

Appendix	C
SRPRS	19.128
File(s)	D02-16016, D03-16012

The Corporation of the City of Richmond Hill

Schedule of Conditions

Draft Plan of Subdivision

File 19T(R)-16012

**Highyon Development No. 118 LP**

**Part of Lots 11 and 12, Plan 1960**

**City of Richmond Hill**

**City of Richmond Hill**

**Development Planning Division**

1. Approval shall relate to a draft Plan of Subdivision prepared by Brutto Consulting, having Project Name CENTRAL PARK, dated June 6, 2018 with a revision date of March, 2019, incorporating the following revisions:
  - a) any revisions, if necessary, to meet the requirements of York Region pursuant to Condition 15 herein.
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 City 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 City and the York Region Planning and Development Services Department. The Owner shall agree that all street names shall be identified to the satisfaction of the City prior to construction of any buildings.

## **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 City.
6. The Owner(s) shall agree to provide the City with digital copies of the draft and final Plan of Subdivision and all reference plans in accordance with the City'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 City all lands and/or easements required for municipal servicing of lands within or external to the plan to the satisfaction of the Commissioner of Planning and Regulatory Services. Such lands and/or easements shall be granted to the City in priority to all charges and encumbrances and shall be conveyed without monetary consideration.

## **Policy Planning Division – Park and Natural Heritage Planning Section**

8. The Owner agrees that no trees, vegetation or environmentally significant features within the draft plan shall be removed or altered without the written consent of the City. Further, in the event that any trees, vegetation or environmentally significant features within the draft plan are removed or altered without the written consent of the City, the Owner shall restore the lands and/or provide compensation to the municipality as required by the City.
9. Prior to registration of the Plan, the Owner shall submit a Tree Inventory and Preservation Plan completed consistent with the City's guidelines for the preparation of such reports and to the satisfaction of the City. The Owner shall implement the recommendations of the Tree Inventory and Preservation Plan finally approved by the City, to pay all costs associated with implementation, to replace the loss of tree cover either through replanting and/or cash-in-lieu of planting, and to provide associated securities upon request to guarantee undertaking of the work.

## **Regional Municipality of York**

### **Regional Planning and Development Services Department**

#### Conditions to be included in the Regional Subdivision Agreement

10. The Owner shall save harmless the City 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 the development approval of Block 1, the Owner agrees that access to Block 1 shall be restricted to right-in, right-out movements only.



12. The Owner agrees to implement all the recommendations of the Transportation Letter.

Conditions to be Satisfied Prior to Final Approval

13. York Region shall confirm that adequate water supply and sewage capacity are available and have been allocated by the City of Richmond Hill for the development proposed within this draft Plan of Subdivision or any phase thereof.
14. The Owner shall provide an electronic set of the final engineering drawings showing the watermains and sewers for the proposed development to the Community Planning and Development Services Division and the Infrastructure Asset Management Branch for record.
15. 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 Bathurst Street of sufficient width to provide a minimum of 22.5 metres from the centreline of construction of Bathurst Street.

Additional lands beyond the basic 45 metres noted above may be required based on the Class Environmental Assessment Study/Detailed Design that the Region undertakes for Bathurst Street in this area.

16. 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.
17. 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.

The Owner shall also provide the Region's Development Engineering 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.

18. The Owner shall provide a direct shared pedestrian/cycling facilities and connections from the proposed development to Bathurst Street to support active transportation and public transit. A drawing shall be provided to show the location of these connections.
19. The Owner shall provide a Transportation Letter that addresses the following comments to the satisfaction of the Region:
  - a) The Transportation Letter shall recommend how the development will restrict the access to Bathurst Street to a right-in right-out operation in the interim prior to the construction of the centre median island on Bathurst Street;
  - b) The Transportation Letter shall include a Transportation Demand Management (TDM) Plan that addresses the following comments:
    - (i) The TDM Plan shall identify the proposed sidewalk/cycling connections and transit facilities available in the area;
    - (ii) The TDM Plan shall include a TDM checklist that summarizes the programs and measures, estimated costs and responsibility of the applicant to implement TDM recommendations. Note that all cost



estimates for items which are the responsibility of the City or Region shall be identified as "To be determined (TBD)"; and,

- (iii) The TDM Plan shall include a communication strategy to assist the Region and the City of Richmond Hill 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. Note that the value on the PRESTO card will be determined by the Region.
20. 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**

21. 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 City of Richmond Hill and the Archaeology and Heritage Planning Unit of the Ministry of Culture.
22. 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 21, 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 City of Richmond Hill and the Archaeology and Heritage Planning Unit of the Ministry of Culture.

### **Clearance Conditions**

23. The City of Richmond Hill shall advise that Conditions 1-9 inclusive have been satisfied; the clearance letter shall contain a brief statement detailing how each condition has been met.
24. The Regional Corporate Services Department shall advise that Conditions 10-20 inclusive have been satisfied; the clearance letter shall contain a brief statement detailing how each condition has been met.
25. The Ministry of Culture shall advise that Conditions 21 and 22 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 City 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 City of Richmond Hill may from time to time extend the duration of the approval.