

ATTACHMENT NO. 1

CONDITIONS OF APPROVAL

**DRAFT PLAN OF SUBDIVISION FILE 19T-22V009 (THE 'PLAN')
1045501 ONTARIO LIMITED, EAST KLEINBURG DEVELOPMENTS INC. AND
TOYA INVESTMENTS LTD. (THE 'OWNER')
11063 AND 11191 HIGHWAY 27
PART OF LOTS 28 and 29, CONCESSION 8 (THE 'LANDS')
CITY OF VAUGHAN (THE 'CITY')**

THE CONDITIONS OF THE COUNCIL OF THE CITY THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION FILE 19T-22V009 ARE AS FOLLOWS:

The Owner shall satisfy the following Conditions of Approval:

1. The Conditions of Approval of the City of Vaughan as set out on Attachment No. 1a).
2. The Conditions of Approval of the Region of York as set out on Attachment No. 1b) and dated December 20, 2022.
3. The Conditions of Approval of the Toronto and Region Conservation Authority as set out in Attachment No. 1c) and dated June 5, 2024.
4. The Conditions of Approval of Canada Post as set out on Attachment No. 1d) and dated October 27, 2022.
5. The Conditions of Approval of Bell Canada as set out on Attachment No. 1e) and dated October 25, 2022.
6. The Conditions of Approval of TC Energy (formerly TransCanada PipeLines Limited) as set out in Attachment No. 1f) and dated November 10, 2022.

Clearances

1. The City shall advise that Conditions on Attachment No. 1a) have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
2. The Region of York shall advise that the Conditions on Attachment No. 1b) have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
3. The Toronto and Region Conservation Authority shall advise that the Conditions on Attachment No. 1c) have been satisfied; the clearance letter shall include a brief

statement detailing how each condition has been met.

4. Canada Post shall advise that the Conditions on Attachment No. 1d) have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
5. Bell Canada shall advise that the Conditions on Attachment No. 1e) have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
6. TC Energy shall advise that the Conditions on Attachment No. 1f) have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.

ATTACHMENT No. 1a)

CITY OF VAUGHAN CONDITIONS:

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by Malone Given Parsons, dated September 21, 2023 (the 'Plan').
2. If approval of a final plan of subdivision is not given within 3 years after the date upon which approval of Draft Plan of Subdivision File No. 19T-22V009 was given, then the draft plan approval shall lapse unless extended by the City upon application by the Owner.
3. The lands within this Plan shall be appropriately zoned by a Zoning By-law, which has come into effect in accordance with the provisions of the *Planning Act*.
4. Prior to registration of the Plan, the Plan shall be updated to include the approved street names to the satisfaction of the Development and Parks Planning Department.
5. Prior to registration of the Plan, the Owner shall enter into a subdivision agreement with the City to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payments of development levies, the provisions of roads and municipal services, landscaping, and fencing. The said agreement shall be registered against the lands to which it applies.
6. Prior to registration of the Plan, the Owner shall provide the final georeferenced AutoCAD drawings of the Plan, 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 and Parks Planning Department. If the files meet requirements, an email from gisplanning@vaughan.ca confirming the final submission has been approved will be provided.
7. Prior to registration of the Plan, the Owner shall pay any and all outstanding street numbering, and street naming fees in accordance with the in-effect Tariff of Fees By-law.
8. The Owner acknowledges and agrees that the Plan and associated conditions of draft approval may require revisions, to the satisfaction of the City, to implement

or integrate any recommendations resulting from studies or submissions required as a condition of draft approval.

9. The Deputy City Manager of Planning and Growth Management shall be delegated the authority to approve any minor revisions to the draft plan or draft conditions as a result of errors, omissions, or other revisions as required through detailed engineering design.
10. The Plan shall conform with the September 26, 2023, Council Approved Block 55 West Plan, subject to any minor amendments resulting from the fulfillment of conditions of Draft Plan Approval that do not constitute a formal amendment to the Block Plan.
11. Prior to Registration of the Plan, the final Master Environment and Servicing Plan shall be submitted to the satisfaction of the City, York Region and Toronto and Region Conservation Authority, prior to registration of the Plan, and shall reflect the agreed upon revisions identified through the Block Plan Application process.
12. Final approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees provided that:
 - a. phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services; and,
 - b. all agencies agree to registration by phases and provide clearances, as required in Conditions 1 to 1f) inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
13. Prior to registration of the Plan, the Owner shall pay any and all outstanding application fees, and landscape review and inspection fees to the Vaughan Development and Parks Planning Department in accordance with the in-effect Tariff of Fees By-law.
14. Prior to the issuance of a Building Permit, the Owner shall dedicate land and/or pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, in accordance with the *Planning Act* and the City of Vaughan 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 of the cash-in-lieu

payment, as applicable.

15. The Owner shall acknowledge in the Subdivision Agreement that the City has Species at Risk within its jurisdiction which are protected under the *Endangered Species Act, 2007*. The Owner is required to comply with any Ministry of Environment, Conservation and Parks ('MECP') regulations and guidelines to protect these species at risk and their habitat. The Owner acknowledges that, notwithstanding any approvals made or provided by the City in respect to the Lands, the Owner must comply with the provisions of the *Endangered Species Act, 2007*.
16. The Owner shall acknowledge in the Subdivision Agreement that the City contains Migratory Birds within its jurisdiction that are protected under the *Migratory Bird Convention Act, 1994*. The Owner shall not remove any trees within the breeding bird window in Vaughan from March 31 to August 31. If tree removals are necessary than bird nest sweeps and/or surveys shall be conducted by a qualified professional within 48 hours prior to the removal of trees.
17. The Owner shall acknowledge in the Subdivision Agreement that should archaeological resources be found on the Subject Lands during construction activities, all work must cease, and both of the Ontario Ministry of Citizenship and Multiculturalism (or its successor) and the City of Vaughan's Development Planning, Urban Design and Cultural Heritage staff shall be notified immediately. In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner and the Registrar for the Funeral, Burial and Cremation Services Act, 2002, Ministry of Public Business and Service Delivery.

Parks Infrastructure Planning and Development

18. The Block 104 – Park C design, location, typology and size shall conform to and be consistent with the Vaughan Official Plan 2010 Section 7.3.2 Parks and Open Space Design and to the Active Together Master Plan ('ATMP').
19. Prior to registration of the Plan, the Owner shall provide the City with a parkland dedication chart for all Block 55 West development lands owned by the Owner, including Phases 1 to 4 (Subdivision Files: 19T-22V006, 19T-22V007, 19T-22V008, and 19T-22V009), for review and approval to the satisfaction of the City. The parkland dedication chart shall include the total hectares of parkland

identified to be conveyed to the City in all phases of the Block 55 West development. Note: The parkland dedication chart shall be used for valuating, determining, and identifying the total amount of final parkland conveyance or payment, representing the cash-in-lieu of parkland dedication, to the City based on developable lands of Block 55 West of the individual Owner lands or the development group.

20. All parkland conveyed to the City shall be conveyed in a physical condition satisfactory to the City and in accordance with the policies, practices and guidelines of the City.
21. Prior to the execution of the subdivision agreement, the Owner shall agree to develop the base requirements for the public parkland block in accordance with items listed under Base Park Conditions and Requirements. Unless otherwise agreed upon with City staff, development of the public parkland block shall be completed by no later than, within two growing seasons of the first building permit for the phase which contains the park, and/or twenty five percent (25%) occupancy of the homes within the subdivision or surrounding subdivisions served by the park.
22. Prior to registration of the Plan, the Owner shall at its sole expense complete Parkland Base Conditions and Requirements Part 1 and Part 2 as outlined below for Block 104 – Park C to the satisfaction of the City:

Part 1: General Requirements

- a. Proposed public park block(s) grading must not negatively impact adjacent properties with overland flow routes. The public park block(s) cannot be encumbered by overland flow routes from adjacent properties.
- b. The public park block(s) shall not be encumbered by any easements for utility services, transformer boxes, temporary or permanent building structural elements, building overhangs, Canada Post mailboxes and/or access, buffers, railway and pipeline safety buffers and zones, Natural Heritage Network core features and associated buffers, with the exception of cross easements for servicing, utilities, maintenance and access, unless otherwise agreed to between the parties.
- c. A storm water management brief and grading plan for all required storm water services is required to ensure that proposed grading works have been designed to accommodate storm water flows in accordance with the Engineering Department Design Manual at interim and final phases of the

public park block(s) development to the satisfaction of the City.

- d. A Park Master Plan/Facility Fit Plan to the City's standard level of service shall be prepared and include the following information:
 - i. Illustrates the proposed park program requirements and level of service to meet the projected population and demographics as determined by the City per the recommendations of the ATMP, and informed by the findings and recommendations of the Community Services and Facilities Report prepared for these subject lands;
 - ii. Demonstrates a sound design approach at locations where proposed public parks are adjacent to private development the treatment of the interface between the public park and the private development to ensure an integrated design approach is adopted towards built form, pedestrian connections, and ground floor programming to the City's satisfaction;
 - iii. Layout plan which illustrates proposed park program requirements, phasing plan based on adjacent construction activities, pedestrian circulation, and required setbacks as determined by the City; Demonstrate parkland configuration and grading to allow for the placement and development of appropriate outdoor facilities;
 - iv. Provides information on parkland development phasing to deliver the Park and associated facilities to residents consistent with the development phasing and to the City's satisfaction;
 - v. Provides boundaries of proposed parkland dedication and the total size of individual blocks;
 - vi. Provides an existing conditions plan illustrating topographic information in order to assess slopes and drainage, and vegetation, identifying species, age, size and condition;
 - vii. Provides a grading plan illustrating proposed storm water run-off, surface drainage patterns and sub-surface storm water service requirements. Provide base and ultimate grading consistent with intended uses and objectives of the park. The grading plan shall illustrate proposed storm water run-off, surface drainage patterns and sub-surface storm water service requirements;

- viii. Provides a preliminary construction cost estimate;
- ix. Required restoration works and Edge Management Plan for park block abutting open space and associated buffer; and,
- x. The plans are to be completed by a registered Landscape Architect and are required to provide sufficient information to confirm facility and program requirements to the satisfaction of the City.

Part 2: Public Park Base Condition Works

- a. Stage I and II Archaeological Assessments are required to determine limits of public park block(s). Proposed public park lands are to be clear of all historically significant heritage features;
- b. A geotechnical investigation and Phase 2 Environmental Site Assessment ('ESA') shall be conducted by a qualified Professional Engineer in accordance with O. Reg 153/04, as amended, assessing all public park block(s) in the Plan for conformity with the applicable MECP Site Condition Standards for parkland use to the satisfaction of the City. A minimum number of boreholes, to be determined at draft plan of subdivision or development agreement stage, are required within the park block(s). Boreholes are to be taken at regular intervals along the full length of the proposed public park block(s). Borehole reports will indicate soil type, water content, and density (general compaction). All samples are to be tested in a laboratory to determine their physical properties, including levels of various chemical elements and contaminants. Should additional fill be placed to meet required grading levels, the results of the Phase 2 investigation shall be supplemented with a letter report addressed to the City by the Owner's environmental consultant that includes: confirmation of the area where fill has been placed and details regarding dates, sources, volumes, and certification that the placed fill material meets the applicable MECP Site Condition Standards referenced above and compacted to the standard referenced below;
- c. A complete inventory and analysis report of existing vegetation completed by a Certified Arborist for all existing trees within park block(s). Drawings shall indicate the location of all existing trees, including limit of drip line, trees to be removed and trees to be maintained within the park block. No grading work is permitted within the drip line of existing trees that are to be preserved. All dead, damaged and hazardous trees are to be removed and disposed of off-

site;

- d. Adequately sized servicing connections are required along the main public park frontage and shall include a water chamber manhole, complete with a curb stop, sanitary manhole and a storm water manhole. All structures are to be located a minimum of 5 meters from adjacent property lines;
- e. The approved electrical distribution plan will include a 120/240 volt, single phase, three wire power supply to the public park block(s). The power supply drop will consist of a 3 conductor #3/0 aluminum underground cable drop located one metre from the street line and one metre from the property line inside the block(s). The cable feed will originate from the closest (within 75 metre cable length) single phase pad mounted transformer and will be left coiled and attached to a 2"x4" wood stake, visible above grade;
- f. Public park block(s) grading shall be completed using clean engineered fill compacted to 95% Standard Proctor Dry Density (SPDD) inclusive of any civil work required such as retaining structures, rip rap, swales, and the like to meet grading levels as determined by the City approved grading plan. The park block shall generally be graded to meet and match surrounding levels and allow for a minimum 2% and no greater than 5% gradient over 75% of the total block area;
- g. No fill shall be placed on existing topsoil and the stockpiling of topsoil is prohibited on the public park block(s). Topsoil for fine grading shall be fertile and friable, natural loam soil with two percent (2%) minimum organic matter for sandy loams and four percent (4%) minimum organic matter for clay loams. Acidity of topsoil shall range from 6.0pH to 7.5pH and shall be capable of sustaining vigorous plant growth. The owner shall complete all necessary chemical analysis and topsoil fertility tests by a qualified testing laboratory to the satisfaction of the City, and results of testing provided to the City for review and approval. Topsoil shall be placed to a minimum depth of 300mm over the entire public park block(s). Prior to placement of topsoil, the owner shall add all amendments as required to amend the existing soils to meet the recommendations of the fertility testing and demonstrate that these standards have been met;
- h. All temporary sediment control management measures are to be removed prior to rough grading;

- i. The public park block(s) shall be sodded, as approved by the City;
 - j. The Owner shall install City approved temporary fencing along the perimeter of the public park block(s). “No Dumping”, “No Trespassing”, and “Encroachment by-law” signage shall be attached to the temporary fencing; and
 - k. The Owner shall be responsible to maintain the public park block(s) until such time as the public park is conveyed to the City. Maintenance shall entail maintaining sufficient grades to prevent standing water, cutting the grass/vegetation a minimum of twice per summer, erosion repairs, cleaning of catch basins, repair of perimeter fencing and removal of any debris that is dumped on the site, to the satisfaction of the City.
23. Prior to the execution of the subdivision agreement, the Owner shall provide the City with a Letter of Credit (‘LC’) totaling the complete cost to construct the public parkland to base conditions as per *Base Park Conditions and Requirements*, based on the approved plans and cost estimate. The LC shall be held for the estimated construction costs for the proposed site works, which shall include but is not limited to all required grading, landscape restoration, additional fill to meet approved grades, risk of contamination, removal of existing infrastructure/ structures, temporary drainage structures, servicing, and fencing. The Owner is responsible for the total cost of the construction of parkland base as per *Base Park Conditions and Requirements*, including but not limited to any works of a temporary nature.
24. Development of the park blocks are to be coordinated with residential development in order to provide park facilities to the local residents in a timely manner. The Owner is to advise the City whether or not they intend to undertake full development of and/all of the park blocks so that the City can plan and budget accordingly. In the event that the Owner and the City agree that the Owner will develop Block 104 – Park C on Schedule “A”, the Owner shall agree that the design, securities and construction for the Park will be addressed through an amending agreement in accordance with the City "Developer Build Parks Policy, No. 07.2.05".

Urban Design

25. Prior to registration of the Plan, the Owner shall provide a detailed tree preservation study to the satisfaction of the City. The study shall include an

inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation based on the arborist report recommendations.

- a. The study shall quantify the value of the tree replacements using the Urban Design Tree Replacement Valuation outlined in the City's Tree Protection Protocol;
- b. The Owner shall not remove trees without written approval by the City; and
- c. The Owner shall enter into a tree protection agreement in accordance with City Council enacted Tree By-Law 052-2018, which will form a condition of the draft plan approval.

26. Prior to the landscape plan review by Urban Design staff, a fee shall be provided by the Owner to the Development and Parks Planning Department in accordance with recent Council approved fee by-laws (commencing January 1, 2024); i.e. Tariff of Fees for Vaughan Planning Applications – Landscape Plan Review.

- a. This fee will include staff's review and approval of proposed streetscaping/ landscaping within the development (including but not limited to urban design guidelines, landscape master plan, architectural design guidelines, perfect submission landscape architectural drawings, stormwater management pond planting plans, natural feature edge restoration/ management plans), and tree inventory/preservation/removals plans; and
- b. In addition, a fee will be applied for each subsequent inspection for the start of the guaranteed maintenance period and assumption of the development by the City of Vaughan.

27. The Owner shall agree in the subdivision agreement that all development shall proceed in accordance with the Vaughan Council approved Architectural Design Guidelines for the Copper Creek Block 55 North West Architectural Design Guidelines prepared by John G. Williams Limited, Architect, as revised if required, subject to the following:

- a. A control architect shall be retained at the cost of the Owner with concurrence of the City to ensure compliance with the approved architectural design guidelines;
- b. Prior to the submission of individual building permit applications, the control

architect shall have stamped and signed the drawings certifying compliance with the approved architectural guidelines; and

- c. The City may undertake periodic reviews to ensure compliance with the architectural design guidelines. Should inadequate enforcement be evident, the City may cease to accept drawings stamped by the control architect and retain another control architect at the expense of the Owner.

28. The Owner shall agree in the subdivision agreement that all development shall proceed in accordance with the approved Copper Creek Block 55 North West Urban Design Guidelines and Block 55 Copper Kirby Development Landscape Master Plan prepared by the MBTW Group / MBTW-WAI, including but not be limited to the following issues:

- a. The master plan shall be updated to include an addendum for this area of development;
- b. Co-ordination of the urban design/streetscape elements including built form, fencing treatments, street tree planting, park block, vista blocks, buffer block;
- c. Sustainability design practices/guidelines;
- d. The appropriate landscaping and streetscaping treatment within the Phase 4 development including the public laneways;
- e. The appropriate landscaping and streetscaping treatment with a pedestrian trail within Block 104 – Park C; and
- f. The appropriate fencing treatment along residential boundaries abutting existing residential and golf course.

29. The Owner shall agree in the subdivision agreement that all development shall proceed in accordance with the City of Vaughan Sustainability Metrics program. The program shall present a set of metrics to quantify the sustainability performance of new development projects.

30. Prior to registration of the Plan, the Owner shall prepare a detailed edge management plan study for the perimeter of the open space lands. The study shall include an inventory of all existing trees within an 8 metre zone inside the staked edges, and areas where the woodlot/open space edges are disturbed, assessment of significant trees to be preserved and proposed methods of edge

management and/or remedial planting shall be included. The Owner shall not remove any vegetation without written approval by the City. The Owner shall provide a report for a 20 metre zone within all staked woodlot and open space edges to the satisfaction of the TRCA and the City, which identifies liability and issues of public safety and recommends woodlot/forestry management practices and removal of hazardous and all other trees as identified to be removed prior to assumption of the subdivision.

31. The Owner shall agree in the Subdivision Agreement to erect a permanent 1.5 metre high black vinyl chain-link fence or approved equal along the limits of the residential lots/blocks that abut open space areas or existing golf course.

32. The Owner shall agree in the subdivision agreement to erect permanent wood fence treatments for flanking residential lots and blocks, to be coordinated with the environmental noise report.

33. Prior to registration of the Plan, the Owner shall convey Block 104 – Park C to the City, free of all cost and encumbrances.

34. Prior to registration of the Plan, the Owner shall agree in the Subdivision Agreement to maintain existing trees and plant additional trees where feasible within an Enhanced Buffer Area along the southern boundary of Lots 19 to 40. The Enhanced Buffer Area shall be generally 5 m in width along the southern boundary and be shown on the final landscape master plan and tree inventory/preservation/removals plans, to the satisfaction of the City.

35. Prior to registration of the Plan, the Owner shall agree in the Subdivision Agreement to advise purchasers of Lots 19 to 40 that they, and any future owners, are required to protect and maintain the Enhanced Buffer Area on their respective lot, and that warning clauses are included in all Offers of Purchase and Sale reflecting as such.

Development Engineering

36. Any dead ends or open sides of road allowances created by this Plan shall be terminated in 0.3 m reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.

37. The Owner shall agree in the subdivision agreement that construction access shall be provided only in a location approved by the City and Region of York.

38. Prior to registration of the Plan, the Owner shall provide easements and land dedication as may be required for access, utility servicing, drainage, construction purposes, or other municipal requirements shall be granted to the appropriate authority(ies), to their satisfaction free of all charge and encumbrance.
39. Prior to registration of the Plan, a geotechnical report prepared at the Owner's expense shall be submitted to the City for review and approval. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.
40. The Owner shall agree in the subdivision agreement to ensure that the grading at the boundaries of the Plan match with the grading for the surrounding lands and working easements to be obtained.
41. Prior to the initiation of grading, and prior to the registration of the Plan or any phase thereof, the Owner shall submit to the City for review and approval a detailed engineering report that describes the storm drainage system for the proposed development within this draft plan, which report shall include:
 - a. Plans illustrating how this drainage system will tie into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
 - b. The location and description of all outlets and other facilities;
 - c. Storm water management techniques which may be required to control minor and major flows; and
 - d. Proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction.
42. Prior to registration of the Plan, the Owner may be required to revise or update the technical reports related to the development where such report may not reflect existing conditions or where they no longer meet City Standards. Such reports may include Stormwater Management, Traffic Impact Study, Hydrogeological Study and Noise Study.
43. The Owner shall agree in the subdivision agreement to carry out, or cause to

carry out, the recommendations set out in any and all of the aforementioned reports to the satisfaction of the City.

44. The Owner shall agree in the subdivision agreement that no building permits will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the development.
45. Prior to registration of the Plan, the Owner shall design and construct, at no cost to the City, any external municipal services, temporary and/or permanent built or proposed, that have been designed and oversized to accommodate the development of the Plan.
46. Prior to registration of the Plan, the Owner shall make the necessary arrangements at the expense of the Owner for the relocation of any utilities required by the development of the Plan to the satisfaction of the City.
47. The Owner shall agree in the subdivision agreement to design, purchase material and install a streetlighting system in the Plan in accordance with City Standards and specifications. This Plan shall be provided with decorative streetlighting to the satisfaction of the City.
48. The Owner shall agree that all lots or blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing.
49. The Owner shall agree in the subdivision agreement to maintain adequate chlorine residuals in the watermains within the Plan after successful testing and connection to the potable municipal water system and continue until such time as determined by the City or until assumption of the Plan. In order to maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.
50. The Owner shall agree in the subdivision agreement to convey any lands and/or easements, free of all costs and encumbrances, to the City that are necessary to construct the municipal services for the Plan, which may include any required easements and/or additional lands within and/or external to the draft plan, to the satisfaction of the City.

51. The Owner shall agree in the subdivision agreement to design and construct at no cost to the City all applicable external municipal infrastructure required that are necessary to benefit the Plan to the satisfaction of the City.
52. Prior to registration of the Plan, a Water Supply Analysis Report shall be submitted to the satisfaction of the City which shall include a comprehensive water network analysis of the water distribution system and shall demonstrate that adequate water supply for the fire flow demands is available for the Plan and each phase thereof. The analysis shall include, but not be limited to, conducting a WaterCAD/InfoWater analysis of the lands in accordance with the recommendations set forth within the Functional Servicing Report. The Owner shall agree in the subdivision agreement to design and construct, at no cost to the City, all applicable works that are necessary to service the proposed lands to the satisfaction of the City. The Owner shall agree to provide a financial security for operation, maintenance and decommissioning considerations as necessary, to be held by the City until the ultimate water servicing works are implemented by York Region to service the Subject Lands.
53. Prior to registration of the Plan, the Owner shall conduct comprehensive sanitary sewer study including, but not limited to, flow monitoring, conveyance capacity analysis of downstream sewers, downstream sanitary sewer design sheets and related drawings to demonstrate that the subject lands can be adequately serviced as proposed and conform to the City's comments on the sewer design. The sanitary sewer analysis shall be completed using the City standards as these lands are proposed to connect through an existing sanitary sewer network. The Owner shall agree in the subdivision agreement to design and construct, at no cost to the City, all applicable works that are necessary to service the proposed lands to the satisfaction of the City. The Owner shall agree to provide a financial security or payment for operation, maintenance and decommissioning considerations for any proposed nonstandard or interim work as necessary, to the satisfaction of the City.
54. The Owner shall agree to provide the necessary financial security or payment as its contribution towards the construction of the ultimate sanitary sewer along Highway 27. This financial security or payment shall be provided in the form of a Letter of Credit or other method acceptable to the City. The financial security will be confirmed by the City prior to execution of the Subdivision Agreement upon the City's review and approval of the detailed engineering design submission of the ultimate sanitary sewer design along Highway 27, all to the satisfaction of the Development Engineering Department.

55. The Owner shall agree in the Subdivision Agreement with the City to pay its financial contribution towards any Special Area Charges related to implementation of the interim and ultimate servicing strategies identified through the Master Environmental Servicing Plan and/or the current Functional Servicing Report to service the Subject Lands.
56. The Owner shall agree in the subdivision agreement to pay its proportional financial contribution of the Kleinburg North SPS and associated sanitary forcemain works as the subject development is identified as lands external to the Kleinvit Estates Inc Subdivision (19T-08V05) (herein referred to as the "Kleinvit Lands") that is tributary to the sanitary network improvements. The pumping station was oversized through the Kleinvit Lands and any required obligations and/or required contributions to external lands will be applicable and determined through Draft Plan approval process.
57. Prior to registration of the Plan, the Owner shall provide an engineering report for the review and approval by the City that describes the proposed storm drainage system to develop the Subject Lands. The report shall include, but not be limited to, conveyance capacity analysis of proposed sewers, downstream storm sewer design sheets, hydraulic grade line analysis and related design drawings of the proposed pond to demonstrate that the subject lands can be adequately serviced to the satisfaction of the City, as the current design does not conform to the City standards. The stormwater analysis shall be completed using the City standards as these lands are proposed to be serviced by the private stormwater management pond within the lands adjacent to the Subject Lands.
58. The Owner shall agree in the subdivision agreement to design and construct, at no cost to the City, all applicable works that are necessary to service the proposed lands to the satisfaction of the City. The Owner shall agree to provide a financial security or direct financial contribution for operation and maintenance considerations to the City, to the satisfaction of the City.
59. The Owner shall at their expense arrange to prepare and register a reference plan of the adjacent lands showing the proposed easements in favor of the City, over identified storm sewers, future maintenance roads, stormwater management pond and control structures within the adjacent lands, for the purposes of access, construction, operations, and maintenance related to the servicing of the subject lands to the satisfaction of Development Engineering Department. The Owner shall submit a draft reference plan to the Development Engineering Department for review prior to deposit.

60. The Owner shall agree in the subdivision agreement that adequate access and municipal services will be available to service the subject Lands or demonstrate that alternative arrangements have been made for their completion to the satisfaction of the City.
61. All proposed watercourse/roadway crossings and subsurface infrastructure including, but not limited to, sanitary, stormwater and water services shall be constructed in conjunction with this development. The timing for construction of these works shall be to the satisfaction of the City.
62. Prior to registration of the Plan, the Owner shall obtain confirmation from the City and Region of York that adequate water supply and sewage treatment capacity are available and have been allocated to accommodate the proposed development.
63. Prior to registration of the Plan, the Owner shall retain the services of a qualified Electrical Consultant to provide an updated streetlighting design and photometric analysis as part of the proposed works. The plan/analysis to be submitted to the City and Region of York for review and approval shall demonstrate that adequate lighting is available for the sidewalk and roadway, and shall recommend mitigative measures for these issues, to the satisfaction of the City.
64. The Owner shall agree in the subdivision agreement that any additional lands required for public highway purposes, where daylight triangles do not conform to the City Standard Design Criteria, will be conveyed to the City, free of all costs and encumbrances.
65. Prior to registration of the Plan and/or commencement of construction within the Plan, the Owner shall submit a detailed hydrogeological impact study that identifies, if any, local wells that may be influenced by construction and, if necessary, outline a monitoring program to be undertaken before, during and after construction of the subdivision.
66. Prior to registration of the Plan, and/or conveyance of land, and/or any initiation of grading or construction, the Owner shall implement the following to the satisfaction of the City:
 - a. Submit a Phase One Environmental Site Assessment ('ESA') report and, if required and as applicable, a Phase Two ESA, Remedial Action Plan

(‘RAP’), Phase Three ESA report in accordance with Ontario Regulation (O. Reg.) 153/04 (as amended) for the lands within the Plan. The sampling and analysis plan prepared as part of the Phase Two ESA, Phase Three ESA, and RAP shall be developed in consultation with the City, implemented, and completed to the satisfaction of the City;

- b. Should a change to a more sensitive land use as defined under O. Reg. 153/04 (as amended) or remediation of any portions of lands within the Plan be required to meet the applicable Standards set out in the MECP document “Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*” (as amended), submit a complete copy of the satisfactory registration of the Record(s) of Site Condition (‘RSCs’) filed on the Environmental Site Registry including the acknowledgement letter from the MECP, covering all the lands within the Plan;
 - c. Submit a signed and stamped certificate letter prepared by the Owner’s Environmental Qualified Person/Professional (‘QP’) stating that they covenant and agree that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City and the Region were remediated in accordance with O. Reg. 153/04 (as amended) and the accepted RAP (if applicable), are suitable for the intended land use, and meet the applicable Standards set out in the MECP document “Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*” (as amended); and
 - d. Reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.
67. For park/open space block(s)/stormwater management block(s) that are being conveyed to the City, prior to registration of the Plan, and/or conveyance, and/or release of applicable portion of the Municipal Services Letter of Credit, the Owner shall implement the following to the satisfaction of the City:
- a. Submit a Phase Two ESA report in accordance with Ontario Regulation (O. Reg.) 153/04 (as amended) assessing all park/open space block(s) in the Plan for contaminants of concern to the satisfaction of the City. On-site sampling of the park/open space block(s) shall be conducted only after the City has certified the rough grading of the park/open space block(s), but prior to the placement of topsoil and landscaping. The sampling and analysis plan prepared as part of the Phase Two ESA shall be developed in

consultation with the City, implemented, and completed to the satisfaction of the City;

- b. Should remediation of any portions of the park/open space block(s) within the Plan be required to meet the applicable Standards set out in the MECP document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*" (as amended), submit a RAP and a complete copy of the satisfactory registration of the RSCs filed on the Environmental Site Registry including the acknowledgement letter from the MECP, covering the remediated park/open space block(s) within the Plan;
 - c. Submit a signed and stamped certificate letter prepared by the Owner's Environmental Qualified Person/Professional (QP) stating that they covenant and agree that the park/open space block(s) to be dedicated to the City were remediated in accordance with O. Reg. 153/04 (as amended) and the accepted RAP (if applicable), are suitable for the intended land use, and meet the applicable Standards set out in the MECP document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*" (as amended); and
 - d. Reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.
68. Prior to registration of the Plan, the Owner shall submit an environmental noise and/or vibration report to the City for review and approval. The preparation of the noise/vibration report shall include the ultimate traffic volumes associated with the surrounding road network and railway to according to the Ministry of the Environment, Conservation and Parks ('MECP') Guidelines. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in the approved noise/vibration report to the satisfaction of the City.
69. Prior to registration of the Plan, the Owner shall ensure all necessary approvals to facilitate the road network in accordance with an updated Transportation Impact Study ('TIS'), to the satisfaction of the City. The updated TIS is to address all outstanding City comments and to analyze the proposed road network and its impact to existing roadways that are also subject to approval by the Region of York, to the satisfaction of the City.
70. Prior to registration of the Plan, the Owner shall provide updated functional design drawings followed by detailed engineering drawings of for the subject

lands which includes but not be limited to the proposed intersections, roadways, and active transportation facilities for compliance with City requirements.

71. Prior to registration of the Plan, the Owner shall prepare a comprehensive Traffic Management Plan ('TMP') based on an updated TIS. The TMP shall include the details of the future traffic calming measures, future transit routes, pedestrian network, traffic controls, phasing, etc. that reflects the latest road network to the satisfaction of the City.
72. Prior to registration of the Plan, the Owner shall retain the services of a qualified Transportation Consultant to provide an updated transportation report/plan outlining the required Regional and City road improvements. The report/plan submitted to the City and Region for review and approval, shall demonstrate that adequate road capacity is available for the proposed development, and shall explain all transportation issues and recommend mitigative measures for these issues. An updated transportation report shall include a traffic management/ roadway detour plan for the proposed roadway improvements. The Owner shall agree in the subdivision agreement to implement the recommendations of the updated transportation report/Plan and TMP, to the satisfaction of the City.
73. Prior to registration of the Plan and/or commencement of construction within the Plan, the Owner shall submit detailed engineering design plans for the proposed roads within and external to the Subject Lands including, but not limited to, the intersection design with existing municipal and Regional roads, lane widths, lane configurations, curb radii, turning lanes with storage/ taper length, retaining wall details and sidewalk details to the satisfaction of the City and Region.
74. Prior to registration of the Plan, the Owner shall coordinate any telephone or telecommunications service provider to locate its plant in a common trench on future Street(s) to service the proposed Development Block(s) prior to release of the Plan for registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be able to install its plant so as to permit connection to individual units within the subdivision, at no cost to the City.
75. The Owner shall agree in the subdivision agreement to decommission any existing wells and driveways on the Plan in accordance with all applicable provincial legislation and guidelines and to the satisfaction the City.
76. Prior to registration of the Plan, the Owner shall address and satisfy all comments supplied by the Development Engineering Department, to the

satisfaction of the City.

Warning Clauses

77. The following warning clauses shall be included in the Subdivision Agreement and all Agreements of Purchase and Sale or Lease as applicable:

- a. "Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the subdivision agreement. A drawing depicting the conceptual location for boulevard trees is included as a schedule in this subdivision agreement. This is a conceptual plan only and while every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete any boulevard tree without further notice."
- b. "The City has not imposed an amount of a 'Tree Fee' or any other fee which may be charged as a condition of purchase for the planting of trees. Any 'Tree Fee' paid by the purchasers for boulevard trees does not guarantee that a tree will be planted on the boulevard in front or on the side of a residential dwelling."
- c. "Purchasers and/or tenants are advised that proper grading of all lots in conformity with the Subdivision Grading Plans is a requirement of this the subdivision agreement. The City has taken a Letter of Credit from the Owner (Subdivision Developer) for the security to ensure all municipal services including, but not limited to lot grading, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for lot grading purposes, is NOT a requirement of this subdivision agreement. The City of Vaughan does not control the return of such deposits and purchasers/tenants must direct inquiries regarding this return to their vendor/landlord."
- d. "Purchasers and/or tenants are hereby put on notice that the *Telecommunications Act* and the CRTC authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs."

- e. "Purchasers and/or tenants are advised that driveway widths and curb cut widths are governed by City of Vaughan By-law 001-2021, as amended, as follows:
 - i. The maximum width of a driveway shall be 6 m measured at the street curb, provided circular driveways shall have a maximum combined width of 9 m measured at the street curb.
- f. "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox as per requirements dictated by Canada Post. The location of the mailbox shall be shown on the community plan provided by the Owner in its Sales Office."
- g. "Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the building occupants."
- h. "Purchasers and/or tenants are advised that fencing and/or noise attenuation features along the lot lines of lots and blocks abutting public lands, including public highway, laneway, walkway or other similar public space, is a requirement of this subdivision agreement and that all required fencing, noise attenuation features and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3m reserve, as shown on the Construction Drawings."
- i. "Purchasers and/or tenants are advised that the City has taken a Letter of Credit from the Owner (Subdivision Developer) for security to ensure all fencing including, but not limited to privacy fencing, chain link fencing and acoustic fencing, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for fencing, is NOT a requirement of this subdivision agreement.

The maintenance of the noise attenuation feature or fencing shall not be the responsibility of the City or the Region of York, and shall be maintained by the Owner until assumption of the services of the Plan. Thereafter the maintenance of the noise attenuation feature or fencing shall be the sole responsibility of the lot owner. Landscaping provided on Regional Road right-of-ways by the Owner or the City for aesthetic purposes shall be approved by the Region and maintained by the City with the exception of the usual grass maintenance."

- j. "Purchasers and/or tenants are advised that this plan of subdivision is designed to include catchbasins. The catchbasin is designed to receive and carry only clean stormwater. It is the purchaser/tenant's responsibility to maintain the rear lot catchbasin in proper working condition by ensuring that the grate is kept clear of ice, leaves and other debris that would prevent stormwater from entering the catchbasin. The catchbasins are shown on the Construction Drawings and the location is subject to change without notice."
- k. "Purchasers and/or tenants are advised that the Owner (Subdivision Developer) has made a contribution towards recycling containers for each unit as a requirement of this subdivision agreement. The City has taken this contribution from the Owner to off-set the cost for the recycling containers, therefore, direct cash deposit from the Purchasers to the Owner for recycling containers purposes is not a requirement of the City of Vaughan. The intent of this initiative is to encourage the home Purchasers to participate in the City's waste diversion programs and obtain their recycling containers from the Joint Operation Centre (JOC), 2800 Rutherford Road, Vaughan, Ontario, L4K 2N9, (905) 832-8562; the JOC is located on the north side of Rutherford Road just west of Melville Avenue."

Adjacent to Open Space, Park and Trail, Stormwater Facility Blocks:

- l. "Purchasers and/or tenants are advised that the lot abuts a municipal park and/or multi-use municipal pathway and that lighting and noise should be expected from the use of the park and/or pathway for recreation purposes."
- m. "Purchasers and/or tenants are advised that the lot abuts a valley/open space buffer within which the City may construct a trail in the future together with satisfactory security and safety arrangements, and that noise should be expected from the active use of the trail."
- n. "Purchasers and/or tenants are advised that the neighbourhood parks may not be fully developed at the time of occupancy. The timing of development, phasing and programming of parkland is at the discretion of the City."
- o. "Purchasers and/or tenants are advised that any encroachments and/or dumping from the lot to the school site, municipal park, multi-use pathway, open space, woodlot and/or storm water management facility are prohibited."
- p. "Purchasers and/or tenants are advised that the installation of any gate of access point from the lot to the school site, open space, stormwater

management facility, watercourse corridor, woodlot, and/or park is prohibited.”

- q. “Purchasers and/or tenants are advised that the lot abuts a stormwater management pond or open space valley and associated buffer which are designed for naturalization and therefore shall receive minimal maintenance.”

Lots 19 to 40:

- r. “Purchasers are advised that they are required to protect the critical root zone of the existing trees along the southern boundary of the lot within the Enhanced Buffer Area.”
- s. “Purchasers and/or tenants are:
 - i. Prohibited from removing trees in the Enhanced Buffer Area with the exception of hazardous or dead trees and upon removal, replace such tree(s) with a similar species of tree in the same general location; a replacement coniferous tree shall be a minimum of 1.75 m in height and a deciduous tree shall be a minimum 60 cm cal; and
 - ii. Responsible for the reasonable maintenance of the Enhanced Buffer Area on their respective buffer lots abutting the existing residential lots along the south property line, in accordance with good arboricultural practices.”

Schedule of Pre-Conditions
SUBP.22.V.0048 (19T-22V009)
Part of Lot 28, Concession 8
(East Kleinburg Developments Inc./1045501 Ontario Ltd.
& East Kleinburg Developments Inc./Toya Investments Ltd.)
City of Vaughan

Re: Malone Given Parsons, File No. 22-3126, dated July 7, 2022

The following pre-conditions are applicable in the event that the draft plan approval is given prior to Council approval of adequate servicing allocation to the subject development:

1. Prior to or concurrent with draft plan approval for any residential units, the owner shall enter into an agreement with the City of Vaughan, which agreement shall be registered on title, committing the owner to:

A. Not enter into any agreements of purchase and sale with end users (*) for the subject lands until such time as:

a) i. The Council of the City of Vaughan has allocated, within the limit of the Regional capacity assignment, adequate available water and wastewater servicing capacities to the subject development; and,

ii. York Region has advised in writing that it is no earlier than twelve (12) months prior to the expected completion of all water and wastewater infrastructure required to support the Region's capacity assignment pertaining to the City's allocation used for the subject development;

or

b) The City approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure;

or

c) The Regional Commissioner of Public Works and the City of Vaughan confirm servicing capacity for this development by a suitable alternative method and the City allocates the capacity to this development.

AND

B. Not enter into any agreements of purchase and sale with non end users for the subject lands unless the agreement of purchase and sale contains a condition that requires the

purchaser and any subsequent purchasers to enter into a separate agreement with the City. This agreement shall be registered on title, committing the owner to the same terms as set out in item A above.

2. Prior to draft plan approval for any residential units, the owner shall enter into an indemnity agreement with York Region, which agreement shall be registered on title, acknowledging that the municipal wastewater servicing strategy for the proposed development has not been finalized at the time of issuance of these conditions, and agreeing to save harmless York Region from any claim or action as a result of York Region releasing conditions and pre-conditions of draft approval as part of the draft approval of Plan of Subdivision SUBP.22.V.0048 (19T-22V009), or any phase thereof, including, but not limited to claims or actions resulting from (i) sanitary sewer service not being available when anticipated, or (ii) the unavailability of sanitary sewer service. The agreement shall include a provision that requires all subsequent purchasers of the subject lands, to enter into a separate agreement with York Region as a condition of the agreement of purchase and sale, agreeing to indemnify York Region on the same terms and conditions as the owner.

(*) the term 'end users' for the purpose of the above-noted pre-conditions is defined as the eventual homeowner who is purchasing an individual lot containing a dwelling for the purpose of occupancy.

Schedule of Clauses/Conditions
SUBP.22.V.0048 (19T-22V009)
Part of Lot 28, Concession 8
(East Kleinburg Developments Inc./1045501 Ontario Ltd.
& East Kleinburg Developments Inc./Toya Investments Ltd.)
City of Vaughan

Re: Malone Given Parsons, File No. 22-3126, dated July 7, 2022

Clauses to be Included in the Subdivision Agreement

1. The Owner shall save harmless the City of Vaughan and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
2. The Owner shall agree that Highway 27 will be widened to a four-lane cross-section, from Kirby Road to Major Mackenzie Drive, prior to the development being occupied.
3. The Owner shall agree to implement the recommendations of the revised Transportation Study, including TDM measures and incentives, as approved by the Region.
4. The Owner shall advise all potential purchasers of the existing and future introduction of transit services. The Owner/consultant is to contact YRT Contact Centre (tel. 1-866-668-3978) for route maps and the future plan maps.

Conditions to be Satisfied Prior to Final Approval

5. The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the City of Vaughan and York Region.
6. The Owner shall provide to the Region the following documentation to confirm that water and wastewater services are available to the subject development and have been allocated by the City of Vaughan:
 - a) A copy of the Council resolution confirming that the City of Vaughan has allocated servicing capacity, specifying the specific source of the capacity, to the development proposed within this draft plan, or any phase thereof, and
 - b) A copy of an email confirmation by a City of Vaughan staff member stating that the allocation to the subject development remains valid at the time of the request for regional clearance of this condition.
7. The Owners shall enter into an agreement, to the satisfaction of the Region, in relation to the funding and implementation of upgrade works for the Kleinburg WRRF. The Owner shall

confirm with the Region there is sufficient capacity within the Kleinburg WRRF to support the development.

8. The Owner shall provide an electronic set of the final engineering drawings showing the water and wastewater infrastructure for the proposed development to Community Planning and Development Services and Infrastructure Asset Management for record.
9. For all lands, the Holding (“H”) provisions of Section 36 of the Ontario Planning Act shall be used in conjunction with employment zone categories in order to ensure that final plan approval and development of these lands does not occur until such time as the Holding (“H”) symbol is removed in accordance with the provisions of the Ontario Planning Act. The Zoning Bylaw shall specify the terms under which Council may consider the removal of the Holding (“H”) symbol. Said terms shall include a minimum of the following:
 - a) The City of Vaughan approves a servicing capacity to this development that is not dependent upon the completion of any new infrastructure; or,
 - b) York Region has advised in writing that the required infrastructure to support the capacity assignment associated with this development will be completed within a time period acceptable to the Region to permit the plan registration; or,
 - c) The Regional Commissioner of Public Works confirms servicing capacity for this development by a suitable alternative method and the City of Vaughan approves the capacity to this development.
10. The Owner shall conduct and submit a Source Water Impact and Assessment Mitigation Plan (SWIAMP), to the satisfaction of the Region, to identify and address any potential water quality and water quantity threats to the municipal groundwater supplies. The SWIAMP shall be prepared by a qualified professional, to the satisfaction of Regional Environmental Services staff in the Water Resources group. The SWIAMP must follow the York Region document Guidance for Proposed Developments in Wellhead Protection Areas in York Region (June 2021). A SWIAMP is required for any of the activities listed below if they will occur on the site for the storage or manufacture of:
 - a) Petroleum-based fuels and or solvents;
 - b) Pesticides, herbicides, fungicides or fertilizers;
 - c) Chlorinated solvents;
 - d) Construction equipment;
 - e) Inorganic chemicals;
 - f) Road salt and contaminants;
 - g) The generation and storage of hazardous waste or liquid industrial waste, and a waste disposal sites and facilities;

Copper Kirby – Phase 4

- h) Organic soil conditioning sites and the storage and application of agricultural and non-agricultural source organic materials;
- i) Snow storage and disposal facilities;
- j) Tailings from mines; and,
- k) Dense non-aqueous phase liquids (DNAPLS).

If a SWIAMP is not required, a letter prepared by a qualified professional will be required in its place stating that the above noted activities will not be occurring.

11. The Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required road improvements for this subdivision. The report/plan, submitted to Development Engineering for review and approval, shall explain all transportation issues and shall recommend mitigative measures for these issues.
12. The Owner shall provide drawings for the proposed servicing of the site to be reviewed by the Engineering Department of the area municipality. Three (3) sets of engineering drawings (stamped and signed by a professional engineer), and MOE forms together with any supporting information shall be submitted to Development Engineering, Attention: Mrs. Eva Pulnicki, P.Eng.
13. The Owner shall provide a copy of the Subdivision Agreement to the Regional Corporate Services Department, outlining all requirements of the Corporate Services Department.
14. For any applications (Site Plan or Zoning By-law Amendment) completed after January 1, 2020, the Owner shall enter into a Development Charge Rate Freezing Agreement with York Region to freeze/lock in the Development Charge rate at the time the site plan application or Zoning By-law Amendment is deemed complete submission, satisfy all conditions, financial and otherwise, and confirm the date at which Regional development charge rates are frozen; Regional Development Charges are payable in accordance with Regional Development Charges By-law in effect at the time that Regional development charges, or any part thereof, are payable. Please contact Fabrizio Filippazzo, Manager, Development Financing Administration to initiate a Development Charge Agreement with York Region.
15. The Regional Corporate Services Department shall advise that Conditions 1 to 14 inclusive, have been satisfied.



MEMORANDUM- TECHNICAL COMMENTS

**RE: Draft Plan of Subdivision SUBP.22.V.0048 (19T-22V009)
Zoning By-law Amendment ZBA.22.V.0132 (Z.22.032)
Copper Kirby – Phase 4
Part of Lot 28, Concession 8
(East Kleinburg Developments Inc./1045501 Ontario Ltd.
& East Kleinburg Developments Inc./Toya Investments Ltd.)
City of Vaughan**

Regional Staff have reviewed the above noted draft plan of subdivision application, as well as the supporting documents, and provide the following comments. These comments are not an approval and are intended to provide information to the applicant regarding the Regional requirements that have been identified to date.

Infrastructure Asset Management

1. Wastewater Servicing

- The MESP indicates that wastewater services will be provided by a future local sewage pumping station on the northeast corner of the site, which shall ultimately discharge to the Region's Kleinburg WRRF.
- Section 5.2 of the MESP acknowledges that capacity limitations exist in the Region's Kleinburg WRRF and captures an understanding of the plant's capacity, gained from the Region's recent review of the facility as follows:

"In a meeting with York Region on May 19, 2022, York Region advised that they had completed a study of the WRRF which confirmed that the plant has a biological capacity of 7830 people, however, the study also discovered a hydraulic restriction within the plant. To increase the plant capacity beyond 7505 people, the Region advised that filter upgrades would be required to alleviate the hydraulic restriction. Prior to the filter upgrades, the WRRF has a residual capacity of approximately 2600 people available to service Block 55 West."

- While largely accurate, Regional staff provides the following corrections and clarification:
 - a) The final sentence of the paragraph implies that the Kleinburg WRRF can service 7,505 people without filter upgrades and should be revised for accuracy and

- clarity. At this time, the confirmed available capacity at the plant is 7,200 persons. The 7,505 persons of capacity being available at the plant (without filter upgrades) is subject to confirmation through future monitoring of observed flows to the plant from the remaining population to be connected. Due to the hydraulic capacity limitations of the plant, the actual peaking factor observed in flows to the plant will impact the number of people beyond 7,200 persons that can be supported by the plant.
- b) It is also noted that IAM is not aware of any capacity commitment by the City to Block 55 landowners beyond 2,300 persons and has no knowledge of any commitment to the 2,600 persons suggested in the above noted paragraph of the MESP.
- c) IAM also notes an apparent discrepancy in the number of units/persons proposed between the MESP (2,800 persons, as noted on page 27) and Block Plan statistics (746 units/2,934 persons in participating lands, 791 units/3,094 persons including non-participating lands). Please revise documents as appropriate for consistency and clarity.
- Please note that in order for Phase 4 of the development to proceed, the Kleingburg WRRF will require filter upgrades. These upgrades are not in the capital plan and a separate funding agreement will be required for implementation.

2. Water Servicing

- The MESP indicates that water services will be provided by existing local municipal infrastructure on Highway 27.
- Section 6.2 of the MESP indicates that the preferred water servicing strategy is to implement a pressure zone realignment which would convert the subject block from PDKN to PD7.
- The proposed water servicing strategy for the Block has not been accepted by the Region.
- IAM is currently reviewing the potential impacts of the proposed pressure zone realignment on the Region's PD7 system. Further comments will be provided to the applicant once the Region completes the review. The current estimated completion date is spring 2023. Please note the current estimate and may change and is provided for information purposes only.

Transportation and Infrastructure Planning

1. The Addendum Transportation Mobility Assessment Study, prepared by Poulos & Chung, dated August 25, 2022 still references the Region's 2007 Access Guidelines in Section 2.
2. It should be noted that the Region does not fund YRT monthly passes.

Transit

1. There are currently no existing fixed-route YRT services operating in the vicinity of the subject lands.
2. The subject lands fall within the service area for Mobility On-Request Kleinburg-Nashville. This service does not require bus stops.
3. The Planning Justification Report states YRT provides regular scheduled service to the communities north of Nashville Road. The current service does not operate in this area. There are currently no plans to extend services into this area.
4. Any proposed adjustments or additions to YRT services in the area are not currently planned for and will be reviewed in the future as warranted. These will be dependent on development, ridership demand, and budget availability.
5. The applicant is strongly advised to coordinate with the City of Vaughan to provide sidewalk facilities connecting from the internal road network to the Regional road network. The pedestrian access connection shall meet the local municipality's standards for sidewalks and shall be owned and maintained by the local municipality. The applicant is strongly advised to include the provision of sidewalk facilities on both sides of all collector roads shown in the Block Plan.

Water Resources

1. Water Resources would like to note the site is in an identified area of concern due to known high water table conditions and confined artesian aquifer conditions, which could have geotechnical implications with respect to construction activities including, but not limited to, dewatering (short-term or long-term), foundation construction, and building stability.
2. As such, Water Resources recommends that any geotechnical and hydrogeological investigations undertaken by the owner take into account the fact that groundwater levels may currently be artificially depressed at the site due to third party permanent dewatering systems in the area. Also, please note that the Environmental Monitoring and Enforcement group of the Environmental Services department should be contacted at sewerusebylaw@york.ca for a dewatering permit, if required.

3. Please note the property is within Wellhead Protection Area Q (WHPA-Q) and within a Significant Groundwater Recharge Area (SGRA). As such the CTC Source Protection Plan water quantity recharge policy and York Region Official Plan Low Impact Development policy 2.3.41 will apply. The proponent will be required to maximize infiltration at the site using best management practices to maintain recharge as demonstrated through a hydrogeological study that shows the existing (i.e. pre proposed development) water balance can be maintained in the future (i.e. post proposed development). The CTC Source Protection Plan Water Balance Requirements document and TRSPA Water Balance Tool (<https://trca.ca/conservation/drinking-water-source-protection/trspa-water-balance-tool/>) should be consulted. The use of the following resource is also encouraged: Low Impact Development Stormwater Management Planning and Design Guide by Credit Valley Conservation Authority. The contact person for the scoping and review of the water balance for Source Protection Plan conformity is Don Ford at TRCA. The approving body for compliance with the policy will be the local municipality.
4. For your reference the Oak Ridges Moraine (YPDT-CAMC) Groundwater Management Tool: <https://oakridgeswater.ca/> can be accessed for geological data in support of geotechnical and hydrogeological analysis.
5. As the site is within a wellhead protection area, Water Resources does encourage the use of best management practices during construction and post construction with respect to the handling and storage of chemicals (such as used oil, degreasers and salt) on site. It is strongly recommended that Risk Management Measures are put in place with respect to chemical use and storage including spill kits, secondary containment, a spill response plan and training.

Appendix 'B' – TRCA's Draft Plan Conditions and Comments

TRCA's Conditions of Draft Plan Approval

TRCA recommends approval of Draft Plan of Subdivision 19T-22V009, Part of Lot 28, Concession 8, City of Vaughan, Regional Municipality of York, prepared by Malone Given Parsons, revised dated September 21, 2023, subject to the following conditions:

Red-line Revisions

1. That this draft plan of subdivision be subject to red-line revision(s) to meet the requirements of TRCA's conditions of draft plan approval, if necessary, to the satisfaction of TRCA.
2. Prior to the registration of the Plan of Subdivision, the Owner shall provide an M-Plan showing the lot/block lines and any required revisions to the satisfaction of the City of Vaughan and TRCA.

Prior to Works Commencing

3. That prior to topsoil stripping and prior to the registration of this plan or any phase thereof, the Owner shall submit a detailed engineering report and plans to the satisfaction of TRCA for any proposed topsoil stripping in the TRCA's Regulated Area. This submission shall include:
 - Detailed plans illustrating the topsoil stripping proposal, including but not limited to the locations, staging and methodology.
 - An erosion and sediment control report and plans for the subject lands that includes proposed measures for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after topsoil stripping.
4. That prior to any development or site alteration and prior to the registration of this plan or any phase thereof, the Owner shall submit detailed engineering reports (e.g., Stormwater Management) that describes in detail the applicable stormwater management criteria, how the proposed storm drainage system will be designed to meet stormwater management criteria, and how it will comply to TRCA requirements. These reports shall include, but not limited to:
 - i. A description of the storm drainage system and appropriate stormwater management techniques including minor and major flow controls for the proposed development of the subject land and how it will comply with all related TRCA requirements for quantity, water balance and erosion control.
 - ii. Plans illustrating how this drainage system will tie into surrounding drainage systems (i.e., identifying if it is part of an overall drainage scheme, how external flows will be accommodated, the design capacity of the receiving system).
 - iii. Provide provisions for appropriately sized Stormwater Management Practices (SWMPs) to be used to treat stormwater, to mitigate the impacts of development on the quantity and volume of ground and surface water resources, in accordance with TRCA's current Stormwater Management Guidelines. The existing drainage patterns should be maintained, to the greatest extent possible, and the existing function of all regulated features is to be maintained, consistent with TRCA's guidelines.

- iv. Detailed plans indicating location, orientation, size and description of all stormwater management features, including outlet structures, and all other proposed servicing facilities (e.g., infiltration trenches, etc.), grading, site alterations, development, and infrastructure, which are required to service or facilitate the development of the subject lands, which may require a permit pursuant to Section 28.1 of Conservation Authorities Act.
- v. Design of flow dispersal measures and treatments associated with stormwater management outlets to reduce potential erosion, impacts to the regulated natural system, and maximization of potential infiltration, to the satisfaction of the TRCA.
- vi. Detailed plans and calculations for the proposed lot-level, conveyance and end-of-pipe controls to be implemented on the site.
- vii. The integration of Low Impact Development (LID) measures and the employment of source and conveyance controls to: mimic pre-development site hydrology, overall site water balance, pre-development water budget to satisfy the CTC Source Protection Plan criteria, and feature-based water balance to the satisfaction of the TRCA.
- viii. A subsurface investigation (including assessment of groundwater levels) for the final design of site grading and stormwater management infrastructure. The recommendations of the subsurface assessment will be used to inform the final design and construction plans. All underground construction and infrastructure must be designed to not require permanent dewatering, and any potential impacts to the groundwater system that may result from the development must be assessed and mitigated.
- ix. Information detailing all anticipated temporary dewatering that may be required during the construction phases, including dewatering necessary for the stormwater management infrastructure, including anticipated volumes, duration, discharge locations, potential impacts to wetlands, and filtration media – as required, to the satisfaction of the TRCA, for the purposes of determining whether a TRCA permit is required.
- x. Grading plans for the subject lands. The plans must indicate how grade differentials will be accommodated without the use of retaining walls within or adjacent to regulated natural features and associated buffers. All modifications to existing slopes must result in geotechnically-stable slopes to the satisfaction of the TRCA.
- xi. Cross-sections and details where grading and filling is proposed in, or adjacent to, the valley corridor (Other Lands Owned by Applicant) including detailed cross sections for any proposed retaining walls adjacent to the subject blocks. The cross-sections and details shall include, but shall not be limited to, existing and proposed grades; limits of the regulated natural features, hazards and buffers; transition to the adjacent tableland areas; interim and permanent stabilization of the slopes/disturbed areas; soil remediation; mitigation; tree protection; sediment and erosion controls; and supporting geotechnical/soils analyses to the satisfaction of TRCA.

- xii. An erosion and sediment control report and plans for the subject lands that includes proposed measures for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction.
5. That prior to the registration of this plan or any phase thereof, the Owner obtain all necessary permits from TRCA pursuant to Section 28.1 of Conservation Authorities Act, to the satisfaction of TRCA.
 6. The Owner shall provide a copy of the adopted implementing zoning by-law to TRCA, when available, to facilitate the clearance of conditions of draft plan approval.

Subdivision Agreement

7. The Owner agrees in the subdivision agreement, in wording acceptable to TRCA:
 - i. To carry out, or cause to be carried out, to the satisfaction of TRCA, the recommendations of the reports/strategies and details of the plans referenced in TRCA's conditions of draft plan approval.
 - ii. To install and maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period, in a manner satisfactory to TRCA.
 - iii. To obtain all necessary permits from TRCA pursuant to Section 28.1 of Conservation Authorities Act, to the satisfaction of TRCA.
 - iv. To comply with the permits approved pursuant to Section 28.1 of Conservation Authorities Act, including the approved plans, reports and conditions to the satisfaction of TRCA.
 - v. To erect a permanent fence along all blocks that abut the valley corridor (Other Lands Owned by Applicant) and in other areas as may be required to protect existing and future open space lands from unauthorized/non-programmed entry to the satisfaction of TRCA.
 - vi. To prohibit grading works within the valley corridor and adjacent Regulated Areas unless approved by TRCA; and
 - vii. To prohibit retaining walls in, or adjacent to, the valley corridor and adjacent Regulated Areas unless approved by TRCA.

Fees

8. That the Owner provide a copy of the fully executed subdivision agreement and pay TRCA the required draft plan of subdivision planning review fees, clearances fees and permit fees (topsoil stripping, grading, servicing, etc.) to TRCA.

City of Vaughan – Planning Department

To: **Christopher Cosentino**, Senior Planner, Development Planning Department

Reference: **File: Z.22.032 & 19T-22V009** **Related Files: PAC.22.042**

11063 & 11191 Highway 27 (Phase 4)
Ward 1

Canada Post Corporation appreciates the opportunity to comment on the above noted application and it is requested that the developer be notified of the following:

Canada Post has reviewed the proposal of the 98 detached residential homes for the above noted Development Application and has determined that the completed project will be serviced by centralized mail delivery provided through Canada Post Community Mail Boxes.

In order to provide mail service to this development, Canada Post requests that the owner/developer comply with the following conditions:

- ⇒ The Owner/Developer will consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans;
- ⇒ The Builder/Owner/Developer will 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;
- ⇒ The Owner/Developer will 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;
- ⇒ The Owner/Developer will 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;
- ⇒ **The Owner/Developer will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy;**

Canada Post further requests the owner/developer be notified of the following:

1. The owner/developer of any condominiums will be required to provide signature for a License to Occupy Land agreement and provide winter snow clearance at the Community Mailbox location.
2. Enhanced Community Mailbox Sites with roof structures will require additional documentation as per Canada Post Policy.
3. There will be no more than one mail delivery point to each unique address assigned by the Municipality.
4. Any existing postal coding may not apply, the owner/developer should contact Canada Post to verify postal codes for the project.
5. The complete guide to Canada Post's Delivery Standards can be found at:
https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf

As the project nears completion, it is requested that the Developer contact me directly during the design stage of the above project, to discuss a suitable mailbox location.

Should there be any concerns pertaining to our mail delivery policy requirements, please contact the undersigned.

Sincerely,

Lorraine Farquharson

Lorraine Farquharson

Delivery Services Officer | Delivery Planning - GTA

200 – 5210 Bradco Blvd

Mississauga, ON L6W 1G7

(416) 262-2394

lorraine.farquharson@canadapost.ca

Christopher Cosentino

From: circulations@wsp.com
Sent: Tuesday, October 25, 2022 7:50 PM
To: Christopher Cosentino
Subject: [External] ZBLA (Z.22.029, Z.22.030, Z.22.031, Z.22.032) and Draft Plan of Subdivision (19T-22V006, 19T-22V007, 19T-22V008, 19T-22V009); 11063, 11191, 11363 Hwy. 27, Vaughan

Follow Up Flag: Follow up
Flag Status: Flagged

2022-10-25

Christopher Cosentino

Vaughan

''

Attention: Christopher Cosentino

Re: ZBLA (Z.22.029, Z.22.030, Z.22.031, Z.22.032) and Draft Plan of Subdivision (19T-22V006, 19T-22V007, 19T-22V008, 19T-22V009); 11063, 11191, 11363 Hwy. 27, Vaughan; Your File No. Z.22.029,19T-22V006,Z.22.030,19T-22V007,Z.22.031,19T-22V008,Z.22.032,19T-22V009

To Whom this May Concern,

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

“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.”

Upon receipt of this comment letter, the Owner is to provide Bell Canada with servicing plans/CUP at their earliest convenience to planninganddevelopment@bell.ca to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada’s existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.

We note that WSP operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. However, **all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP.** WSP is not responsible for the provision of comments or other responses.

Should you have any questions, please contact the undersigned.

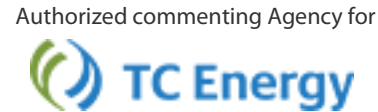
Yours truly,

Juan Corvalan
Senior Manager - Municipal Liaison
Email: planninganddevelopment@bell.ca

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KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

November 10, 2022

Christopher Cosentino
Senior Planner
Development Planning

City of Vaughan
2141 Major Mackenzie Drive,
Vaughan, Ontario,
L6A 1T1

Via email: christopher.cosentino@vaughan.ca

Dear Christopher Cosentino:

**RE: Draft Plan of Subdivision & Zoning By-law Amendment
11063 and 11191 Highway 27: Phase 4 – Block 55 West, City of Vaughan**
East Kleinburg Developments Inc., 1045501 Ontario Ltd. & Toya Investments Ltd.
Your File: Z.22.032 & 19T-22V009
Our File: PAR 36395

MacNaughton Hermsen Britton Clarkson (MHBC) are the planning consultants for TransCanada PipeLines Limited (TCPL). This letter is in response to a notification and request for comments for the above-noted application of residential subdivision for the lands identified as 11063 and 11191 Highway 27 in the City of Vaughan (the "Subject Lands"). TCPL has one (1) high-pressure natural gas pipeline contained within a right-of-way ("easement") in proximity to the Subject Lands.

TCPL's pipelines and related facilities are subject to the jurisdiction of the Canada Energy Regulator (CER) – formerly the National Energy Board (NEB). As such, certain activities must comply with the Canadian Energy Regulator Act ("Act") and associated Regulations. The Act and the Regulations noted can be accessed from the CER's website at www.cer-rec.gc.ca.

Based upon our initial review of the Draft Plan of Subdivision and supporting technical reports, we are providing the following comments and are requesting that the noted development and regulatory requirements be included as conditions in the Draft Plan approval and Subdivision Agreement between the Municipality and the Owner. TCPL may submit additional requirements for additional requirements to be included in the Subdivision Agreement.

Draft Conditions:

1. The conditions, restrictions or covenants specified by TCPL shall be included in a separate agreement between TCPL and the Owner, and the Owner shall register such agreement against title to the Subject Lands prior to registration of the subdivision plan by way of application to register conditions, restrictions or covenants, as applicable, pursuant to the Land Titles Act, or any amendments thereto.

Subdivision Agreement:

1. No buildings or structures shall be installed anywhere on TCPL's right-of-way. Permanent buildings and structures are to be located a minimum of 7 metres from the edge of the right-of-way. Temporary or accessory buildings are to be located a minimum of 3 metres from the edge of the right-of-way.
2. A minimum setback of 7 metres from the nearest portion of a TCPL pipeline right-of-way shall also apply to any parking area or loading area, including any parking spaces, loading spaces, stacking spaces, bicycle parking spaces, and any associated drive aisle or driveway.
3. Written consent must be obtained from TCPL prior to undertaking the following activities:
 - Constructing or installing a facility across, on, along or under a TCPL right-of-way. A facility may include, but is not limited to: driveways, roads, access ramps, trails, pathways, utilities, berms, fences/fence posts;
 - Conducting a ground disturbance (excavation or digging) on TCPL's right-of-way or within 30 metres of the centreline of TCPL's pipeline (the "Prescribed Area");
 - Driving a vehicle, mobile equipment or machinery across a TCPL right-of-way outside the travelled portion of a highway or public road;
 - Using any explosives within 300 metres of TCPL's right-of-way; and
 - Use of TCPL's Prescribed Area for storage purposes.

During construction of the site, temporary fencing must be erected and maintained along the limits of the right-of-way by the Owner(s) to prevent unauthorized access by heavy machinery. The fence erected must meet TCPL's specifications concerning type, height and location. The Owner is responsible for ensuring proper maintenance of the temporary fencing for the duration of construction.

4. Permanent fencing may be required along the limits of TCPL's right-of-way. The fence erected must meet TCPL's and the municipality's specifications concerning type, location, and height. Any excavations for fence posts on, or within 30 metres of the pipeline must be done by hand or hydro vac. There shall be no augers operated on the right-of-way. The Owner shall notify TCPL 3 business days prior to any excavation for fence posts located on or within 30 metres of the pipeline. All fences made of metallic materials must be approved by TCPL prior to being erected on or within 30 metres of the pipeline.
5. Storage of materials and/or equipment on TCPL's right-of-way is not permitted.
6. Planting and Vegetation Plans will minimize vegetation on TCPL's right-of-way and ensure:
 - A 5 metre wide, continuous access way is provided on each side of the pipeline within the right-of-way;
 - TCPL's right-of-way is seeded with Canada #1 seed;

- No portion of a tree or shrub (including the canopy) at the time of maturity encroaches within 5 metres of the edge of TCPL's facilities;
 - No trees or shrubs that will reach a height greater than 4 metres are planted within the right-of-way;
 - Tree roots do not interfere with or cause damage to the pipeline.
 - A minimum 10 metre separation is established between all groups of trees/shrubs. A group may consist of no more than 5 trees/shrubs; and
 - Where high-pressure gas is contained within an enclosed building (such as a metre station or building housing a compressor plant), trees and shrubs should be separated from the building by a minimum of 30 metres.
7. Sidewalks/Pathways may be permitted within the right-of-way but must:
 - Not exceed 3 metres in width;
 - Maintain a minimum separation of 5 metres from the edge of the facility at all points where the pathway travels along the same direction (i.e. paralleling) as the facility within the right-of-way;
 - Cross TCPL's pipeline as close to 90 degrees as possible, but no less than 45 degrees;
 - Limit crossings to 1 per city block (approx. 200 metres)
 - Use company supplied signage for crossings installed by a Third Party; and
 - Have expansion joints installed 3 metres on either side of TCPL's pipeline(s) if the pathway is cement or asphalt.
 8. Where TCPL consents to any ground disturbances in proximity to any TCPL pipeline, the original depth of cover over the pipelines within TCPL's right-of-way shall be restored after construction. This depth of cover over the pipelines shall not be compromised due to rutting, erosion or other means.
 9. Facilities shall be constructed to ensure that drainage is directed away from the right-of-way so that erosion that would adversely affect the depth of cover over the pipelines does not occur. Catchment basins, drainage swales or berms are not permitted within TCPL's right-of-way. All infrastructure associated with site servicing, grading, and stormwater management (e.g. subdrains, manholes, catchbasins, retention walls, storm ponds, culverts/riprap) shall be setback a minimum of 7 meters from the edge of TCPL's right-of-way.
 10. Should pooling of water or erosion occur on the right-of-way as a result of any facility installation or landscaping, the Owner will be responsible for the remediation to TCPL's satisfaction.
 11. Any large scale excavation adjacent to the right-of-way, which is deeper than the bottom of the pipe, must incorporate an appropriate setback from TCPL's right-of-way and must maintain a slope of 3:1 away from the edge of the right-of-way.
 12. Mechanical excavation within 1.5 metres of the edge of TCPL's pipeline is prohibited. Hand or hydrovac excavation must be utilized within this distance.
 13. In no event shall TCPL be held liable to the Owner respecting any loss of or damage to the Owner's Facility which the Owner may suffer or incur as a result of the operations of TCPL. The Owner shall be responsible for all costs involved in replacing the Owner's Facility damaged or removed during TCPL's operations and shall indemnify and save harmless TCPL from all actions, proceedings, claims, demands and costs brought against or incurred by TCPL as a result of the presence of or damage to the Owner's Facility on the TCPL right-of-way.

14. All display plans in the lot/home sales office shall identify the TCPL pipeline right-of-way corridor within the proposed linear park block(s).
15. The Owner shall include notice of the following in all offers of purchase and sale:
 - Notice of the easement agreement registered against the property which may affect development activities on the property;
 - Notice of the 30 metre Prescribed Area as regulated by the CER Act;
 - The number of high pressure natural gas pipelines within the easement and the location of the easement in relation to the development;
 - The setback for all permanent structures and excavations from the limits of the right-of-way; and,
 - The local One Call number 1-800-400-2255 or www.clickbeforeyoudig.com.
16. If TCPL's pipelines experience contact damage or other damage as a result of construction, stop work immediately and notify TCPL at once.
17. All associated work, signage or any other engineering protection measures must be completed by TCPL or its qualified contractors at the sole expense of the Owner. The complete scope of work that may be required is subject to other conditions that may be necessary related to a finalized design that is approved by TCPL. Additionally, prior to TCPL or its contractors conducting any associated work, TCPL and the Owner must execute a reimbursement agreement, including financial assurances, which provides that the entire cost of conducting this associated work is 100% reimbursable to TCPL.
18. The owner shall ensure through all contracts entered into, that all contractors and subcontractors are aware of and observe the foregoing terms and conditions.

Zoning By-law Amendment:

Please be advised of the following TCPL provisions in the City of Vaughan's Zoning By-law 001-2021.

Notwithstanding any other requirements of this By-law, where any TransCanada pipeline is shown on Schedule B-5, the following requirements shall apply:

- a) *A minimum setback of 7.0 m shall be required from any part of a principal building or structure from the edge of the TransCanada pipeline easement.*
- b) *A minimum setback of 3.0 m shall be required from any part of an accessory building or accessory structure from the edge of the TransCanada pipeline easement.*
- c) *A minimum setback of 7.0 m from the nearest portion of a TransCanada pipeline easement shall also apply to any minimum required parking area or loading area, Final | 61 including any minimum required parking space, loading space, stacking space, bicycle parking space, and any associated aisle or driveway.*
- d) *A minimum setback of 7.0 m shall apply to any minimum required amenity area. e. A permitted encroachment of a structure or feature in accordance with Section 4.13 of this By-law shall not be permitted."*

Thank you for the opportunity to provide comments. Kindly forward a copy of the draft conditions for review prior to any decision to the undersigned by mail or by email to TCEnergy@mhbcpplan.com. If you have any questions, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in black ink that reads "K. Webber". The signature is written in a cursive, flowing style.

Kaitlin Webber, MA
Planner | MHBC Planning

on behalf of TransCanada PipeLines Limited