

ATTACHMENT 1 – CONDITIONS OF SITE PLAN APPROVAL
SITE DEVELOPMENT FILE DA.11.114
WEST RUTHERFORD PROPERTIES INC.

1. THAT prior to the execution of the Site Plan Agreement:
 - a) The Development Planning Department shall approve the final site plan, building elevations, lighting, landscape plan, landscape details, landscape cost estimate, arborist report, tree preservation plan and tree compensation plan, sustainability performance metrics as well as requiring the development to go before the City's Design Review Committee.
 - b) The implementing Official Plan for Official Plan Amendment File OP.11.012 and the implementing zoning by-law for Zoning By-law Amendment File Z.11.043 shall be in full force and effect.
 - c) The Parks, Forestry and Horticulture Operations shall approve the arborist report, tree inventory and preservation plan and tree compensation plan. The City shall require separate compensation for City-owned trees that are removed in accordance with the Council adopted Tree By-law 052-2018 and the City's Replacement Tree Requirements Policy.
 - d) The Owner shall acknowledge that a Private Property Tree Removal and Protection Permit shall be required for the removal or injury to trees (over 20 cm diameter at breast height ('DBH')) in accordance with the Council adopted Tree By-law 052-2018. The Owner shall not remove trees without written approval by the City.
 - e) The Owner shall provide written authorization from the abutting property owner to the west at 3800 Rutherford Road prior to the removal of any trees to the satisfaction of the City.
 - f) The Parks Development Department shall approve the Community Services and Facilities Study.
 - g) The Development Engineering ('DE') Department shall approve the final site plan, servicing plan, grading plan including the retaining wall and retaining wall details, erosion and sediment control plan, Environmental Noise Report, Functional Servicing and Stormwater Management Report, and Traffic Impact Study including a Transportation Demand Management.
 - h) The Owner is required to provide the consent of the adjacent landowner at 3800 Rutherford Road and submit the 65R plan for the road dedication for the Proposed New Municipal Road. The entirety of the Proposed New Municipal Road shall be required for the first phase of the Development.

ATTACHMENT 1 – CONDITIONS OF SITE PLAN APPROVAL
SITE DEVELOPMENT FILE DA.11.114
WEST RUTHERFORD PROPERTIES INC.

- i) A Phase Two Environmental Site Assessment ('ESA') Report and a Letter of Reliance for the use of the Phase One - ESA Report and Phase Two – ESA Report shall be prepared and approved to the satisfaction of the DE Department.
 - j) A registered agreement on title between the Owner and the owner of 3800 Rutherford Road for providing and the maintaining a full enclosure for the loading area and garbage compactors for the commercial use (currently No Frills) at 3800 Rutherford Road in order for the Subject Lands to meet the Class 4 designation pursuant to the Ministry of the Environment, Conservation, and Parks Noise Guideline NPC-300 (Stationary and Transportation Sources - Approval and Planning) shall be required to the satisfaction of the Development Engineering Department.
 - k) The Environmental Services Department, Solid Waste Management Operations shall approve the site plan, floor plan and other relevant plans and details associated with waste management and the Waste Collection Design Standards Submission Form.
 - l) The Owner shall satisfy all requirements from York Region, including providing any required easements and widenings to York Region, and any other required agency or the City.
 - m) The Owner shall satisfy all requirements from Hydro One, Alectra Utilities Corporation, Enbridge Gas, Bell Canada, Rogers Communications and Canada Post.
2. THAT the Site Plan Agreement shall include the following provisions and/or warning clauses, to the satisfaction of the City:
- a) "The Owner shall acknowledge that a four percent (4%) community benefits charge on the appraised value of the Subject Lands shall be levied and be payable to the City prior to the issuance of the first Building Permit in accordance with the Community Benefits Charge By-law 202-2022."
 - b) "Retaining walls and acoustic fences and subsurface infrastructure shall be included on the final Plan of Condominium and that the declaration of the future condominium corporation shall provide that the future condominium corporation shall maintain and manage the retaining walls and acoustic fences and subsurface infrastructure."
 - c) "The on-site refuse and recycling collection and snow removal shall be the responsibility of the future condominium corporation."

ATTACHMENT 1 – CONDITIONS OF SITE PLAN APPROVAL
SITE DEVELOPMENT FILE DA.11.114
WEST RUTHERFORD PROPERTIES INC.

- d) “The Owner shall provide the Subject Lands with its own centralized mail receiving facility to the satisfaction of Canada Post”.
- e) “The Owner shall contact the Forestry Operations Division of the Transportation Services, Parks and Forestry Operations Department once the tree protection measures have been installed for inspection and approval according to City specifications.”
- f) “The Owner shall contact the Forestry Operations Division for a Private Property Tree Removal and Protection Permit (Construction/Infill) for the removal/injury to trees (over 20 cm DBH) on the Subject Lands or municipally owned trees of any size and trees located within 6 m of the Subject Lands in accordance with Tree By-law 052-2018.”
- g) The entirety of the Proposed New Municipal Road shall be dedicated as a public highway without monetary consideration and free of all encumbrances to the City for the first phase of the Development. The road allowance within this Plan shall be named to the satisfaction of the City and York Region.
- h) “The Owner shall agree to notify both the Ministry of Tourism, Culture and Sport and the City of Vaughan Development Planning Department immediately in the event that:
 - i) archaeological resources are found on the property during grading or construction activities, to which the Owner must cease all grading or construction activities; and
 - ii) where human remains are encountered during grading or construction activities, the Owner must cease all grading or construction activities. The Owner shall contact York Region Police, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.”
- i) “The Owner shall include the following warning clauses as a schedule in all Offers of Purchase and Sale, or Lease for all lots/blocks within the entire Development:
 - i) “Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including those from commercial and/or construction activities, may be of concern and

**ATTACHMENT 1 – CONDITIONS OF SITE PLAN APPROVAL
SITE DEVELOPMENT FILE DA.11.114
WEST RUTHERFORD PROPERTIES INC.**

occasionally interfere with some activities of the dwelling occupants.”

- ii) “The maintenance of the noise attenuation features, or fencing shall not be the responsibility of the City or York Region. Retaining walls and acoustic fences and subsurface infrastructure shall be included on the final Plan of Condominium and that the declaration of the future condominium corporation shall provide that the future condominium corporation shall maintain and manage the retaining walls and acoustic fences and subsurface infrastructure.”
- iii) “Purchasers and/or tenants are advised that the surrounding open space or stormwater facility may be left in a naturally vegetated condition and receive minimal maintenance.”
- iv) “Purchasers and/or tenants are advised that local or primary or collector streets may be subject to public transit bus traffic in the future.””