

The Corporation of the City of Richmond Hill

Schedule of Conditions

Draft Plan of Subdivision

File 19T(R)-18005

Leslie View Developments 11580 Inc.

Part of Lot 31, Concession 2, E.Y.S

City of Richmond Hill

City of Richmond Hill

Development Planning Division

1. Approval shall relate to a draft Plan of Subdivision prepared by Evans Planning Inc. dated October 28, 2017, with a final revision date of October 10, 2019, and incorporating the following revisions:
 - a) any revisions, if necessary, to meet the requirements of the Toronto and Region Conservation Authority pursuant to Condition 30 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 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 Infrastructure. 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.

6. 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, unless otherwise approved by the Commissioner of Planning and Infrastructure.
7. The Owner 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.
8. Prior to final approval of the Plan either:
 - a) draft Plan 19T-03013 in the form approved by the City (or Ontario Land Tribunal) shall be registered and adequate road access to Leslie Street and/or 19th Avenue adjacent to the Plan (to the west) shall have been provided, together with all required above and below ground municipal services to the satisfaction of the City; or,
 - b) the lands to form the public highway adjacent to the Plan (to the west) shall have been conveyed to the City without cost and free of encumbrances, and arrangements satisfactory to the City shall be in place for the construction of the road thereon, together with all required above and below ground municipal services.

Policy Planning Division – Park and Natural Heritage Planning Section

9. The Owner shall agree 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.
10. Prior to registration of the Plan, the Owner shall submit a Natural Heritage Evaluation to the satisfaction of the City. The Owner shall agree in the Site Plan Agreement applicable to the subject lands, to implement the recommendations of the Natural Heritage Evaluation as finally approved by the City, to pay all costs associated with implementation, and to provide associated securities upon request to guarantee undertaking of the work. In the event that a Site Plan Agreement is not executed within three (3) years of draft plan approval, the Owner agrees to submit an update to the Natural Heritage Evaluation and to implement the recommendations of such update as approved by the City.
11. 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 agree in the Site Plan Agreement applicable to the subject lands, to 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.

12. Prior to execution of a Site Plan Agreement, the Owner shall prepare and submit Landscape Plans which provide for the following items:
 - a) any landscaping indicated in the applicant's IGMS/Sustainability Metrics proposal;
 - b) Street Tree Planting; and,
 - c) any soil amendments required for stormwater management or street tree trenches.

The Regional Municipality of York

Regional Planning and Development Services Department

Conditions to be Included in the Regional Subdivision Agreement

13. The Owner shall enter in an agreement with York Region to save harmless York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
14. The Owner shall enter in an agreement with York Region to agree to contribute towards the financial obligations for 19th Avenue, between the intersections of Bayview Avenue and Leslie Street, to its ultimate full urban cross section, per the approved Environmental Assessment and subject to DC credits in accordance with Regional policy.
15. The Owner shall enter in an agreement with York Region to agree, in wording satisfactory to Development Engineering, that no direct private access is permitted onto Leslie Street. All accesses shall be provided through local or private roads.
16. The Owner shall enter in an agreement with York Region to agree, in wording satisfactory to Development Engineering, at the time of occupancy, to assist the Region with contacting new homeowners for the purpose of implementing the Travel Demand Management Plan.
17. The Owner shall enter in an agreement with York Region to agree, in wording satisfactory to Development Engineering, to advise all potential purchasers of the existing and future introduction of transit services in this development. This includes current and potential transit routes, bus stops and shelter locations.
18. The Owner shall enter in an agreement with York Region to agree, in wording satisfactory to Development Engineering, that a Site Plan Application approval

from Region is required to be in place before the commencement of any site alteration or construction works for the subject development.

Conditions to be Satisfied Prior to Final Approval

19. 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.
20. The Owner shall provide the following, in regards to the 19th Avenue improvement, to the satisfaction of York Region:
 - a) engineering drawings to 60% detail;
 - b) detailed financial cost sharing arrangements of the construction cost to improve 19th Avenue; and,
 - c) the timeline for the completion of the 19th Avenue improvement works.
21. 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.
22. The Owner shall provide direct shared pedestrian/cycling facilities and connections from the proposed development to Leslie Street and Local Roads to support active transportation and public transit, where appropriate. A drawing shall be provided to illustrate the layout of active transportation facilities within the proposed development and connections to the Regional roads, to the satisfaction of the Region.
23. 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 Leslie Street of sufficient width to provide a minimum of 20.5 metres from the centreline of construction of Leslie Street.
24. 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.
25. 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 certified 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.

26. The Owner or the Owner's authorized representative shall submit a Statutory Declaration 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.
27. 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.

Toronto and Region Conservation Authority

28. That prior to any development, pre-servicing or site alteration, or registration of this plan or any phase thereof, the applicant shall satisfy the following conditions:
- a) the applicant demonstrates to the satisfaction of the TRCA that the required culvert improvements to 19th Avenue have been completed in accordance with any required permit(s) under Ontario Regulation 166/06, as amended;
 - b) the applicant demonstrates to the satisfaction of the TRCA that the stormwater pond accommodating the subject development is located outside of the floodplain with appropriate buffers;
 - c) the applicant demonstrates to the satisfaction of the TRCA that the stormwater management pond accommodating the subject development has capacity for the subject development or that appropriate alternative measures are provided to the satisfaction of the TRCA;
 - d) the applicant demonstrates to the satisfaction of the TRCA that the stormwater management pond servicing the subject lands is constructed and fully operational or that appropriate alternative measures are provided to the satisfaction of the TRCA and in accordance with any required permit(s) issued by the TRCA under Ontario Regulation 166/06, as amended;
 - e) a stormwater management report and servicing report, including the related detailed plans, that describes the storm drainage system (quantity and quality) for the proposed development of the subject lands, and how it will comply with all related Master Environmental Servicing Plan and TRCA requirements, shall be produced to the satisfaction of the TRCA;
 - f) detailed hydrogeological, site water balance and feature-based water balance reports, including the related detailed plans, that identify measures to be implemented during construction and post-construction, demonstrating how the development meets the water balance for their site and adjacent natural heritage features to the greatest extent possible shall be produced to the satisfaction of the TRCA;
 - g) no foundations or basements shall be permitted within the IMEE unless it can be demonstrated that excavation for the foundations and private servicing of the lots shall not go beyond the safe excavation depths, and the lot will not require active permanent dewatering. Passive dewatering such as foundation drains may be permitted subject to collected groundwater directed into a 3rd pipe or equivalent to promote infiltration or appropriately convey the groundwater to the natural heritage features. The HSPF model will be required to be updated and the Feature Based Water Balance should be updated to account for the additional groundwater inputs;

- h) the IMED is to be respected for all excavations and mitigated for all infrastructure works. The landowner will conduct any additional borehole and monitoring well investigations prior to construction to confirm the IMED and ensure all measures for safe construction are addressed as required, to the satisfaction of the City's Geotechnical Peer Reviewer; and,
 - i) that the applicant remits all outstanding TRCA review and/or clearance fees to the TRCA in accordance with the relevant TRCA fee schedule at that time.
29. That the Owner agrees in the Site Plan Agreement, in wording acceptable to the TRCA:
- a) to carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the integrated multi-disciplinary technical reports and plans referenced in TRCA's conditions as they may be applicable to the subject property, including but not limited to:
 - i) Master Environmental Servicing Plan for North Leslie West;
 - ii) Stormwater Management Reports;
 - iii) Functional Servicing Reports;
 - iv) Hydrogeological Reports;
 - v) Water Balance and Feature Based Water Balance Reports; and,
 - vi) Erosion and Sediment Control Plans.
 - b) to implement the requirements of the TRCA's conditions;
 - c) to design and implement on-site erosion and sediment control plans as well as monitoring in accordance with current TRCA standards or Silt Smart as applicable;
 - d) to maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period and until assumption by the City of Richmond Hill, or should be the structures be retained in private ownership, in perpetuity, in a manner satisfactory to the TRCA;
 - e) to implement all water balance/infiltration measures identified in the water balance report and feature based water balance report that is to be completed for the subject property and to provide for maintenance of all such measures until assumption by the City of Richmond Hill, or should be the measures be retained in private ownership, in perpetuity;
 - f) to design and implement a comprehensive monitoring protocol related to the construction and long-term monitoring and maintenance of the water balance and infiltration measures on this site to the satisfaction of the TRCA;

- g) to obtain all necessary permits pursuant to Ontario Regulation 166/06, as amended, from the TRCA, in addition to all other necessary municipal, provincial or federal permits and approvals;
 - h) that prior to a request for registration of any phase of this subdivision – should registration not occur within 10 years of draft approval of this plan – that the Owner consult with the TRCA with respect to whether the technical studies submitted in support of this development remain to meet current day requirements, and that the Owner update any studies, as required, to reflect current day requirements; and,
30. That the draft plan be red-line revised, if necessary, in order to meet the requirements of TRCA's conditions, or to meet current established standards in place as of the date of a request for registration of the Plan or any phase thereof.

Ministry of Heritage, Sport, Tourism and Culture Industries

31. 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 Heritage, Sport, Tourism and Culture Industries.
32. 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 31, 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 Heritage, Sport, Tourism and Culture Industries.

Clearance Conditions

33. The City of Richmond Hill shall advise that Conditions 1 to 12 inclusive have been satisfied; the clearance letter shall contain a brief statement detailing how each condition has been met.
34. The Regional Planning and Development Services Department shall advise that Conditions 13 to 27 inclusive have been satisfied; the clearance letter shall contain a brief statement detailing how each condition has been met.
35. The Toronto and Region Conservation Authority shall advise that Conditions 28 to 30 inclusive have been satisfied; the clearance letter shall contain a brief statement detailing how each condition has been met.
36. The Ministry of Heritage, Sport, Tourism and Culture Industries shall advise that Conditions 31 and 32 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.

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 Infrastructure
The City of Richmond Hill

Date: