

**Attachment 1 – Conditions of Site Plan Approval
Site Development File DA.20.015 (8188 Yonge 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, lighting plan, signage plans landscape plan and cost estimate prior the execution of the Site Plan Agreement.
 - b. The Development Engineering Department shall approve the final grading and servicing plan, erosion and sediment control plan, Servicing Report, Noise Study and Traffic Study.
 - c. The Owner shall enter into a Development Agreement, to satisfy all conditions, financial or otherwise, of the City with regard to such matters the municipality may consider necessary including payment of the development levies, the provision of roads, parks, walkways and municipal services, including modification of the watermain along Yonge Street and Helen Avenue, installation of new services, landscaping and fencing. The Development Agreement shall be registered against the lands to which it applies and to the satisfaction of the City and all construction drawings approved.
 - d. The Owner shall agree to contribute its proportionate share of the costs associated with implementing the municipal servicing infrastructure improvements identified in the Yonge-Steeles Corridor Secondary Plan Functional Servicing Strategy Report to accommodate ultimate build-out of the Yonge-Steeles Corridor Secondary Plan, based on the conclusions and recommendations of the City's on-going Integrated Urban Water Master Plan Class EA, to the satisfaction of the City. The current cost of the Yonge-Steeles Corridor Infrastructure improvements is estimated at \$2.49 million. The Owner shall file with the City, a letter of credit in the amount of \$300,000.00 (current estimate of the Owner's proportionate share) as security for its proportionate share of the cost of the Yonge-Steeles Corridor Infrastructure improvements until the final costs are confirmed. If the City is not provided with a renewal of a letter of credit at least thirty (30) days prior to its date of expiry, the City may forthwith draw the full amount secured and hold it upon the same terms that applied to the letter of credit. The letter of credit required shall be in the standard form approved by the City and from an institution approved by the City. The City may also refuse to issue further building permit(s) until such time as the required letter of credit is filed.
 - e. The Owner shall provide a copy of the acknowledged Ministry of the Environment, Conservation and Parks (MECP) Record of Site Condition (RSC) filed on the Environmental Site Registry including all referenced

environmental site assessment reports with reliance from the environmental consultant.

- f. The Owner shall enter into a Tree Protection Agreement in accordance with the Tree Protection Protocol By-law 052-2018 and submit a final planting plan to the satisfaction of the Development Planning Department and the Forestry Operations Division of Transportation Services Parks and Forestry Operations.
 - g. The Owner shall provide a public access easement over the portion of the site plan noted as “Privately-Owned Public Space” as well as the mid-block connection connecting the “Privately-Owned Public Space” to Yonge Street. This public access easement shall be registered on title and its form and substance shall be to the satisfaction of the Parks Infrastructure Planning and the Development Planning Department. The Owner shall indemnify and save harmless the City and its employees from all actions, causes of actions, suits, claims and demands whatsoever which may arise directly or indirectly in respect of this public access easement and any related services.
 - h. The Owner shall satisfy all requirements of the Environmental Services Department – Solid Waste Management Division.
 - i. The Owner shall satisfy all requirement of the Vaughan Fire and Rescue Department.
 - j. The Owner shall satisfy all requirements of Metrolinx.
 - k. The Owner shall satisfy all requirements of York Region.
 - l. The Owner shall obtain final clearance from Alectra, Bell Canada, Canada Post, Hydro One, and Enbridge Distribution 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 must pay all applicable development charges in accordance with the development charges by-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board.
 - b. The Owner shall notify NavCanada upon completion of construction.
 - c. 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
 - 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.
- d. 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.
- e. The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at the rate of 1ha per 500 units, or at a fixed unit rate, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's cash-in-lieu policy. The Owner shall submit an appraisal of the Subject Lands prepared by an accredited appraiser for approval by the Development Infrastructure Department, Real Estate Services, and the approved appraisal shall form the basis of the cash-in-lieu payment.
- f. The Owner shall agree to include the following warning clauses in agreements of Offer of Purchase and Sale, lease/rental agreements and the condominium declarations including but not limited to the following:
 - i. Purchasers 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 Ministry of the Environment Conservation and Parks' noise criteria.
 - 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 Municipality's and the Ministry of the Environment, Conservation and Parks' noise criteria.
 - iii. The Purchaser and/or Lessee acknowledges and agrees that the proximity of the lands municipally described as 8136-8188 Yonge Street and 5 Uplands Avenue (the 'Development') to Metrolinx transit operations may result in notice, vibration, electromagnetic interferences, stray current, smoke and particulate matter, transmissions (collectively referred to as "Interferences" to the

Development and despite the inclusion of control features within the Development. Interferences from transit operations may continue to be of concern, occasionally interfering with some activities of the occupants of the Development. Notwithstanding the above, the Purchaser and/or Lessee acknowledge and agree that an electromagnetic, stray current and noise-warning clause similar to the one contained herein shall be inserted into any succeeding lease, sublease or sales agreement, and that this requirement shall be binding not only to the parties hereto but also their respective successors and assigns and shall not terminate with the closing of the transaction.

- g. Prior to occupancy of each dwelling unit, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses have been included in the Offer of Purchase and Sale, lease/rental agreements, and condominium declarations.