

ATTACHMENT 15

CONDITIONS OF SITE PLAN APPROVAL **SITE DEVELOPMENT FILE DA.20.044** **2777100 ONTARIO INC. ('THE OWNER')** **9675, 9687 AND 9697 KEELE STREET** **CITY OF VAUGHAN**

Conditions of Site Plan Approval:

1. THAT prior to the execution of the Site Plan Agreement:
 - a) The Owner shall provide the final georeferenced AutoCAD drawings of the site plan and landscape plan, the associated Excel translation files and the individually layered pdfs for all drawings to the satisfaction of the GIS section of the Development Planning Department. If the files meet requirements, an email from gisplanning@vaughan.ca confirming the final submission has been approved will be provided;
 - b) The Development Planning Department shall approve the final site plan, building elevations, landscape plan, landscape details, landscape cost estimate, lighting plan, Tree Protection Plan, Arborist Report and Sustainability Performance Metrics;
 - c) The Draft Plan of Subdivision 19T-20V003 shall be registered on title with the Land Registry Office;
 - d) The Owner shall enter into a Tree Protection Agreement to the satisfaction of the Development Planning Department and shall provide compensation to Vaughan in lieu of 25 trees located within the site that will be removed and cannot be re-accommodated onsite in the amount of \$13,750.00 payable by certified cheque, in accordance with Vaughan's Tree Replacement Requirements pursuant to By-law 052-2018, as amended, and the Vaughan Tree Protection Protocol;
 - e) The Owner shall provide a one-time financial contribution in the amount of \$14,830.00 for the long-term maintenance of the enhanced landscape features within the Keele Street right-of-way, to the satisfaction of the Development Planning Department.

- f) The Owner shall pay the applicable Development Engineering Site Plan Complex review fees and building water charge pursuant to the Fees and Charges By-law paid to the satisfaction of the Development Engineering Department;
- g) The Owner shall provide the City a one-time financial contribution in the amount of \$14,960.00 to the satisfaction of the Development Engineering Department. This represents the Owner's proportionate share of the required sanitary sewer system improvements on Keele Street. The calculation is based on sanitary sewer system upgrades identified in the City's Focus Area Core Servicing Strategy.
- h) The Development Engineering Department shall approve the final site servicing and grading plan, erosion control plan, functional servicing and storm water management report, site plan drawings, final noise report, Traffic Impact Study ('TIS') and required technical documents for external works for service connections for the subject lands, to the satisfaction of the Development Engineering Department.
- i) The Owner shall make the necessary arrangements with the City's Environmental Services Department for the supply of potable water for construction purposes. The Owner shall be responsible for all costs incurred by the City in connection with the water used for testing and flushing the water distribution system.
- j) If required, the Owner shall enter into a Subdivision Agreement through the Development Engineering Department for the installation of any proposed service connections and agree to pay for design and construction of any improvements to the municipal infrastructure regarding the site servicing assessment, should it be determined that upgrades are required to the infrastructure to support this development. The Agreement shall be registered to the lands to which it applies, and to the satisfaction of the City. The Owner shall agree to:
 - i. Design and construct any require improvements to the municipal infrastructure to support this development, and any required municipal services upgrades (watermains, sanitary and storm sewers)

- ii. Pay applicable agreement fees and others pursuant to the City Fees and Charges By-law as amended, and post the necessary Letters of Credit.
 - k) The Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division. The Owner shall also agree in the Site Plan Agreement that the development will have private waste collection and snow removal services.
 - l) The Owner shall satisfy all requirements of York Region relating to Regional file SP.20.V.0233, to the satisfaction of the York Region. Development Engineering, Community Planning and Development.
 - m) To meet dedication requirements under the *Planning Act*, the VOP 2010 and in-effect Parkland Dedication By-law and applicable amendment, payment-in-lieu of parkland shall be provided. Real Estate Services shall review and provide comments as required prior to Building Permit. The valuation date of land value for payment-in-lieu, including determining what unit rate shall apply under the Parkland Dedication By-law, shall be the day before the day the required first building permit is issued for the development.
 - n) The Owner shall satisfy all requirements from Canada Post, Alectra, and Enbridge Gas.
2. THAT the Site Plan Agreement include the following provisions and/or warning clauses, to the satisfaction of the City:
- a) "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:
 - i. archaeological resources are found on the property during grading or construction activities 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."

- iii. In the event of a future development application that involves further soil disturbance an archaeological assessment by a professional licensed archaeologist may be required and conditions of approval may apply.”
- b) “The Owner acknowledges that the City has Species at Risk within its jurisdiction which are protected under the *Endangered Species Act, 2007*, S.O.2007. The Owner is required to comply with Ministry of Natural Resources and Forestry regulations and guidelines to protect these species at risk and their habitat. The Owner acknowledges that, notwithstanding any approval made or provided by the City in respect to the Plan or the related Site Plan Agreement, they must comply with the provisions of the *Act*.”
- c) “The Owner shall pay to City of Vaughan, cash-in-lieu of parkland equivalent to 5% of the value of the subject lands, in accordance with the *Planning Act*, and the City’s Parkland Dedication By-law. The Owner shall submit an appraisal of the subject lands, in accordance with the *Planning Act* and the City’s Parkland Dedication By-law, prepared by an accredited appraiser for approval by the Vaughan Real Estate Department, and the approved appraisal shall form the basis of the calculation or the cash-in-lieu payment, as applicable.”
- d) “The Owner shall pay applicable Development Charges in accordance with the Development Charges By-law of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board.”
- e) “The Owner shall agree to implement the recommendations of the final detailed noise impact assessment report into the design and construction of the buildings on the subject lands and include all necessary warning statements on all agreements of purchase and sale or lease of individual units, all to the satisfaction of the City.”
- f) “Prior to the occupancy of each unit, a noise consultant shall certify that the building plans are in accordance with the noise control features recommended by the final detailed noise impact assessment report. Where mitigation measures such as a 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 assessment report and be submitted to the City’s Chief Building Official and the Director of Development Engineering.”

- g) The Owner shall agree in the Site Plan Agreement to include the following Noise Warning Clauses in the agreements of Offer of Purchase and Sale, lease/rental agreements and condominium declarations including but not limited to the following:
- i. "Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the Municipality's and the Ministry of Environment Conservation and Parks' (MECP') noise criteria."
 - ii. "This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the MECP noise criteria. (Note: The location and installation of the outdoor air conditioning device should be done to comply with noise criteria of MECP Publication NPC-216, Residential Air Conditioning Devices, and thus minimize the noise impacts both on and in the immediate vicinity of the subject property".
 - iii. "Units 1 to 10 incorporate central air conditioning prior to occupancy."
 - iv. "The location and installation of the outdoor air conditioning device shall be done to comply with both the requirements of Zoning By-law 1-88 regarding the placement of air conditioning devices and the noise criteria of MECP Publication NPC-216, Residential Air Conditioning Devices, and thus minimized the noise impacts both on and in the immediate vicinity of the subject lands. Where technically feasible, the air-cooled condenser units should be paired together along with the rear of the dwelling units with the exception of Unit 1 and Unit 10 where the air condenser unit can be placed along the side wall."
 - v. "Ontario Building Code ('OBC') -compatible construction based on the bedroom and living/dining room window-area to floor-area ratios will be enough to meet the MECP's interior noise criteria. Large window-area to floor-area ratios can be used and still meet the interior noise criteria without the need for upgraded glazing or exterior wall construction. Windows related at STC 25 or greater are easily available. The brick veneered facades are adequate

where any OBC compatible construction is adequate for the exterior façade. There are no special glazing requirements for the kitchen and bathroom, where applicable.”

- h) “Prior to occupancy of each dwelling unit, the Owner shall submit to the City satisfactory evidence that the appropriate noise warning clauses have been included in the Offer of Purchase and Sale, lease/rental agreements, and condominium declarations.”
- i) “The Owner is required to contact the City’s Environmental Services Department at least 72 hours in advance of connecting to and/or disconnecting from any existing municipal water services to ensure that the staff is present on site to observe the works and to provide any additional requirements to the City’s satisfaction.”
- j) “The Owner/Consulting Engineer shall design, implement and monitor erosion and sediment control measured during all phases of construction in the plan in accordance with the Toronto and Region Conservation Authority (‘TRCA’) Erosion and Sediment Control Guidelines for Urban Construction, Dated December 12, 2006, to the satisfaction of the City and TRCA.
- k) “The Owner shall satisfy the following requirements of Canada Post:
 - i. The Owner shall consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans;
 - ii. The Owner shall confirm to Canada Post that the final secured permanent locations for the Community Mailboxes will not be in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads;
 - iii. The Owner shall install concrete pads at each of the Community Mailbox locations as well as any required walkways across the boulevard and any required curb depressions for wheelchair access as per Canada Post’s concrete pad specification drawings;
 - iv. The Owner shall agree to prepare and maintain an area of compacted gravel to Canada Post’s specifications to serve as a temporary Community Mailbox location. This location will be in a safe area away from construction activity in order that Community

Mailboxes may be installed to service addresses that have occupied prior to the pouring of the permanent mailbox pads. This area will be required to be prepared a minimum of 30 days prior to the date of first occupancy; and

v. The Owner will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy.”

- l) “Prior to occupancy of each dwelling unit, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses have been included in the Offer of Purchase and Sale, lease/rental agreements, and condominium declarations.”
- m) “The Owner agrees that the subject lands will be serviced by a private waste collection service. Homeowners are advised that removal of both recycling, general waste, leaf and yard waste, bulky waste items, metal/appliance collection and any future organics collection will be by way of a private waste service provided by and paid for by the future Condominium Corporation. The Condominium is not designed for public waste removal.”
- n) “The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent of 5% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City’s Cash-in-lieu of Parkland Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.”
- o) “This Development is located within the Maple Heritage Conservation District and any exterior alterations to the dwellings, including window design are subject to the Maple Heritage District Conservation District Plan and may require approval from the City.”