



Corporate Services
Community Planning and Development Services

April 1st, 2020

Natalie Wong
Planning Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Mrs. Wong:

Re: 3rd Submission Site Plan Comments
2748355 Canada Inc., c/o QuadReal group Limited Partnership
City of Vaughan
City File No.: DA.18.075
Region File No.: SP.18.V.0268

York Region has reviewed Plans and Reports submitted as part of the 2nd Submission dated February 6, 2020.

Please note this letter is not a Site Plan Approval. Prior to undertaking any work within the Regional right-of-way of Highway 7 (e.g. *grading, landscaping etc.*), and/or encroaching within the Regional right-of-way of with *crane swing, hoarding, tie-backs, excavation etc.* the Owner must be in receipt of a **Site Plan Approval** and a Road Occupancy Permit from the Region. To obtain final Site Plan Approval the Owner is required to meet the requirements in **Section A** and execute a Site Plan agreement with the Region.

Upon request the Region would be willing to issue a partial engineering approval in advance of Site Plan Approval in order to facilitate the implementation of crane swing, hoarding, shoring, excavation, dewatering and foundation construction. Upon request the Region can provide a list of conditions that must be satisfied in order to obtain such a partial approval.

The City of Vaughan should not issue any conditional permits until the Region has issued a partial engineering approval or Site Plan Approval. A conditional permit does not authorize the Developer to undertake any development related works within the Regional right-of-way, or to encroach onto the Regional right-of-way with landscaping, hoarding, fencing, crane swing, shoring and/or excavation.

A: REQUIREMENTS FOR SITE PLAN APPROVAL

Prior to the issuance of a conditional permit to commence site alteration and/or excavation works the Owner must satisfy the following conditions:

The Regional Municipality of York | 17250 Yonge Street, Newmarket, Ontario L3Y 6Z1
1-877-464-9675 | york.ca

1. The Owner shall convey the following lands to the Region, free of all costs and encumbrances, to the satisfaction of the Regional Solicitor:
 - i) A widening across the full frontage of the site where it abuts *Highway 7* of sufficient width to provide for a right-of-way of 30 metres measured from the centreline of construction of Highway 7.
 - ii) Any additional widenings to maintain a minimum of 10 m by 10 m daylight triangles at the Commerce Street and Interchange Way intersection.
2. It is advised that the Owner obtain from YYRTC the location of the centreline of construction of the VIVA rapidway and to plot this line on a Legal Survey Plan. To this end the owner is advised to contact Nimisha Raja from YYRTC (ext. 71023, nimisha.raja@york.ca) to obtain the centreline of construction information.
3. The Owner shall arrange for the preparation, review and deposit on title of a 65R reference plan, describing the lands described above below, to the satisfaction of the Regional Community Planning and Development Services Branch. The reference plan(s) shall identify all lands to be conveyed to the Region of York, or alternatively the Owner shall provide a Legal Survey to demonstrate that the Region is already in possession of the required right-of-way width.
4. Prior to land conveyance the Owner must submit, to the Region's satisfaction, in general accordance with the requirements of the Environmental Protection Act and O. Reg. 153/04 Records of Site Condition Part XV.1 of the Act (as amended) ("O. Reg. 153/04"), a **Phase I environmental site assessment** ("Phase I ESA") of the Owner's lands that are the subject of the application, including the lands to be conveyed to the Region (the "Conveyance Lands"). The Phase I ESA cannot be more than 2 years old as of the actual date title to the Conveyance Lands is transferred to the Region. If the Phase I ESA is linked to different phases of development and there will be multiple conveyances of lands, the Phase I ESA prepared in respect of a specific conveyance and phase of development cannot be more than two years old as of the actual date of transfer of title to the Region. If a Phase I ESA is or would be more than two years old as of the actual date of transfer of title to the Region, the Phase I ESA will need to be either updated or a new Phase I ESA obtained by the Owner in accordance with the requirements of this section. The Region, at its discretion, may require further study, investigation, assessment and delineation to determine whether any remedial or other action is required regardless of the findings or conclusions of the Phase I ESA. Any Phase II environmental site assessment required by or submitted to the Region must be prepared in general accordance with the requirements of O. Reg. 153/04 (as noted above). Reliance on the Phase I ESA and any subsequent environmental reports or other documentation prepared in respect of the environmental condition of the lands must be provided to the Region and: (i) will be addressed to "The Regional Municipality of

York”; (ii) contain wording to the effect that the Region is entitled to rely on such reports or documentation in their entirety; and (iii) the terms and conditions of the reliance extended (including any wording seeking to limit liability) must be satisfactory to the Region.

The Region acknowledges receipt of a Phase 1 ESA report by Golder Associates dated August 2018. The Region has no comments on this report.

5. Reliance on the Phase I ESA report [and Phase 2 ESA report, if required] must be provided to the Region in the form of a Reliance Letter and: (i) will be addressed to “The Regional Municipality of York”; (ii) contain wording to the effect that the Region is entitled to rely on such reports or documentation in their entirety; and (iii) the terms and conditions of the reliance extended (including any wording seeking to limit liability) must be satisfactory to the Region.
6. The Owner shall provide copies of the decommissioning records for the two monitoring wells noted to be on site once the wells have been decommissioned.
7. The Owner must provide the Region’s Community Planning and Development Services Branch with a certified written statement from the Owner or the Owner’s authorized representative that no contaminant, pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, on, in or under lands to be conveyed to the Region (including soils, substrata, surface water and groundwater, as applicable): (i) at the time of conveyance, at a level or concentration that exceeds the Environmental Protection Act O. Reg. 153/04 (as amended) full depth generic site condition standards applicable to the intended use of such lands by the Region or any other remediation standards published or administered by governmental authorities applicable to the intended land use; and (ii) in such a manner, condition or state, or is emanating or migrating from such lands in a way, that would contravene applicable environmental laws.

Submission Requirements

8. Prior to Site Plan approval the Owner shall provide written confirmation from YRRTC that the Site’s grading design has been coordinated with the grading design of the VIVA rapidway adjacent to the Site. To this end the owner is advised to contact Nimisha Raja from YRRTC (ext. 71023, nimisha.raja@york.ca) to obtain the grading design of the VIVA Rapidway. With the next submission the Owner shall also submit the Grading Plans and Cross-section Drawings in AutoCAD format for review by YRRTC.
9. The Owner shall address, to the Region’s satisfaction, the comments on the red-lined plans and/or reports attached to this letter.

10. The Owner shall submit to the Region the following plans and reports not yet submitted with previous submissions:
- a) Geotechnical Report
 - b) Shoring Drawings
 - c) Temporary and Permanent Dewatering Plan
 - d) Hoarding Plan
 - e) Crane Swing Plan
 - f) Construction Management Plans for each phase of construction
 - g) Revised Traffic Impact Study
 - h) Insurance Certificate
 - i) Cost Estimate
 - j) Confirmation from York Region's Environmental Services Dept. re. dewatering permit
 - k) Confirmation from the hydro authority
 - l) Additional Review Fees and Security Deposit
 - m) Legal Survey Plan that shows centreline of construction and existing property lines, easements and reserves.
 - n) Final deposited 65R-plan
 - o) Written confirmation from City that the proposed development has allocation

Hydro Clearances

11. The Owner shall confirm, to the satisfaction of the Region, that the proposed development can meet the appropriate clearance requirements for electrical transmission poles and lines, without impeding the ability to have the electrical transmission poles situated within the Region's right(s)-of-way in accordance with Regional standards and practices.
12. If the clearance requirements provided by the electrical authority cannot be met, the Owner shall, at its own expense, implement a solution to provide the appropriate clearances to the satisfaction of the Region.

Financial and Insurance Requirements

13. The Owner shall submit a cost estimate of all works to be undertaken within or adjacent to the Regional right-of-way of Highway 7, inclusive of erosion and sediment control measures, hoarding, grading, servicing and streetscaping. This cost estimate will be used by the Region to determine the final Review Fee and Security Deposit requirements for the Site Plan Approval. Upon receipt of the cost estimate the Region will issue a separate Financial Request letter to the Owner.
14. The Owner shall submit to the Regional Community Planning and Development Services, a certificate of insurance on the Region's form, completed to the satisfaction of the

Region's Manager of Insurance and Risk, naming The Regional Municipality of York as an additional insured with respect to the Commercial General Liability policy. The Owner shall maintain the insurance in effect until all site works have been completed and accepted by the Region. The certificate of insurance shall specify: for a liability insurance amount of not less than \$5,000,000 per occurrence, and Non-Owned Automobile Liability and Owned Automobile Liability Insurance for limits of not less than \$2,000,000 per occurrence for each. In addition, the Region requires confirmation of WSIB coverage. In the event that participation in Workers Compensation is not required or has been opted out of, the Region requires confirmation of Employer's Liability in an amount not less than \$2,000,000 per occurrence.

This certificate of insurance shall specify the Region's File Number **SP.18.V.0268**, the location of the site and the name and address of the Owner. The name, address and telephone number of the issuing company and/or agent must be shown on the certificate. In addition, a clause shall be added such that this policy shall be automatically extended in one year increments, until all site works have been completed and accepted by the Region, and that 30 days written notification be given to the Region by registered mail if this policy is to be cancelled or if coverage is reduced.

15. This application is subject to the Region's development review fees identified in Bylaw No. 2010-15. The fee for site plan application review is **\$8,500.00** minimum or 7% of the estimated cost of works on the existing or proposed Regional right-of-way, whichever is greater.

The Region acknowledges receipt of the \$8,500.00 minimum review fee.

16. This application is also subject to a fee of **\$1,600.00** towards the review of the Phase 1 and Phase 2 ESA reports. The Owner must deliver to Regional Community Planning and Development Services a cheque in the sum of **\$1,600.00** made payable to The Regional Municipality of York.

The Region acknowledges receipt of the \$1,600.00 environmental review fee.

17. This application is also subject to a Legal fee of **\$1,950.00** towards the legal and administrative expenses of the Region in the preparation and processing of the Site Plan Agreement. The Owner must deliver to the Legal Services Branch of the Region a certified cheque in the sum of **\$1,950.00** made payable to The Regional Municipality of York, towards the legal and administrative expenses of the Region in the preparation and processing of this Agreement.

The Region acknowledges receipt of the \$1,950.00 legal fee.

18. The Owner shall also deliver to the Legal Services Branch of the Region a certified cheque in the sum of **\$72.76** made payable to The Regional Municipality of York, towards the expenses of the Region in the registration of this Agreement on title of the Subject Lands.

The Region acknowledges receipt of the \$72.76 fee.

19. Please note that an additional review fee of **\$3,800.00** will be required for each submission after the 3rd submission due to revisions by the Owner or the Owner's failure to revise drawings/plans/studies as requested by the Region. With the next submission, the Owner must deliver to Regional Community Planning and Development Services a cheque in the sum of **\$3,800.00** made payable to The Regional Municipality of York.
20. The Owner is advised that development application fees are subject to annual adjustments and increases. Any unpaid fees, regardless of the year the application is submitted, will be subject to current fee requirements."

Source Water Protection

21. The Owner is advised high groundwater levels and confined aquifer conditions have been identified in the general vicinity of the site, and appropriate precautions should be taken to prevent impacts to the development.

Servicing Allocation

22. The Owner shall provide written confirmation from the City of Vaughan that the proposed development has been granted servicing allocation by the City of Vaughan.
23. Site Plan approval will be conditional on the Owner saving harmless the City of Vaughan and York Region from any claim or action as a result of water or sanitary sewer service allocation not being available when anticipated.

Dewatering

24. The Owner shall submit a ***Dewatering Plan***, to the satisfaction of the Region, for the proper assessment, design, and supervision of ***permanent*** and ***temporary*** construction dewatering on the subject property. The Dewatering Plan shall show the location of dewatering wells, pumps, pipes, treatment equipment and where the discharge will outlet to.
25. The Owner shall provide confirmation to York Region that they have received, where necessary, from Ontario Ministry of the Environment (MOE), Permits To Take Water for the groundwater withdrawals associated with dewatering systems on the subject property as well as any discharge permitted associated with the subject property.
26. If temporary dewatering discharge is proposed to a Regional storm sewer or any sanitary sewer the Owner will be required to obtain a dewatering discharge permit from the Region's Environmental Service Department prior to the commencement of dewatering. A

dewatering permit application is available on line at [www.york.ca /seweruse](http://www.york.ca/seweruse) or by contacting 905-830-4444 extension 75097.

27. No permanent dewatering discharge into a sanitary sewer will be permitted.
28. The Owner shall provide written confirmation that an application for a dewatering discharge permit has been made, if one is required.

Hoarding, Shoring and Crane Swing

29. The Owner is advised that should any Hoarding, Shoring and/or Crane Swing need to encroach onto the Regional right-of-way of Highway 7 the Owner must submit Hoarding, Shoring and Crane Swing Plans to the Region and obtain an Encroachment Permit from the Region.

Encroachment Requirements

30. The Owner shall obtain an encroachment permit from the Region for the following potential encroachments within the road allowances of Highway 7:

- Crane Swing
- Hoarding
- Tie-backs
- Streetscaping/landscaping
- Dewatering equipment

31. For the Region to prepare the permit the Owner must submit the following:

- a) A Certificate of Insurance.
- b) A **cheque** in the amount of **\$1,800.00** made payable to The Regional Municipality of York representing Community Planning and Development Services' fee required for permitting the encroachment as set out in Bylaw No. 2010-15.

The Region acknowledges receipt of the \$1,800.00 encroachment permit fee.

- c) A registerable legal description of the Region's lands upon which the Owner intends to encroach (include copy of Parcel Register (PIN) and Block Map).
- d) The registered Owner's name and a registerable legal description of its lands (include copy of Parcel Register (PIN) and Block Map).

The Region acknowledges receipt of the Parcel Register.

- e) A drawing or reference plan clearly indicating the encroaching items and the extent of the encroachment within the regional road allowance.

Transportation

- 32. The trip generation rates used in the Study are based on a single proxy site. The relatively small sample size (one proxy site) limits the number of factors that could be accounted for in the statistical analysis. If traffic studies use trip generation rates that are too high or too low, appropriate development and associated infrastructure and/or mitigation will not be recommended.
- 33. There may be a need to adjust ITE vehicle trip rates to reflect a local community's context. However, to significantly reduce the trip generation rates from the established ITE trip rates with a degree of confidence, a comprehensive study is required. The comprehensive study shall be based on the validated method of data collection from additional sites and analysis of site level attributes including parking, occupancy levels, building orientation, pedestrian and bicycle infrastructure and other design features. In absence of any such study and to have the required degree of confidence in estimating trips, the established ITE rates shall be used. Therefore, the Region will not accept a traffic impact study based on absolute minimum standards. **A revised traffic study shall be submitted that is either only based on the ITE trip generation rates or include an additional scenario using ITE trip generation rates for assessing future horizons.**
- 34. Non-residential trip generation rates in the Study are based on a multitude of assumptions such as the 60-minute occupancy per parking space, 469 nonresidential parking spaces available on a shared basis for residential and non-residential visitors in a commercial parking garage and the number of parking spaces occupied by residential visitors. Some of these assumptions are based on very limited data (only two proxy sites surveys) and does not take into account the inherent variations associated with a very small sample size. It is not prudent to plan the required infrastructure to accommodate a development of 2,461 residential units and 8,172 square meter of non-residential GFA based on the absolute minimum scenarios. Furthermore, for the purposes of this report, the non-residential uses have also been assumed to consist of 2,100 square meter of supermarket uses, 4,470 square meter of fitness facility uses and 1,602 square meter of restaurant uses. It is imperative that a development site of this magnitude shall be planned for reasonable scenarios with a certain degree of confidence for anticipated variance. **Therefore, a revised traffic study shall be submitted that is either only based on the ITE trip generation rates or include an additional scenario using ITE trip generation rates for assessing future horizons.**
- 35. Prior to final approval, the Owner shall agree to:

- i. Implement Commerce Street from Highway 7 to the east-west corridor at the southern limit of the property as part of this development.
- ii. In the site plan agreement to provide direct shared pedestrian/cycling facilities and connections from the proposed development to surrounding roadway network to support active transportation and public transit, where appropriate.
- iii. Provide proposed development access via local streets, shared driveways and interconnected properties to maximize the efficiency of the Regional street system (as per the Regional Official Plan Policy 7.2.53), where appropriate.
- iv. Provide a TDM communication strategy, to assist the Region and the City of Vaughan to effectively deliver the Information Packages and pre-loaded PRESTO Cards to residents. This strategy shall also include a physical location for distribution of the Information Packages and pre-loaded PRESTO Cards. The applicant is responsible for the coordination and for providing a venue for the distribution of PRESTO cards. Each event, approximately 2 hours of staff time, can serve approximately 50 residential units. The applicant shall coordinate specific event details with York Region/York Region Transit Staff allowing a minimum of 2 months notice.
- v. Implement all recommendations in the revised Transportation Study, including all TDM measures, to the satisfaction of the Region.

Traffic Management

36. The Owner shall submit a Traffic Management Plan/s for any works undertaken on Highway 7. Please note the following minimum requirements of working within York Region Road allowance unless dictated otherwise on the Traffic/Construction Management Plan and Road Occupancy Permit:
- i. No lane closures are permitted on weekdays between the hours of 7 a.m. to 9:30 a.m. and 3:30 p.m. to 6 p.m.;
 - ii. Any lane closures or lane encroachments that occur must be signed in accordance with the Ontario Traffic Manual (OTM) Book 7 “Temporary Conditions”;
 - iii. Safe pedestrian access must be maintained at all times by the Owner’s contractors. As such, safe passage for all pedestrians, including pedestrians with disabilities (blind, hearing impaired, on wheelchairs, etc.), must be ensured by the Owner’s contractors.
 - iv. A 24-hour contact must be available throughout the duration of the project;

- v. The characteristic and placement of all signs and traffic control or management shall conform to the standards of the Ontario Traffic Manual (OTM) Book 7 “Temporary Conditions” and as per the Occupational Health and Safety Act;
- vi. The manufacture and the erection of all signs for the Traffic Management Plan shall be the responsibility of the Contractor.
- vii. Paid Duty officers will be required for proposed or existing signalized works within intersections.

Landscaping and Streetscaping

Tree Inventory Preservation Plan and Arborist Report:

- 37. Why are only trees 20-22 shown as protected on Sheet L-001 Tree Removal and Protection Plan when all trees are within 10m of the limit of the proposed construction? Please show preservation measures for all existing HWY 7 trees.

Landscape Plan:

- 38. As previously requested, provide a separate cost estimate for all landscape works proposed within York Region’s right-of-way only. Cost estimate to be on landscape architectural consultant’s letterhead and include OALA seal and signature.
- 39. Ensure a minimum 1.5 metre clearance has been provided surrounding cube seats and at-grade planters within the daylight triangles.
- 40. As previously requested, the ultimate streetscape design needs to show, label, and carefully consider the integration of existing above and below ground utilities along Highway 7.
- 41. The Owner is to work with Alectra Utilities to determine whether the existing hydro guy wire and anchor just east of Commerce Street can be eliminated as the guying currently falls within the established pedestrian clearway between the double row of trees.
- 42. The landscape plans have failed to recognize or integrate the existing Traffic Control Signal Box in the SE quadrant of Commerce Street / HWY 7 into the overall landscape design.
- 43. All landscape Plans are to more clearly differentiate between existing to remain and proposed elements of the HWY 7 streetscape. In addition to the Limit of Highway 7 Streetscape by YRRTC line existing Hwy 7 works are to be shown ghosted at 50% transparency with any works proposed by the Owner as black-lined on all drawings in the landscape package.

44. Elements of the proposed streetscape design along Highway 7 are to match the existing YRRTC streetscape (ie. precast planters, Iron Age tree grates, tree, shrub and perennial species, unit paver types, colours and patterns, etc.) Contact Rose Suppa, Manager, Infrastructure and Development, YRRTC (905 886 6767 x.71021), to obtain the most current design drawings and specifications regarding the H2WMC project. Incorporate all relevant details and information into the landscape drawing package. Remains outstanding - not included in the last submission.
45. Identify luminaire product type denoted by 'C' within the HWY 7 right-of-way on Sheet L100.
46. Similar to the ICONA development to the east, the Owner is to show the flush curb retaining the unit paving at the limit of the YRRTC H2VMC project removed and the unit paving pattern seamlessly extended. Include a cross section detail which demonstrates this approach.
47. Sheet L100 Materials Plan is to identify product type, colour, and pattern to ensure proposed unit paving matches existing.
48. Sheet L-400
 - Plant list- hf- Hemerocallis 'fulva'- please change this species to Hemerocallis 'James Marsh'
 - Include an overhead plan view of the layout of the soil cells for all planter types with soil volume calculations. Darken the drainage layout showing planter and CB connections (drainage pipe to be shown centred in planters as per detail(s)). All planters shall include a sub drain with a road catch basin breakthrough located a minimum of every four trees.
49. Sheet L500
 - Detail 21/L-500 – Provide additional information (type of steel, depth dimension for CIP concrete grade beam, labelling of aggregate base material and provision of shelf beyond grade beam, etc., grade beam and unit paver concrete cradle connection, etc.)
50. Sheet L502
 - Detail 6/L-502, 7/L-502 and 9/L-502 - Soil cells are show being installed upside down.
 - Please provide soil volume calculations for each planter type

- Tree grate detail 6/L-502 - tree grate shall match the vivaNext grates. Cast iron (tree grate finish by Iron age designs); pattern Oblio. Please include this detail in drawings including the propose method of fastening grate to frame and staking of tree
 - Include York Region Planting details HNF-102, NHF-111 and NHF-113
51. As previously requested, York Region Designed Soil is to be used for all proposed landscape installations within the HWY 7 right-of-way. Include and reference these specifications in the drawing set.
52. Construction details and other relevant information tied to HWY 7 landscape works should be amalgamated on their own detail sheets titled 'HWY 7 Landscape Details' for ease of future review and Region's approval.

Construction Site Management

53. The Owner shall submit to the Region's satisfaction a ***Construction Management Plan*** for each phase of construction, that provides information on:
- i. Location of the Site Trailer and other amenity structures
 - ii. How trucks will route to and from the site, where they will queue, where they will enter the site, where they will load/off-load materials, and where they will exit the site – with due consideration that no queuing and/or loading/off-loading will be permitted from the travelled portion of Highway 7
 - iii. Details on where construction personnel will park private vehicles – with due consideration that no parking will be permitted within the right-of-way of Highway 7
 - iv. Details on storage area for materials
Details on the anticipated construction schedule
54. The Owner must obtain, and advise all contractors, that a Road Occupancy Permit is required from the Community Planning and Development Services Branch prior to commencing any work on Regional property. The Road Occupancy Permit application can be obtained by visiting www.york.ca/roadpermits. The Road Occupancy Permit will be issued once the Owner has supplied proof that the Regional Finance Department, is in receipt of securities and a certificate of insurance. The completed Road Occupancy Permit application along with 24 hour emergency telephone numbers and a certificate of insurance is to be returned to permits@york.ca. For General inquiries please contact (905) 830-4444 extension 75700. Please allow three to four weeks for processing applications.
55. The Owner shall notify the Community Planning and Development Services Branch **48 hours in advance of any work commencing** on the site or the Regional right-of-way and shall provide, in writing, 24 hour emergency telephone numbers for the Owner and any contractors and consulting engineers retained by the Owner.

Any notice to be delivered to the Region shall be delivered to the following address:

Office of the Commissioner of Transportation
The Regional Municipality of York
17250 Yonge Street, Box 147
Newmarket, ON, L3Y 6Z1

Attention: ***Ivan Gonzalez***
Development Construction Co-ordinator

A draft Site Plan Agreement for the Owner's review and comment will follow under separate cover.

If you have any questions, regarding this application, please contact me at ext. 75755 or Kirolis Istafanous, Development Engineering Technologist at extension 74952.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Mollett', with a stylized flourish at the end.

Calvin J. Mollett, P.Eng
Program Manager, Development Engineering

CM/ki

Copy to: Stephen Albanese, IBI Group (e-mail: stephen.albanese@ibigroup.com)
Ivan Gonzalez, Development Engineering, York Region (e-mail)