

The Corporation of the City of Richmond Hill

Schedule of Conditions

Draft Plan of Subdivision

File 19T(R)-18008

Libang Developments Inc.

Part of Lots 125 and 126, and Lots 127 and 128, 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 Weston Consulting, having Project File Number 8037-1, with a final revision date of September 9, 2021, and incorporating the following revision:
 - a) the boundaries of the plan shall be revised to include all required Regional land conveyance blocks.
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.

Policy Planning Division – Park and Natural Heritage Planning Section

8. 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.
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, and agree to provide consent from abutting landowners if any of the proposed works will impact boundary, co-owned or trees on neighbouring properties. 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.

The Regional Municipality of York

Regional Planning and Development Services Department

Conditions to be Included in the Regional Subdivision Agreement

10. 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.

11. The Owner shall enter in an agreement with York Region to agree to include the following clause in the subsequent Site Plan Agreement, Condominium Agreement, Declaration of Condominium Agreement and Purchase Agreement(s):

“THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT THE ACCESS TO CARRVILLE ROAD WILL BE RESTRICTED TO RIGHT-IN/RIGHT-OUT OPERATION ONLY.”

12. The Owner shall enter in an agreement with York Region to agree to include the following clause in the subsequent Site Plan Agreement, Condominium Agreement, Declaration of Condominium Agreement and Purchase Agreement(s):

“THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT VEHICULAR, CYCLING AND PEDESTRIAN INTERCONNECTION(S) WILL BE PROVIDED TO THE ADJACENT LANDS AND SUBSEQUENT INTERCONNECTIONS TO THE EAST (149 CARRVILLE ROAD), TO THE WEST (201 CARRVILLE ROAD), AND MAY RESULT IN INCREASED TRAFFIC.”

13. The Owner shall enter in an agreement with York Region to agree at the time of occupancy to assist the Region with contacting new homeowners for the purpose of implementing the Travel Demand Management Plan.

14. The Owner shall enter in an agreement with York Region to agree, in wording satisfactory to Development Engineering, that Site Plan approval from the Region is required to be in place prior to the commencement of any site alteration or construction works abutting Carrville Road for Block 1.

Conditions to be Satisfied Prior to Final Approval

15. 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 City of Richmond Hill:
 - a) a copy of the Council resolution confirming that the City of Richmond Hill has allocated servicing capacity, specifying the specific source of the capacity, to the development proposed within this draft plan, or any phase thereof; and,
 - b) a copy of an email confirmation by City of Richmond Hill staff stating that the allocation to the subject development remains valid at the time of the request for Regional clearance of this condition.
16. The Owner shall provide an electronic copy of the final site servicing plan 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.

17. 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.

18. Upon registration of the plan, 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 Carrville Road of sufficient width to provide a minimum of 21.5 metres from the centreline of construction of Carrville Road and any lands required for additional turn lanes at the intersections;
 - b) a 5 metre by 5 metre daylight triangle at the right-in/right-out access onto Carrville Road; and,

- c) a 0.3 metre reserve across the full frontage of the site, except at the approved access location, adjacent to the above noted widening, where it abuts Carrville Road and adjacent to the above noted widenings.
- 19. 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.
- 20. The Owner shall demonstrate, to the satisfaction of Development Engineering, that all local underground services will be installed within the area of the development lands and not within York Region's road allowance. If a buffer or easement is needed to accommodate the local services adjacent to York Region's Right-of-Way, then the Owner shall provide a satisfactory buffer or easement to the Area Municipality, at no cost to the Region.
- 21. The Owner shall enter into an agreement with York Region, to satisfy all conditions, financial and otherwise, and state the date at which development charge rates are frozen, 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 Heritage, Sport, Tourism and Culture Industries

- 22. 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.
- 23. 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 22, 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

- 24. The City of Richmond Hill shall advise that Conditions 1 to 9 inclusive have been satisfied; the clearance letter shall contain a brief statement detailing how each condition has been met.
- 25. The Regional Planning and Development Services Department shall advise that Conditions 10 to 21 inclusive have been satisfied; the clearance letter shall contain a brief statement detailing how each condition has been met.

26. The Ministry of Heritage, Sport, Tourism and Culture Industries shall advise that Conditions 22 and 23 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.