

ATTACHMENT 10
CONDITIONS OF SITE PLAN APPROVAL
SITE DEVELOPMENT FILE DA.18.088

Conditions of 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 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 Owner shall submit an updated sustainability metrics scoring tool which achieves the minimum standard to the satisfaction of the Development Planning Department.
 - c. The elevation drawings shall be updated to incorporate the City's mandatory Bird Safe Design Standards.
 - d. The Owner shall obtain, as applicable, all necessary approvals/permits from the Regional Municipality of York, to their satisfaction, as the subject site abuts a regional right-of-way (i.e. Highway 27). Approvals shall be forwarded to Development Engineering Department for record.
 - e. The Owner shall address and satisfy all comments supplied by the Development Engineering Department, to the satisfaction of the City.
 - f. 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, if required, a Discharge Approval for permanent ground water discharge ("Discharge Approval") from the City of Vaughan (the 'City') prior to the release of the Site Plan Approvals, if required by the City. The terms and conditions within the Groundwater Discharge Section are subject to the City requiring a Discharge Approval, if applicable.
 - g. The Owner shall provide Development Engineering with written confirmation that the construction and alignment of the shoring and retaining wall structures bounding the subject lands will not encroach upon the neighbouring properties, unless written consent of the encroachment from the respective neighbouring property Owner(s) is obtained. Any

written consent obtained shall be forwarded to the City for review and record.

- h. The Owner shall address all Development Engineering Department comments to the satisfaction of Development Engineering Department. Revised engineered drawings and reports shall be submitted to the satisfaction of the City.
 - i. The Owner shall submit a detailed noise impact assessment and provision of any recommended noise control measures, all of which are to be satisfactory to the City.
 - j. The Owner shall submit a copy of the registered plan of survey (i.e. R-Plan) showing the boundaries of the hotel portion used for the designation of the Class 4 acoustical area, to the satisfaction of the City.
 - k. The Owner shall submit a copy of the executed agreement with Costco with applicable stationary source owner registered on title, addressing the noise mitigation measures as identified in the accepted detailed noise impact assessment, to the satisfaction of the City.
 - l. The Owner shall register a warning clause (and restrictive covenant) on title indicating that the Owner of the lands shall ensure that all non-operable windows, ventilation measures, and any other noise mitigation measures identified in the accepted detailed noise impact assessment will not be modified or will meet the same level of noise specifications or better.
 - m. The Development Engineering Department shall approve the final grading plan, servicing plan (including interim and ultimate strategies), erosion and sediment control plan, Functional Servicing and Stormwater Management Report, Geotechnical Investigation Report and Transportation Impact Study.
 - n. The Owner shall satisfy the Conditions of Approval of York Region as set out on Attachment 10a) and dated May 9, 2023.
 - o. Prior to the execution of the Site Plan Agreement, the Owner is required to satisfy all conditions of Draft Plan of Subdivision Approval for file 19T-20V009 and the final Draft Plan shall be registered on title.
2. THAT the Site Plan Agreement include, but not be limited to, the following clauses/conditions:
- 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.
- b. The Owner shall pay its proportionate share of the cost of the construction of Innovation Drive and associated municipal services that were built as part of the SRF Vaughan Subdivision (file no. 19T-08V03).
- c. All services within the property (sanitary, water and storm) will privately owned, maintained, and operated and will be the responsibility of the Condominium Corporation.
- d. The Owner/applicant shall at their expense arrange to prepare and register a reference plan of the subject lands showing the proposed easements in favor of Blocks 1 – 5, over identified stormwater management system, sanitary pipe watermain, control structures and any other infrastructure contributing to the operation of the site as a whole, for the purposes of access, construction, operations, and maintenance related to the servicing of the subject lands to the satisfaction of DE. The Owner/applicant shall submit a draft reference plan to the Development Engineering Department for review prior to deposit.
- e. The City's Noise By-law, Schedule 4, be amended to designate the hotel portion of Parentela Holding Ltd.'s site located at 8440 Highway 27 as a Class 4 area and the property description shall include reference to the assessed noise level limits defined in the final comprehensive Noise Impact Assessment report to the satisfaction of the City conditional upon:
 - i. Implementation of recommended design and mitigation measures as identified in the detailed noise impact assessment and the submission of a noise certification letter, prepared by a noise consultant, confirming the construction and implementation of the noise mitigation measures as identified in the accepted detailed noise impact assessment, to the satisfaction of the City.
- f. Water and sanitary servicing connections (i.e. decommissioning existing/installation of proposed) within the City's right-of-way must be completed by a City contractor. The Owner is required to contact the Development Inspection and Lot Grading Division directly, upon receipt of

Site Plan approval, to coordinate the proposed works. The watermain within the Subject Lands will be the responsibility of the future condominium corporation. The water meter will be owned by the City and shall be purchased from the City's Environmental Services Department by the Owner.

- g. The Owner is required to contact City of Vaughan Environmental Services directly at least 72 hours in advance of connecting to and/or disconnecting from any municipal water services to ensure that staff is present on site to observe the works and to provide any additional requirements to their sole satisfaction.
- h. The Owner shall obtain any applicable 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).
- i. Should a Discharge Approval be required, the following conditions shall apply:
 - i. The Owner shall install all works to carry out the Private Groundwater Discharge ("Discharge and Related Works") 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.
 - ii. Prior to the registration of the condominium on the Subject Lands, the 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.
 - iii. Upon registration of the condominium on the Subject Lands, the Owner (which shall then be the condominium corporation) shall apply for an 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.
 - iv. Fees related to the Discharge Approval renewal(s) shall apply in accordance with the City's Sewer Use By-law 087-2016, as amended.

- v. Upon the Owner's application to renew the Discharge Approval in accordance with 2(i)(iii), 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 complies with the requirements of the Discharge Approval issued by Vaughan.
- j. The Owner agrees that post-development flow rates discharged to the Vaughan's storm sewer system from the Lands, including Private Groundwater Discharge, shall not exceed the allowable flow rates discharged to the 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 the 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.
- k. 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 this Agreement, the Discharge Approval, if required, the Vaughan's Sewer Use By-Law 087-2016, as amended, and all applicable laws and regulations.
- l. The Owner agrees that in the event the Owner fails to comply with any of the terms and conditions set out in 2 i to k, Vaughan may immediately suspend, terminate or revoke, at Vaughan's sole discretion, any discharge privileges granted under this Agreement and the Discharge Approval, if applicable.
- m. The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to issuance of a Building permit, in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.
- n. The Owner shall satisfy all requirements from Canada Post.
- o. The Owner shall satisfy all requirements from Alectra Utilities Corporation, Enbridge Gas Inc., and Bell Canada.



Corporate Services
Community Planning and Development Services

May 9, 2023

David Harding
City of Vaughan
Development Planning Department
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

Dear Mr. Harding:

**Re: Site Plan Approval in Principle
27 Developments Inc.
8440 Highway 27
City of Vaughan
City File No.: DA.18.088
Our File No.: SP.18.V.0322**

Please note this does not constitute a final approval from the Regional Municipality of York.

York Region has reviewed the civil engineering drawings and has no objection to the proposal, **in principle**. The Region does not object to this application being brought to City of Vaughan Council.

However, prior to receiving final approval from the Region, and prior to the issuance of any site alteration, conditional, partial and/or final building permits by the City of Vaughan, the applicant must satisfy the requirements listed below, and be in receipt of a signed final York Region approval letter, **unless otherwise agreed to in writing by York Region**.

The applicant is advised that prior to undertaking any works within the road allowance of Highway 27 – construction access included, the applicant will have to satisfy all the requirements outlined below and be in a receipt of a Road Occupancy Permit from the Region.

The applicant is further advised that any site alteration or building permits issued by the City do not permit the applicant to undertake any works within a Regional road allowance without Regional approvals and permits.

Environmental Requirements

All York Region environmental review comments are to be addressed to the Region's satisfaction and environmental clearance provided by the Region for the subject property.

Technical Requirements

York Region must be in receipt of civil engineering and landscape drawings to the satisfaction of the Region, **reflecting all comments and mark-ups provided to the applicant to date.**

Financial and Insurance Requirements

Prior to final approval the applicant is required to deposit the following financial and insurance requirements to the Region as part of this site plan application:

1. A development review fee
2. A certificate of insurance on the Region's form, completed to the satisfaction of the Region's Manager of Risk Management.
3. Security in the form of a letter of credit or certified cheque in an amount to be determined by York Region possible remediation works, and any site development works within the road allowance of Highway 27 based on cost estimates provided by the consultant engineer.

Prior to the City of Vaughan issuing any site alteration, conditional, partial and/or final building permits the Region must confirm in writing to the City of Vaughan that all Regional requirements have been satisfied..

York Region requests this letter be included as a schedule of conditions in the City of Vaughan's Planning staff report to Council.

If you have any questions, regarding this application, please contact Nick Sawyer at extension 71553.

Sincerely,



pp

Trevor Catherwood, C.E.T.
Program Manager, Development Engineering

CM/ns

Copy to: Frank Lombardi, Ivan Gonzalez, Development Engineering, York Region (e-mail)