

ATTACHMENT NO. 1

CONDITIONS OF DRAFT APPROVAL

**DRAFT PLAN OF CONDOMINIUM (COMMON ELEMENT)
FILE 19CDM-19V006 ('PLAN')
NASHVILLE DEVELOPMENTS (SOUTH) INC. ('OWNER')
VICINITY OF HUNTINGTON ROAD AND MAJOR MACKENZIE DRIVE
BLOCK 1, PLAN 65M-4675 AND PART 1 OF BLOCK 231, PLAN 65M-4373
CITY OF VAUGHAN ('CITY')**

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF CONDOMINIUM (COMMON ELEMENTS) FILE 19CDM-19V006, ARE AS FOLLOWS:

City of Vaughan

1. The Plan shall relate to a Draft Plan of Condominium, prepared by R-PE Surveying Ltd., drawing file No. 20-025-DR, dated March 8, 2021.
2. Prior to the execution of Condominium Agreement, the Owner shall submit a pre-registered Plan of Condominium to the Development Planning Department.
3. The Owner shall enter into a Condominium Agreement with the City and shall agree to satisfy any outstanding conditions that the City may consider necessary as part of related Site Development File DA.19.063.
4. The Condominium Agreement shall be registered on title against the lands to which it applies, at the cost of the Owner.
5. Prior to final approval of the Plan, the Owner shall submit an "as-built" survey to the satisfaction of the Building Standards Department.
6. Prior to final approval of the Plan, the Owner, their Solicitor and Land Surveyor shall confirm that all required easements and rights-of-way for utilities, drainage and construction purposes have been granted to the appropriate authorities.
7. Prior to final approval of the Plan, the Owner shall confirm that they have paid all taxes levied, all additional municipal levies, if applicable, development charges and all financial requirements of this development as may be required to the satisfaction of the Financial Planning and Development Finance Department. The Owner also certifies acknowledgement of responsibility for the payment of all taxes levied to date, both interim and final, and all taxes levied upon the land after execution of the Condominium Agreement, if required, until each unit covered under the Condominium Agreement is separately assessed.

8. Prior to final approval of the Plan, the Owner shall obtain approval of a Minor Variance Application from the Committee of Adjustment for Unit 5 in Block 11, and the Decision shall be Final and Binding.
9. The following clauses shall be included in the Condominium Agreement and Declaration:
 - a) The Owner and/or Condominium Corporation shall be responsible to regularly clean and maintain all driveway catch basins;
 - b) Upon a successfully completed application, site inspection and executed agreement as determined by the City, the Condominium Corporation may be eligible for municipal waste collection services. Should the Condominium Corporation be deemed ineligible by the City or choose not to enter into an agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the Condominium Corporation except for Units 7 to 12 in Block 1 and Units 18 to 22 in Block 2 fronting Moody Drive;
 - c) The Owner and/or Condominium Corporation shall supply, install, and maintain mail equipment to the satisfaction of Canada Post;
 - d) The Owner shall include the following warning clauses in the Condominium Declaration, advising the purchasers or tenants that:
 - i) "This development will function as a common element condominium and all details and associated costs shall be presented in the sales office, and through marking material etc.";
 - ii) "The *Telecommunications Act* and Canadian Radio-television and Telecommunications Commission ('CRTC') authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs";
 - iii) "Mail delivery will be from a designated community mailbox as per the requirements of Canada Post. The location of the mailbox shall be shown on the community plan provided by the Owner in its sales office";

- iv) “The Ministry of Transportation has obtained approval for the extension of Highway 427 from Highway 7 to Major Mackenzie Drive. The future extension of Highway 427 may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise attenuation measures in the design of the development and individual dwelling units”;
- v) “Huntington Road is proposed to be terminated at Major Mackenzie Drive in accordance with the approved Highway 427 Transportation Corridor Environmental Assessment”;
- vi) “Huntington Road improvements and realignment opposite the terminus point of the future Highway 427 northbound off-ramp at Major Mackenzie Drive may be required in the future to facilitate the easterly realignment of Huntington Road to intersect with Major Mackenzie Drive, opposite the future Highway 427 north bound off-ramp terminus”;
- vii) “Air conditioner units are to be located on the lot in compliance with the provisions of Zoning By-law 1-88”;
- viii) “Trans Canada Pipeline Limited (‘TransCanada’) has one high pressure natural gas pipeline abutting or near the Subject Lands and may affect activities on the lots. No permanent building or structure shall be located within 7 metres of the pipeline right-of-way. Accessory structure shall have a minimum setback of at least 3 metres from the pipeline right-of-way”;
- ix) “The Owner has made a contribution towards recycling and green bin containers for each residential unit as a requirement of this development agreement. The City of Vaughan has taken this contribution from the Owner to off-set the cost for the recycling and green bin containers, therefore, direct cash deposits from the Purchasers to the Owner for recycling and green bin containers is not a requirement of the City of Vaughan. The intent of this initiative is to encourage the Purchasers to participate in the City of Vaughan’s waste diversion programs and obtain their recycling and green bin containers from the Joint Operation Centre (JOC), 2800 Rutherford Road, Vaughan, Ontario, L4K 2N9, (905) 832-8562; the JOC is located on the north side of Rutherford Road just west of Melville Avenue”;

- x) "The parkland serving the community may not be fully developed at the time of occupancy. The timing of development, phasing and programming of parkland is at the discretion of the City of Vaughan"; and
 - xi) "This development will be serviced by a private waste collection system and snow clearing services, except for Units 7 to 12 in Block 1 and Units 18 to 22 in Block 2 fronting onto Moody Drive. The remainder of the development may be eligible for municipal waste collection services in the future".
- e) The Owner shall include the following warning clauses in the Condominium Declaration for dwelling units in Blocks 5 to 8 inclusive:
- i) "Purchasers and/or tenants are advised that despite the inclusion of noise control features within this development area and within the building units, sound levels due to increasing road traffic may continue to be of concern, occasionally interfering with some activities of the dwelling occupants as the sound level may exceed the City's and the Ministry of Environment Conservation and Parks ('MECP') noise criteria. This dwelling has therefore been equipped with forced air heating and ducting etc., as well as central air conditioning which will allow windows to be kept closed, thereby achieving indoor sound levels within the limits recommended by the MECP and in compliance with the City of Vaughan's noise requirements. The location of the air conditioning unit on the lot shall comply with the provisions of Zoning By-law 1-88"; and
 - ii) "The front yard area associated with the units facing Huntington Road have not been designed for the quiet enjoyment of the outdoor environment and does not meet the sound level limits of the City of Vaughan and the MECP. Sound levels due to road traffic may interfere with activities occurring at the outdoor space."

Utilities

10. Prior to final approval of the Plan, the Owner shall confirm that all required easements and rights-of-way for each utility have been granted to the appropriate authority. The Owner further agrees to convey any easement(s) as deemed necessary by utility corporations at no cost to the utility corporation. The Owner agrees that should any conflict arise with existing utility facilities or

easement(s) within the subject area, the Owner shall be responsible for the relocation of any such facilities or easement(s) at their own cost.

Canada Post

11. Prior to final approval of the Plan, the Owner shall satisfy the following requirements of Canada Post:
 - a) The Owner shall consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans;
 - b) The Owner shall confirm to Canada Post that the final secured permanent locations for the Community Mailboxes 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;
 - c) The Owner shall 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;
 - d) The Owner shall agree to prepare and maintain an area of compacted gravel to Canada Post's specifications to serve as a temporary Community Mailbox 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; and
 - e) The Owner shall communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy.

York Region

12. Prior to final approval of the Plan, the Owner shall satisfy the following conditions, to the satisfaction of York Region:
 - a) The Owner shall provide confirmation that all of the conditions of the Site Plan Approval issued for the Subject Lands on October 4, 2019 under Regional File No. SP.19.V.0222 have been satisfied; and

- b) The Owner shall execute all Regional Agreements and obtain all of the necessary permits required as part of the Site Plan Approval for the Subject Lands issued on October 4, 2019 under Regional File No. SP.19.V.022.

Clearances

- 13. The Development Planning Department shall advise in writing that Conditions 1 to 9 have been satisfied.
- 14. Hydro One, Enbridge Gas, Alectra Utilities Corporation, Bell Canada, and RogersCommunications Inc. shall advise in writing that Condition 10 has been satisfied.
- 15. Canada Post shall advise in writing that Condition 11 has been satisfied.
- 16. York Region shall advise in writing that Condition 12 has been satisfied.