

**Attachment 10 - Conditions of Site Plan Approval Site
Development File DA.15.091 (Kleinburg Mills 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, signage, lighting, landscape plan, landscape details and landscape cost estimate.
 - b) The zoning by-law amendments to Zoning By-laws 1-88 and 001-2021 shall be approved and in-effect.
 - c) The Development Engineering ('DE') Department shall approve the final site plan, servicing plan, grading plan, erosion and sediment control plan, stormwater management, and revised reports including the Functional Servicing and Stormwater Management Report (FSR/SWM'), and the Owner shall provide proof of Toronto and Region Conservation Authority ('TRCA') approvals that shall be forwarded to the DE Department prior to final engineering sign-off.
 - d) The Owner shall complete full delineation of contamination in soil and groundwater to the satisfaction of the Ministry of Environment, Conservation and Parks ('MECP'), complete the assessment/management of any potential off-site impacts, and implement the remedial action plan as a conditions of the Holding Symbol "(H)", applied to the amending zoning by-law with the removal of the condition upon the filing of a Record of Site Condition ('RSC') on the Environmental Registry to the satisfaction of the Development Engineering Department.
 - e) The Owner shall enter into an Encroachment Agreement with the City of Vaughan ('City'), via Development Engineering Department, for the shoring tiebacks proposed to encroach into Islington Avenue, east of the Subject Lands, as well as 10418 Islington Avenue which is owned by the City. The Agreement shall be registered against the Subject Lands which it applies and shall be duly executed to the sole satisfaction of the Development Engineering Department. The application fee for the Development Encroachment is \$5,565.00 plus HST. Additional payments and securities may be requested within said Agreement and will be detailed during the drafting of the Agreement. Payment may be made by cheque made out to the Corporation of the City of Vaughan, quoting the City application file numbers and address within the memo section of the cheque.
 - f) Prior to final site plan approval, the Owner shall provide DE with written confirmation that the construction and alignment of the shoring and retaining wall structures bounding the Subject Lands will not encroach the neighboring properties, unless written consent of the encroachment from the respective neighboring property Owner(s) is obtained. Any written consent obtained shall be forwarded to the City for review and record.

- g) The Owner shall provide the City a one-time financial contribution in the amount of \$98,583.00. This represents the Owner's proportionate share of the required sanitary sewer system improvements in the Kleinburg-Nashville service area. The calculation is based on sanitary sewer system upgrades identified in the City's Focus Area Core Servicing Strategy.
 - h) Prior to final site plan approval, the Owner shall provide DE with the Fill Permit and shall submit a Letter of Credit, a detailed Remedial Action Plan, traffic management plan, construction management plan, and public notification and communication strategy for the proposed construction activities to the satisfaction of the City for the implementation of the remedial activities.
 - i) That the Owner shall dedicated into public ownership the open space valley lands along with the ecological buffer/setback at the western end of the Subject Lands to the TRCA or the City, free of all charges and encumbrances.
 - j) The Owner shall satisfy all requirements of the MECP.
 - k) The Owner shall satisfy all requirements of TRCA.
 - l) The Owner shall satisfy all requirements from Alectra Utilities, Bell Canada, Enbridge Gas, and Hydro One and Canada Post.
2. THAT the Site Plan Agreement shall include the following conditions and/or warning clauses, to the satisfaction of the City:

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 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."
- b) "The Owner agrees in the Site Plan Agreement to obtain all necessary permits from TRCA pursuant to the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 166/06), as may be amended, to the satisfaction of TRCA."

- c) “The Owner agrees in the Site Plan Agreement to provide public notification and communication strategy for the proposed construction activities to the satisfaction of the City for the implementation of the remedial activities respecting the contamination in soil and groundwater to the satisfaction of the DE Department.”

Warning Clauses for all Offers of Sale and Purchase or Lease for any Lot or Block on the Subject Lands

Prior to the transfer of any Lot or Block on the Plan, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses required by this agreement have been included in the Offer of Purchase and Sale or Lease for such Lot or Block.

d) Building A - All Units:

- i) “This dwelling is fitted with provisions to accommodate the installation of a central air conditioning system if it is found necessary by the owner/occupant at any time in the future. If the air conditioning is to be provided at a later date, the outdoor unit must be located in a noise-insensitive location. The final installation should meet the Ministry of the Environment, Conservation and Parks criteria in Publications NPC-300 and NPC-21 (the maximum sound level LAS of 50 dBA2 at the neighbor’s closest window point(s) of reception, i.e., at their outdoor areas as well as at the closest window on any floor level).”
- ii) “Purchaser/tenants are advised that despite the inclusion of noise control features within this development area and within the dwellings, sound levels from increasing road traffic may continue to be of concern, occasionally interfering with some activities of the dwelling occupants as the sound level exceeds the Municipality’s and Ministry of the Environment, Conservation and Parks noise criteria.”

e) Building A - All Units with Balconies:

- i) “Purchaser/tenants are advised that despite the inclusion of noise control features within this development area and within the dwellings, sound levels from increasing road traffic will continue to be of concern as the levels in the balcony exceed the Ministry of the Environment, Conservation and Parks criteria” and that a protected Common Outdoor Living Area meeting the Ministry sound level criteria has been provided within the development.”