

Attachment 1 – Conditions of Site Plan Approval
Site Development File DA.13.016 (Celebration Estates Inc.)

1. THAT prior to the execution of the Site Plan Agreement:
 - a) The Development Planning Department shall approve the final site plan, landscape plan, landscape details, landscape cost estimate, photometric plan, building elevations and Sustainability Performance Metrics (SPM);
 - b) The Owner shall provide a letter of consent to injure and remove trees from the York Region District School Board for the shared ownership trees along the east property boundary;
 - c) The Owner shall provide a cash-in-lieu payment that must be submitted to the City in accordance with the Council adopted Tree By-law 052-2018 and the City's Tree Protection Protocol;
 - d) The Owner shall satisfy all comments provided by Parks, Forestry and Horticulture Operations;
 - e) The Development Engineering Department shall approve the final site servicing and grading plan and erosion and sediment control plan;
 - f) The Owner shall pay provide the City a one-time financial contribution in the amount of \$8,600.00. This represents the Owner's proportionate share of the required sanitary sewer system improvements along Kipling Avenue Sanitary Sewer based on a cost per person equivalent of \$430/person (8 units x 2.5ppu = 20 persons equivalent x \$430.00/person);
 - g) The Owner shall submit an application to Public Works, Environmental Services Department to obtain a Permanent Discharge Approval, if required;
 - h) The Owner shall obtain approval of a Minor Variance Application from the Committee of Adjustment and the decision from the Committee shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee, if any;
 - i) The Owner shall satisfy all requirements from the York Region District School Board;

- j) The Owner shall satisfy all requirements from Alectra Utilities Corporation, Enbridge Gas Inc., Bell Canada 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 notify Forestry Operations Division of the Transportation Services, Parks and Forestry Operations once Tree Protection (Hoarding) has been installed, to allow Vaughan Forestry to inspect and approve according to By-law 052-2018 and/or in accordance with the City of Vaughan's Tree Protection Protocol (2018);
 - b) The Owner shall pay to the City applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board;
 - c) The Owner shall convey land 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, at Vaughan's discretion, prior to the issuance of a Building permit, in accordance with the *Planning Act* and the City of Vaughan Parkland Dedication By-law;
 - d) Prior to the issuance of a Building Permit, the Owner shall pay to the City of Vaughan by way of certified cheque a community benefits charge equivalent to 4% of the value of the subject lands in accordance with Section 37 of the *Planning Act* and the City's Community Benefits Charge By-law. The Owner shall submit an appraisal of the subject lands, pursuant to City's Community Benefits Charge 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 of the community benefits charge payment;
 - e) Should archeological resources be found on the Lands during construction activities, the Owner must immediately cease all construction activities and notify the Ontario Ministry of Tourism, Culture and Sport and the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division. If human remains are encountered during construction activities, the Owner must immediately cease all construction activities and shall contact the York Region Police Department, the Regional Coroner and the Registrar of the Cemeteries at the Bereavement Authority of Ontario (BAO) of the Ministry

of Public and Business Service Delivery for the purposes of determining whether any future investigation is warranted and complete any such investigation prior to the resumption of construction activities;

- f) The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada. The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost;
- g) The Owner shall obtain any required additional permits and coordinate all inspections directly through the City's Development Inspection and Lot Grading Division upon receipt of Site Plan Approval for all proposed works within the City's right-of-way (i.e. curb cuts/fills, sidewalk installation, boulevard rehabilitation);
- h) The Owner is required to contact the City's Environmental Services Department through the Development Inspection and Lot Grading division of DE, at least 72 hours in advance of connecting to and/or disconnecting from any municipal services (including any required re-location works) to ensure that staff is present on site to observe the works including the decommissioning of services and to provide any additional requirements to their sole satisfaction;
- i) The Owner shall be required to contact the City of Vaughan Environmental Services Department to purchase the required water meter. The water meter shall be installed with sufficient read-out equipment to the satisfaction of the City;
- j) The Owner agrees that post-development flow rates discharged to Vaughan's storm sewer system from the Lands, including Private Groundwater Discharge, shall not exceed the allowable flow rates discharged to Vaughan's storm sewer system as approved by Development Engineering 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 Vaughan's storm sewer system to exceed the pre-development flow rates discharged to

Vaughan's storm sewer system, Council Approval for Discharge Approval will be required;

- k) The following warning clauses shall be included in all Offers of Agreement of Purchase and Sale for all dwelling units:
- i. "Purchasers are advised that despite the inclusion of noise control features in this development area and within the dwelling units, sound from increasing road traffic on Highway 7 and Kipling Avenue and rail traffic on the CP railway line may continue to be of concern and may occasionally interfere with some activities of the dwelling occupants, as the outdoor traffic sound levels may exceed the noise criteria of the Municipality and the Ministry of Environment."
 - ii. "Purchasers are advised that in order to achieve an acceptable indoor living environment this dwelling unit has been equipped with a central air conditioning system, to allow the windows and doors to be kept closed, thereby ensuring that the indoor sound levels meet the noise criteria of the Municipality and the Ministry of the Environment."
 - iii. "Canadian Pacific Railway and/or its assigns or successors in interest has or have a railway right-of-way and/or yard located adjacent to the subject land hereof with operations conducted 24 hours a day, 7 days a week, including the shunting of trains and the idling of locomotives. 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/or vibration attenuating measures in the design of the development and individual dwellings, Canadian Pacific Railway will not be responsible for complaints or claims arising from the use of its facilities and/or its operations on, over, or under the aforesaid right-of-way and/or yard."
- l) The Owner shall obtain a TRCA permit pursuant to Ontario Regulation 166/06 to authorize works within the Regulated Area.