

Attachment 3 – Conditions of Approval
Site Development File DA.21.023 (Kleinburg Village Development Corp.)

1. THAT prior to the execution of the Site Plan Agreement:
 - a) The Development Planning Department shall approve the final site plan, building elevations, landscape plan, landscape details, landscape cost estimate and lighting plan.
 - b) The Development Engineering Department shall approve the final site servicing and grading plan, erosion control plan, Noise Report, and Functional Servicing and Stormwater Management Report.
 - c) The Owner shall provide the required technical documents for external works pertinent to the service connections for the Subject Lands, including, but not limited to, general notes, plan and profiles, erosion and sediment control, composite utilities, and temporary traffic control plans, to the satisfaction of the Development Engineering Department.
 - d) The Draft Plan of Subdivision File 19T-21V005 shall be registered on title in the Land Registry Office.
 - e) The Owner shall provide the City a one-time financial contribution in the amount of \$85,944.00. This represents the Owner's proportionate share of the required sanitary sewer system improvements in the Kleinburg-Nashville service area. The calculation is based on sanitary sewer system upgrades identified in the City's Focus Area Core Servicing Strategy.
 - f) The Private Property Tree Removal and Protection Permit Application submitted for the removal of trees for the adjacent property to the south of the Subject Lands, being 10391 Islington Avenue (the Kleinburg Public School) shall be approved by the Parks, Forestry and Horticulture Operations Department.
 - g) The Owner shall pay the Development Engineering Site Plan fee pursuant to the Fees and Charges By-law, as amended.
 - h) The Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division. The Owner shall also agree in the Site Plan Agreement that the development will have private waste collection services.
 - i) The Owner shall convey the valleylands and open space buffer area zoned "OS1 Open Space Conservation Zone" into public ownership (i.e. the Toronto and Region Conservation Authority) free of all charges and encumbrances.
 - j) The Owner shall satisfy all requirements of the Parks Infrastructure Planning and Development Department, including the following:

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- i) The Owner shall agree in the site plan agreement to erect a 1.8 m high black vinyl chain link fence barrier for any lots/blocks that abut the adjacent open space block.
 - ii) The planting/compensation planting plan be adjusted/revised, if required, to account for the future pedestrian walkway/trail located within the valleylands.
 - iii) The Owner shall convey a Blanket Easement (the “Blanket Easement”) over the open space / valley lands, zoned “OS1 Open Space Conservation Zone” (“the Blanket Easement Lands”), in favour of the City of Vaughan for the purposes of public access and the construction and maintenance of a future public trail/walkway (the “Public Trail/Walkway”) over the portion of the Blanket Easement Lands.
 - k) The Owner shall satisfy all requirements of York Region relating to File SP.21.V.0128.
 - l) The Owner shall satisfy all requirements from Canada Post, Alectra Utilities Corporation, Enbridge Gas Inc., Bell Canada and Hydro One.
 - m) The Owner shall satisfy all requirements of the Toronto and Region Conservation Authority.
2. THAT the Site Plan Agreement shall include the following provisions and/or warning clauses, to the satisfaction of the City:
- a) For all Offers of Agreement of Purchase and Sale or Lease for any Lots/Blocks adjacent to the Open Space Block:

"Purchasers and/or tenants are advised that a multi-use recreational trail/walkway/trailhead will be constructed behind or adjacent to the lot in the future and that lighting and noise should be expected from the use, operation and/or maintenance of this trail system."
 - b) For all Offers of Agreement of Purchase and Sale or Lease for any Lots/Blocks

"Purchasers and/or tenants are advised that the maintenance of the Commemorative Heritage Plaque and enhanced landscaping along the Stegman's Mill Road right-of-way shall be the responsibility of the future Condominium Corporation"

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- c) “In cooperation with the Owner, the City may choose to unveil the Commemorative Heritage Plaque at a future ceremony involving the Public”
- d) “The Owner agrees that any subsurface infrastructure shall be situated within the Parcels of Tied Land (“POTLs”) of the proposed units fronting onto the common element condominium road pursuant to the Site Plan Agreement and schedules, and the condominium declaration shall require the Condominium Corporation to maintain and manage the subsurface infrastructure and reserve a right of entry for the Condominium Corporation onto those POTLs to carry out such obligations.”
- e) “Prior to the Owner carrying out and constructing the works relating to the approved Site Plan Agreement and Site Development File DA.21.023, the Owner shall provide to the Development Engineering Department written confirmation from a Professional Engineer (as defined by the *Professional Engineers Act, R.S.O. 1990, c.P.28*, as amended) to the Development Engineering Department confirming that the construction and alignment of any of the retaining walls depicted within the approved Site Plan Agreement and Site Development File DA.21.023, will not encroach into any abutting properties. Notwithstanding the foregoing, retaining wall encroachments shall only be permitted for construction purposes if the Owner obtains written consent from the abutting property owner(s) in a form satisfactory to Vaughan.”
- f) “The Owner shall agree to notify both the Ministry of Tourism, Culture and Sport and the City of Vaughan Development Planning Department immediately in the event that:
 - i. archaeological resources are found on the property during grading or construction activities, to which the Owner must cease all grading or construction activities; and
 - ii. where human remains are encountered during grading or construction activities, the Owner must cease all grading or construction activities. The Owner shall contact York Region Police, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.”
- g) “Prior to commencement of any work on the Lands, the Owner shall arrange a preconstruction meeting with representatives of the Vaughan Development, Inspection and Lot Grading Division of the Development Engineering Department to advise Vaughan of the intended construction schedule, contact names and telephone numbers and details of means to

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protect and maintain clean roadways, municipal services and properties beyond the Lands.”

- h) “Prior to the discharge of any water originating from a source other than Vaughan’s water supply, including water originating from groundwater accumulating or collected on private lands (“Private Groundwater Discharge”) to Vaughan’s storm sewer system, the Owner shall obtain a Discharge Approval for ground water discharge (“Discharge Approval”) from Vaughan, if required by Vaughan.
- i. The Owner shall install all works to carry out the Private Groundwater Discharge (“Discharge and Related Works”) in accordance with the terms and conditions of the Discharge Approval, all to Vaughan’s satisfaction
 - ii. The Owner shall ensure that the Discharge Approval is in full force and effect and that the Discharge and Related Works are in good standing in accordance with the terms and conditions of the Discharge Approval and operating to Vaughan’s satisfaction.”
- i) “the Condominium Corporation shall be responsible for the regular cleaning and maintenance of all catch basins, area drains, Oil Grit Separator, and sewers within the lands.”
- j) “The Owner shall abide by the requirements of the Endangered Species Act (2007) and the Migratory Birds Convention Act (1994) prior to the removal of any tree. The Owner shall complete an information request form and submit it to the Ministry of Natural Resources and Forestry for confirmation of any potential Species at Risk on the Subject Lands.”