

Attachment 1 – Conditions of Approval
Site Development File DA.19.042 (Velmar Centre Property Limited)

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. The final building elevations shall consist of inset balconies.
 - b) The Owner shall submit a detailed Landscape Design Rationale including Operation and Maintenance requirements to justify the proposed decorative unit pavers located within the sight triangle, to the satisfaction of the Development Planning Department and York Region.
 - c) The Development Engineering Department shall approve the final site servicing and grading plan, erosion control plan, Functional Servicing and Stormwater Management Report, Noise Study, Hydrogeological Assessment, and Traffic Study.
 - d) The Development Engineering Department, in consultation with York Region, shall approve the final Transportation Demand Management Plan.
 - e) The Owner shall enter into a Development Agreement through the Development Engineering Department for the installation of any proposed service connections, and agree to pay for the design and construction of any improvements to the municipal infrastructure should it be determined that upgrades are required. The Agreement shall be registered on title.
 - f) The Owner shall provide the City a one-time contribution towards the cost of replacing one (1) sanitary sewer segment on Blackburn Boulevard (83.3 m of 450 mm-dia. sanitary sewer at 0.02% with an 825 mm-dia. sanitary sewer) as identified in Schaeffers Consulting Engineer's Sanitary Sewer Analysis, dated April 2020, to the satisfaction of the Infrastructure Planning and Corporate Asset Management Department.
 - g) The final Functional Servicing Report for the Development shall conform to the conclusions and recommendations of the City's Interim Servicing Strategy Study, to the satisfaction of the Infrastructure Planning and Corporate Asset Management Department.
 - h) The Owner shall make an application for any temporary and permanent dewatering system that is required for the Development and enter into an agreement and/or permit to discharge groundwater as required by the City.
 - i) The Owner shall pay the Development Engineering Site Plan fee pursuant to the Fees and Charges By-law, as amended.

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- j) 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. The Owner shall inform the Forestry Operations Division once tree protection measures have been installed for inspection and approval according to City specifications.
- k) The Owner shall enter into an Encroachment Agreement with the Parks Infrastructure Planning and Development Department to permit a temporary encroachment into Velmar Downs Park to facilitate the construction of the building and associated underground parking. The Encroachment Agreement shall include, but not be limited to the following:
- Plans, designs, details and specifications on the construction of encroachments to the City's satisfaction
 - Details on any impacts and/or removals/transplantation/replacement of City trees including certified arborist report(s) on existing vegetation
 - Construction Access and temporary parking/staging areas
 - Details on temporary hoarding and signage
 - Shoring system include plans, designs and details
 - Provision of financial securities for shoring including restoration of City Lands' and other relevant matters including provision of release of securities upon completion of works to the City's satisfaction
 - Details of liability and insurance coverage
 - Other matters pertaining to implementation and execution of work
 - Documentation including as-builts and photo documentation of existing conditions
 - Warranty requirements for a period of 13 months after substantial completion.
- l) The Owner shall satisfy all requirements from Alectra Utilities Corporation, Enbridge Gas Inc., Bell Canada and Hydro One.
- m) The Owner shall satisfy all requirements of Canada Post, including confirmation of, and access to, a rear-loaded centralized mail room to service the residential and commercial portions of the building.
- n) The Owner shall satisfy all requirements of York Region.
- o) The Owner shall obtain a MECP Record of Site Condition ('RSC') filed on the Environmental Site Registry due to the change to a more sensitive land use. A copy of the filed RSC must be submitted to the City.

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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 Study into the design and construction of the building on the Subject Lands, and include all necessary warning statements on all agreements of purchase and sale or lease of individual units.”
 - b) “Prior to occupancy of each unit, a noise consultant shall certify that the building plans are in accordance with the noise control features recommended by the final detailed Noise 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 Owner shall agree in the Site Plan Agreement to include the necessary warning clauses in agreements of Offer of Purchase and Sale, lease/rental agreements and condominium declarations including but not limited to the following:
 - “Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the individual dwelling units, sound levels from increasing road traffic may on occasion interfere with some activities of the dwelling occupants as the sound level may exceed the Ministry of Environment and Climate Change’s environmental noise guidelines NPC-300.”
 - d) “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.”
 - 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
 - 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,

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- iii) 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. The Owner shall complete an information request form and submit it to the Ministry of Natural Resources and Forestry for confirmation of any potential Species at Risk on the Subject Lands