



Corporate Services
Community Planning and Development Services

November 6, 2020

Jessica Kwan
Planning Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Mrs. Kwan:

Re: 2nd Submission Site Plan Comments
GB (Vaughan Seven) Limited Partnership
2851 Highway 7
City of Vaughan
City File No.: DA.19.075
Region File No.: SP.19.V.0282

York Region has reviewed Plans and Reports submitted as part of the 2nd Submission dated September 14, 2020 and has no objection to the development proposal, **in principle**.

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 Highway 7 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 Site Plan Approval the Owner must satisfy the requirements outlined in **Section A** and execute a Site Plan Agreement with the Region

The City of Vaughan should not issue any building permits (conditional or full) until the Region has issued appropriate Engineering Approval/s. 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

Property Requirements

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 5 meter by 5 meter daylight triangle where Highway 7 intersects the proposed private road, as a **permanent easement**.

2. The Owner shall arrange for the preparation, review and deposit on title of a 65R reference plan, describing the lands identified above, 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.
3. Please be advised that the land must be conveyed to the Region free of costs and free of any encumbrances prior to the execution of the Site Plan Agreement. As this could be a time consuming process, it is in the Owner's best interest to finalize the 65R plan and convey the land to the Region as soon as possible.
4. 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 I and Phase II ESA report by MTE, dated June 4, 2020.

5. Below are the comments on the Phase 1 and Phase II ESA Reports;
 - i. The Owner shall provide the Region with the final Phase Two ESA as the interim report is missing Appendices.
 - ii. The Owner shall provide the Region with the status of the Record of Site Condition (RSC)

- iii. The Owner shall revise the Reliance letter to be in the Region's template format and to include reference to the final Phase Two ESA.
- 6. 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.
- 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. The Owner shall address, to the Region's satisfaction, the comments on the red-lined plans and/or reports attached to this letter.
- 9. The Owner shall submit to the Region the following plans and reports not yet submitted with previous submissions:
 - a) Final Phase II ESA Report
 - b) Revised Reliance Letter
 - c) Revised Construction Management Plans for each phase of construction
 - d) Revised Traffic Impact Study
 - e) \$1,800 Fee for Encroachment Permit
 - f) \$2,000 Legal Fee
 - g) Insurance Certificates (for works within Regional right-of-way and for Encroachment Permit)
 - h) Updated Cost Estimate
 - i) Confirmation from York Region's Environmental Services Dept. re. dewatering permit
 - j) Additional Review Fees and Security Deposit
 - k) Final deposited 65R-plan
 - l) Written confirmation from City that the proposed development has allocation

Financial and Insurance Requirements

10. The Owner shall submit a revised cost estimate of all works to be undertaken within or adjacent to the Regional right-of-way of Highway 7 inclusive of streetscaping, hoarding, pedestrian protection, access construction, retaining wall removal, servicing, etc. 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.
11. 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.19.V.0282**, 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.

12. 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 **\$8,700.00** minimum or 7% of the estimated cost of works on the existing or proposed Regional right-of-way, whichever is greater. Prior to the execution of the site plan agreement, the Owner shall forward a cheque to cover the minimum review fee of **\$8,700.00** to the Regional Community Planning and Development Services, payable to The Regional Municipality of York.

The Region acknowledges receipt of the \$8,700.00 Review Fee

13. 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 ESA Review Fee

14. This application is also subject to a Legal fee of **\$2,000.00** 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 **\$2,000.00** made payable to The Regional Municipality of York
15. The Owner shall also deliver to the Legal Services Branch of the Region a cheque in the sum of **\$77.31** 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.

Encroachment Requirements

16. The Owner shall obtain an encroachment permit from the Region for the following potential encroachments within the road allowances of Highway 7:
 - Tie-backs
 - Crane Swing
 - Streetscaping/Landscaping
 - Dewatering equipment
 - Shoring and Hoarding
17. For the Region to prepare the permit the Owner must submit the following:
 - a) A Certificate of Insurance;
 - b) A **certified 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.
 - 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).
 - e) A drawing or reference plan clearly indicating the encroaching items and the extent of the encroachment within the regional road allowance.

Source Water Protection

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

Dewatering

19. 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.
20. Permanent dewatering discharge to a sanitary sewer will not be permitted.
21. Temporary dewatering discharge is proposed to a 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 or by contacting 905-830-4444 extension 75097.
22. The Owner shall provide written confirmation that an application for a dewatering discharge permit has been made.

Servicing Allocation

23. 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 site plan.
 - 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.

Impact on Regional Infrastructure

24. The Owner is advised that the Regional 750mm diameter watermain is located in the north side of the Highway 7 right-of-way. The integrity of the aforementioned infrastructure is to be maintained at all times during the grading and construction activities of the proposed development. Therefore the Owner shall notify Sami Butorsky (sami.butorsky@york.ca, 905-830-4444 ext. 77648), Construction Coordinator with the Environmental Services, 48 hours in advance of the preconstruction meeting and/or any work commencing on the site or the Regional right-of-way.

25. All construction drawings showing works in close proximity of the region's watermain, including but not limited to shoring and tie-back systems, shall include the following note for the contractor:

"Integrity of York Region's 750mm diameter watermain on Highway 7 is to be maintained at all times"

Municipal Wastewater and Water Servicing

26. The FSR indicates that both interim and ultimate water and wastewater servicing for the proposed development is to be provided through connections to existing local municipal watermain and sewers located on Creditstone Road and Maplecrete Drive. Region has previously informed the Owner that no direct connections to the regional 750mm diameter watermain on Highway 7 would be permitted.
27. Should there be any change in the proposed servicing scheme, the Owner shall forward the revised Site Servicing Plan to the Region for review and record.

Transportation

28. The Study shall include assessment of other modes of transportation such as transit and active transportation for internal and external to the site in the future total conditions as per the Region's Transportation Mobility Plan Guidelines for Development Applications (November 2016). This Study is considered incomplete and shall be revised.
29. In the Site Plan Agreement, the Owner shall agree:
- i. To provide direct shared pedestrian/cycling facilities and connections from the proposed development to boundary roadways and adjacent developments to support active transportation and public transit, where appropriate.
 - ii. To 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.
 - iii. That the proposed access onto Highway 7 will be restricted to right-in/right-out.
 - iv. To implement all recommendations in the revised Transportation Study, including all TDM measures, to the satisfaction of the Region.

Transit

30. The Owner shall agree to 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.

Traffic Management

31. 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

General Comments:

32. Provide a response matrix identifying how the following comments have been addressed. Simply stating ‘Acknowledged’ or ‘Noted’ is not an acceptable response.
33. Update the cost estimate based on the limits of the Hwy 7 right-of-way as noted in the previous comment. Cost estimates are to be coordinated between civil and landscape and are to account for all works associated with the removal and reinstatement of the H2VMC streetscape, including but not limited to removal & disposal, drainage infrastructure, irrigation, utility removal / relocates, sidewalk reconstruction, etc.

Tree Inventory and Preservation Plans / Arborist Report:

34. No further comments.

Landscape Plans:

35. Undertake a general clean-up of the drawings removing all duplicate symbols and text.
36. Clearly show and label only the HWY 7 ultimate right-of-way, as redlined on Sheet L-100.
37. Clear up any confusion around limit of construction lines through adequate labelling and proper half toning of existing existing elements to remain vs black lining of proposed elements.
38. Expand the scope of the drawing to include the existing HWY 7 streetscape condition 20 metres west and east of the subject site's limits.
39. The Existing Conditions / Demolition / Removal Plan should be at the front of the landscape package.
40. Elements of the HWY 7 H2VMC streetscape are to be overlaid and visible on the Existing Conditions / Demolition / Removal Plan. Demolished / removed items are not to be shown on any other landscape plan within the package as these plans are to show only proposed works associated with the final HWY 7 right-of-way condition.
41. Include a note on the Existing Conditions / Demolition / Removal Plan which states "Ex. subdrain to run continuous between planters with break outs to catch basins. All subdrains are to be left intact and fully functional and/or replaced if damaged".
42. Subject to the review and approval of York Region, the Owner shall coordinate with Alectra Utilities to determine final placement of existing hydro poles requiring relocation. Final placement of the relocated hydro poles shall be shown on the landscape plans and coordinated within the context of the streetscape design so as to result in minimal impacts to the H2.VMC streetscape. Furthermore, the Owner shall provide documentation and drawings from Alectra Utilities to York Region demonstrating any and all utility relocates have been approved in support of future submissions. Given the severity of utility impacts on streetscape design, York Region Staff will not provide sign-off on the landscape drawings until this comment has been fully addressed.
43. The two proposed 8.0m planters conflict with existing utility access locations. Undertake a thorough review of existing and proposed utilities, ensuring the provision of replacement planters within the Region's right-of-way have been properly coordinated with utility and utility access locations.
44. Pedestrian crossing design is to follow YRRTC Typical Driveway Details (continuous sidewalk, tactile grooved paver, etc.). Details have been provided.

45. Identify bench type and include manufacturer's cut sheet on the details page ensuring consistency with Rapid Transit furnishings.
46. Include a typical viva paving transition enlargement with the following construction note – "Existing Cut Pavers along the Viva Edge to be removed with colour and pattern matched to create a seamless transition between unit paver installs".
47. Sheet L-100 – Soil Volume Calculations Table
 - Update soil volume calculations to include access to soil in the soil cell for tree in planters H1 and H2.
 - Planters H1 and H2 show '0' for # of trees column. Change to read '1'. Plant SI, Syringa reticulata, Ivory silk to be consistent with adjacent planters.
48. Sheet L-101 – Plant Schedule
 - SI-Syringa reticulata - change caliper size to York Region standard of 50 mm
49. Sheet L-306. Please reference and include Region Engineered Growing Media specifications for soil inside of planters and soil cells. These have been attached to the redlines provided.
50. Sheet L-306
 - Detail 8/L-306 - Label missing for drainage pipe to subdrain/CB every 4 trees

Construction Site Management

51. The submitted construction management plan shows a lane closure on Highway 7 to accommodate construction staging – as well as a closure of the pedestrian walkway to accommodate hoarding and construction trailers for a period of 8 months. This is not acceptable to the Region. The Owner shall submit a revised construction management plan based on the following Regional requirements:
 - No construction staging and long-term lane closures on Highway 7
 - Cyclist and pedestrian movements along Highway 7 shall be maintained at all times
52. The Owner shall submit a separate construction management plan for each phase of construction.
53. 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.

54. ***Prior to construction*** 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,



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

CM/ki

Attached

Copy to: Alireza Khosrowshahi, GB (Vaughan Seven): (e-mail: akhosrowshahi@melroseinvestments.com)
Grant Uyeyama, KLM Planning Partners Inc. (e-mail: guyeyama@klmplanning.com)
Ivan Gonzalez, Development Engineering, York Region (e-mail)