

ATTACHMENT 1

CONDITIONS OF DRAFT APPROVAL

**DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-17V011 ('PLAN')
2410174 ONTARIO INC. ('OWNER')
PART OF LOT 6, CONCESSION 7, CITY OF VAUGHAN**

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN ('CITY') THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-17V011, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to a Draft Plan of Condominium, prepared by Krcmar Surveying Inc., Drawing Name 10-012DC01, dated November 21, 2017.
2. The Owner shall enter into a Condominium Agreement with the City and shall agree to satisfy any conditions that the City may consider to be outstanding as part of Site Development File DA.11.073 and the Ontario Municipal Board Decision (Case # PL120407) respecting the Plan.
3. Prior to the execution of the Condominium Agreement the Owner shall provide confirmation that a Record of Site Condition ('RSC') has been filed with the Ministry of the Environment, Conservation and Parks (MECP) to the satisfaction of the Development Engineering Department.
4. Prior to the execution of the Condominium Agreement a Zoning By-law shall be enacted by Vaughan Council to remove the Holding Symbol "(H)" from the subject lands.
5. The Condominium Agreement shall be registered on title against the lands to which it applies, at the Owner's expense.
6. The following provisions shall be included in the Condominium Agreement:
 - a) The Condominium Corporation shall be responsible to regularly clean and maintain all driveway catch basins.
 - b) The Condominium Corporation shall be responsible for private waste collection, snow removal and clearing.
 - c) Upon the registration of an Agreement with the Solid Waste Management Division, the Condominium Corporation may be eligible for municipal

waste collection services. Should the Condominium Corporation be deemed ineligible by the City or choose not to enter into an Agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the Condominium Corporation.

- d) Prior to the registration of the final Plan, the Owner shall confirm to the Development Planning Department that they have paid all taxes and levies, all additional municipal levies, if applicable, development charges and all financial requirements of this development as may be required by the Financial Planning and Development Finance Department. The Owner also certifies acknowledgement of responsibility for the payment of all taxes levied to date, both interim and final, and all taxes levied upon the land after execution of this Condominium Agreement, if required, until each unit covered under this Condominium Agreement is separately assessed.
- e) Prior to the registration of the final Plan the Owner must confirm that sufficient wire-line communication infrastructure is available. In the event that such infrastructure is unavailable, the Owner shall be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Owner elects not to pay for the above noted connection, then the Owner will be required to demonstrate to the satisfaction of the City of Vaughan that sufficient alternative communication/telecommunication will be provided to enable, at a minimum, the effective delivery of communication/telecommunication services for Emergency Management Services (i.e. 911 Emergency Services).
- f) Prior to the registration of the final Plan the Condominium Corporation agrees to provide a private access easement or other arrangement in favour of the lands to the west for the purpose of a driveway access for the adjacent property to the west, if redeveloped in the future, and for the west driveway, which has access to Benjamin Drive and Regional Road 7 to the satisfaction of the City of Vaughan and York Region at the sole cost and expense of the Owner of the adjacent lands to the west and such Owner of the adjacent lands to the west shall also be required to enter into a cost sharing/shared facility agreement for the inter alia, maintenance, construction and insurance associated with such driveway on the subject property with the Condominium Corporation. A condition to this effect shall be included in the Condominium Declaration
- g) The Owner shall include in all Offers of Purchase and Sale and lease, a clause indicating that the west driveway, which has access to both Regional Road 7 and Benjamin Drive shall remain unobstructed for the

purpose of access to Benjamin Drive and Regional Road 7, and that the members of the public may travel across the west driveway between Regional Road 7 and Benjamin Drive. Further, there shall also be a clause indicating that the lands to the west, if developed may require access over the subject lands in the future to the satisfaction of the City of Vaughan and York Region; which access shall be at the sole cost and expense of the Owner of the adjacent lands to the west and such Owner of the adjacent lands to the west shall also be required to enter into a cost sharing/shared facility agreement for inter alia, maintenance, construction and insurance associated with the shared use of the west driveway on the subject property with the Owner/Condominium Corporation. A condition to this effect shall be included in all condominium documents, including the Condominium Declaration.

7. Prior to the registration of the final Plan, the Owner shall submit an "as-built" survey to the satisfaction of the Building Standards Department.
8. Prior to the registration of the final Plan, the Owner and their Solicitor and Land Surveyor shall confirm that all required easements and rights-of-way for utilities, drainage and construction purposes have been granted to the appropriate authorities.
9. Any other conditions received after Council approval and prior to final approval of the Condominium approval process shall be included in the Condominium Agreement.

Development Engineering Conditions

10. That prior to the execution of the Condominium Agreement the Owner shall provide confirmation that a RSC has been filed with the MECP to the satisfaction of the Development Engineering Department.

Alectra Utilities Corporation

11. Prior to the registration of the final Plan the Owner shall obtain final clearance from Alectra Utilities.

Canada Post

12. Prior to the registration of the final Plan the Owner shall obtain final clearance from Canada Post.

Enbridge Gas Distribution

13. Prior to the registration of the final Plan the Owner shall obtain final clearance from Enbridge Gas Distribution.

Bell Canada

14. Prior to the registration of the final Plan the Owner shall obtain final clearance from Bell Canada.

York Region

15. Prior to the registration of the final Plan, the Owner shall provide confirmation that all of the conditions of Site Plan Approval issued for the subject property under Regional File No. SP-V-030-11 have been satisfied.
16. Prior to the registration of the final Plan, the Owner shall execute all Regional agreements and obtain all of the necessary permits required as part of the Site Plan Approval for the subject property issued under Regional File No. SP-V-030-11.
17. Prior to the registration of the Plan, the Owner shall confirm that all of the works within the Regional right-of-way have completed to the satisfaction of York Region or that York Region holds sufficient securities to cover the cost of any outstanding works. Should there be insufficient security to cover the cost of the remaining works, the Owner shall arrange for the deposit of additional securities in the amount sufficient to cover the cost of all outstanding works.
18. Prior to the final registration of the condominium corporation, the Owner shall:
 - i. Complete the remediation program as set out in the Remediation and Indemnity Agreement;
 - ii. Obtain and submit to the Region a Record of Site Condition ("RSC") issued by the Ontario Ministry of the Environment, Conservation and Parks ("MECP") for the lands being retained by the Owner, copies of all supporting documentation used in the filing of the RSC for the Region's review and approval and the Region will be extended reliance on such supporting documentation on terms satisfactory to the Region;
 - iii. Obtain and submit to the Region a RSC issued by the MECP for the lands to be conveyed to the Region, copies of all supporting documentation used in the filing of the RSC, for the Region's review and approval and the Region will be extended reliance on such supporting documentation on terms satisfactory to the Region; and

- iv. Subject to the satisfaction of the applicable terms of the Remediation and Indemnity Agreement, convey lands described as Part 2 on Plan 65R-36458 to the Region, free of all costs and encumbrances, and to the satisfaction of the Regional Solicitor.
- 19. At the time of conveyance of Part 2 on Plan 65R-36458, the Owner shall provide the Region with a certified written statement from the Owner or the Owner's authorized representative that, except as expressly disclosed in the supporting document referenced in Condition 17, no contaminant, 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, on, in or under lands to be conveyed to the Region (including soils, substrata, surface water and groundwater, as applicable): (i) at the time of conveyance, at a level or concentration that exceeds the Environmental Protection Act O. Reg. 153/04 (as amended) full depth generic site condition standards applicable to the intended use of such lands by the Region or any other remediation standards published or administered by governmental authorities applicable to the intended land use; and (ii) in such a manner, condition or state, or is emanating or migrating from such lands in a way, that would contravene applicable environmental laws.
 - 20. The Owner shall include in all Agreements of Purchase and Sale and/or Lease, Condominium Agreement, Condominium Declaration, a clause stating that despite the inclusion of noise attenuation features within the development area and within the individual building units, noise levels will continue to increase, occasionally interfering with some activities of the building's occupants.
 - 21. Prior to the registration of the final Plan, the Owner shall provide confirmation that all transfers of obligation have been completed where Regional Agreements require responsibility to change from the Owner to the Condominium Corporation.
 - 22. Any other conditions received after Council approval and prior to final approval of the Condominium approval process shall be included in the Condominium Agreement.

Clearances

- 23. The City of Vaughan Development Planning Department shall advise that Conditions 1 to 10 have been satisfied.
- 24. Alectra Utilities Corporation shall advise the City of Vaughan Development Planning Department in writing that Condition 11 has been satisfied.
- 25. Canada Post shall advise the City of Vaughan Development Planning Department in writing that Condition 12 has been satisfied.

26. Enbridge Gas Distribution shall advise the City of Vaughan Development Planning Department in writing that Condition 13 has been satisfied.
27. Bell Canada shall advise the City of Vaughan Development Planning Department in writing that Condition 14 has been satisfied.
28. York Region shall advise the City of Vaughan Development Planning Department in writing that Conditions 15 to 20 have been satisfied.