

Appendix E

The Corporation of The Town of Richmond Hill

Schedule of Conditions

Draft Plan of Subdivision

File 19T(R)-15001

Stateview Homes (Kings Landing) Inc.

Lots 1-4, Plan 563, Part of Lots 31 and 32, Plan 202

Town of Richmond Hill

Town of Richmond Hill

Development Planning Division

1. Approval shall relate to a draft Plan of Subdivision prepared by Evans Planning, dated July 16, 2016 with a revision date of November 29, 2017.
2. The lands within this draft Plan of Subdivision shall be appropriately zoned by a zoning by-law which has come into effect in accordance with the provisions of the *Planning Act*.
3. Prior to final approval of the Plan, the Owner shall provide the Town with evidence in the form of an Ontario Land Surveyor Certificate that:
 - a) any existing buildings or structures on the lands as of the date of final approval, are situated so as to comply with applicable zoning by-laws after registration of the plan; and,
 - b) all lot frontages and lot areas within the plan conform to the applicable zoning by-law.
4. The road allowances included within this draft Plan of Subdivision shall be named to the satisfaction of the Town and the York Region Planning and Development Services Department.

Development Engineering Division

5. The Owner shall agree that maintenance of any retaining walls constructed within this draft Plan of Subdivision shall be the responsibility of the Owner, and of subsequent Owners. Retaining walls shall not be constructed upon lands to be transferred to the Town or other public authority.
6. The Owner shall agree to provide the Town with digital copies of the draft and final Plan of Subdivision and all reference plans in accordance with the Town's

digital submission requirements. These plans shall be tied to horizontal control at a minimum of three (3) locations at the extreme corners of the plan.

7. The Owner shall convey to the Town all lands or easements required for municipal servicing within or external to the plan to the satisfaction of the Commissioner of Planning and Regulatory Services. Such lands or easements shall be granted to the Town in priority to all charges and encumbrances and shall be conveyed without monetary consideration.

Regional Municipality of York

Regional Planning and Development Services Department

8. The road allowances included within this draft Plan of Subdivision shall be named to the satisfaction of the Town and the Regional Planning and Development Services Department.
9. Prior to final approval, York Region shall confirm that adequate water supply and sewage servicing capacity are available and have been allocated by the Town of Richmond Hill for the development proposed within this draft Plan of Subdivision or any phase thereof. Registration of the Plan of Subdivision shall occur in phases based on the availability of water supply and sewage servicing allocation.
10. The Owner shall save harmless the Town of Richmond Hill and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
11. Prior to final approval, the engineering drawing showing the layout of the watermains and sewers shall be submitted to the Infrastructure Asset Management Branch for review.
12. The Owner shall agree that any direct connection (temporary or permanent) to a York Region water or wastewater system requires Regional approval prior to construction, and engineering drawings showing details of the connection shall be submitted to the Infrastructure Asset Management Branch for approval.
13. Prior to final approval, the Owner shall agree that no direct access will be permitted onto King Road from any blocks within the proposed draft plan of subdivision. All accesses must be provided via local roads.
14. Prior to final approval, the Owner shall agree to provide direct shared pedestrian/cycling facilities and connections from the proposed development to King Road to support active transportation. A drawing shall be provided to clearly show the locations of the connections.
15. Prior to final approval, the Owner shall agree to submit a revised Traffic Impact Study to the satisfaction of Transportation Services.

16. Prior to final approval, the Owner shall satisfy the Regional Municipality of York Transportation Services Department that the services to be installed within or in conjunction with the Plan will provide for sidewalks on both sides of the roadway listed below unless only one side of the street lies within the limits of the subject lands. The sidewalks shall meet the local municipality's standards, and be provided by the Owner along the subject lands' frontage onto roadway that has transit services.

Existing YRT/Viva transit services operate on the following roadway in the vicinity of the subject lands:

- King Road

17. Prior to final approval, the Owner shall satisfy the Regional Municipality of York Transportation Services Department and the area municipality that the services to be installed by the Owner within or in conjunction with the Plan will provide concrete pedestrian access connection from the internal roadways to the Regional roadway as follows:

- From "the site" to "King Road"

The concrete pedestrian access connection shall meet the local municipality's standards for sidewalks and shall be owned and maintained by the area municipality.

18. The Owner shall agree to convey lands to the local municipality to provide for such pedestrian access connection referred to in Condition 17 above.
19. Prior to final approval, the Owner shall submit drawings showing, as applicable, the sidewalk location to the satisfaction of York Region.
20. The Owner shall advise all potential purchasers of the existing transit services in this development as identified in Condition 16. This includes current transit routes, bus stops and shelter locations. This shall be achieved through distribution of information/marketing materials (YRT/Viva route maps, Future Plan maps & providing YRT/Viva website contact information) at sales offices and appropriate notification clauses in purchase agreements. The YRT/Viva route maps and the Future Plan maps are available from YRT/Viva upon request.
21. The Owner shall satisfy the Regional Municipality of York Transportation Services Department that the services to be installed within or in conjunction with the Plan will include illumination in accordance with the local municipality's design standards along all streets which have transit services, sidewalks, pedestrian access and bus stop locations.
22. The Owner shall provide a set of engineering drawings, for any works to be constructed on or adjacent to the King Road Right-Of-Way, to the Community Planning and Development Services Division, Attention: Manager, Development Engineering, that includes the following drawings:

- a) Plan and Profile for King Road;
 - b) Grading and Servicing;
 - c) Intersection/Road Improvements, including the recommendations of the Traffic Report;
 - d) Construction Access Design;
 - e) Utility and underground services Location Plans;
 - f) Signalization and Illumination Designs (if required);
 - g) Line Painting (if required);
 - h) Traffic Control/Management Plans;
 - i) Erosion and Siltation Control Plans;
 - j) Landscaping Plans, including tree preservation, relocation and removals;
 - k) Requirements of York Region Transit/Viva
23. Prior to final approval, the location and design of the construction access for the subdivision work shall be completed to the satisfaction of the Community Planning and Development Services Division and illustrated on the Engineering Drawings.
24. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Community Planning and Development Services Division, that all existing driveways along the King Road frontage of this subdivision will be removed as part of the subdivision work, at no cost to York Region.
25. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Community Planning and Development Services Division, that elevations along the ultimate streetline shall be 0.3 metres above the centreline elevations of King Road, unless otherwise specified by the Community Planning and Development Services Division.
26. Prior to final approval, the Owner shall submit drawings depicting the following to the satisfaction of York Region staff:
- a) All existing woody vegetation within the King Road Right-Of-Way;
 - b) Tree protection measures to be implemented on and off the King Road Right-Of-Way to protect Right-Of-Way vegetation to be preserved;
 - c) Any woody vegetation within the King Road Right-Of-Way that is proposed to be removed or relocated. However, it is to be noted that tree removal within the King Road Right-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; and,
 - d) A planting plan for all new and relocated vegetation to be planted within the King Road Right-Of-Way, is 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 and included in the subdivision agreement,

- they will require the approval of the Town and be supported by a Maintenance Agreement between the Town and the Region for Town maintenance of these features; any such Maintenance Agreement should indicate that where the area municipality does not maintain the feature to York Region's satisfaction, the area municipality will be responsible for the cost of maintenance or removal undertaken by the Region.
27. Prior to final 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 the Community Planning and Development Services Division recommending noise attenuation features.
 28. The Owner shall agree to implement the noise attenuation features as recommended by the noise study and to the satisfaction of the Community Planning and Development Services Division.
 29. 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.
 30. The following warning clause shall be included in a registered portion of the subdivision agreement with respect to the lots or blocks affected:

"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".
 31. Where noise attenuation features will abut the King Road Right-Of-Way, the Owner shall agree as follows:
 - a) That no part of any noise attenuation feature shall be constructed on or within the King Road Right-Of-Way;
 - b) That noise fences adjacent to King Road 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;
 - c) That maintenance of the noise barriers and fences bordering on the King Road Right-Of-Way shall not be the responsibility of York Region; and,
 - d) That any landscaping provided on the King Road Right-Of-Way by the Owner or the area municipality for aesthetic purposes must be approved by the Community Planning and Development Services Division and shall be maintained by the area municipality with the exception of the usual grass maintenance.
 32. Prior to final approval, the Owner shall agree that the following lands will be conveyed 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 King Road of sufficient width to provide a minimum of 18.0 metres from the centreline of construction of King Road;
 - b) A 15.0 metre by 15.0 metre daylight triangle at the northwest corner of King Road and Parker Avenue; and,
 - c) A 0.3 metre reserve across the full frontage of the site, where it abuts King Road and adjacent to the above noted widening and daylighting triangle.
33. Prior to final approval, in order to determine the property dedications required to achieve the ultimate Right-Of-Way width of King Road abutting the subject site, the applicant shall submit a recent plan of survey for the property that illustrates the existing centre line of construction of King Road.
34. Prior to final approval, 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 any lands to York Region.
35. The Region requires the Owner to submit, in general accordance with the requirements of the Environmental Protection Act and O. Reg. 153/04 Records of Site Condition Part XV.1 of the Act (as amended) ("O. Reg. 153/04"), a Phase I environmental site assessment ("Phase I ESA") of the Owner's lands that are the subject of the application, including the lands to be conveyed to the Region (the "Conveyance Lands"). The Phase I ESA cannot be more than 2 years old as of the actual date title to the Conveyance Lands is transferred to the Region. If the Phase I ESA is linked to different phases of development and there will be multiple conveyances of lands, the Phase I ESA prepared in respect of a specific conveyance and phase of development cannot be more than two years old as of the actual date of transfer of title to the Region. If a Phase I ESA is or would be more than two years old as of the actual date of transfer of title to the Region, the Phase I ESA will need to be either updated or a new Phase I ESA obtained by the Owner in accordance with the requirements of this section. The Region, at its discretion, may require further study, investigation, assessment and delineation to determine whether any remedial or other action is required regardless of the findings or conclusions of the Phase I ESA. Any Phase II environmental site assessment required by or submitted to the Region must be prepared in general accordance with the requirements of O. Reg. 153/04 (as noted above). Reliance on the Phase I ESA and any subsequent environmental reports or other documentation prepared in respect of the environmental condition of the lands must be provided to the Region and: (i) will be addressed to "The Regional Municipality of York"; (ii) contain wording to the effect that the Region is entitled to rely on such reports or documentation in their entirety; and (iii) the terms and conditions of the reliance extended (including any wording seeking to limit liability) must be satisfactory to the Region.
36. The Owner shall also provide the Region's Community Planning and Development Services Division with a certified written statement from the Owner or the Owner's authorized representative that 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.

The preparation and delivery of the Phase I ESA, any subsequent environmental reports, other documentation, reliance and the Owner's certified written statement shall be provided at no cost to the Region.

37. The Owner shall agree to be responsible to decommission any existing wells on the Owner's lands in accordance with all applicable provincial legislation and guidelines and to the satisfaction of the area municipality.
38. The Owner shall agree, prior to the development approval of Block 1, that direct vehicle access from Block 1 to King Road will not be permitted. Vehicular access to this block must be obtained to the local road network.
39. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Community Planning and Development Services Division, that pedestrian access to King Road shall be provided from Block 1.
40. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Community Planning and Development Services Division, that all local underground services will be installed within the area of the development lands and not within the King Road road allowance. If a buffer or easement is needed to accommodate the local services adjacent to the King Road Right-Of-Way, then the Owner shall provide a satisfactory buffer or easement to the area municipality, at no cost to the Region.
41. The Owner shall agree that the Owner will be responsible for determining the location of all utility plants within the 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.
42. 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.

Ministry Of Culture

43. Prior to final approval, and prior to the initiation of any grading, the Owner shall carry out an archaeological assessment of the entire area within this draft Plan of Subdivision and shall prepare a report which will identify significant archaeological sites to the satisfaction of the Town of Richmond Hill and the Archaeology and Heritage Planning Unit of the Ministry of Culture.
44. The Owner shall agree that no development or grading shall occur on any site identified as being archaeologically significant by the assessment referred to in Condition 43, until archaeological excavations of all significant sites within any phase for which final approval is sought has been carried out to the satisfaction of the Town of Richmond Hill and the Archaeology and Heritage Planning Unit of the Ministry of Culture.

Clearance Conditions

45. The Town of Richmond Hill shall advise that Conditions 1 to 7 inclusive have been satisfied; the clearance letter shall contain a brief statement detailing how each condition has been met.
46. The Regional Planning and Development Services Department shall advise that Conditions 8 to 42 have been satisfied; the clearance letter shall contain a brief statement detailing how each condition has been met.
47. The Ministry Culture shall advise that Conditions 43 and 44 have been satisfied; the clearance letter shall contain a brief statement detailing how each condition has been met.

NOTE: Where final approval for registration has not been given within three (3) years after the date upon which approval to the proposed Plan of Subdivision was given, The Town of Richmond Hill may, in its discretion, and pursuant to the *Planning Act*, R.S.O. 1990, withdraw its approval to this proposed Plan of Subdivision, unless approval has been sooner withdrawn, but The Town of Richmond Hill may from time to time extend the duration of the approval.

In accordance with Section 51(41) of the *Planning Act*, R.S.O. 1990, the decision to approve the draft Plan of Subdivision, subject to the above conditions, is deemed to have been made on _____.

Kelvin Kwan
Commissioner of Planning and Regulatory Services
The Town of Richmond Hill

Date: