

**Attachment 1 – Conditions of Approval**  
**Site Development File DA.14.042 (LCT Investment Group Ltd.)**

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1. THAT prior to the execution of the Site Plan Agreement:
  - a) The Development Planning Department shall approve the final site plan, building elevations, signage, landscape plan, landscape details, landscape cost estimate, signage details, lighting plan, Tree Inventory and Preservation Plan, and tree protection plan.
  - b) The Owner shall submit Building Permit stage architectural drawings and building material specifications for the Moody Darker House as part of the approval of the Site Plan Application and all preservation work shall be undertaken by a qualified person(s) with previous experience in the preservation and adaptive reuse of heritage resources to the satisfaction of the Development Planning Department.
  - c) The Development Engineering Department shall approve the final site plan, servicing plan, grading plan, erosion and sediment control plan, Functional Servicing and Stormwater Management Report, and Traffic Demand Management Plan.
  - d) The Environmental Services Department, Waste Management Division shall approve the final site plan and the Waste Collection Design Standards, and any plans and reports, including the associated with waste and recycling collection.
  - e) The Forestry Operations Division will provide a separate compensation value for the City-owned trees along Kipling Avenue proposed for removal, in accordance with Section 4.2 (Tree Valuation Formula for Public Trees) of the City of Vaughan Tree Protection Protocol; The Owner shall inform the Forestry Operations Division once tree protection measures have been installed for inspection and approval according to City specifications.
  - f) The Owner shall obtain a Discharge Approval for permanent ground water discharge ('Discharge Approval') from Vaughan prior to the release of the Site Plan Approvals, if required by Vaughan to the satisfaction of the Environmental Services Department, Public Works Division.
  - g) The Owner shall enter into a Tree Protection Agreement with the City in accordance with Council enacted Tree By-law 52-2018 and the City's Tree Protection Protocol.
  - h) The Owner shall provide the City with a letter of consent from Canadian Pacific Railway respecting the removal of the trees on and/or abutting their right-of-way and the letter must identify that any costs and activities associated with tree removals shall be at the Owner's expense. Should the Owner not receive a letter of consent from the Canadian Pacific Railway for

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the removal of the tree located, the Owner shall amend the Tree Protection Plan and Arborist Report to provide tree protection for the subject tree in accordance with the City's Tree Protection Protocol, and the Site Plan Agreement shall include the provision of securities to the satisfaction of the City for the protection and the replacement of the tree should the tree be damaged during construction.

- i) The Owner shall satisfy all requirements from Alectra Utilities Corporation, Enbridge Gas Inc., 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 pay cash-in-lieu of the dedication of parkland for high-density residential development at the rate of 1 ha per 300 units and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at the rate of 1 ha per 500 units, or at a fixed unit rate, prior to the issuance of a Building Permit, in accordance with Section 42 of the Planning Act and shall conform to the City's Cash-in-Lieu of Parkland Policy."
  - b) "The Owner shall agree to implement the recommendations of the final Detailed Noise Impact Study into the design and construction of the buildings on the Subject Lands."
  - c) "A noise consultant shall certify that the building plans are in accordance with the noise control features recommended by the final Detailed Noise Impact Study. Where mitigation measures such as wall, window and/or oversized forced air mechanical systems are required, these features shall be certified by a Professional Engineer at the City's request. The Engineer's certificate must refer to the final Detailed Noise Impact Study and be submitted to the City's Chief Building Official and the Director of Development Engineering."
  - d) "Purchasers and/or tenants are advised that Canadian Pacific Railway ('CP') company, or its assigns or successors in interest, has or have a railway right-of-way located within 300 meters from the land subject hereof. There may be alterations to or expansions of the railway facilities and/or operations in the future, which alterations or expansions may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the Plan and individual dwellings. CP will not be responsible for complaints or claims arising from the use of its facilities and/or operations."

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- e) “Purchasers and/or tenants are advised that this development contains an emergency/secondary access route, which may not be the primary means of ingress and egress. This route is to be used only by emergency services in the event of an emergency and is not intended for regular use by residents. Access to the emergency/secondary access route is strictly limited to those occasions when it is deemed necessary in the interests of health, safety, or welfare.”
- f) “1. Currently the only method of Total Suspended Solids (‘TSS’) Quality Control for the Subject Lands is provided through the OGS identified as SFPD0816. City of Vaughan standards indicate that OGS(s) shall be designed for 80% TSS removal based on manufacturer’s specifications, however, the Development will only receive credit for 50% TSS removal. Additional measures to help promote additional TSS removal should be considered. Please revise the Functional Servicing Report Quality Control section to speak to how the criteria will be achieved.
2. The runoff resulting from a 5 mm rainfall must be retained on site for reuse, infiltration, or evapotranspiration. Please revise the Functional Servicing and Stormwater Management Brief (‘FSR’) to include a section that details how the criteria will be achieved. The Servicing drawing should also be updated to include any details necessary to be consistent with the FSR.
3. Long-term dewatering is proposed for the underground parking garage; therefore, a sampling port and flow meter shall be included at the STM outlet of the underground parking garage to monitor these flows per Environmental Services Criteria.”
- g) “1. Prior to the discharge of any water originating from a source other than Vaughan’s water supply, including water originating from groundwater accumulating or collected on private lands (‘Private Groundwater Discharge’) to Vaughan’s storm sewer system, the Owner shall obtain a Discharge Approval for permanent ground water discharge (‘Discharge Approval’) from Vaughan prior to the release of the Site Plan Approvals, if required by Vaughan. The following terms and conditions within this section 1 and sections 2, 3, and 4 are subject to the Vaughan requiring a Discharge Approval, if applicable:
- a) The Owner shall install all works to carry out the Private Groundwater Discharge (‘Discharge and Related Work’) in accordance with the terms and conditions of the Discharge Approval, all to Vaughan’s satisfaction. Furthermore, the Owner shall ensure that all Discharge and Related Works are in good standing with the Discharge Approval.
- b) Prior to registration of the condominium on the Lands, the

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Owner shall ensure that the Discharge Approval is in full force and effect and that the Discharge and Related Works are in good standing in accordance with the terms and conditions of the Discharge Approval and operating to Vaughan's satisfaction.

- c) Upon registration of the condominium on the Subject Lands, the Owner (which shall then be the condominium corporation) shall apply for and obtain a renewal of the Discharge Approval within thirty (30) days of registration or prior to the expiry date on the Discharge Approval, whichever occurs first, such that the Owner (condominium corporation) shall assume and become responsible for the Discharge Approval and the Discharge Related Works.
  - d) Fees related to Discharge Approval renewals shall apply in accordance with the City's Sewer Use By-law 087-2016, as amended.
  - e) Upon the Owner's application to renew the Discharge Approval in accordance with section 1 c), the Owner shall provide a report prepared and sealed by a licensed professional geoscientist, in the province of Ontario, attesting that all Private Groundwater Discharge comply with the requirements of the Discharge Approval issued by Vaughan.
2. The Owner agrees that post-development flow rates discharged to the Vaughan's storm sewer system from the Subject Lands, including Private Groundwater Discharge, shall not exceed the allowable flow rates discharged to the Vaughan's storm sewer system as approved by the DE Department and per the Discharge Approval. The Owner may be required to add or modify the Discharge and Related Works to Vaughan's satisfaction, all at their sole cost and expense. Where the Private Groundwater Discharge flow rates are exceeded, causing the post-development flow rates discharged to the Vaughan's storm sewer system to exceed the pre-development flow rates discharged to the Vaughan's storm sewer system, Council Approval for Discharge Approval will be required.
  3. The Owner's right to Private Groundwater Discharge from its Lands into the Vaughan's sewer system is subject to all terms and conditions of the Site Plan Agreement, the Discharge Approval, if required, the Vaughan's Sewer Use By-Law 087-2016, as amended, and all applicable laws and regulations.
  4. The Owner agrees that in the event the Owner fails to comply with any of the terms and conditions set out in Sections 1 to 3, Vaughan may immediately suspend, terminate, or revoke, at Vaughan's sole discretion, any discharge privileges granted under the Site Plan

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Agreement and the Discharge Approval, if applicable.”

- 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 abide by the requirements of the *Endangered Species Act (2007)* and the *Migratory Birds Convention Act (1994)* prior to the removal of any tree.”