

Schedule "A"

CONDITIONS OF APPROVAL

**DRAFT PLAN OF SUBDIVISION (SUB-2019-01)
1000504782 Ontario Inc. (the "Owner")
15385 and 15395 Bayview Avenue, legally described as Part Lot 21, Con. 2, Aurora,
being all of PINs 03642-0023 and 03642-0980 (the "Lands")**

DRAFT PLAN APPROVAL AND THE FOLLOWING DRAFT PLAN CONDITIONS SHALL LAPSE AT THE EXPIRATION OF THREE YEARS FROM _____, BEING THE DATE THAT THE DRAFT PLAN OF THE LANDS HAS BEEN APPROVED BY THE COUNCIL OF THE CORPORATION OF THE TOWN OF AURORA (THE "TOWN"). PROVIDED THAT DRAFT PLAN APPROVAL HAS NOT LAPSED, COUNCIL MAY, AT ITS SOLE DISCRETION, EXTEND THE APPROVAL.

THE CONDITIONS OF THE TOWN'S COUNCIL THAT SHALL BE SATISFIED BY THE OWNER OF THE LANDS PRIOR TO THE TOWN'S RELEASE FOR REGISTRATION OF ANY M-PLAN OF THE LANDS (THE "PLAN"), ARE AS FOLLOWS:

Planning Division Conditions

1. The final draft plan prepared by Michael Smith Planning Consultants Development Coordinators Ltd. dated June 12, 2018 with respect to subdividing the Lands to create four (4) blocks on a plan of subdivision (the "Draft Plan") and associated conditions of Draft Plan approval shall be amended to the satisfaction of the Planning Division if revisions are required to implement or integrate any recommendations resulting from studies required as a condition of Draft Plan approval. Further, minor redline revisions to the Draft Plan may also be required to ensure property alignment with existing or proposed lots, blocks, streets, and/or facilities on lands adjacent to the Draft Plan.
2. Prior to the release for registration of the M-Plan, the Owner shall submit, to the satisfaction of the Planning Division, the final draft M-Plan in the following form:
 - a) an electronic and hardcopy version of the signed white paper print approved by the Land Registry Office for registration;
 - b) one (1) original mylar;
 - c) two (2) mylar duplicates; and
 - d) three (3) white paper prints, one (1) of which contains an A.O.L.S form.
3. Prior to the release for registration of the M-Plan, the Lands shall be appropriately zoned by a zoning by-law with a Holding provision that has come into effect in accordance with the provisions of the *Planning Act*, which includes the terms under which the Town's Council will consider the removal of a holding "H" symbol on the Lands.
4. Prior to the Town's release for registration of the M-Plan, the Owner shall enter into and execute a No Pre-sale Agreement with the Town, to be registered on title to the Lands at the expense of the Owner, in which the Owner shall agree to not offer for sale, agree to sell, or enter into any Agreements of Purchase and Sale or related agreements for any portion of the Blocks on the Draft Plan until:
 - a) servicing allocation has been formally assigned by the Town;
 - b) the holding "H" symbol has been removed from the Lands; and

- c) the parcels of land to be subdivided and sold to future homeowners have been approved by the Town in accordance with the *Planning Act*.

Any Agreements of Purchase and Sale Agreements with non-end users shall contain a condition that requires the purchaser and any subsequent purchaser to enter into a separate No Pre-sale Agreement with the Town on the same terms and conditions.

5. Prior to the Town's release for registration of the Plan, the Owner shall enter into and execute any agreement(s) with the Town necessary to satisfy all conditions, legal, financial (including fees and securities), and otherwise of the Town.

Legal Services Division Conditions

6. Prior to the release for registration of the Plan, the Owner shall provide, to the satisfaction of the Town Solicitor, a Solicitor's Title Opinion for the Lands, together with:
 - a) the final draft M-Plan signed by the Surveyor and the related Plan Document as preapproved by the Land Registry Office for registration;
 - b) the Surveyor's Frontage and Area Certificate for the draft M-Plan;
 - c) an updated copy of the title PIN(s) for the Lands; and
 - d) a Certificate of Corporate Status and Clear Writ of Execution for the Owner.

York Region Conditions

7. Refer to attached Schedule A.1.

Lake Simcoe Region and Conservation Authority Conditions

8. Refer to attached Schedule A.2.

Central York Fire Services Conditions

9. Refer to attached Schedule A.3.

Clearances

- The Town's Planning Division shall advise that Conditions 1-5 have been satisfied, stating briefly how each condition has been met.
- The Town's Legal Services Division shall advise that Condition 6 has been satisfied, stating briefly how this condition has been met.
- York Region shall advise that Condition 7 has been satisfied; stating briefly how this condition has been met.
- The Lake Simcoe Region Conservation Authority shall advise that Condition 8 has been satisfied, stating briefly how this condition has been met.
- Central York Fire Services shall advise that Conditions 9 has been satisfied; stating briefly how this condition has been met.

Schedule "A.1"

YORK REGION CONDITIONS OF APPROVAL

1. The Owner shall enter into an agreement with the Town of Aurora, which shall be registered on title, committing the owner to:
 - a. Not enter into any agreement or purchase and sale with end users (*) for the subject lands until such time as, i. The Council of the Town of Aurora has allocated, within the limit of the Regional capacity assignment, adequate available water and wastewater servicing capacities to the subject development; and, ii. York Region has advised in writing that it is no earlier than twelve (12) months prior to the expected completion of all water and wastewater infrastructure required to support the Region's capacity assignment pertaining to the Town of Aurora allocation used for the subject development; or b. The Town approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure; or c. The Regional Commissioner of the Environmental Services and the Town of Aurora confirm servicing capacity for this development by a suitable alternative method and the Town of Aurora allocates the capacity to this development.

AND

- b. Not enter into any agreements of purchase and sale with non end users for the subject lands unless the agreement of purchase and sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the Town of Aurora. This agreement shall be registered on title, committing the owner to the same terms as set out in the above A item. 2. The Owner shall enter into an indemnity agreement with York Region. The agreement shall be registered on title, agreeing to save harmless York Region from any claim or action as a result of York Region releasing conditions and pre-conditions of draft approval as part of the draft approval of the subject Plan of Subdivision or any phase thereof by the Town of Aurora, including, but not limited to claims or actions resulting from, water or sanitary sewer service not being available when anticipated. The agreement shall include a provision that requires all subsequent purchasers of the subject lands, who are not end users, to enter into a separate agreement with York Region as a condition of the agreement of purchase and sale, agreeing to indemnify York Region on the same terms and conditions as the owner. (*) the term 'end users', for the purpose of the above-noted pre-conditions, is defined as the eventual homeowner who is purchasing a dwelling for the purpose of occupancy.
2. Clauses to be Included in the Town's Subdivision Agreement:
 - a. The Owner shall save harmless the Township of Aurora and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
 - b. The Owner shall agree that the access to Bayview Avenue will be restricted to right-in, right-out operation only.

- c. The Owner shall agree in the Subdivision Agreement to include the following clause in the subsequent Site Plan Agreement(s), Purchase and Sale Agreement(s), Condominium Agreement(s) and Declaration of Condominium Agreement(s) "THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT THE ACCESS TO BAYVIEW AVENUE IS RESTRICTED TO RIGHT-IN RIGHT-OUT OPERATION ONLY."
- d. The Owner shall agree to implement noise attenuation features as recommended by the noise study and to the satisfaction of Development Engineering.
- e. The Owner shall agree that where berm, noise wall, window and/or oversized forced air mechanical systems are required, these features shall be certified by a professional engineer to have been installed as specified by the approved Noise Study and in conformance with the Ministry of Environment guidelines and the York Region Noise Policy.
- f. The following warning clause shall be included with respect to the lots or blocks affected:
 - i. "Purchasers are advised 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".
- g. Where noise attenuation features will abut a York Region Right-Of-Way, the Owner shall agree in wording satisfactory to York Region's Development Engineering, as follows:
 - i. That no part of any noise attenuation feature shall be constructed on or within the York Region right-of-way;
 - ii. That noise fences adjacent to York Region roads may be constructed on the private side of the 0.3 metre reserve and may be a maximum 2.5 metres in height, subject to the area municipality's concurrence;
 - iii. That maintenance of the noise barriers and fences bordering on York Region Right-Of-Way's shall not be the responsibility of York Region.
- h. The Owner shall agree to be responsible for determining the location of all utility plants within York Region Right-Of-Way and for the cost of relocating, replacing, repairing and restoring any appurtenances damaged during construction of the proposed site works. The Owner must review, or ensure that any consultants retained by the Owner, review, at an early stage, the applicable authority's minimum vertical clearances for aerial cable systems and their minimum spacing and cover requirements. The Owner shall be entirely responsible for making any adjustments or relocations, if necessary, prior to the commencement of any construction.
- i. The Owner shall agree to advise all potential purchasers of the existing and future introduction of transit services. The Owner/consultant is to contact YRT Contact Centre (tel. 1-866-668-3978) for route maps and the future plan maps.

3. Conditions to be Satisfied Prior to Final Approval:

- a. The road allowance included within the draft plan of subdivision shall be named to the satisfaction of the Town of Aurora and York Region.
- b. The Owner shall provide to the Region the following documentation to confirm that water and wastewater services are available to the subject development and have been allocated by the Town of Aurora: A copy of the Council resolution confirming that the Town of Aurora has allocated servicing capacity, specifying the specific source of the capacity, to the development proposed within this draft plan of subdivision; and A copy of an email confirmation by Town of Aurora staff stating that the allocation to the subject development remains valid at the time of the request for regional clearance of this condition.
- c. The Owner shall demonstrate that the existing centre concrete median on Bayview Avenue will be extended from River Ridge Boulevard south of the proposed right-in/right-out access to enforce the turning restriction, to the satisfaction of the Region.
- d. York Region is protecting a 36.0 metres right-of-way for this section of Bayview Avenue. As such, York Region requests that all municipal setbacks be referenced from a point 18.0 metres from the centreline of construction of Bayview Avenue.
- e. Upon registration of the plan, the Owner shall convey the road widening across the full frontage of the site where it abuts Bayview Avenue to provide a minimum of 18.0 metres setbacks from the centreline of construction of Bayview Avenue to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of the Regional Solicitor.
- f. 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.
- g. 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 certificate 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.

- h. Upon registration of the plan, the Owner shall convey the road widening across the full frontage of the site where it abuts Bayview Avenue to provide a minimum of 18.0 metres setbacks from the centreline of construction of Bayview Avenue to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of the Regional Solicitor.
- i. The Owner shall provide an executed Subdivision Agreement to the Regional Corporate Services Department, outlining all requirements of the Corporate Services Department.
- j. For any applications (Site Plan or Zoning By-law Amendment) completed after January 1, 2020, the Owner shall enter into a Development Charge Rate Freezing Agreement with York Region to freeze/lock in the Development Charge rate at the time the site plan application or Zoning By-law Amendment is deemed complete submission, satisfy all conditions, financial and otherwise, and confirm the date at which Regional development charge rates are frozen; 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. Please contact Fabrizio Filippazzo, Manager, Development Financing Administration to initiate a Development Charge Agreement with York Region.
- k. The Regional Corporate Services Department shall advise that the above Conditions have been satisfied.

Schedule "A.2"

LAKE SIMCOE REGION CONSERVATION AUTHORITY CONDITIONS OF APPROVAL

1. That this approval is applicable to the Draft Plan of Subdivision prepared by Michael Smith Planning Consultants Development Coordinators Ltd., (dated June 12, 2018 revision date July 3, 2019) and may be subject to redline revisions based on the detailed technical plans and studies.
2. That prior to final plan approval and any major site alteration, the following shall be prepared to the satisfaction of the LSRCA and Town:
 - a. A detailed Stormwater Management Report in accordance with Lake Simcoe Region Conservation Authority Technical Guidelines for Stormwater Management Submissions and in conformity with the Stormwater Management Master Plan approved under Strategic Action 4.5-SA of the Lake Simcoe Protection Plan;
 - b. A detailed erosion and sediment control plan;
 - c. A detailed grading and drainage plan;
 - d. A detailed water balance and phosphorous budget in concert with 4.8-DP of the Lake Simcoe Protection Plan and 6.40-DP of the Lake Simcoe Protection Plan if applicable;
 - e. A Detailed Geotechnical Report for the proposed Stormwater Pond;
 - f. A Detailed Low Impact Development (LID) Evaluation demonstrating the means to maximize the use of LID measures consistent with Policy 1.6.6.7 of the Provincial Policy Statement (2014);
3. That prior to final approval, the following shall be undertaken to the satisfaction of the LSRCA, in accordance with the South Georgian By Lake Simcoe Source Protection Plan:
 - a. Detailed Hydrogeological Report / Water Balance
 - b. Compensatory measures if required
4. That prior to final approval, the following shall be undertaken to the satisfaction of the LSRCA, in accordance with the Phosphorous Offsetting Policy:
 - a. Phosphorous budget
 - b. Compensatory measures if required
5. That the owner shall agree in the Subdivision Agreement to carry out, or cause to be carried out, the recommendations and requirements contained within the plans and reports as approved by the LSRCA and the Town.
6. That the owner shall agree in the Subdivision Agreement to retain a qualified professional to certify in writing that the works were constructed in accordance with the plans and reports as approved by the LSRCA and the Town.
7. That the owner shall agree in the Subdivision Agreement to ensure that proper erosion and sediment control measures will be in place in accordance with the approved Grading and Drainage Plan, and Erosion and Sediment Control Plan prior to any site alteration or grading.

8. That the owner shall agree in the Subdivision Agreement to grant any easements required for storm water management purposes to the Town.
9. That prior to final plan approval, the owner shall pay all development fees to the LSRCA in accordance with the approved fees policy, under the Conservation Authorities Act.
10. That the owner shall agree in the Subdivision Agreement to maintain all existing vegetation up until a minimum of 30 days prior to any grading or construction on-site in accordance with 4.20b.-DP of the Lake Simcoe Protection Plan.
11. That prior to final approval the provisions of the Endangered Species Act shall be addressed to the satisfaction of the Ministry of Natural Resources and Forestry.
12. The Owner shall agree in the Subdivision Agreement to indemnify and save harmless the municipality and the LSRCA from all costs, losses, damages, judgements, claims, demands, suits, actions, or complaints resulting from any increased flooding or erosion to property and people as a result of the approved storm water management scheme. The Owner shall obtain and maintain in full force and effect during the term of this agreement general liability insurance with respect to the storm water management works and system.
13. The LSRCA will require the following prior to the issuance of a clearance letter:
 - a. A copy of the executed subdivision agreement.
 - b. A copy of the draft M-Plan.
 - c. A letter from the developer's planning consultant detailing how each LSRCA condition of draft plan approval has been fulfilled to the satisfaction of the conservation authority.

Schedule "A.3"

CENTRAL YORK FIRE SERVICES CONDITIONS OF APPROVAL

1. A clause shall be added to the Subdivision Plan Agreement to ensure that prior to and during construction, a minimum of temporary street signage must be in place to assist emergency responses and access for emergency vehicles shall be maintained at all times.
2. A clause shall be added to the Subdivision Plan Agreement to ensure that prior to and during construction, all roads must be complete to a minimum base coat and be able to support emergency vehicles with site access acceptable to Central York Fire Services.
3. A clause shall be added to the Subdivision Plan Agreement to ensure that prior to and during construction, provisions are provided for access for emergency vehicles.
4. A clause shall be added to the Subdivision Plan Agreement to ensure that prior to and during construction, water supply for firefighting, including hydrants must be installed and operational. Private hydrants shall be installed in accordance with Town of Aurora Engineering Design Standards.
5. Private yard fire hydrants shall be installed in accordance with the applicable Municipal Design Standards and Criteria.
6. Ensure municipal address is prominently displayed on the site for each building to enable identification for emergency services.
7. Authorization signs shall be placed at points on commencement and termination of the fire route, respectively, and at 23.0 metre intervals in between the said points of the commencement and termination. Where the fire route abuts the face of a building, fire route signs may be affixed to the face of the building at a minimum height of 2.0 metres, and a maximum height of 2.75 metres. Where the fire route abuts a sidewalk or landscaped area, fire route signs shall be erected on permanent posts at a minimum height of 2.0 metres, and a maximum height of 2.75 metres.
8. Approved signs shall be installed to indicate the location of the designated fire route. Signs to indicate by-law number 4574-04.T