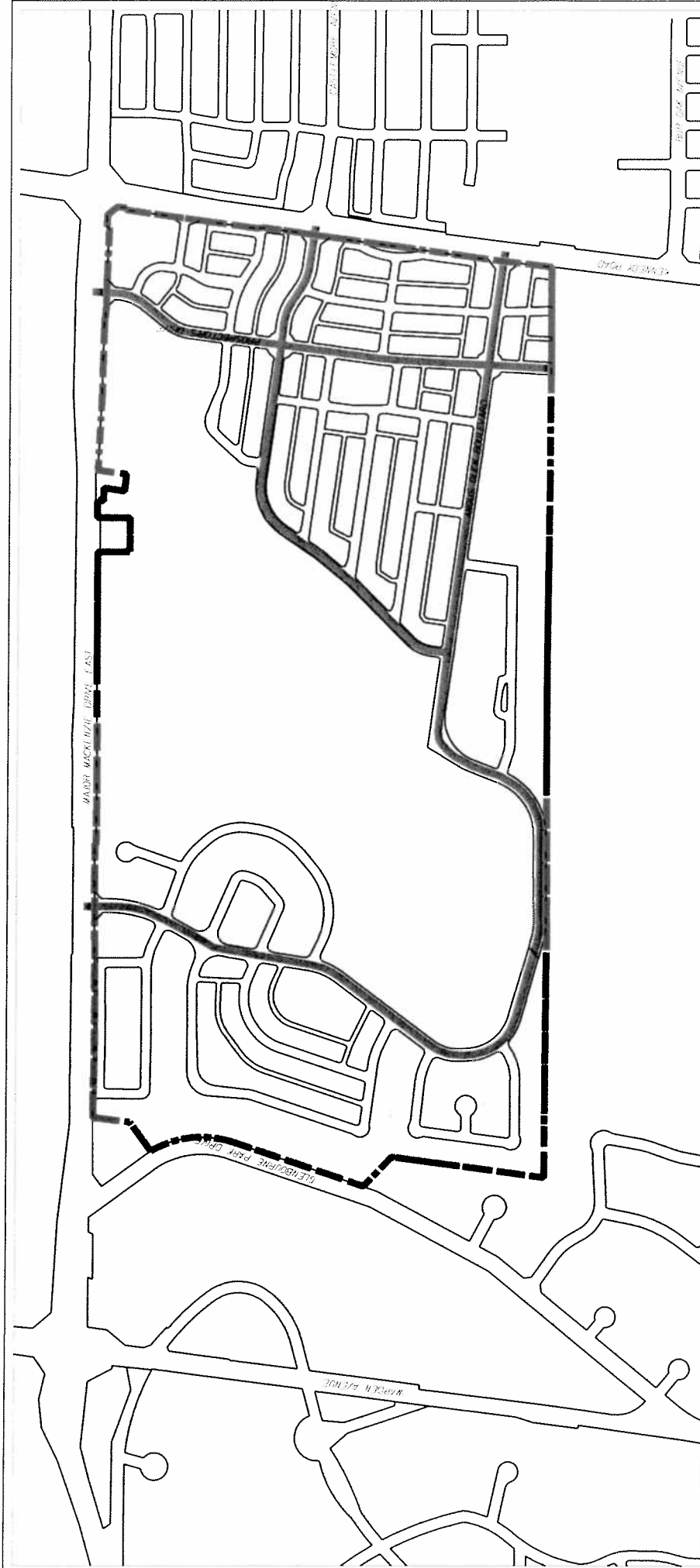
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SCHEDULE 'AA' - DETAILED LAND USE SECONDARY PLAN FOR THE ANGUS GLEN PLANNING DISTRICT (P.D. 31-1)

--- BOUNDARY OF AREA COVERED BY THIS AMENDMENT

- | | | | |
|---|--------------------------|--|---------------|
| URBAN RESIDENTIAL - HIGH DENSITY | COMMUNITY AMENITY AREA | ENVIRONMENTAL PROTECTION AREA - HAZARD LANDS | PUBLIC SCHOOL |
| URBAN RESIDENTIAL - MEDIUM DENSITY | NEIGHBOURHOOD COMMERCIAL | NEIGHBOURHOOD PARK | |
| URBAN RESIDENTIAL - LOW DENSITY | | STORM WATER MANAGEMENT | |
| URBAN RESIDENTIAL - LOW DENSITY - SPECIAL CONTROL | | OPEN SPACE | |



SCHEDULE 'BB' – TRANSPORTATION SECONDARY PLAN FOR THE ANGUS GLEN PLANNING DISTRICT (P.D.31-1)

MINOR COLLECTOR ROAD



DEVELOPMENT SERVICES COMMISSION

SCHEDULE 'D' TO OFFICIAL PLAN AMENDMENT No. XXX

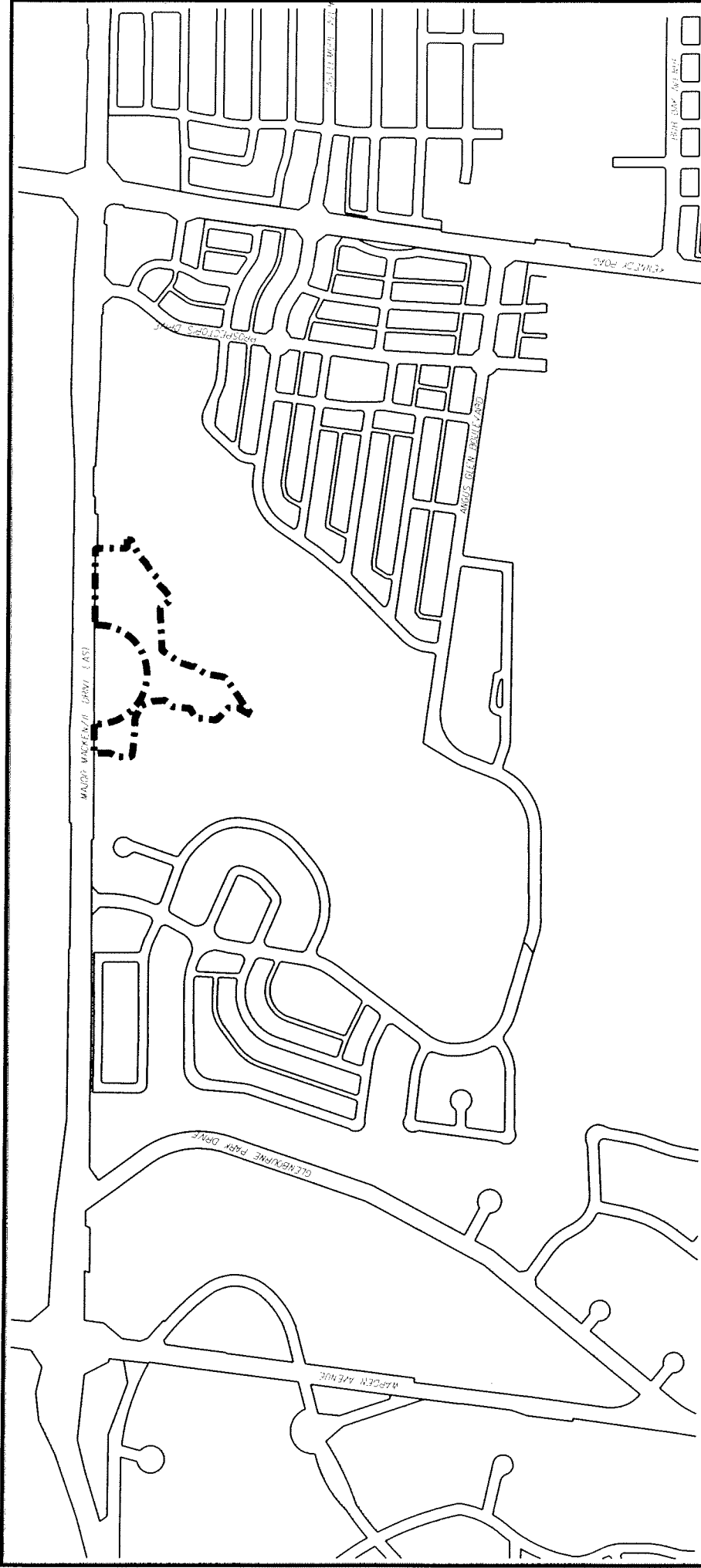
DRAWN BY:

CHECKED BY:

SCALE:
DATE:

FIGURE No. 5.2.3 f)

Boundary of area subject to the policies in Section 5.2.3 f)
Land use designation: URBAN RESIDENTIAL



PART IV - APPENDICES

(This is not an operative part of
Official Plan Amendment No. XXX)

**APPENDIX NO. 1
MODIFICATIONS TO APPENDIX NO. 1
HOUSING MIX
TARGETS FOR NEW CONSTRUCTION
OF SECONDARY PLAN PD 31-1
FOR PART OF THE ANGUS GLEN PLANNING DISTRICT, AS AMENDED**

- 1.0** Appendix No. 1 – Housing Mix – Targets for New Construction – of Secondary Plan PD 31-1 for part of the Angus Glen Planning District (Planning District No. 31), as amended, is hereby amended by deleting the table “APPENDIX NO. 1 – HOUSING MIX – TARGETS FOR NEW CONSTRUCTION” and replacing it with the following:

**APPENDIX NO. 1

HOUSING MIX
TARGETS FOR NEW CONSTRUCTION**

The overall housing mix for the Angus Glen Village community is as follows:

Low Density Residential:	73%
Medium Density Residential:	3%
High Density Residential:	24%

**APPENDIX NO. 2
MODIFICATIONS TO APPENDIX NO. 2
DEVELOPMENT SUMMARY
OF SECONDARY PLAN PD 31-1
FOR PART OF THE ANGUS GLEN PLANNING DISTRICT, AS AMENDED**

- 2.0** Appendix No. 2 – Development Summary – of Secondary Plan PD 31-1 for part of the Angus Glen Planning District (Planning District No. 31), as amended, is hereby amended by deleting the table “APPENDIX NO. 2 – DEVELOPMENT SUMMARY” and replacing it with the following:

APPENDIX NO. 2

DEVELOPMENT SUMMARY

A. LAND AREA

Gross Land Area	102.452 ha (253.155 ac)
Residential Area	65.804 ha (162.599 ac)
Community Amenity Area	1.840 ha (4.546 ac)
Conveyed Open Space	3.198 ha (7.902 ac)
Dedicated Park Space	5.976 ha (14.766 ac)
Hazard Lands	19.355 ha (47.825)
School Block	2.178 ha (5.381 ac)
Stormwater Management Pond	4.101 ha (10.133 ac)

B. RESIDENTIAL DEVELOPMENT

Low Density	1125
Medium Density	44
High Density	372
Total Number of Primary Dwellings (projected)	1,541

C. COMMERCIAL DEVELOPMENT

Community Amenity Area	15,436 m ² (166,157 ft ²)
------------------------	--

APPENDIX 'C'
RECOMMENDED CONDITIONS OF DRAFT APPROVAL
PLAN OF SUBDIVISION 19TM-030004
Angus Glen Developments

1. General

- 1.1 Approval shall relate to a draft plan of subdivision prepared by G.E. Hanson Designs, identified as Project Number WV-100-A, dated April 21, 2006 incorporating the following redline revisions:
- That the south leg (Angus Glen Blvd) of the intersection at Angus Glen Blvd and Major Mackenzie Drive, shall have a right-of-way of 27.5 metre for a length of 60 metres
 - That the right-of-way of Angus Glen Blvd between south leg of Street L and the north leg of Street H, shall be 24.0 metres
 - That portion of Street F adjacent to Major Mackenzie Drive, shall have a right-of-way of 15.5 metres
- 1.2 This draft approval shall apply for a maximum period of three (3) years from date of issuance by the Town, and shall accordingly lapse on June 27, 2009, unless extended by the Town upon application by the Owner.
- 1.3 The Owner shall enter into a subdivision agreement with the Town agreeing to satisfy all conditions of the Town 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 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 shall covenant and agree in the subdivision agreement that the Holding Zoning (H) provision shall not be removed by the Town, and that building permits shall not be sought or issued for any dwelling units within the draft plan for which a water supply allocation has not been confirmed by the Developers Group Trustee and the Town.
- 1.6 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 Town, (Commissioner of Development Services) to implement or integrate any recommendations resulting from studies required as a condition of draft approval.
- 1.7 The Owner shall pay \$100 per unit for Highway 48 flow control levies upon execution of the subdivision agreement.

- 1.8 The Owner covenants and agrees that site plan approval is required for lots 1 to 16 and 22 to 29.
- 1.9 The residential apartment Block 351 shall not be released for registration until sufficient servicing capacity has been allocated.
- 1.10 That the Owner shall enter into an agreement with the Town, applying specifically to Block 351, plan 19TM-030004, which agreement shall be registered on title, committing the Owner not to enter into any agreements of purchase and sale with anyone, including other developers or builders, for the subject blocks, until the following conditions have been met:
 - The Owner obtains sufficient servicing capacity to the satisfaction of the Region of York and Town of Markham.
- 1.11 The Owner shall covenant and agree in the subdivision agreement to construct the bridge crossing of Angus Glen Boulevard, connecting the East Village to the West Village, in the first phase of development.
- 1.12 The Owner acknowledges and understands that the design of parkette Blocks 359, 360, 361 and the south leg of park Block 358 are subject to final review and approval by the Commissioner of Development Services. If the design is not to the Commissioner's satisfaction these Blocks are to be deleted and replaced by single detached lots.

2. Roads

- 2.1 The road allowances within the draft plan shall be named to the satisfaction of the Town and the Region of York.
- 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 Town (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 Town, to the satisfaction of the Town (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 Town.
- 2.5 The Owner acknowledges that the intersection at Angus Glen Boulevard and Major Mackenzie Drive will require approval from the Region of York.

3. Noise Impact Study

- 3.1 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 Major Mackenzie Drive, Angus Glen Boulevard and by any other identified noise sources, to the satisfaction of the Town, in consultation with the Region of York. 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.
- 3.2 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 Town (Commissioner of Development Services), in consultation with the Region of York.

4. Woodlot and Tree Preservation Plans

- 4.1 The Owner shall submit an overall tree inventory and preservation plan, which has been prepared by a qualified Landscape Architect in good standing with the O.A.L.A., or a certified Arborist, to the satisfaction of the Commissioner of Development Services, prior to the execution of a subdivision agreement for any portion of the draft plan of subdivision. The tree preservation plan shall be based on information taken from a registered survey plan, showing the exact location of the trees to be preserved, location of protective hoarding, final grading, proposed municipal services and utilities, and conceptual building envelopes and driveway locations.
- 4.2 The Owner shall covenant and agree in the subdivision agreement that the Owner shall prepare and submit site grading/tree preservation plans, with respect to trees to be preserved on any portion of the plan of subdivision, showing the location of buildings and structures to be erected and proposed municipal services and utilities in that area, in accordance with the approved Tree Preservation Plan for the approval of the Town (Commissioner of Development Services) prior to the issuance of building permits.
- 4.3 The Owner shall covenant and agree in the subdivision agreement to obtain written approval of the Town prior to the removal of any trees within the area of the draft plan.

5. Streetscape and Landscape Plans

- 5.1 Prior to final approval of the draft plan, the Owner shall submit landscape plans based on the approved Cathedral Community Design Plan, to the satisfaction of the Town. These plans are to be prepared by a qualified landscape architect in good standing with the O.A.L.A. and shall include the following:

- a) streetscape plans, including a minimum of one tree per residential lot with a maximum space of 12 metres between trees for local, arterial and collector roads. The size, spacing and species selected shall be to the satisfaction of the Town (Commissioner of Development Services)
 - b) streetscape plans, to meet the specification of the Region of York and the Town of Markham.
 - c) detailed landscape plans for walkway blocks 375 and 376 and the storm water pond 367.
 - d) 1.5 metre high black vinyl chain link fencing where the rear/side yards of residential lots abut the neighbourhood parks, open spaces, and woodlots. (The fence is to step down to 1.2m adjacent to front yard setbacks).
 - e) noise attenuation fencing in accordance with the approved noise study
 - f) 1.5 metre high black vinyl chain link fencing of the Separate Elementary School Block 72 where abutting residential lots.
 - g) 1.8 metre high privacy fencing on exterior rear yards of residential units abutting roads and laneways
 - h) any other landscaping as determined by the Community Design Plan
- 5.2 The Owner covenants and agrees that the detailed design and construction of all landscaping shall be at no cost to the Town and in accordance with the provisions of the approved landscape plans.
- 5.3 The Owner shall covenant and agree that provision shall be made in the subdivision agreement for a letter of credit, in an amount to be determined by the Town, to ensure compliance with applicable tree preservation, fencing, streetscape, storm water management ponds, buffer walkway and other landscaping requirements.
- 5.4 The Owner shall covenant and agree in the subdivision agreement to prohibit all builders from imposing an extra charge to home purchasers for the items listed above.
- 5.5 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 TOWN OF MARKHAM HAS REQUIRED THE DEVELOPER TO UNDERTAKE AND BEAR THE COST OF THE FOLLOWING ITEMS:**
- STREET TREES (TREES PLANTED IN THE TOWN BOULEVARD)
 - CORNER LOT FENCING

- TREE PLANTING IN REAR YARDS ADJOINING THE LANES(IF SPECIFICALLY REQUIRED BY THE TOWN)
 - NOISE ATTENUATION FENCING AS IDENTIFIED IN THE NOISE IMPACT STUDY
 - FENCING OF SCHOOL BLOCK, 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 TOWN
- THE DEVELOPER HAS BORNE THE COST OF THESE ITEMS AND THE HOME PURCHASER IS NOT REQUIRED TO REIMBURSE THIS EXPENSE."

6. Parks and Open Space

- 6.1 The Owner shall convey Blocks 353, 354 and 358 (with associated road access and servicing) to the Town for park purposes, free of all costs and encumbrances, upon registration of the plan of subdivision. These Blocks shall be conveyed in a physical condition which is satisfactory to the Town. The Town reserves the right to require, as an alternative, payment of cash-in-lieu for any part of the said conveyance of lands for parks purposes and that the draft plan be revised accordingly.
- 6.2 The Owner covenants and agrees to work with the Developer's Group to secure terms and conditions to the satisfaction of the Town which would guarantee, in perpetuity, the complete and unencumbered conveyance of all parkland as required within the Secondary Plan Area as shown within the approved Villages of Angus Glen Design Guidelines.
- 6.3 Prior to the registration of the first phase, the Owner agrees to convey to the Town, free of all costs and encumbrances, the Valley Blocks, Open Space Blocks, Walkway Blocks and Buffer Blocks within this draft plan. The Owner acknowledges and understands that these conveyances shall not comprise part of the required dedication for park purposes. These Blocks shall be conveyed in a physical condition which is satisfactory to the Town.
- 6.4 The Owner shall covenant and agree that provision shall be made in the subdivision agreement for a letter of credit, in an amount to be determined by the Town, for the owners pro rata share of overall parkland in Angus Glen to be returned upon conveyance of the required parkland to the satisfaction of the Town.
- 6.5 The Owner shall covenant and agree to rough grade, topsoil, seed and maintain (free of stock piles and debris) all park blocks and vacant lands within the subdivision to the satisfaction of the Town. The park blocks shall be maintained until such time as the parks have been constructed and assumed by the town for maintenance. Other vacant blocks shall be maintained until such time as the ownership of the blocks has been transferred. No stockpiling of materials, including topsoil and fill, shall occur on any lands to be

conveyed to the Town. Topsoil stockpiling shall be limited to areas in a second or subsequent phase of subdivision build-out.

- 6.6 The Owner acknowledges that should these works not be completed and maintained to the satisfaction of the Commissioner of Development Services, the Town will do the work as required and draw on the letters of credit for all costs so incurred plus 10% for contract administration.
- 6.7 The Owner shall covenant and agree that provision shall be made in the subdivision agreement to post approved copies of the Community Design Plan Open Space Plans, Park Development Concept Plans and the Conceptual Facility Fit Plan for the parks and school campus in all sales offices for dwelling units within the draft plan of subdivision.

7. Stormwater Management

- 7.1 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 Town 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.
- 7.2 The Owner shall convey Blocks 365, 366 and 367 to the Town, for storm water management purposes, free of all costs and encumbrances, to the satisfaction of the Town and the TRCA, upon registration of the plan of subdivision.
- 7.3 Prior to final approval of the draft plan, the Owner shall submit a detailed design plan for Blocks 365, 366 and 367 prepared by a qualified consultant, if and as required by the Town.
- 7.4 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 Town.
- 7.5 The Owner shall covenant and agree in the subdivision agreement to obtain approval of Erosion and Sediment Control Plans in accordance with the Town's Standards prior to proceeding with any on-site works and more particularly soil stripping.

8. Municipal Services

- 8.1 The Owner shall acknowledge and agree in the subdivision agreement that final approval of the draft plan shall be subject to adequate sanitary sewer capacity and water supply being allocated to the subdivision by the Town.

- 8.2 Prior to final approval of the draft plan, the Owner shall prepare, to the satisfaction of the Town (Commissioner of Development Services), a Functional Servicing Report to determine the infrastructure required for all municipal services internal to the subdivision. Any requirements resulting from this Report shall be incorporated into the draft plan and provided for in the subdivision agreement.
- 8.3 The Owner shall acknowledge and agree in the subdivision agreement that building permits will not be issued until the Director of Building Services has been advised by the Director of Engineering that water, sewage treatment, utilities and roads satisfactory to the Director of Engineering are available to the lands, except that building permits may be issued for model homes upon terms and conditions established by the Town (Commissioner of Development Services).
- 8.4 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 Town (Commissioner of Development Services).
- 8.5 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 Town (Commissioner of Development Services).
- 8.6 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.
- 8.7 The Owner shall acknowledge and agree in the subdivision agreement that, notwithstanding that the Town may approve an interim servicing connection for a portion of the lands/development within the draft plan of subdivision, no building permits will be issued for any development beyond that which can be adequately serviced by the interim connection, and that prior to the issuance of further building permits a sanitary sewer on Angus Glen Boulevard and Glenbourne Drive to service the balance of the lands in the draft plan of subdivision must be constructed to the satisfaction of the Town (Commissioner of Development Services) and a further servicing allocation approved by Council.
- 8.8 The Owner shall acknowledge and agree in the subdivision agreement to oversize the sanitary sewers to accommodate drainage from the existing Glenborne Park Driveway

community, the West Village and the Gates Community at no cost to the Town as per the approved servicing report.

- 8.9 The Owner shall acknowledge and agree in the subdivision to provide the required servicing easements, where required, as per the Town criteria. The Owner shall revise the draft plan, if necessary, to confirm to town's easement requirements.

9. Community Design Plan

- 9.1 The Owner shall covenant and agree to submit an addendum to the Villages of Angus Glen Design Guidelines, dated April 1996 to include the revised West Village. The addendum shall be submitted prior to final approval of the draft plan.
- 9.2 The Owner shall covenant and agree in the subdivision agreement to incorporate the requirements and criteria of the Cathedral Community Design Plan into all municipal works, site plan and building permit applications within the plan of subdivision.

10. Architectural Control

- 10.1 The Owner shall retain a design consultant to prepare Architectural Design Guidelines for the Angus Glen West Village to be submitted to the Town for approval, prior to final approval of the draft plan and shall covenant and agree in the subdivision agreement to implement the architectural control guidelines.
- 10.2 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. No permits shall be issued for model homes prior to the approval of the Town of the architectural control guidelines.
- 10.3 The Owner shall ensure that the design architect for any buildings within the plan of subdivision shall not assume the role of control architect for the plan of subdivision.

11. Traffic Impact Study

- 11.1 Prior to final approval of the draft plan, the Owner shall prepare, in consultation with the Owners of other lands within the Angus Glen Secondary Plan area, a Traffic Impact Study to the satisfaction of the Town and the Region of York. The Owner shall incorporate the requirements and criteria of the Traffic Impact Study into the draft approved plan and subdivision agreement.

12. Easements

- 12.1 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 Town.

13. Utilities

- 13.1 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 Town 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 Town (Commissioner of Development Services) and authorized agencies.
- 13.2 The Owner shall covenant and agree in the subdivision agreement to enter into any agreement or agreements required by any applicable utility companies, including Markham Hydro, Consumers Gas, telecommunications companies, etc.
- 13.3 The Owners shall covenant and agree in the subdivision agreement to facilitate the construction of Canada Post facilities at locations and in manners agreeable to the Town 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.
- 13.4 The Owners 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.
- 13.5 The Owners 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.
- 13.6 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 Town in consultation with Canada Post.
- 13.7 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 Town. 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.

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 agree in the subdivision agreement to pay for applicable ASDC as per area 47A (By-law # 2004-248). The financial contribution will not be eligible for credits toward development charges. Should the final ASDC charge be higher than the Local Service Contribution, the Owner shall be responsible for paying any difference in the Local Service Contribution and the final ASDC amount.

15. Phase 1 Environmental Assessment

- 15.1 Prior to final approval of the draft plan, the Owner shall submit a Phase 1 EA report prepared by a professional engineering consultant or equivalent, in accordance with MOEE guidelines or other guidelines as appropriate, to the satisfaction of the Town. The required decommissioning of existing wells and septic systems within the subdivision are to be addressed in the EA report.

16. Heritage

- 16.1 Prior to final approval of the draft plan of subdivision or any phase thereof, the Owners 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 Town (Commissioner of Development Services) and the Ministry of Culture. 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 to the Town 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 Town and the Ministry of Culture.

- 16.3 The Owner covenants and agrees to retain the following Heritage Buildings –the Francis Stiver House and the Eleanor Lynn Casely House, known municipally as 4075 and 4077 Major Mackenzie Drive East on their original locations. The Owner covenants and agrees to relocate the Stiver Tenant House, known municipally as 4073 Major Mackenzie Drive East, to a suitable lot in the immediate vicinity to the satisfaction of the Commissioner of Development Services
- 16.4 The Owner covenants and agrees to protect and conserve the Heritage Buildings through the following means:
- a) To keep the Heritage Buildings occupied for as long as possible prior to commencement of site/construction work to prevent vandalism and deterioration;
 - b) To maintain the Heritage Buildings in good and sound conditions at all times prior to and during the development of the property;
 - c) Once the Heritage Buildings are unoccupied, to undertake the following:
 - secure and protect the buildings from damage through procedures carried out according to the Town of Markham Guidelines for Boarding Heritage Structures;
 - erect a "No-trespassing" sign in a visible location on the property indicating that the Heritage Building is to be preserved onsite and should not be vandalized and/or scavenged; and
 - install a 3m high fence around the perimeter of the house to protect the dwelling until the completion of construction in the vicinity or the commencement of long-term occupancy of the dwelling as confirmed by Town (Heritage Section) staff.
- 16.5 Prior to final approval of the plan of subdivision or any phase thereof, the Owner is to implement the following measures to protect the Heritage Buildings:
- a) The Owner is to provide at its expense a legal survey of the Heritage Building(s) to facilitate the registration of the designation and easement agreements on the created/proposed lot(s);
 - b) The Owner is to enter into a Heritage Easement Agreement for the Heritage Buildings with the Town;
 - c) The Owner is to permit the designation of the 4073 Major Mackenzie Drive East (Stiver Tenant House) under Part IV of the Ontario Heritage Act ;
 - d) The Owner is to provide a \$25,000 Letter of Credit for each Heritage Building to ensure the preservation of the existing buildings (total \$75,000). The letter of credit shall be retained for use by the Town and shall not be released until the following has been addressed:
 - construction and grading on the subject lands and adjacent lots, and roads have been completed to the satisfaction of the Town (Commissioner of Development Services),
 - the buildings have been connected to municipal services,
 - the exterior restoration of each Heritage Building is complete,

- the buildings meet the basic standards of occupancy as confirmed by the Building Standards Department, and
 - all other heritage requirements of the Subdivision Agreement have been completed;
- e) The Owner is to enter into a site plan agreement with the Town for each Heritage Building, containing details on the site plan such as driveway, grading, connections to municipal services, trees to be preserved and detailed elevations outlining the proposed restoration plan, any additions and alterations, and any proposed garage.
- 16.6 The owner shall covenant and agree in the subdivision agreement to preserve the Heritage Building at 4077 Major Mackenzie Drive East through the following means:
- a) to provide and implement a traditional restoration plan for the Heritage Building that would be reviewed and approved by the Town (Heritage Section). The restoration plan, is to be included in a site plan agreement for each of the properties;
 - b) to complete the exterior restoration of the Heritage Building at 4077 Major Mackenzie Drive East, connection of all municipal services to the allocated lot (water, gas, hydro, cable, telephone etc.) and ensure basic standards of occupancy as confirmed by Building Standards Department within two years of registration of the plan of subdivision;
 - c) to ensure that the architectural design and elevations of dwellings proposed for adjacent lots is compatible with the restored heritage dwelling;
 - d) to ensure that the final proposed grading on the lots adjacent to the Heritage Building is consistent with the existing historic grading of the Heritage Buildings;
 - e) To ensure that the historic front of the Heritage Buildings retain a front yard appearance, the type of fencing should be limited to a low residential picket fence rather than privacy fencing;
- 16.7 The Owner shall covenant and agree in the subdivision agreement to prepare and implement a marketing plan, to the satisfaction of the Commissioner of Development Services, which details the ways and means the Heritage Buildings will be marketed to prospective purchasers;
- 16.8 The Owner shall covenant and agree in the subdivision agreement to provide notice and commemoration of the Heritage Buildings through the following means:
- a) to provide and install at its cost, an interpretative baked enamel plaque for each of the three Heritage Buildings, the two historic barns and the Angus Glen Farm, in a publicly visible location on the property. The plaques are to be designed according to the specifications of the "Markham Remembered" program, and outline the history of the buildings or topic. Details of the design and location of the plaques and cairn are to be submitted for review and approval of the Town (Heritage Section);

- b) to include the following notice in each Offer of Purchase and Sale for the Heritage Buildings:

“Purchasers are advised that the existing building on this property is designated pursuant to the Ontario Heritage Act, and is subject to a heritage easement agreement with the Town of Markham. Any proposed additions or alterations to the exterior of the existing dwelling shall be subject to review and approval of plans by the Town.”

- 16.9 The Owner shall covenant and agree in the subdivision agreement to undertake the following to address heritage artifacts and materials that are to be removed from the property:

- a) to document the barns prior to their removal, and provide this information to the Town for archival purposes;
- b) to offer the barns or historical parts of the barn to the Markham Museum and Heritage Markham as a first priority at no cost to the Town;
- c) to advertise the availability of the barns for potential relocation and/or salvage to the general community;
- d) With respect to individual artifacts and materials located on the property or in barns (e.g. copper lighting balls, barn doors, picket fence sections, cedar shingles, shutters, doors, horse fencing, etc.) and their potential disposal, to offer the material to the Markham Museum and Heritage Markham at no cost to the Town for possible salvage and reuse at sites elsewhere in the Town; and
- e) to preserve the existing horse fencing in open spaces where feasible;

- 16.10 Prior to final approval of the plan of subdivision or any phase thereof, the Manager of Heritage Planning shall advise that Conditions 16.1 to 16.9, inclusive, have been satisfied.

17. Other Town Requirements

- 17.1 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 Secondary Plan PD ---- area, to the satisfaction of the Town (Commissioner of Development Services and Town Solicitor), and a certificate confirming completion of such agreement(s) shall be provided to the Town by the Developers Group Trustee to the satisfaction of the Town Solicitor.
- 17.2 The Owner acknowledges and agrees that firebreak lots within the draft plan shall be designated in the subdivision agreement, to the satisfaction of the Fire Chief. The Owner shall provide a letter of credit in an amount to be determined by the Fire Chief at the subdivision agreement stage to ensure compliance with this condition.

- 17.3 The Owner shall covenant and agree in the subdivision agreement that the Town shall have first right of refusal to acquire all or part of the school sites within the draft plan of subdivision not required by either School Board and that such other government agencies or community groups that Council may identify shall have the second right of refusal.
- 17.4 The Owner acknowledges and agrees that final approval of the draft plan of subdivision may be issued in phases provided that:
- a) phasing is proposed in an orderly progression generally consistent with the phases identified in the approved Development Phasing Plan; and,
 - b) all concerned government agencies agree to registration by phases and provide the clearances as required in Condition 20 for each phase.
- 17.5 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 Town's parking by-law requires a minimum of two parking spaces, one in the driveway and one in the garage
 - the Town's zoning by-law restricts the width of the driveway to a maximum of 3.5 metres, this width does not allow two cars to park side by side
 - overnight street parking will not be permitted unless an overnight street parking permit system is implemented by the Town
- 17.6 The Owner shall covenant and agree in the subdivision agreement that construction access will be restricted to Angus Glen Boulevard.
- 17.7 The Owner shall covenant and agree in the subdivision agreement to implement all the recommendations of approved "Scoped Environmental Impact Study" prepared by Gartner Lee to the satisfaction of the Town and the TRCA.

18. Region of York

- 18.1 The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the area municipality and the York Region Planning and Development Services Department.
- 18.2 York Region shall confirm that adequate water supply capacity and sewage treatment capacity are available and have been allocated by the Town of Markham for the development proposed within this draft plan of subdivision or any phase thereof.
- 18.3 Angus Glen Boulevard shall be constructed to extend eastward and across the valley to connect with the alignment of Angus Glen Boulevard within the approved plan of subdivision 19T-95026.

- 18.4 The owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required York Region road improvements for this subdivision. The report/plan, submitted to the York Region Transportation and Works Department for review and approval, shall explain all transportation issues and shall recommend mitigative measures for these issues.
- 18.5 The owner shall agree in the subdivision agreement, in wording satisfactory to the York Region Transportation and Works Department, to implement the recommendations of the functional transportation report/plan as approved by the York Region Transportation and Works Department.
- 18.6 The owner shall submit detailed engineering drawings, to the York Region Transportation and Works Department for review and approval, that incorporate the recommendations of the functional transportation report/plan as approved by the York Region Transportation and Works 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.
- 18.7 Prior to Final Approval, the owner shall provide a set of engineering drawings, approved by the area municipality, which indicates the storm drainage system, the overall grading plans and all proposed accesses onto York Region roads, for all lands within this plan of subdivision, to the York Region Transportation and Works Department for verification that all York Region's concerns have been satisfied.
- 18.8 Prior to Final Approval and concurrent with the submission of the subdivision servicing application (consistent with Ministry of the Environment requirements and standards) to the area municipality, the owner shall provide a set of engineering drawings, for any works to be constructed on or adjacent to the Regional road, to the Roads Branch, Attention: Manager, Development Approvals, that includes the following drawings:
- a) Plan and Profile for the Regional 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.
- 18.9 The owner shall provide drawings for the proposed servicing of the site for review by the Engineering Department of the area municipality. Three (3) sets of engineering drawings (stamped and signed by a professional engineer) and Ministry of the Environment forms together with any supporting information, shall be submitted to the York Region Transportation and Works Department to the attention of Ms. Eva Pulnicki, P.Eng.
... continued
- 18.10 The location and design of the construction access for the subdivision work shall be completed to the satisfaction of the York Region Transportation and Works Department and illustrated on the Engineering Drawings.
- 18.11 Any existing driveway(s) along the Major Mackenzie Drive frontage must be removed as part of the subdivision work, at no cost to York Region.
- 18.12 Elevations along the streetline shall be 0.3 metres above the centreline elevations of the Regional roadway.
- 18.13 The owner shall agree in the subdivision agreement, in wording satisfactory to the York Region Transportation and Works Department, to provide for the installation of visual screening between Street 'F' and Major Mackenzie Drive, consisting of either a screening fence or a combination of a berm and planting, to a maximum of 1.8 metres in height, to be located within the right-of-way of Street 'F'. The owner shall submit to the York Region Transportation and Works Department for review and approval, landscape plans showing the proposed planting for headlight screening purposes.
- 18.14 Prior to final approval the owner shall provide a copy of the subdivision agreement to the York Region Transportation and Works Department, outlining all requirements of the York Region Transportation and Works Department.
- 18.15 The owner shall submit drawings depicting the following to the satisfaction of York Region staff:
- a) All existing woody vegetation within the Regional Road right of way;
 - b) Tree protection measures to be implemented on and off the Regional Road right-of-way respecting vegetation identified for preservation;
 - c) Any woody vegetation within the Regional Road right of way that is proposed to be removed or relocated. However, it is to be noted that tree removal within Regional Road right's of way shall be avoided to the extent possible/practical. Financial or other compensation may be sought based on the value of trees proposed for removal;

- d) A planting plan for all new and relocated vegetation to be planted within the Regional Road right-of-way, based on the following general guideline:

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

- 18.16 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 York Region Transportation and Works Department recommending noise attenuation features and the owner shall agree to implement these noise attenuation features to the satisfaction of the York Region Transportation and Works Department.

- 18.17 The owner shall agree in the subdivision agreement, in wording satisfactory to the York region Transportation and Works Department, that prior to the release of any security held by York Region in relation to this plan of subdivision, and 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 conformity with Ministry of the Environment guidelines.

- 18.18 The following warning clause shall be included in the 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."

- 18.19 Where noise attenuation features will abut a Regional right-of-way, the owner shall agree in the subdivision agreement, in wording satisfactory to the York Region Transportation and Works Department, as follows:

- a) that no part of any noise attenuation feature shall be constructed on or within the Regional right-of-way;
- b) that noise fences adjacent to Regional Roads may be constructed on the private side of the 0.3 metre reserve and may be maximum 2.5 metres in height, subject to the area municipality's concurrence;

- c) that maintenance of the noise barriers and fences bordering on Regional rights-of-way shall not be the responsibility of York Region; and,
 - d) that any landscaping provided on the Regional right-of-way by the owner or the area municipality for aesthetic purposes must be approved by the York Region Transportation and Works Department and shall be maintained by the area municipality with the exception of the usual grass maintenance.
- 18.20 The following lands shall be conveyed to York Region for public highway purposes, free of all costs and encumbrances:
- a) a widening across the full frontage of the site where it abuts Major Mackenzie Drive of sufficient width to provide a minimum of 18.0 metres from the centreline of the construction of Major Mackenzie Drive;
 - b) a 15.0 metre by 15.0 metre daylight triangle at the southeast and southwest corners of Angus Glen Boulevard and Major Mackenzie Drive;
 - c) a 0.3 metre reserve across the full frontage of the site where it abuts Major Mackenzie Drive and adjacent to the above noted widenings; and,
 - d) an additional 2.0 metre widening, 40.0 metres in length, together with a 60.0 metre taper for the purpose of a eastbound right turn lane at the intersection of Major Mackenzie Drive and Angus Glen Boulevard.
- 18.21 The owner shall convey to York Region a 0.3 metre reserve along the entire frontage of the site where it abuts Major Mackenzie Drive except at the approved access location, adjacent to the above noted widenings, free of all costs and encumbrances, to the satisfaction of the York Region Solicitor.
- 18.22 In order to determine what property dedications, if any, are required to achieve the ultimate right-of-way width of Major Mackenzie Drive abutting the subject site, the applicant shall submit a recent plan of survey for the property that illustrates the existing centre line of Major Mackenzie Drive.
- 18.23 The owner shall provide a solicitor's certificate of title in a form satisfactory to the York Region Solicitor, at no cost to York Region with respect to the conveyance of lands to York Region.
- 18.24 The owner shall conduct an environmental audit of the lands by a qualified professional in the field. The audit will contain the requirements of the Phase 1 Environmental Site Assessment, as per applicable Ontario standards, guidelines and regulations. Based on the findings of this assessment, York Region may require further study to determine any remedial action required to remove contaminants. The owner shall agree in the subdivision agreement, in wording satisfactory to the York Region Transportation and

Works Department, to certify that all lands to be conveyed to York Region are free of all noxious, deleterious materials on or under the surface. This certification shall be done at no cost to York Region.

- 18.25 Angus Glen Boulevard shall be designed to intersect Major Mackenzie Drive at a right angle.
- 18.26 The intersection of Angus Glen Boulevard and Major Mackenzie Drive shall be designed to the satisfaction of the York Region Transportation & Works Department with any interim or permanent intersection works including turning lanes, profile adjustments, illumination and/or signalization as deemed necessary by the York Region Transportation and Works Department.
- 18.27 The intersection of Angus Glen Boulevard and Major Mackenzie Drive shall include a continuous, at-grade pedestrian connection (i.e. concrete sidewalk) linking the two roadways, subject to the approval and specifications of the Town, York Region Transportation & Works Department and York Region Transit (YRT).
- 18.28 Direct vehicular access from Lots 86, 87, 92, 218, 247, 341, 355, 360, 361 and 362 to Major Mackenzie Drive will not be permitted. Vehicular access must be provided through the internal road network.
- 18.29 The owner shall agree in the subdivision agreement to construct a concrete sidewalk along the entire frontage of the subject property where it abuts Major Mackenzie Drive, subject to the specifications and approval of the Town and YRT.
- 18.30 The owner shall agree in the subdivision agreement to construct a passenger platform at the southwest corner of Major MacKenzie Drive and Angus Glen Boulevard, subject to the specifications and approval of YRT and the Town.

Note:

The bus stop locations determined during the design phase are subject to change. Prior to construction of passenger platforms, the consultant should confirm with YRT the final bus stop locations/requirements. The consultant should contact YRT facilities coordinator - Ann Marie Carroll at (905)762-1282 ext. 5677 to confirm final details.

- 18.31 The owner shall submit drawings showing the sidewalk locations, passenger platforms, shelter pads and pedestrian connections to the satisfaction of YRT prior to construction.
- 18.32 The Owner shall agree in the subdivision agreement to advise all potential purchasers of existing and planned transit services affecting the subject lands. This would include current transit routes, bus-stops and shelter locations. This can be achieved through distribution of information/marketing materials at sales offices and appropriate notification clauses in purchase agreements. Route maps are available from YRT upon request.

- 18.33 Prior to Final Approval the owner shall provide a copy of the duly executed local subdivision agreement to the York Region Transportation and Works Department, outlined all requirements of the York Region Transportation and Works Department.
- 18.34 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 DC-0005-2003-050.
- 18.35 The York Region Planning and Development Services Department shall advise that Conditions 1 to 35, inclusive, have been satisfied.

19. Toronto and Region Conservation Authority

- 19.1 Prior to final approval of the draft plan, the owner shall complete any required studies, relating to matters under the jurisdiction of the Toronto and Region Conservation Authority (including but not limited to the establishment of limits of development and environmental buffer zones associated with valleylands, the design of crossings of valleylands and storm water management), to the satisfaction of the Authority. The owner acknowledges and agrees that requirements resulting from these studies shall be incorporated into the draft plan of subdivision and the subdivision agreement as required.
- 19.2 Prior to final approval of the draft plan, the owner shall provide a signed copy of the subdivision agreement to the TRCA, which agreement shall include all requirements of the TRCA as outlined in their comments to the Town dated May 10, 2006.
- 19.3 That prior to any grading, development, pre-servicing or site alteration, or registration of this plan or any phase thereof, the applicant submit for the review and approval of the TRCA:
 - a. A detailed engineering report that describes the storm drainage system (quantity and quality) for the proposed development of the subject lands. This report shall include:
 - i. plans illustrating how this drainage system will tie into surrounding drainage systems and storm water management techniques which may be required to control minor or major flows;
 - ii. 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 fish and their habitat;
 - iii. proposed method for controlling or minimizing erosion and siltation

on-site and/or in downstream areas during and after construction;

- iv. location and description of all outlets and other facilities which may require a permit pursuant to Ontario Regulation 166/06, (TRCA Regulation of development, interference with wetlands and alterations to shorelines and watercourses);
 - v. development limit "constraint" mapping for areas adjacent to natural features, showing all of the following (both existing and proposed) that are applicable to the site: top of bank, stable slope line, floodlines, significant vegetation, and required buffers, with the draft plan of subdivision on the same plan.
 - vi. Plans illustrating proposed methods for treating road run-off, and proposed locations for the stock-piling of snow.
- b. Overall grading plans for the subject lands.
- c. A comprehensive water balance strategy be submitted to the satisfaction of the TRCA and Town of Markham staff, which identifies how ground water infiltration will be maintained on the site, and provides detailed design of the system, and implementation and monitoring information.
- 19.4 That all construction activities be undertaken in accordance with the findings and recommendations of the Angus Glen West Village -Scoped Environmental Impact Study (prepared by Gartner Lee Limited).
- 19.5 That the implementing zoning by-law recognize Blocks 362, 363, 364, 368 to 374 in addition to all other blocks in which natural features are located, an open space or other suitable zoning category which has the affect of prohibiting structural encroachment and ensuring the long term preservation of the lands in perpetuity, to the satisfaction of the TRCA. In addition, the noted zoning by-law(s) must stipulate the following:
- a) a minimum 7.5 metre structural setback (rear and/or side yard) for all lots abutting the valley corridors (including all buffer blocks) on the subject property. Please note that no buildings, accessory structures, paved/hardened surfaces or any other infrastructure are permitted within this setback area.
- 19.6 That the applicant attain all necessary permits required under Ontario Regulation 166/06, in addition to all approvals from Fisheries and Oceans Canada, and the Ministry of Natural Resources, as required.
- 19.7 That all blocks including natural features (including but not necessarily limited to Blocks 362, 363, 364, 368 to 374) be dedicated gratuitously to the Town of Markham.

- 19.8 That comprehensive restoration and enhancement plans be provided for all Open Space blocks containing watercourse features or buffers, detailing all areas to be restored or enhanced, proposed natural channel and Open Space Block design, specifically related, but not limited to, the proposed reconnection of the Bruce Creek tributary at the location of the Stollery Pond, and identifying proposed vegetation species, densities and monitoring requirements to the satisfaction of the TRCA.
- 19.9 That the owner agree in the subdivision agreement, in wording acceptable to the TRCA:
- a. to carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the technical report referenced in Condition 19.3;
 - b. To agree to, and implement, the requirements of the TRCA's conditions in wording acceptable to the TRCA;
 - c. to design and implement on-site erosion and sediment control;
 - d. to maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period, in a manner satisfactory to the TRCA;
 - e. to obtain all necessary permits pursuant to Ontario Regulation 166/06 from the TRCA, in addition to all necessary approvals for external agencies, including but not necessarily limited to Fisheries and Oceans Canada, and the Ministry of Natural Resources;
 - f. to erect a permanent fence to the satisfaction of the TRCA for lots and blocks abutting Open Space Blocks, including but not necessarily limited to 362, 363, 364, 368 to 374
 - g. To provide the requisite funding, or contribute to a cost-sharing fund to provide for the long-term monitoring and maintenance of the water balance and infiltration measures on this site, to the satisfaction of the TRCA.
 - h. To implement all water balance/infiltration measures identified in the water balance study that is to be completed for the subject property.
 - i. To provide for planting, restoration and enhancement of all disturbed areas adjacent to or within natural areas to the satisfaction of TRCA staff. And, that monitoring and replanting of these areas be completed for period of a minimum of 2 years, with sufficient funds be secured through this period through a letter of credit or other appropriate measure.
 - j. to commit to provide appropriate information to all perspective buyers of lots adjacent to Open Space (valley) blocks through all agreements for purchase and

sale, sales information, and community maps to ensure that the land owners are well informed that private use and/or access to the Open Space block shall not be permitted, and reflect the intent of the following:

"The Open Space block adjacent to the subject property is considered to be part of the publically owned valley corridor and will be maintained for environmental protection, and public use purposes. Please note that uses such as unauthorized private picnics, barbeque or garden areas; and/or the dumping of refuse (e.g. grass/garden clippings, household compostable goods, garbage etc.) are not permitted on these lands. In addition, access to the valley corridor such as private rear yard gates and/or ladders are prohibited".

- 19.10 That all proposed crossings of Bruce Creek must be sized appropriately to convey flood waters, and preserve the naturalizing form and function, and predicted meanderbelt of the watercourse.
- 19.11 That the draft plan be red-lined revised in order to meet the requirements of the TRCA's conditions, if necessary.

20. External Clearances

- 20.1 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, 10.1 and 18, inclusive, have been satisfied.
 - (b) The Toronto and Region Conservation Authority shall advise that Conditions 6.1, 6.2 and 19 have been satisfied.
 - (c) The Ministry of Culture shall advise that Conditions 16.1 and 16.2 have been satisfied.