

**Attachment 1 – Conditions of Site Plan Approval**  
**Site Development File DA.18.070 (Pine Valley Kleinburg Homes Ltd.)**

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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 and Landscape Cost Estimate;
  - b) the Development Engineering Department shall approve the final grading and servicing plan, erosion and sediment control plan, and Functional Servicing and Stormwater Management Report;
  - c) the Owner shall pay the Development Engineering Simple Site Plan fee of \$84,878.00 in accordance with the Fees and Charges By-law 171-2013, as amended by By-law 023-2019, to the satisfaction of the Development Engineering Department;
  - d) the Owner shall enter into a Subdivision Agreement related to Draft Plan of Subdivision File 19T-17V011, or make alternative arrangements for the construction of any external servicing, to the satisfaction of the Development Engineering Department;
  - e) the Conditions of Subdivision Approval for Draft Plan of Subdivision File 19T-17V011 shall be satisfied and the final plan shall be registered;
  - f) the Owner shall satisfy all requirements of the Parks Infrastructure Planning and Development Department;
  - g) the Owner shall provide cash-in-lieu payment that must be submitted to the City in accordance with the Council adopted Tree By-law 052-2018 and the City's Tree Protection Protocol;
  - h) the Owner shall successfully obtain approval from the Committee of Adjustment for a Minor Variance Application(s) for any required variances, and Consent Application(s) for any required easements. The Committee's decision regarding the Variance Application(s) and Consent Application(s) shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee;
  - i) the Environmental Services Department, Waste Management Division shall approve the final waste collection plan;

- j) The Owner shall satisfy all requirements from Canadian Pacific Railway, Alectra Utilities Corporation, Enbridge Distribution Inc., Bell Canada, Canada Post and Hydro One Inc;
- k) The Owner shall satisfy all requirements and obtain all necessary approvals from the Toronto and Region Conservation Authority;
- l) The Owner shall satisfy all requirements and obtain all necessary approvals from York Region; and,
- m) The Owner shall satisfy all requirements of Canada Post including:
  - i. The Owner will consult with Canada Post to determine suitable permanent locations for the placement of a Community Mailbox(es) and to indicate these locations on appropriate servicing plans;
  - ii. The Owner will confirm to Canada Post that the final secured permanent locations for the Community Mailbox(es) 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;
  - iii. The Owner 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;
  - iv. The Owner will agree to prepare and maintain an area of compacted gravel to Canada Post's specifications to serve as a temporary Community Mailbox(es) 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;
  - v. The Owner will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy;
  - vi. The Owner agrees, prior to offering any of the residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the

location of all Canada Post Community Mailbox site locations, as approved by Canada Post and the City of Vaughan;

- vii. The Owner agrees to include in all offers of Purchase and Sale a statement, which advises new home purchasers that mail delivery will be from a designated Community Mailbox(es), and to include the exact locations (list of lot numbers) of each of these Community Mailbox locations; and further, advise any affected homeowners of any established easements granted to Canada Post;
  - viii. The Owner will be responsible for officially notifying the purchasers of the exact Community Mailbox(es) locations prior to the closing of any home sales with specific clauses in the Purchase offer, on which the homeowners do a sign off;
  - ix. The Owner 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 locations;
  - x. Enhanced Community Mailbox Sites with roof structures will require additional documentation as per Canada Post Policy;
  - xi. There will be no more than one mail delivery point to each unique address assigned by the Municipality; and
  - xii. Any existing postal coding may not apply, the Owner should contact Canada Post to verify postal codes for the project.
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 inform the Forestry Operations Division of the Transportation Services, Parks and Forestry Operations Vaughan once tree protection has been installed, for Vaughan Forestry to inspect and approve according to specifications;
  - b) Prior to the issuance of a Building Permit the Owner shall pay to the City applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Regional of York, York Region District School Board and York Catholic District School Board;
  - c) The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent of 5% of the value of the subject lands, prior to the issuance of a Building Permit, in

accordance with Section 42 of the *Planning Act*. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment;

- d) The Owner shall obtain any required additional permits and coordinate all inspections directly through the City's Development Inspection and Lot Grading Division upon receipt of Site Plan Approval for all proposed works within the City's right-of-way (i.e. curb cuts/fills, sidewalk installation, boulevard rehabilitation);
- e) Prior to the issuance of a building permit, a noise consultant shall certify that the building plans are in accordance with the noise control features recommended by the approved Noise Report. Where wall, window and/or oversized forced air mechanical systems are required by the Noise Report, these features may be certified by a Professional Engineer. The Engineer's certificate must refer to the Noise Report;
- f) The Owner shall construct an acoustic barrier along the private side of the lot lines of the northerly lot on Block 8 lots as required in the Noise Report and in compliance with City's noise requirements and as shown on the approved Construction Drawings to the satisfaction of the Development Engineering Department. The noise consultant shall certify to the Building Standards Department and Development Engineering Department that the acoustic barrier complies with the requirements of the noise report prior to transfer; and, the Owner's Ontario Land Surveyor shall certify to the Building Standards Department and Development Engineering Department that the above-noted fences are constructed in accordance with this requirement and constructed with all fencing material and foundations completely on private lands, all to the satisfaction of the City;
- g) Warning clauses should be included in the property and tenancy agreements and offers of purchase and sale for the dwelling units to inform the future owners/occupants of the noise issues and the presence of the roadways, railway and potential for vibration excesses;
- h) The Owner is required to contact the City's Environmental Services Department through the Development Inspection and Lot Grading division of Development Engineering Department, at least 72 hours in advance of connecting to and/or disconnecting from any municipal services (Including any required re-location works) to ensure that staff is present on site to observe the works including the decommissioning of services and to provide any additional requirements to their sole satisfaction;

- i) The Owner is required to contact the City of Vaughan Environmental Services Department to purchase the required water meter(s). The water meter shall be installed with sufficient read-out equipment to the satisfaction of the City of Vaughan;
- j) 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, and the Owner must cease all grading or construction activities; and
  - ii. where human remains are encountered during grading or construction activities, the Owner must cease all grading or construction activities. The Owner shall contact York Region Police, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.
- k) To carry out, or cause to carry out, any and/or all warning clauses to the satisfaction of the City. Prior to the transfer of any Lot or Block on the Plan, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses required by this agreement have been included in the Offer of Purchase and Sale or Lease for such Lot or Block;
- l) The Owner shall agree to the following clauses provided by Bell Canada
  - i. The Owner shall grant to Bell Canada, in words satisfactory to Bell Canada, any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.
- m) The Owner shall include the following warning clauses within all Offers of Agreement of Purchase and Sale or Lease for all lots:
  - i. "Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic and/or rail traffic may on occasions interfere with some activities of the

dwelling occupants as the sound levels exceed the sound level limits of the Ministry of the Environment, Conservation, and Parks.”

- ii. “This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation, and Parks.”
  - iii. “This dwelling unit has been designed with the provision for adding central air conditioning at the occupant’s discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation, and Parks.”; and,
- n) The Owner shall include the following warning clauses within all Offers of Agreement of Purchase and Sale or Lease for all lots abutting the Open Space, Valleylands and associated buffers:
- i. “Purchasers and/or tenants are advised that the lot abuts an open space, valley and associated buffers and are designed for naturalization and therefore shall receive minimal maintenance.”