

**Attachment 1 – Conditions of Approval**  
**Site Development File DA.17.042 (Portside Developments (Kleinburg) Inc.)**

---

1. THAT prior to the execution of the Site Plan Agreement:
  - a) The Development Planning Department shall approve the final site plan, building elevations, landscape plan, landscape details, landscape cost estimate, signage details, lighting plan, tree protection plan and Arborist Report;
  - b) The Development Engineering Department shall approve the final site plan, servicing plan, grading plan, erosion and sediment control plan, Functional Servicing and Stormwater Management Report and Detailed Noise Impact Study;
  - c) The Environmental Services Department, Waste Management Division shall approve the final site plan and any plans associated with waste and recycling collection;
  - d) The Forestry Operations Division will provide a separate compensation value for the 10 City-owned trees along Islington Avenue proposed for removal, in accordance with Section 4.2 (Tree Valuation Formula for Public Trees) of the City of Vaughan Tree Protection Protocol; The Owner shall inform the Forestry Operations Division once tree protection measures have been installed for inspection and approval according to City specifications;
  - e) The Owner shall enter into a Tree Protection Agreement with the City in accordance with Council enacted Tree By-law 52-2018 and the City's Tree Protection Protocol;
  - f) The Owner shall enter into an Encroachment Agreement with the Office of the City Clerk for encroachment of stairs on City lands;
  - g) The Owner shall provide the City with a letter of consent from the Owner of 12 Nashville Road respecting the removal of the tree on the mutual property line and the letter must identify that any costs and activities associated with tree removals shall be at the Owner's expense. Should the Owner not receive a letter of consent from the Owner of 12 Nashville Road for the removal of the tree located on the mutual property line, the Owner shall amend the Tree Protection Plan and Arborist Report to provide tree protection for the subject tree in accordance with the City's Tree Protection Protocol, and the Site Plan Agreement shall include the provision of securities to the satisfaction of the City for the protection and the replacement of the tree should the tree be damaged during construction.
  - h) The Owner shall satisfy all requirements from Alectra Utilities Corporation, Enbridge Gas Inc., Hydro One and Canada Post.

**Attachment 1 – Conditions of Approval**  
**Site Development File DA.17.042 (Portside Developments (Kleinburg) Inc.)**

---

2. THAT the Site Plan Agreement shall include the following provisions and/or warning clauses, to the satisfaction of the City:
- a) “The Owner shall agree to implement the recommendations of the final Detailed Noise Impact Study into the design and construction of the buildings on the Subject Lands.”
  - b) “A noise consultant shall certify that the building plans are in accordance with the noise control features recommended by the final Detailed Noise Impact Study. Where mitigation measures such as wall, window and/or oversized forced air mechanical systems are required, these features shall be certified by a Professional Engineer at the City’s request. The Engineer’s certificate must refer to the final Detailed Noise Impact Study and be submitted to the City’s Chief Building Official and the Director of Development Engineering.”
  - c) “The following warning clauses shall be included in the property and tenancy agreements for all units with anticipated road traffic sound levels notifying future tenants of the noise excess above the Ministry of the Environment and Climate Change’s (‘MOECC’) noise criteria as a result of the traffic noise:
    - Type A: Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the Municipality’s and the MOECC’s noise criteria.
    - Type B: This dwelling unit has been supplied with a central air conditioning system which allows windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the noise criteria of the Municipality and the MOECC’s noise criteria.”
  - d) “The Owner shall carry out, or caused to be carried out, the water balance mitigation strategy as described in the Functional Servicing and Stormwater Management Report, prepared by Valdor Engineering Inc. and revised to June 2020.”
  - e) “The Owner shall agree to notify both the Ministry of Tourism, Culture and Sport and the City of Vaughan Development Planning Department immediately in the event that:
    - i) archaeological resources are found on the property during grading or construction activities, to which the Owner must cease all grading or construction activities; and

**Attachment 1 – Conditions of Approval**  
**Site Development File DA.17.042 (Portside Developments (Kleinburg) Inc.)**

---

- ii) where human remains are encountered during grading or construction activities, the Owner must cease all grading or construction activities. The Owner shall contact York Region Police, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.”
- f) The Owner shall abide by the requirements of the *Endangered Species Act (2007)* and the *Migratory Birds Convention Act (1994)* prior to the removal of any tree.