

## **ATTACHMENT NO. 1**

### **CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL DRAFT PLAN OF SUBDIVISION FILE 19T-18V007 (THE 'PLAN') PRIMONT (ISLINGTON) INC. (THE 'OWNER') PART OF LOT 1, CONCESSION 7, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN (THE 'CITY')  
THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF  
THE PLAN, ARE AS FOLLOWS:**

The Owner shall satisfy the following Conditions of Approval:

1. The Conditions of Approval of the City of Vaughan as set out in Attachment No. 1a).
2. The conditions of Approval of York Region as set out in Attachment No. 1b) and dated April 24, 2018.
3. The Conditions of Approval of the Toronto and Region Conservation Authority as set out in Attachment No. 1c) and dated May 17, 2021.
4. The Conditions of Approval of Canada Post as set out in Attachment No. 1d) and dated July 20, 2017.
5. The Conditions of the Ministry of Transportation Ontario as set out in Attachment No. 1e) and dated September 12, 2017.
6. The Conditions of Approval of Alectra Utilities as set out in Attachment No. 1f) and dated June 22, 2017.
7. The Conditions of Approval of Enbridge Gas as set out in Attachment No. 1g) and dated June 20, 2017.
8. The Conditions of Approval of Canadian Pacific Railway as set out in Attachment No. 1h) and dated February 7, 2018.
9. The Conditions of Approval of Canadian National Railway as set out in Attachment No. 1i) and dated July 27, 2017.

## Clearances

10. Final approval for the registration of the Plan may be issued in phases to the satisfaction of the City, subject to all applicable fees provided that:
  - a. Phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services; and
  - b. All commenting agencies agree to registration by phases and provide clearances, as required on Conditions in Attachments 1a) to 1i) for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
11. The City shall advise that the Conditions on Attachment No. 1a) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
12. York Region shall advise that the Conditions on Attachment No. 1b) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
13. The Toronto and Region Conservation Authority shall advise that the Conditions on Attachment 1c) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
14. Canada Post shall advise that the Conditions on Attachment No. 1d) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
15. The Ministry of Transportation Ontario shall advise that the Conditions on Attachment No. 1e) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
16. Alectra Utilities shall advise that the Conditions on Attachment No. 1f) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.

17. Enbridge Gas Distribution Inc. shall advise that the Conditions on Attachment No. 1g) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
18. Canadian Pacific Railway shall advise that the Conditions on Attachment No. 1h) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
19. Canadian National Railway shall advise that the Conditions on Attachment No. 1i) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.

## **ATTACHMENT NO. 1a)**

### **CITY OF VAUGHAN CONDITIONS**

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by Weston Consulting., File Number: 6923, dated March 30, 2021.
2. The lands within this Plan shall be appropriately zoned by a Zoning By-law which has come into effect in accordance with the provisions of the *Planning Act*.
3. The Owner shall pay any and all outstanding application fees to the Vaughan Development Planning Department, in accordance with the in-effect Tariff of Fees By-law.
4. The Owner shall enter into a Subdivision Agreement(s) with the City to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payment of development levies, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies. A Subdivision Agreements shall be required for each Phase of the Plan.
5. A Holding Symbol ('H') shall be applied to the Plan until such time that:
  - a) All conditions, financial or otherwise from the City, specifically: the construction of all proposed municipal infrastructure, including the sanitary service connection; storm servicing; watermain; and access and consideration for future operation and maintenance of the deep services located in the valleylands system. Said agreement may also be subject to approval from York Region and the Toronto and Region Conservation Authority, and further conditions of approval from external review agencies;
  - b) The Owner submits a Ministry of the environment and Climate Change ('MOECC') Record of Site Condition, registered on the Environmental Site Registry of the City of Vaughan, to the satisfaction of the City and MOECC;
  - c) The Owner shall address all detailed design comments, to the satisfaction of the TRCA;

- d) Water and sanitary servicing capacity shall be identified on the Phase 1 and 3 portions of the Subject Lands zoned "RA3(H) Apartment Residential Zone"; and
  - e) The Owner shall enter into a formal Agreement with the City of Vaughan to dedicate the remaining portion of the unencumbered trail connection (if any) to the City at an agreed point in time for the portion of the lands zoned "RA3(H) Apartment Residential Zone" only, to the satisfaction of the City.
- 6. The Owner may be required to enter into a conveyance easement agreement with the City and/or TRCA for the portion of the storm sewer traversing the valleylands to the south for the discharging of storm flow from the existing development.
  - 7. The Owner may be required to enter into a conveyance easement agreement with the City and/or TRCA, and subject to approval from the York Region, for the sanitary sewer extension which will extend from the developable portion of the site and traverse the valleylands to the south and connect to the existing sanitary sewer located within the valley adjacent to the existing wastewater pumping station.
  - 8. Prior to final approval of the Plan, the City and York Region shall confirm that adequate water supply and sewage treatment capacity are available and have been allocated to accommodate the Plan.
  - 9. The Owner shall agree in the Subdivision Agreement that no above grade Building Permit(s) will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the Plan.
  - 10. The proposed development cannot be developed until adequate access and municipal services are available to service the subject lands or demonstrated that alternative arrangements have been made for their completion to the satisfaction of the City.
  - 11. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost of any external municipal services, temporary and/or permanently built or proposed, that have been designed and oversized by others to accommodate the development of the Plan.

12. The Owner shall agree in the subdivision agreement to design, purchase material and install a streetlighting system in the Plan in accordance with City Standards and specifications. The Plan shall be provided with decorative streetlighting to the satisfaction of the City.
13. The Owner acknowledges that the final engineering design(s) may result in minor variations to the Plan (e.g. in the configuration of road allowances and lotting, number of lots etc.), which may be reflected in the final Plan to the satisfaction of the City.
14. Prior to final approval of the Plan, the Owner shall submit to the satisfaction of the City, a listing prepared by an Ontario Land Surveyor of all the lot and block areas, frontages and depths in accordance with the approved Zoning By-law for all the lots and blocks within the Plan.
15. The Owner shall convey the following lands to the City or the Toronto and Region Conversation Authority ("TRCA"), where appropriate, free of all charge and encumbrances:
  - a) Block 7 for trail connection purposes; and
  - b) Block 8 for open space purposes.
16. Prior to the execution of the related Site Development Agreement for Phase 1 (File DA.20.007), the Owner shall enter into an Agreement with the TRCA, to dedicate the valleylands identified as "Other Lands Owned by Applicant", identified on the Plan, to the TRCA, at no expense to the TRCA, free and clear of all charges and encumbrances. The Agreement shall identify a date for when the lands must be dedicated, and shall acknowledge that publicly and/or privately-owned services will be provided through these lands, portions of which shall be owned and solely maintained by the City and portions owned and solely maintained by the Condominium Corporation, and that any required easements must be identified and included as an amendment to the Draft Plan, to the satisfaction of the City.
17. For park/open space block(s)/buffer blocks that are being conveyed to the City, prior to final approval of the Plan, and/or conveyance, and/or release of applicable portion of Municipal Services Letter of Credit, the Owner shall implement the following to the satisfaction of the City.

- a) Submit a Phase Two Environmental Site Assessment (“ESA”) report in accordance with Ontario Regulation (“O. Reg”) 153/04, as amended, assessing all park/open space/buffer block(s) in the Plan for contaminants of concern to the satisfaction of the City. On-site sampling of park/open space/buffer block(s) shall be conducted only after the City has certified the rough grading of the park/open space/buffer block(s), but prior to the placement of topsoil and landscaping. The sampling and analysis plan prepared as part of the Phase Two ESA shall be developed in consultation with the City, implemented, and completed to the satisfaction of the City;
  - b) Should remediation of any portions of the park/open space/buffer block(s) within the Plan be required to meet applicable standards set out in the Ministry of Environment and Climate Change (“MOECC”) document “Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*”, as amended, submit a Remedial Act Plan (“RAP”) and a complete copy of the satisfactory registration of the Record of Site Condition (“RSC”) filed on the Environmental Site Registry including the acknowledge letter from MOECC, covering the remediated park/open space/buffer block(s) within the Plan;
  - c) Submit a signed and stamped certificate letter prepared by the Owner’s Environmental Qualified Person/Professional (“QP”) stating that they covenant and agree that the park/open space/buffer block(s) to be dedicated to the City were remediated in accordance with O. Reg. 153/04, as amended, and the accepted RAP, if applicable, are suitable for the intended land use, and meet the applicable standards set out in MOECC document “Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*”, as amended; and
  - d) Reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.
18. Prior to Plan registration, the Owner shall dedicate the unencumbered trail connection block (Block 7), for the purposes of public access of a future trail connection over the lands.
19. Prior to the approval of a Site Development Application for Phase 2, or portion thereof (Tower “4”), and for the lands to be zoned “RA3(H) Apartment Residential Zone” with the Holding Symbol (“H”) only, the Owner shall enter into an

Agreement with the City to dedicate any unencumbered portion of Block 7 (below-grade) of the 4.5 m wide trail connection to the City.

20. Prior to the Plan registration, the Owner agrees to convey an easement over the location of the proposed trail within the valleylands ("Other Lands Owned by the Applicant") and buffer for the purposes of public access and the construction and maintenance of a future trail connection and associated structures (the "trail connection") over the easement lands. All costs associated with the works as noted above as it relates to the Blanket Easement, and Transfer, Release and Abandonment of the Blanket Easement shall be borne by the Owner.
21. The Owner is to submit a revised trail feasibility report including cost estimates and other associated details regarding the proposed trail alignment including grading plans and associated landscaping details.
22. Prior to the registration of the Plan, the Owner shall design and agree to construct a 4.5 m wide pedestrian lit path from Islington Avenue to the valleyland buffer and off-road pedestrian trail into the valleyland and connecting to the existing servicing road/easement in accordance with the approved Trail Feasibility Report, to the satisfaction of and at no cost to the City. The Owner will be responsible for obtaining approvals, including any associated application fees from any applicable regulatory bodies including but not limited to the TRCA, and the Ministry of Natural Resources and Forestry ("MNRF") for the development and construction of said trail. If required, and to accommodate the Phase 2 works, the trail connection, as referenced above, may be altered and/or removed in its entirety at no cost to the City. The Owner will re-construct the trail to its ultimate condition in accordance with the approved Trail Feasibility Report, to the satisfaction of and at no cost to the City.
23. The Owner is to provide the City with a Letter of Credit totaling the complete costs to build the lit trail connection on City property and the valleyland trail connection, which shall be held for the estimate construction costs for the proposed site works, which shall include but is not limited to all required geotechnical reports, construction testing, surveying, and all required construction costs to build said lit path and trail. The Owner is responsible for the total cost of the design and construction of all works to complete the lit pedestrian pathway, off-road pedestrian trail and associated landscape works, including but is not limited to any works of a temporary nature. Portions or the total sum of the Letter of Credit may be drawn upon by the City as necessary, to complete the



above noted pedestrian path and trail works, in the case where the Owner does not fulfill Condition #22 above and/or if deemed necessary by the City.

24. As part of Phase 2, the Owner is required to erect a 1.5 m high black vinyl chain link fence on both sides of the trail connection abutting the walkway boundary with all fencing material, including foundations, wholly on the lot as per City Walkway Standard to delineate the boundary of the walkway.
25. The Owner shall agree in the subdivision agreement that construction access shall be provided only in a location approved by the City and York Region.
26. The Owner shall agree in the Subdivision Agreement that no Building Permit(s) shall be issued until the Owner has provided proof that a restriction has been registered that prevents the transfer of the lot and/or block without the consent of the City where such transfer is to be restricted by any other provision of the Subdivision Agreement.
27. The Owner shall agree in the Subdivision Agreement to convey any lands and/or easements, free of all costs and encumbrances, to the City that are necessary to construct the municipal services for the Plan, which may include any required easements and/or additional lands within and/or external to the Plan, to the satisfaction of the City.
28. For high-density residential development, the Owner shall convey land at the rate of 1 ha per 300 units and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at the rate of 1 ha 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 of Parkland Dedication policy.
29. Prior to final approval of the Plan, the Owner shall provide easements as may be required for utility, drainage or construction purposes, which shall be granted to the appropriate authority(ies), free of all charges and encumbrances.
30. The Owner shall agree to remove any driveways and buildings on site, which are not approved to be maintained as part of the Plan; any modification to off-site driveways required to accommodate this Plan shall be coordinated and completed at the cost of the Owner.
31. The Owner shall agree in the Subdivision Agreement that no Building Permit(s) shall be issued for any lots and/or blocks until the Owner's consulting engineer

certifies, to the satisfaction of the City, that the lot grading complies with the City of Vaughan lot grading criteria and the driveway(s) as shown on the Plan submitted for the construction of the building(s) on the subject lots and/or blocks conform in terms of location and geometry (i.e. width, etc.) with the approved or amended and subsequently approved Construction Drawings.

32. The Owner shall agree that all lots or blocks to be left vacant shall be graded, seeded, fenced with temporary fencing maintained and signed to the satisfaction of the City to prohibit dumping and trespassing.
33. Prior to the initiation of grading or stripping of topsoil and prior to final approval of the Plan, the Owner shall prepare and implement a detailed erosion and sedimentation control plan(s) addressing all phases of the construction of the municipal services and house building program including stabilization methods, topsoil storage locations and control measures to the satisfaction of the City. The Owner shall prepare the erosion and sediment control plan(s) for each stage of construction (prestripping/ earthworks, pre-servicing, post-servicing) in accordance with the TRCA Erosion and Sediment Control Guidelines for Urban Construction, dated December 2006 and implement a monitoring and reporting program to the satisfaction of the City.
34. Prior to the initiation of the grading or stripping of top soil and final approval, the Owner shall submit a top soil storage plan detailing the location, size, slopes stabilization methods and time period, for approval by the City. Top soil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either the park, open space and/or buffer block(s).
35. Prior to final approval of the Plan, and/or conveyance of land, and/or any initiation of grading or construction, the Owner shall implement the following to the satisfaction of the City:
  - a) Submit a Phase One Environmental Site Assessment (ESA) report and, if required and as applicable, a Phase Two ESA, Remedial Action Plan (RAP), Phase Three ESA Report in accordance with O. Reg. 153/04, as amended, for the lands within the Plan. The sampling and analysis plan prepared as part of the Phase Two ESA, Phase Three ESA, and RAP shall be developed in consultation with the City, implemented, and completed to the satisfaction of the City;

- b) Should a change to a more sensitive land use as defined under O. Reg. 153/04, as amended, or remediation of any portions of lands within the Plan be required to meet the applicable Standards set out in the MOECC document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act", as amended, submit a complete copy of the satisfactory registration of the Record of Site Condition (RSC) filed on the Environmental Site Registry including the acknowledgement letter from the MOECC, covering all lands within the Plan;
  - c) Submit a signed and stamped certificate letter prepared by the Owner's Environmental Qualified Person/Professional (QP) stating that they covenant and agree that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City and the Region were remediated in accordance with O. Reg. 153/04, as amended, and the accepted RAP, if applicable, are suitable for the intended land use, and meet the applicable standards set out in the MOECC document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act", as amended; and
  - d) Reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.
36. Prior to final approval of the Plan, a soils report prepared at the Owner's expense shall be submitted to the City for review and approval. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations of the report including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.
37. Prior to the initiation of grading, and prior to the registration of the Plan, or any phase thereof, the Owner shall submit to the City for review and approval a detailed engineering report(s) that describes the storm drainage system for the proposed development within the Plan, which shall include:
- a) plans illustrating how this drainage system will tie into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
  - b) the location and description of all outlets and other facilities;

- c) stormwater management techniques which may be required to control minor and major flows; and,
- d) proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction.

The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned report(s) to the satisfaction of the City.

- 38. All proposed watercourse-roadway crossings/culverts shall be constructed in conjunction with each corresponding development. The timing for construction of these works shall be to the satisfaction of the City.
- 39. Prior to final approval of the Plan and/or commencement of construction within the Plan, the Owner shall submit a detailed hydrogeological impact study that identifies, if any, local wells that may be influenced by construction and if necessary, outline a monitoring program to be undertaken before, during and after construction of the subdivision.
- 40. The Owner shall agree in the Subdivision Agreement to decommission any existing wells and driveways on the Plan in accordance with all applicable provincial legislation and guidelines and to the satisfaction of the City.
- 41. The Owner shall agree in the Subdivision Agreement to maintain adequate chlorine residuals in the watermains within the Plan after successful testing and connection to the potable municipal water system and continue until such time as determined by the City or until assumption of the Plan. In order to maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis as determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.
- 42. Prior to final approval of the Plan, a Water Supply Analysis Report shall be submitted to the satisfaction of the City, which shall include a comprehensive water network analysis of the water distribution system and shall demonstrate that adequate water supply for the fire flow demands is available for the Plan and each phase thereof.

43. The Owner shall agree to pay its financial contribution and/or front-end financing for all applicable works that are necessary to service the Subject Lands to the satisfaction of the City, and/or if any further improvements and/or mitigation measures are required to facilitate the Development.
44. The Owner shall agree to pay its financial contribution towards any Special Area Charges (as applicable) related to implementation of the servicing strategies to service the Subject Lands.
45. The Owner is required to obtain, as applicable, all necessary approvals/permits from the TRCA, to their sole satisfaction, as the Subject Lands are regulated by the TRCA.
46. The Owner is required to obtain, as applicable, all necessary approvals/permits from the Regional Municipality of York, to their sole satisfaction, as the Development proposes vehicular access to Regional roads and a connection to a downstream Regional sanitary system.
47. The Owner shall agree to provide the following for the purpose of fire safety and firefighting operations:
  - hydrants for firefighting, municipal or private, as identified in the plans and code requirements to be installed;
  - hydrants shall be unobstructed and ready for use at all times;
  - access roadways shall be maintained and suitable for large heavy vehicles and kept unobstructed at all times during construction; and,
  - ensure designated firebreaks are identified on permit drawings;
  - on private roadways which are identified as a fire route, parking on the street is prohibited with exceptions of designated locations for visitor parking;
  - fire route to be posted prior to construction
  - consideration for sprinklers in residential dwellings;
  - placement of fire hydrants to be identified on all drawings; and,
  - temporary municipal address to be posted and visible for responding emergency vehicles satisfactory to the City.
48. The road allowances included within the Plan shall be dedicated as public highways without monetary consideration and free of all encumbrances.
49. The road allowances within this Plan shall be named to the satisfaction of the City and York Region. Proposed street names shall be submitted by the Owner

for approval by Vaughan Council and shall be included on the first engineering drawings.

50. The road allowances included in the Plan shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 m reserves. The pattern of streets and the layout of lots and blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.
51. Any dead end or open side of a road allowance created by this Plan shall be terminated in 0.3 m reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.
52. Prior to final approval of the Plan, the Owner shall retain the services of a qualified Transportation Consultant to provide an updated transportation report/plan outlining the required York Region and City road improvements. The report/plan submitted to the City and York Region for review and approval, shall demonstrate that adequate road capacity is available for the proposed development, and shall explain all transportation issues and recommend mitigative measures for these issues. An updated transportation report shall include a traffic management/roadway detour plan for the proposed roadway improvements. The Owner shall agree in the Subdivision Agreement to implement the recommendations of the updated transportation report/plan and traffic management master plan to the satisfaction of the City.
53. Prior to final approval of the Plan, the Owner shall agree that any additional lands required for public highway purposes, where daylight triangles do not conform to the City Standard Design Criteria, will be conveyed to the City, free of all costs and encumbrances.
54. Prior to final approval of the Plan, the Owner shall provide drawings for the location and design of proposed bicycle parking at transit stops, school campuses, commercial sites, and other destinations within the Plan such as retail/entertainment, to the satisfaction of the Development Engineering Department.
55. The Owner shall agree in the Subdivision Agreement to provide information on sustainable transportation, via various media, to all purchasers and/or tenants within the Plan, including pedestrian, cycling facilities, transit routes,

roundabouts, and carpooling and park-and-ride facilities (if applicable) to the satisfaction of the Development Engineering Department.

56. Prior to final approval of the Plan, the Owner shall submit an environmental noise and/or vibration report to the City for review and approval. The preparation of the noise/vibration report shall include the ultimate traffic volumes associated with the surrounding road network and railway according to the Ministry of Environment Guidelines. The Owner shall convey any required buffer block(s) for acoustic barrier purposes, free of all costs and encumbrances, to the satisfaction of the City. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations set out in the approved noise/vibration report to the satisfaction of the City.
57. The Owner shall agree in the Subdivision Agreement to design, purchase material and install a street lighting system in the Plan in accordance with City standards and specifications. The Plan shall be provided with decorative street lighting to the satisfaction of the City.
58. Prior to final approval, the Owner shall provide a detailed tree preservation study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation based on the arborist report recommendations.
  - a) In addition, the study shall quantify the value of the tree replacements using the Urban Design Tree Replacement Valuation;
  - b) The Owner shall not remove trees without written approval by the City; and
  - c) The Owner shall enter into a tree protection agreement which will form a condition of the draft plan approval.
59. Prior to final approval, the Owner shall prepare an urban design brief in accordance with the City- Wide Urban Design Guidelines.
  - a) The urban design brief is required to demonstrate an ability to achieve the performance standards outlined in the City-Wide Urban Design Guidelines with an overall master plan; and

- b) Deviations from the applicable standards are to be summarized with justification in the urban design brief. Acceptance of these deviations shall be at the discretion of the City.
60. Prior to the landscape plan review by Urban Design staff, a fee shall be provided by the owner to the Development Planning Department in accordance with recent council approved fee by-laws (commencing January 31, 2018); i.e. Tariff of Fees for Vaughan Planning Applications – Landscape Plan Review.
- a) This fee will include staff's review and approval of proposed streetscaping/landscaping within the development (including but not limited to urban design guidelines, landscape master plan, architectural design guidelines, perfect submission landscape architectural drawings, stormwater management pond planting plans, natural feature edge restoration/management plans), and tree inventory/preservation/removals plans; and
  - b) In addition, a fee will be applied for each subsequent inspection for the start of the guaranteed maintenance period and assumption of the development by the City of Vaughan.
61. Prior to final approval, the owner shall prepare a landscape master plan. The document shall address but not be limited to the following issues:
- Co-ordination of the urban design/streetscape elements including built form, fencing, and street tree planting.
  - The appropriate community edge treatment along Islington Avenue, including landscaping with low-maintenance plant material.
  - The appropriate edge restoration along the natural feature lands.
  - The appropriate landscaping for the CNR noise berm with low maintenance plant material.
  - The pedestrian urban connections between streets, built forms, park lands, and natural feature lands.
  - Environmental report for the natural feature lands.
  - Sustainability design practices/guidelines.
62. Prior to the landscape plan review by Urban Design staff, a fee shall be provided by the owner to the Development Planning Department in accordance with recent council approved fee by-laws (commencing January 31, 2018); i.e. Tariff of Fees for Vaughan Planning Applications – Landscape Plan Review.



63. Prior to final approval, the Owner shall prepare architectural control design guidelines, including appropriate flankage elevations along Islington Avenue.
64. Prior to final approval, the Owner shall provide a buffer block abutting the natural feature lands in accordance with TRCA policies.
65. Prior to final approval, the Owner shall prepare a detailed edge management plan study for the perimeter of the natural feature lands. The study shall include an inventory of all existing trees within an 8 metre zone inside the staked edges, and areas where the natural feature land edges are disturbed, assessment of significant trees to be preserved and proposed methods of edge management and/or remedial planting shall be included. The owner shall not remove any vegetation without written approval by the City.
  - The Owner shall provide a report for a 20 metre zone within all staked natural feature land edges to the satisfaction of the TRCA and City, which identifies liability and issues of public safety and recommends woodlot/forestry management practices and removal of hazardous and all other trees as identified to be removed prior to assumption of the subdivision.
66. The Owner shall agree in the subdivision agreement to warranty the landscape vegetation screen on the CN Railway landscape buffer for a period of five (5) years following the date of assumption of the Plan.
67. The Owner shall agree in the subdivision agreement to erect an appropriate fence barrier along the limits of the CN Railway lands, to the satisfaction of the City.
68. The Owner shall agree in the subdivision agreement to erect a permanent 1.5 metre high black vinyl chain-link fence or approved equal along the limits of the natural feature lands and associated buffer blocks.
69. The Owner shall agree in the subdivision agreement to erect permanent wood fence treatments for flanking residential blocks; to be coordinated with the environmental noise report and architectural control design guidelines.
70. The Owner acknowledges that the City of Vaughan has species at risk within its jurisdiction which are protected under the *Endangered Species Act*, 2007, S.O. 2007, c. 6., The Owner is required to comply with Ministry of Natural Resources and Forestry regulations and guides to protect these species at risk and their

habitat. The Owner acknowledges that, notwithstanding any approvals made or provided by the City in respect to the Plan or the Subdivision Agreement, the Owner must comply with the provisions of the Act.

71. The Owner shall agree that should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan's Development Planning Department (Urban Design and Cultural Heritage Division) shall be notified immediately.
72. The Owner shall agree that in the event human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The proponent shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.
73. The Owner shall include the following warning clauses as a schedule in all Offers of Purchase and Sale, or Lease for all lots/blocks within the entire Plan:
  - a) "Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the City and a conceptual location Plan is included in the Subdivision Agreement. While every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete any boulevard tree without further notice. The City has NOT imposed an amount for a tree fee, or any other fee, which may be charged as a condition of purchase for the planting of trees. Any tree fee paid by purchasers for boulevard trees does not guarantee that a tree will be planted on the boulevard in front or on the side of a residential dwelling."
  - b) "Purchasers and/or tenants are advised that proper grading of all lots in conformity with the subdivision grading plans is a requirement of this Subdivision Agreement. The City has taken a Letter of Credit from the Owner (Subdivision Developer) as a security to ensure all municipal services including, but not limited to lot grading, are constructed to the satisfaction of the City. Direct cash deposits from the Purchasers to the City and/or Owner, for lot grading purposes is NOT a requirement of this Subdivision Agreement. The City of Vaughan does not control the return of such deposits and purchasers/tenants must direct inquiries regarding this return to their vendor/landlord."

- c) "Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the 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."
- d) "Purchasers and/or tenants are advised that driveway widths and curb cut widths are governed by City of Vaughan Zoning By-law 1-88, as amended, as follows:

The maximum width of a driveway shall be 6.0 metres measured at the street curb, provided circular driveways shall have a maximum combined width of 9.0 metres measured at the street curb.

Driveways in either front or exterior side yards shall be constructed in accordance with the following requirements:

Lot Frontage (m)	Maximum Width of Driveway (m)
6.0 – 6.99 <sup>1</sup>	3.5
7.0 – 8.99 <sup>1</sup>	3.75
9.0 – 11.99 <sup>1</sup>	6.0
12.0 and greater <sup>2</sup>	9.0

<sup>1</sup> The Lot Frontage for Lots between 6.0 – 11.99 m shall be comprised of a Minimum of 33% Landscaped Front or Exterior Side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior Side yard shall be soft landscaping in accordance with Paragraph 4.1.2.

<sup>2</sup> The Lot Frontages for Lots 12.0 m and greater shall be comprised of a Minimum of 50% Landscaped Front or Exterior Side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior Side yard shall be soft landscaping in accordance with Paragraph 4.1.2."

- e) "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox as per requirements dictated by Canada Post. The location of the mailbox shall be shown on the community information plan provided by the Owner in its sales office."
- f) "Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including those from construction activities,

may be of concern and occasionally interfere with some activities of the dwelling occupants."

- g) "Purchasers and/or tenants are advised that fencing and/or noise attenuation features along the lot lines of lots and blocks abutting public lands, including public highways, walkways or other similar public spaces, is a requirement of this Subdivision Agreement and that all required fencing and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3 m reserve, as shown on the Construction Drawings."
- h) "Purchasers and/or tenants are advised that the City has taken a Letter of Credit from the Owner as a security to ensure all fencing including, but not limited to privacy fencing, chain link fencing and acoustic fencing, are constructed to the satisfaction of the City. Direct cash deposits from the purchaser and/ or tenant to the City and/or Owner, for fencing, is NOT a requirement of this Subdivision Agreement."
- i) "Purchasers and/or tenants are advised that fencing along the lot lines of lots and blocks abutting public lands is a requirement of this Subdivision Agreement and that all required fencing, noise attenuation features and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3 m reserve, as shown on the Construction Drawings."

The City has taken a Letter of Credit from the Owner as a security to ensure all fencing including, but not limited to privacy fencing, chain link fencing and acoustic fencing, are constructed to the satisfaction of the City. Direct cash deposits from the purchasers to the City and/or Owner for fencing is NOT a requirement of this Subdivision Agreement.

The maintenance of the noise attenuation features or fencing shall not be the responsibility of the City or York Region, and shall be maintained by the Owner until assumption of the services of the Plan. Thereafter the maintenance of the noise attenuation features or fencing shall be the sole responsibility of the lot owner. Landscaping provided on Regional Road rights-of-way by the Owner or the City for aesthetic purposes shall be approved by York Region and maintained by the City with the exception of usual grass maintenance."

- j) "Purchasers and/or tenants are advised that this Plan is designed to include rear lot catchbasins. The rear lot catchbasin is designed to receive and carry only clean stormwater. It is the homeowner's responsibility to maintain the rear lot catchbasin in proper working condition by ensuring that the grate is kept clear of ice, leaves and other debris that would prevent stormwater from entering the catchbasin. The rear lot catchbasins

are shown on the Construction Drawings and the location is subject to change without notice.”

- k) “Purchasers and/or tenants are advised that the Owner has made a contribution towards recycling containers for each residential unit as a requirement of this Subdivision Agreement. The City has taken this contribution from the Owner to off-set the cost for recycling containers, therefore, direct cash deposits from the purchasers and/or tenants to the Owner for recycling container purposes is NOT a requirement of the City of Vaughan. The intent of this initiative is to encourage the purchasers and/or tenants to participate in the City’s waste diversion programs and obtain their recycling containers from the Joint Operations 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.”
- l) “Purchasers and/or tenants are advised that despite the inclusion of a landscape vegetation screen along the CN Railway safety berm, railway traffic will be visible. A screen wall will not be erected on the CN Railway berm. The landscape vegetation screen has been designed with a combination of mature deciduous and coniferous plant material intended to partially screen the view of passing trains. Despite the vegetative screen, portions of passing trains will still be visible to residents in the abutting neighbourhood. This landscape vegetation screen is not intended to mitigate railway noise in public outdoor areas within the residential neighbourhood. Noise mitigation features for dwelling units and the associated dwelling unit outdoor living areas have been implemented on the individual affected Blocks within the Plan of Subdivision in order to achieve sound levels within the limits recommended by the Ministry of the Environment.”

Any additional warning clause as noted in the Subdivision Agreement shall be included in all Offers of Purchase and Sale or Lease for all lots and/or blocks within the Plan to the satisfaction of the City.

74. The Owner shall include the following warning clauses as a schedule in all Offers of Purchase and Sale, or Lease within the Plan:
- a) abutting or in proximity of any open space, buffers, valleylands, woodlots or stormwater facility:
    - "Purchasers and/or tenants are advised that the adjacent open space, woodlot or stormwater management facility may be left in a naturally vegetated condition and receive minimal maintenance."
  - b) abutting or in proximity of any parkland or walkway:

- "Purchasers and/or tenants are advised that the trail connection, open space and/or buffer may be a concern due to the noise and lighting generated by the active recreation nature of the park."
- c) encroachment and/or dumping:
- "Purchasers and/or tenants are advised that any encroachments and/or dumping from the lot to the park, open space, buffer block, woodlot, and/or stormwater management facility are prohibited."
- d) gate of access point:
- "Purchasers and/or tenants are advised that the installation of any gate of access point from the lot to the park, open space, buffer block, stormwater management facility, watercourse corridor, and/or woodlot is prohibited."
- e) Canadian National Railway:
- "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as foresaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."
- f) Canadian Pacific Railway:
- "Purchasers and/or tenants are advised that each dwelling affected by any noise and vibration attenuation measures, that any berm, fencing, or vibration isolation features implemented are not to be tampered with or altered, and further that the Owner shall have the sole responsibility for and shall maintain these features."
  - "Purchasers and/or tenants are advised that where Canadian Pacific Railway (CPR) company, or its assigns or successors in interest, has a right-of-way within 300 m from the subject lands, and there may be future alterations or expansions to the rail facilities or operations which may affect the living environment of the residents

in the vicinity, notwithstanding any noise and vibration attenuating measures included in the development and individual dwelling(s); CPR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way."

75. 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 the Subdivision Agreement have been included in the Offers of Purchase and Sale or Lease for such lot or block.

76. The Owner shall cause the following to be displayed on the interior wall of the sales office, information approved by the City of Vaughan, prior to offering any units for sale, to be monitored periodically by the City. No Building Permit(s) shall be issued for a sales office or model home, or a residential unit until such information is approved by the City of Vaughan.

- the plan for the broader area, showing surrounding land uses, arterials/highways, railways and hydro lines, etc.;
- the location of street utilities, community mailboxes, entrance features, fencing and noise attenuation features, together with the sidewalk plan approved in conjunction with draft plan approval;
- the location of parks, open space, buffer blocks, stormwater management facilities and trails;
- the location of institutional uses, including schools, places of worship, and community facilities;
- the location and type of commercial sites;
- colour-coded residential for singles, semis, multiples, and apartment units; and,
- the following notes in BOLD CAPITAL TYPE on the map:

"For further information, on proposed and existing land uses, please call or visit the City of Vaughan, Development Planning Department, at 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1; (905)832-8585."

"For detailed grading and berming information, please call the developer's engineering consultant, (name) at ".

"This map is based on information available as of (date of map), and may be revised or updated without notification to purchasers."

*[In such circumstances, the Owner is responsible for updating the map and forwarding it to the City for verification.]*

77. Notwithstanding the provisions generally included within the Subdivision Agreement, the City may issue model home Building Permit(s) provided that the

land is zoned to the satisfaction of the City and the relevant conditions of the Subdivision Agreement are fulfilled.

78. Notwithstanding the provisions generally included within the Subdivision Agreement, the City may issue model home Building Permit(s) provided that the land is zoned to the satisfaction of the City and the relevant conditions of the Subdivision Agreement are fulfilled.
79. Where the Owner proposes to proceed with the construction of a model home(s) prior to registration of the Plan, the Owner shall enter into an agreement with the City, setting out the conditions, and shall fulfill relevant conditions of that agreement prior to issuance of a Building Permit(s).
80. Prior to final approval of the Plan, the Owner shall make the necessary arrangements at the expense of the Owner for the relocation of any utilities required by the development of the Plan to the satisfaction of the City.
81. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunication provider to provide their services underground at the approved locations and to the satisfaction of the City. The Owner shall provide a copy of the fully executed Subdivision Agreement to the appropriate telecommunication provider.
82. Prior to final approval of the Plan, the Owner shall permit any telephone or telecommunications service provider to locate its plant in a common trench within the proposed Plan of Subdivision prior to release of the Plan for registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its plant so as to permit connection to individual dwelling units within the subdivision as and when each dwelling unit is constructed.
83. Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of Alectra Utilities Corporation. (formerly PowerStream Inc.), its successors and assigns, regarding the design, installation, connection and/or expansion of electric distribution services, or any other related matters; the Owner shall enter into a development agreement with Alectra Utilities Corporation which addresses the foregoing requirements. The Owner shall agree to design, purchase materials, and install a buried hydro distribution system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of Alectra Utilities Corporation. and the City.



**Schedule of Conditions**  
**19T-17V06 (SUBP.17.V.0032)**  
**Part of Lot 26, Registrar's Compiled Plan 9691**  
**7082 Islington Avenue**  
**(Islington Steeles Ventures Inc.)**  
**City of Vaughan**

Re: Weston Consulting, File No. 6923, dated December 21, 2017

**Conditions to be Included in the Subdivision Agreement**

1. The Owner shall save harmless the City of Vaughan and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
2. The Owner shall protect and provide interconnections with adjacent properties for vehicular, pedestrian and cyclist access.

**Conditions to be Satisfied Prior to Final Approval**

3. The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the City of Vaughan and York Region.
4. York Region shall confirm that adequate water supply and sewage capacity are available and have been allocated by the City of Vaughan for the development proposed within this draft plan of subdivision or any phase thereof.
5. The Owner shall provide a revised Transportation Study consistent with the Region Transportation Mobility Plan Guidelines for Development Applications (November 2016) to the satisfaction of the Region.
6. The Owner shall provide direct shared pedestrian and cycling connections to Islington Avenue to support active transportation and transit.
7. The Owner shall provide a comprehensive Transportation Demand Management Plan including a TDM checklist that summarizes the programs and measures, estimated costs and responsibility of the applicant to implement TDM recommendations. Estimated costs for any items that are provided by the Region shall be identified as "TBD" (To be determined).
8. The Owner shall provide a TDM communication strategy, to assist the Region to effectively deliver the Information Packages and pre-loaded PRESTO Cards to residents. This strategy shall also include a physical location for distribution of the Information Packages and pre-loaded PRESTO Cards. The applicant is responsible for the coordination and for providing a venue for the distribution of PRESTO cards. Each event, approximately 4 hours of staff time, can serve approximately 100 residential units. The applicant shall coordinate specific event details with York Region/York Region Transit Staff allowing a minimum of 2 months' notice.

9. The Owner shall convey the following lands to York Region, free of all costs and encumbrances, to the satisfaction of the Regional Environmental Services Department, Capital Planning & Delivery Branch:
  - a) Part of Lot 26, Registrar's Compiled Plan 9691, in the City of Vaughan, in the Regional Municipality of York, more particularly described as Parts 1 to 8 on Reference Plan 65R-36250
10. The Owner shall convey the following lands to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of York Region Solicitor:
  - a) A widening across the full frontage of the site where it abuts Islington Avenue of sufficient width to provide a minimum of 18 metres from the centreline of construction of Islington Avenue, and
  - b) A 10 metre by 10 metre daylight triangle at the north-west and south-west corners of Islington Avenue and the proposed access to the Subdivision, and
  - c) A 0.3 metre reserve across the full frontage of the site, except at the approved access location, adjacent to the above noted widening, where it abuts Islington Avenue and adjacent to the above noted widening(s), and
  - d) Additional required widening for the construction of the tapers and storages for the southbound right turn lane, and northbound left turn lane, at the intersection of Islington Avenue and the access to the subdivision.
11. The Owner shall provide a solicitor's certificate of title in a form satisfactory to York Region Solicitor, at no cost to York Region with respect to the conveyance of the above noted lands to York Region.
12. The Region requires the Owner submit a Phase One Environmental Site Assessment ("ESA") in general accordance with the requirements of the Environmental Protection Act and O. Reg. 153/04 Records of Site Condition, as amended ("O. Reg. 153/04"). The Phase One ESA must be for the Owner's property that is the subject of the application and include the lands to be conveyed to the Region (the "Conveyance Lands"). The Phase One ESA cannot be more than two (2) years old at: (a) the date of submission to the Region; and (b) the date title to the Conveyance Lands is transferred to the Region. If the originally submitted Phase One ESA is or would be more than two (2) years old at the actual date title of the Conveyance Lands is transferred to the Region, the Phase One ESA will need to be either updated or a new Phase One ESA submitted by the Owner. Any update or new Phase One ESA must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. The Region, at its discretion, may require further study, investigation, assessment, delineation and preparation of reports to determine whether any action is required regardless of the findings or conclusions of the submitted Phase One ESA. The further study, investigation, assessment, delineation and subsequent reports or documentation must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. Reliance on the Phase One ESA and any subsequent reports

or documentation must be provided to the Region in the Region's standard format and/or contain terms and conditions satisfactory to the Region.

The Region requires a certified written statement from the Owner that, as of the date title to the Conveyance Lands is transferred to the Region: (i) there are no contaminants of concern, within the meaning of O. Reg. 153/04, which are present at, in, on, or under the property, or emanating or migrating from the property to the Conveyance Lands at levels that exceed the MOECC full depth site condition standards applicable to the property; (ii) no 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, in, on or under the Conveyance Lands; and (iii) there are no underground or aboveground tanks, related piping, equipment and appurtenances located at, in, on or under the Conveyance Lands.

The Owner shall be responsible for all costs associated with the preparation and delivery of the Phase One ESA, any subsequent environmental work, reports or other documentation, reliance and the Owner's certified written statement.

13. The Owner shall provide a copy of the Subdivision Agreement to the Regional Corporate Services Department, outlining all requirements of the Corporate Services Department.
14. The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable in accordance with Regional Development Charges By-law in effect at the time that Regional development charges, or any part thereof, are payable.
15. The Regional Corporate Services Department shall advise that Conditions 1 to 14 inclusive, have been satisfied.



## **MEMORANDUM – PRELIMINARY TECHNICAL COMMENTS**

**RE: Revised Official Plan Amendment OP.15.007 (LOPA.17.V.0028)  
Zoning By-law Amendment Z.15.030  
Draft Plan of Subdivision 19T-17V06 (SUBP.17.V.0032)  
Part of Lot 26, Registrar's Compiled Plan 9691  
7082 Islington Avenue  
(Islington Steeles Ventures Inc.)  
City of Vaughan**

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Regional Transportation and Infrastructure Planning, Traffic Signal Operations, Development Engineering and YRT/Viva staff have reviewed the above noted Official Plan Amendment (OPA), zoning by-law amendment and draft plan of subdivision application, as well as the supporting documents and offer the following comments for these applications and any subsequent development applications. These comments are not an approval and are subject to modification. It is intended to provide information to the applicant regarding the Regional requirements that have been identified to date.

### **1. Transportation and Infrastructure Planning**

a) The Traffic Impact Study shall be revised to the satisfaction of the Region to be consistent with the Region's Transportation Mobility Plan Guidelines for Development Applications (November 2016) and address the following comments:

- Consolidating private accesses on the east side of Islington Avenue with the proposed access
- Proposed access should be consistent with the Access Guidelines for Regional Road and intersection design shall be consistent with Regional design standards.
- The number of proposed accesses onto Regional road should be consolidated, in accordance with Policy 7.2.53 of the Regional Official Plan.
- Conduct sight distance analysis to confirm available sight for stopping and turning in and out of the proposed access
- Provide a detailed design of the proposed access location demonstrating Regional design standards are satisfied, including taper and storage for turning lanes and radius
- Conduct a traffic signal warrant analysis at the proposed access location in accordance with OTM book 12 and to the satisfaction of York Region. The signal warrant analysis shall be conducted for a 10-year horizon beyond the built year of the development.
- Provide/obtain rail authority comments on access location in proximity to rail crossing

- If traffic signals are justified, review the need for auxiliary signal heads, active warning signs, and rail pre-emption
- Demonstrate that the proposed access satisfies the Region's access guidelines

## **2. Preliminary Comments for Subsequent Development Applications**

- a) Prior to Site Plan Approval, the Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required road improvements for this subdivision. The report/plan, submitted to Development Engineering for review and approval, shall explain all transportation issues and shall recommend mitigative measures for these issues.
- b) Prior to Site Plan Approval, the location and design of the construction access for the subdivision work shall be completed to the satisfaction of Development Engineering and illustrated on the Engineering Drawings.
- c) Prior to Site Plan Approval, the Owner shall demonstrate, to the satisfaction of Development Engineering, that all existing driveway(s) along the Regional road frontage of this subdivision will be removed as part of the subdivision work, at no cost to York Region.
- d) Prior to Site Plan Approval, the Owner shall demonstrate, to the satisfaction of Development Engineering that elevations along the streetline shall be 0.1 to 0.2 metres above the centreline elevations of the York Region roadway, unless otherwise specified by Development Engineering.
- e) Prior to Site Plan Approval, the Owner shall submit drawings depicting the following to the satisfaction of York Region staff:
  - i. All existing woody vegetation within the York Region road right of way,
  - ii. Tree protection measures to be implemented on and off the York Region road right of way to protect right of way vegetation to be preserved,
  - iii. Any woody vegetation within the York Region road right of way that is proposed to be removed or relocated. However, it is to be noted that tree removal within York Region road right's of way shall be avoided to the extent possible/practical. Financial or other compensation may be sought based on the value of trees proposed for removal.
  - iv. A planting plan for all new and relocated vegetation to be planted within the York Region road right of way, based on the following general guideline:

“Tree planting shall be undertaken in accordance with York Region standards as articulated in Streetscaping Policy and using species from the York Region Street Tree Planting List. These documents may be obtained from the Forestry Section. If any landscaping or features other than tree planting (e.g. flower beds, shrubs) are proposed in

the York Region right-of-way by the Owner or the area municipality for aesthetic purposes they must be approved by Development Engineering and shall be maintained by the area municipality with the exception of the usual grass maintenance”,

- v. For landscape features not maintained to York Region’s satisfaction, the area municipality will be responsible for the cost of maintenance or removal undertaken by the Region.
- f) Prior to Site Plan Approval, the Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of Development Engineering recommending noise attenuation features.
- g) Prior to Site Plan Approval, the intersection of Islington Avenue and the access to the Subdivision shall be designed to the satisfaction of Development Engineering with any interim or permanent intersection works including turning lanes, profile adjustments, illumination and/or signalization as deemed necessary by Development Engineering.
- h) Prior to Site Plan Approval, the Owner shall demonstrate, to the satisfaction of Development Engineering, that all local underground services will be installed within the area of the development lands and not within York Region’s road allowance. If a buffer or easement is needed to accommodate the local services adjacent to York Region’s Right of Way, then the Owner shall provide a satisfactory buffer or easement to the Area Municipality, at no cost to the Region.
- i) The draft plan of subdivision is potentially affected by the West Vaughan Sewage Servicing Class Environmental Assessment, which works are intended to commence in 2024. Please contact Alvaro Baca, Project Manager at 1-877-464-9675, extension 75091, to coordinate the construction of the works along Islington Avenue.
- j) The Owner acknowledges and agrees that revisions to the draft plan of subdivision may be required to incorporate the recommendations of the approved Environmental Assessment for the West Vaughan Sewage Servicing and the proposed alignment of the sanitary sewer trunk. These revisions shall be in conformity with the recommendations of the approved environmental assessment.

**Appendix 'B' – TRCA's Conditions of Draft Plan Approval**

**TRCA's Conditions of Draft Plan Approval**

TRCA staff recommends approval of Draft Plan of Subdivision 19T-17V006, Part of Lot 26, Registered Compiled Plan 9691, City of Vaughan, Regional Municipality of York, prepared by Weston Consulting, revised March 30, 2021, subject to the following conditions:

1. That prior to topsoil stripping and prior to the registration of this plan or any phase thereof, the Owner shall submit a detailed engineering report and plans to the satisfaction of TRCA for any proposed topsoil stripping in the plan area. This submission shall include:
  - o Detailed plans illustrating the topsoil stripping proposal, including but not limited to the locations, staging and methodology.
  - o An erosion and sediment control report and plans for the subject lands that includes proposed measures for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after topsoil stripping.
2. That prior to site alteration (except for topsoil stripping) and prior to the registration of this plan or any phase thereof, the Owner shall submit a detailed engineering report (or reports) and plans to the satisfaction of TRCA in accordance with the Functional Servicing and Stormwater Management Report (prepared by Urbantech West, dated March 2021), as may be amended to the satisfaction of TRCA and the City of Vaughan. This submission shall include:
  - i. A description of the storm drainage system (quantity and quality) for the proposed development.
  - ii. Plans illustrating how this drainage system will tie into surrounding drainage systems (i.e., identifying if it is part of an overall drainage scheme, how external flows will be accommodated, the design capacity of the receiving system).
  - iii. Appropriate stormwater management techniques which may be required to control minor and major flows.
  - iv. Appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to the natural system, both aquatic and terrestrial.
  - v. Detailed plans and calculations for the proposed lot-level, conveyance, and end-of-pipe controls to be implemented on the site.
  - vi. Proposed measures to promote infiltration and maintain water balance for the plan area.
  - vii. Proposed measures to maintain feature-based water balance and to mitigate impacts to those natural features that have been assessed to be potentially impacted by the development.
  - i. A subsurface investigation (including assessment of groundwater levels) for the final design of site grading, underground structures and infrastructure, and low impact development measures. The recommendations of the subsurface assessment will be used to inform the final design and construction plans.

- viii. An evaluation that addresses the need for groundwater dewatering during construction, including but not limited to details for its disposal, potential impacts to natural features due to groundwater withdrawal, mitigation and any permitting requirements.
  - ix. Grading plans for the subject lands.
  - x. Cross-sections and details regarding areas where grading and filling is proposed in or adjacent to the Buffer (Block 8) and the valley lands ('Open Space and Valley Lands'), including detailed cross sections for any proposed retaining walls adjacent to the Buffer (Block 8). The cross-sections and details shall include, but shall not be limited to, existing and proposed grades; limits of the natural features, hazards and buffers; transition to the adjacent tableland areas; interim and permanent stabilization of the slopes/disturbed areas; soil remediation; mitigation; tree protection; sediment and erosion controls; supporting geotechnical/soils analyses; and compensation to the satisfaction of TRCA.
  - xi. An erosion and sediment control report and plans for the subject lands that includes proposed measures for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction; and
  - xii. The location and description of all outlets and other facilities or works which may require permits from TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06), as may be amended.
- 3. That prior to site alteration and prior to the registration of this plan or any phase thereof, the Owner prepare a tree protection and preservation plan for the site to the satisfaction of TRCA.
  - 4. That prior to site alteration and prior to the registration of this plan or any phase thereof, the Owner prepare an updated/addendum Natural Heritage Evaluation / Environmental Impact Study that includes the valley lands ('Other Lands Owned by the Applicant') and all intended uses in those lands to the satisfaction of TRCA.
  - 5. That prior to the registration of this plan or any phase thereof, the Owner prepare comprehensive edge management plans/restoration planting plans to the satisfaction of TRCA for the Buffer (Block 8) and the valley lands ('Open Space and Valley Lands').
  - 6. That prior to the registration of this plan or any phase thereof, the Owner prepare a plan that addresses the removal and restoration of historical, man-made intrusions in the Buffer (Block 8) and the valley lands ('Open Space and Valley Lands') to the satisfaction of TRCA, which must include but is not limited to the removal of paths, culverts, structures, fences, debris, etc. and the restoration of these areas to a natural state.
  - 7. That prior to the registration of this plan or any phase thereof, the Owner shall prepare trail plans and details to the satisfaction of TRCA for areas within and adjacent to the Buffer (Block 8) and the valley lands ('Open Space and Valley Lands').
  - 8. That prior to the registration of this plan or any phase thereof, the Owner obtain all necessary permits from TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06), as may be amended, to the satisfaction of TRCA.



9. That the Buffer (Block 8) and the valley lands ('Open Space and Valley Lands') be dedicated to TRCA or the City of Vaughan, free of all charges and encumbrances, to the satisfaction of TRCA. TRCA requires that there be an easement over all proposed public infrastructure within the Buffer (Block 8) and the valley lands ('Open Space and Valley Lands').
10. That the implementing zoning by-law recognize the Buffer (Block 8) and the valley lands ('Open Space and Valley Lands') in an open space, environmental protection, or other suitable environmental zoning category, which has the effect of prohibiting development, to the satisfaction of TRCA.
11. That the implementing zoning by-law be prepared to the satisfaction of TRCA.
12. That the Owner provide a copy of the approved implementing zoning by-law to TRCA, when available, to facilitate the clearance of conditions of draft plan approval.
13. That the Owner agrees in the subdivision agreement, in wording acceptable to TRCA:
  - i. To carry out, or cause to be carried out, to the satisfaction of TRCA, the recommendations of the reports/strategies and details of the plans referenced in TRCA's conditions of draft plan approval.
  - ii. To install and maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period, in a manner satisfactory to TRCA.
  - iii. To obtain all necessary permits from TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06), as may be amended, to the satisfaction of TRCA.
  - iv. To comply with the permits approved under Ontario Regulation 166/06, as may be amended, including the approved plans, reports and conditions to the satisfaction of TRCA.
  - v. To erect a permanent fence along all residential lots and blocks that abut the Buffer (Block 8), the valley lands ('Open Space and Valley Lands') and in other areas as may be required to protect existing and future open space lands from unauthorized/non-programmed entry to the satisfaction of TRCA.
  - vi. To prohibit grading works within the Buffer (Block 8) and the valley lands ('Open Space and Valley Lands') unless approved by TRCA; and
  - vii. To prohibit retaining walls in or adjacent to the Buffer (Block 8) and the valley lands ('Open Space and Valley Lands') unless approved by TRCA.
14. That this draft plan of subdivision be subject to red-line revision(s) in order to meet the requirements of TRCA's conditions of draft plan approval, if necessary, to the satisfaction of TRCA.
15. That the Owner provide a copy of the fully executed subdivision agreement to TRCA, when available, in order to expedite the clearance of conditions of draft plan approval.

DELIVERY PLANNING  
1860 MIDLAND AVE 2<sup>ND</sup> FL  
SCARBOROUGH ON M1P  
e-mail: patrick.brown@canadapost.ca



(416) 751-0160 X 2019  
(416)-755-9800 (fax)  
5A1

**ATTACHMENT NO. 1d)  
CANADA POST**

**July 20, 2017  
Page 1 of 2**

July 20, 2017

THE CITY OF VAUGHAN  
2141 MAJOR MACKENZIE DRIVE  
VAUGHAN ON L6A 1T1

Attention: Natalie Wong - Planning Department

Dear Sir/Madam:

**Re: 19T-17V006**  
**RELATED FILES: OP.15.007 & Z.15.030**  
**PAUL FEDERICO, ISLINGTON STEELES VENTURES INC.**  
**7082 ISLINGTON AVENUE**  
**CITY OF VAUGHAN WARD 2 POSTAL DELIVERY AREA WOODBRIDGE.**

Thank you for the opportunity to comment on the above noted project. Canada Post requires the following, once the development proposal advances to either Site Plan of Application/Condominium or Subdivision.

**BACK-TO-BACK TOWNHOUSE UNITS:**

Canada Post requires that the owner/developer comply with the following conditions:

- The owner/developer agrees to include on all offers of purchase and sale, a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
- The owner/developer will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any home sale.
- The owner/developer will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailbox and to indicate these locations on the appropriate servicing plan.

The owner/developer will provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:

- An appropriately sized sidewalk section (concrete pad) as per municipal standards, to place the Community Mailboxes on.
- Any required walkway across the boulevard, as per municipal standards.
- Any required curb depressions for wheelchair access.

The owner/developer further agrees to determine and provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail delivery to new residence as soon as the homes are occupied.

**CONDOMINIUM MULTI-UNIT BUILDING:**

As the building(s) in this project consist of more than two adjoining units, sharing a common indoor entrance, the developer/owner must supply, install and maintain a centralized mailbox facility to Canada Post's specifications. I have included a link below to our Delivery Standards Manual, to assist with the design of the mailroom/mailbox.

<http://www.canadapost.ca/cpo/mc/business/productsservices/atoz/standardsmanual.jsf>

I am requesting the developer/owner contact me well in advance of the construction start date, to discuss a suitable mailbox/mailroom location.

I trust that this information is sufficient, however, should you require further information, please do not hesitate to contact me at the above mailing address or telephone number.

Sincerely,

*Patrick Brown*

---

Patrick Brown  
Delivery Planner  
York Region

**Wong, Natalie**

---

**From:** Mikolajczak, Margaret (MTO) <Margaret.Mikolajczak@ontario.ca>  
**Sent:** Tuesday, September 12, 2017 3:54 PM  
**To:** Wong, Natalie  
**Cc:** Nunes, Paul (MTO)  
**Subject:** Draft Plan of Subdivision application 19T-17V006 , 7082 Islington Ave. in the City of Vaughan  
**Attachments:** 20170726155100307.pdf; 407 TW3 - alignment-H.jpg

Hi Natalie,

we have reviewed the above noted Draft Plan of Subdivision application and have following comments:

The owner must be made aware that Ministry permits are required for all buildings located within 46m from Highway 407 and future Hwy 407 Transitway property line and the radius of 396m measured from the intersecting centre point of Highway 407 and Islington Ave. prior to any construction being undertaken. Permits must be obtained from our office. Applications are also available on our web site at:

[www.mto.gov.on.ca/english/engineering/management/corridor](http://www.mto.gov.on.ca/english/engineering/management/corridor)

**As a Conditions of Draft Plan Approval, we will require the following:**

1. Prior to final approval, the owner shall submit to the Ministry of Transportation for review and approval a copy of Stormwater Management Report, Site Grading and Servicing Plan, addressing the intended treatment of the calculated runoff (the Stormwater Management Report was already submitted and is approved)
2. Prior to final approval, the owner shall submit to the Ministry of Transportation for review and approval a copy of a detailed Traffic Impact Study prepared in accordance to the Ministry guidelines, addressing the anticipated traffic volumes and their impact on Hwy 407 interchange. How is the site traffic going to be distributed? Is there going to be only one access serving the development?
3. The 407 Transitway EA assignment is still evaluating alignment options around Islington Ave. Please see attached alignment options. It appears that option # 2 could have a small impact to the north side of the Draft Plan of Subdivision land. If option # 2 is selected than the Ministry 14m setback from the future Hwy 407 Transitway right of way, will be required. Please note that access from the Pine Valley Transitway station will be investigated for both: Islington Ave. and Pine Valley Drive.
4. If the development is constructed in phases, each phase will require a separate clearance letter from the Ministry.
5. Once the above conditions are addressed to the Ministry satisfaction, the Clearance Letter will be issued to the City and then the owner can register the Draft Plan of Subdivision and apply for Ministry permits. Ministry also request the approved copy of the M-Plan for our file.

Please forward a copy of this letter to the proponent.

Thank you

**Margaret Mikolajczak, C.E.T.**  
**Senior Project Manager**  
Ministry of Transportation  
Corridor Management Section

**ATTACHMENT NO.1f)  
ALECTRA UTILITIES CORPORATION**

**June 22, 2017  
Page 1 of 1**



**COMMENTS:**

☐

We have reviewed the Proposal and have no comments or objections to its approval.

☒

We have reviewed the proposal and have no objections to its approval, subject to the following comments (attached below).

☐

We are unable to respond within the allotted time for the following reasons (attached) you can expect our comments by \_\_\_\_\_.

☐

We have reviewed the proposal and have the following concerns (attached below)

☐

We have reviewed the proposal and our previous comments to the Town/City, dated \_\_\_\_\_, are still valid.

Alectra Utilities (formerly PowerStream) has received and reviewed the submitted plan proposal. This review, however, does not imply any approval of the project or plan.

The owner, or his agent, for this plan is required to contact Alectra to discuss all aspects of the above project. Alectra will require site plan drawings, draft m-plans, legal plans, architectural design drawings, electrical consultant's drawings, number of units/lots in the subdivision/development and type of the subdivision/development (i.e., single family residential, town homes, condominium town homes, industrial etc.), square footage of the buildings, the required voltage, amperage and building loads, along with the completed and signed Subdivision Application Information Form (SAIF). Alectra will then use this information to determine the type of available service in the area to supply this project and determine the design fee for the subdivision or development.

Once Alectra has received the design fee and requested information, Alectra will prepare the hydro design, obtain the owner's /developer's approval of the design and obtain the required approvals from the local municipality and prepare the cost of the electrical distribution system (EDS) installation.

Alectra will provide the owner/developer with an "Offer to Connect" (OTC) agreement which will specify all the details and the responsibilities of each party.

The information on the SAIF must be as accurate as possible to reduce unnecessary customer costs, and to provide a realistic in-service date. The information from the SAIF is also used to allocate/order materials, to assign a technician to the project, and to place the project in the appropriate queue.

All proposed buildings, billboards, signs, and other structures associated with the development must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the Ontario Electrical Safety Code and the Occupational Health and Safety Act.

If there are any existing components of Alectra's electrical distribution system on the proposed project site, they will have to be relocated by Alectra at the Developer's cost. Any conflicts due to driveway locations or clearances to the existing overhead or underground distribution system will have to be relocated by Alectra at the Developer's cost.

We trust this information is adequate for your files.

Regards,  
Mr. Tony D'Onofrio  
Supervisor, Subdivisions & New Services  
**Phone:** 1-877-963-6900 ext. 24419  
**Fax:** 905-532-4401  
**E-mail:** [tony.donofrio@alectrautilities.com](mailto:tony.donofrio@alectrautilities.com)

**Subdivision Application Information Form is available by calling 1-877-963-6900 ext. 31297**



June 20, 2017

Natalie Wong, BES  
Planner  
City of Vaughan  
Development Planning Division  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

Dear Natalie Wong,

Re: Draft Plan of Subdivision  
Islington Steeles Ventures Inc. (c/o Paul Federico)  
7082 Islington Avenue  
City of Vaughan  
File No.: 19T-17V006      Related: OP-15-007 & Z-15-030

Enbridge Gas Distribution does not object to the proposed application(s).

This response does not constitute a pipe locate or clearance for construction.

The applicant shall contact Enbridge Gas Distribution's Customer Connections department by emailing [SalesArea30@enbridge.com](mailto:SalesArea30@enbridge.com) for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.

If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the applicant.

Easement(s) are required to service this development and any future adjacent developments. The applicant will provide all easement(s) to Enbridge Gas Distribution at no cost.

In the event a pressure reducing regulator station is required, the applicant is to provide a 3 metre by 3 metre exclusive use location that cannot project into the municipal road allowance. The final size and location of the regulator station will be confirmed by Enbridge Gas Distribution's Customer Connections department. For more details contact [SalesArea30@enbridge.com](mailto:SalesArea30@enbridge.com).

The applicant will grade all road allowances to as close to final elevation as possible, provide necessary field survey information and all approved municipal road cross sections, identifying all utility locations prior to the installation of the gas piping.

Enbridge Gas Distribution reserves the right to amend or remove development conditions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Allison Sadler', with a stylized, flowing script.

**Allison Sadler**

Municipal Planning Advisor  
Long Range Distribution Planning

**ENBRIDGE GAS DISTRIBUTION**

TEL: 416-495-5763

[MunicipalPlanning@enbridge.com](mailto:MunicipalPlanning@enbridge.com)

500 Consumers Rd, North York, ON, M2J 1P8

[enbridgegas.com](http://enbridgegas.com)

**Integrity. Safety. Respect.**

AS/jh



## PRINCIPAL MAIN LINE REQUIREMENTS

1. Berm, or combination berm and noise attenuation fence, having extensions or returns at the ends, to be erected on adjoining property, parallel to the railway right-of-way with construction according to the following:
  - a) Minimum total height 5.5 metres above top-of-rail;
  - b) Berm minimum height 2.5 metres and side slopes not steeper than 2.5 to 1.
  - c) Fence, or wall, to be constructed without openings and of a durable material weighing not less than 20 kg. per square metre (4 lb/sq.ft.) of surface area.

No part of the berm/noise barrier is to be constructed on railway property.

A clause should be inserted in all offers of purchase and sale or lease, and be registered on title or included in the lease for each dwelling affected by any noise and vibration attenuation measures, advising that any berm, fencing, or vibration isolation features implemented are not to be tampered with or altered, and further that the owner shall have the sole responsibility for and shall maintain these features.

Dwellings must be constructed such that the interior noise levels meet the criteria of the appropriate Ministry. A noise study should be carried out by a professional noise consultant to determine what impact, if any, railway noise would have on residents of proposed subdivisions and to recommend mitigation measures, if required. The Railway may consider other measures recommended by the study.

2. Setback of dwellings from the railway right-of-way to be a minimum of 30 metres. While no dwelling should be closer to the right-of-way than the specified setback, an unoccupied building, such as a garage, may be built closer. The 2.5 metre high earth berm adjacent to the right-of-way must be provided in all instances.
  3. Ground vibration transmission to be estimated through site tests. If in excess of the acceptable levels, all dwellings within 75 metres of the nearest track should be protected. The measures employed may be:
    - a) Support the building on rubber pads between the foundation and the occupied structure so that the maximum vertical natural frequency of the structure on the pads is 12 Hz;
    - b) Insulate the building from the vibration originating at the railway tracks by an intervening discontinuity or by installing adequate insulation outside the building, protected from the compaction that would reduce its effectiveness so that vibration in the building became unacceptable; or
    - c) Other suitable measures that will retain their effectiveness over time.
  4. A clause should be inserted in all offers of purchase and sale or lease and in the title deed or lease of each dwelling within 300m of the railway right-of-way, warning prospective purchasers or tenants of the existence of the Railway's operating right-of-way; the possibility of alterations including the possibility that the Railway may expand its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuating measures in the design of the subdivision and individual units, and that the Railway will not be responsible for complaints or claims arising from the use of its facilities and/or operations.
  5. Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the Railway, and be substantiated by a drainage report to be reviewed by the Railway.
  6. A 1.83 metre high chain link security fence be constructed and maintained along the common property line of the Railway and the development by the developer at his expense, and the developer is made aware of the necessity of including a covenant running with the lands, in all deeds, obliging the purchasers of the land to maintain the fence in a satisfactory condition at their expense.
  7. Any proposed utilities under or over railway property to serve the development must be approved prior to their installation and be covered by the Railway's standard agreement.
-





## **PRINCIPAL MAIN LINE REQUIREMENTS**

- A.** Safety setback of habitable buildings from the railway rights-of-way to be a minimum of 30 metres in conjunction with a safety berm. The safety berm shall be adjoining and parallel to the railway rights-of-way with returns at the ends, 2.5 metres above grade at the property line, with side slopes not steeper than 2.5 to 1.
  - B.** The Owner shall engage a consultant to undertake an analysis of noise. At a minimum, a noise attenuation barrier shall be adjoining and parallel to the railway rights-of-way, having returns at the ends, and a minimum total height of 5.5 metres above top-of-rail. Acoustic fence to be constructed without openings and of a durable material weighing not less than 20 kg. per square metre of surface area. Subject to the review of the noise report, the Railway may consider other measures recommended by an approved Noise Consultant.
  - C.** Ground-borne vibration transmission to be evaluated in a report through site testing to determine if dwellings within 75 metres of the railway rights-of-way will be impacted by vibration conditions in excess of 0.14 mm/sec RMS between 4 Hz and 200 Hz. The monitoring system should be capable of measuring frequencies between 4 Hz and 200 Hz,  $\pm 3$  dB with an RMS averaging time constant of 1 second. If in excess, isolation measures will be required to ensure living areas do not exceed 0.14 mm/sec RMS on and above the first floor of the dwelling.
  - D.** The Owner shall install and maintain a chain link fence of minimum 1.83 metre height along the mutual property line.
  - E.** The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way: "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."
  - F.** Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
  - G.** The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.
  - H.** The Owner shall enter into an Agreement with CN stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement.
  - I.** The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.
-