Staff Report for Committee of the Whole Meeting

Date of Meeting: February 21, 2017
Report Number: SRPRS.17.033

Department: Planning and Regulatory Services
Division: Development Planning

Subject: Request for Approval - Zoning By-law Amendment and Draft Plan of Subdivision Applications – North Leslie West – Mattamy (Elgin Mills) Ltd. and Virtual Developments Inc. – Town Files D02-14019 and D03-14006 (SRPRS.17.033)

Owner:
Mattamy (Elgin Mills) Ltd. and Virtual Developments Inc.
2360 Bristol Circle
Oakville, Ontario
L6H 6M5

Agent:
Bill Tam, KLM Planning Partners Inc.
64 Jardin Drive, Unit 1B
Vaughan, Ontario
L4K 3P3

Location:
Legal Description: Part of Lots 27 and 28, Concession 2, E.Y.S.
Municipal Address: 0, 10956 and 11060 Leslie Street

Purpose:
A request for approval concerning proposed Zoning By-law Amendment and draft Plan of Subdivision applications to facilitate the residential development of the subject lands within the North Leslie Secondary Plan Area.

Recommendations:
That the Zoning By-law Amendment and draft Plan of Subdivision applications submitted by Mattamy (Elgin Mills) Ltd. and Virtual Developments Inc. for lands known as Part of Lots 27 and 28, Concession 2, E.Y.S. (Municipal addresses: 0, 10956 and 11060 Leslie Street), Town Files: D02-14019 and D03-14006 be approved, subject to the following:
a) That the subject lands be rezoned to the appropriate zoning categories under By-law No. 55-15 (the North Leslie Area Secondary Plan Zoning By-law), including site-specific development standards based on the draft Plan of Subdivision and the general revisions to By-law No. 55-15 discussed in SRPRS.17.033, and generally illustrated on the maps included in that report;

b) That the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and passage upon receipt of the processing fees in accordance with Tariff of Fees By-law No. 95-16;

c) That the draft Plan of Subdivision be draft approved, subject to the conditions as set out in Appendix “C” to Staff Report SRPRS.17.033;

d) That servicing capacity for 332 units / 1025 persons equivalent the Phase 1 development be allocated to the subject lands; and,

e) That Site Plan Control By-law No. 137-09 be amended to include the subject lands within the Site Plan Control area, to secure the owner’s commitments with respect to sustainable development.

Contact Person:
Bruce Robb, Senior Planner, phone number 905-771-2459 and/or
Salvatore Aiello, Manager of Development, Subdivisions, phone number 905-771-2471

Submitted by:

Signed version on file in the Office of the Clerk"

Ana Bassios
Commissioner of Planning and Regulatory Services

Approved by:

Signed version on file in the Office of the Clerk"

Neil Garbe
Chief Administrative Officer
Location Map

Below is a map displaying the property location. Should you require an alternative format call person listed under “Contact” above.
Background Information

A statutory Council Public Meeting was held on April 15, 2015 to receive comments from members of Council and the public concerning the subject applications. At the Public Meeting, a number of representatives of landowners within the North Leslie Secondary Plan addressed Council (refer to Appendix “A”).

The purpose of this report is to seek Council's approval regarding the subject applications and to recommend that servicing capacity be partially allocated to the development.

Summary Analysis

Further information in regards to site location is as follows:

Site Location and Adjacent Uses

The subject lands comprise three parcels of land with frontage on Leslie Street and have a combined area of 37.54 hectares (92.775 acres). Other than a single detached dwelling (which is to be demolished) within the eastern portion of the site, the lands are vacant of buildings. The lands are partially used for agricultural purposes while the remainder of the site contains the natural heritage system associated with a tributary of the Rouge River (refer to Map 1).

To the north and west are other vacant lands proposed for development and natural heritage protection while to the south is the Town’s Richmond Green Park.

Revised Development Proposal

The applicants’ most recently revised draft Plan of Subdivision and Zoning By-law Amendment applications were submitted on January 4, 2017. The applicant is proposing to remove the subject lands from Zoning By-law No. 2325-68 as amended, and rezone the lands under By-law No. 55-15, as amended, the North Leslie Secondary Plan Area Zoning By-Law. Outlined below are the statistics of the applicant’s current development proposal (refer to Map 4):

<table>
<thead>
<tr>
<th>Description</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Lot Area</td>
<td>37.541 hectares (92.77 acres)</td>
</tr>
<tr>
<td>Total Number of Units</td>
<td>864</td>
</tr>
<tr>
<td>Single Detached</td>
<td></td>
</tr>
<tr>
<td>9.15 metres / 30.0 feet</td>
<td>72</td>
</tr>
<tr>
<td>11.0 metres / 36.1 feet</td>
<td>71</td>
</tr>
<tr>
<td>Semi-detached</td>
<td></td>
</tr>
<tr>
<td>15.3 metres / 50.2 feet</td>
<td>42</td>
</tr>
<tr>
<td>Townhouses</td>
<td></td>
</tr>
<tr>
<td>6.05 metres / 19.8 feet - rear lane</td>
<td>159</td>
</tr>
<tr>
<td>6.1 metres / 20.0 feet - street</td>
<td>52</td>
</tr>
<tr>
<td>6.4 metres / 21.0 feet - back-to-back &amp; half-back</td>
<td>131</td>
</tr>
<tr>
<td>7.0 metres / 23.0 feet - street</td>
<td>137</td>
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<tr>
<td>Medium/High Density Residential</td>
<td>200</td>
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</tbody>
</table>
* Estimate based on permitted density

<table>
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<tr>
<th>Category</th>
<th>Area (hectares)</th>
<th>Area (acres)</th>
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</thead>
<tbody>
<tr>
<td>Parkland</td>
<td>1.435</td>
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<tr>
<td>Natural Heritage System</td>
<td>10.412</td>
<td>25.73</td>
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<td>Storm Water Management</td>
<td>2.127</td>
<td>5.26</td>
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<td>Road Widening</td>
<td>0.020</td>
<td>0.50</td>
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<tr>
<td>Future Development</td>
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<td>Streets</td>
<td>7.565</td>
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<td>Walkway</td>
<td>0.035</td>
<td>0.09</td>
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<tr>
<td>Density</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Low Density Res. (max. 35 units/hectare)</td>
<td>32.4</td>
<td>13.1 units/acre</td>
</tr>
<tr>
<td>Medium/High Density Res. (max. 2.0 FSI)</td>
<td>To be determined at Site Plan stage</td>
<td></td>
</tr>
</tbody>
</table>

Planning Analysis

Council received Staff Report SRPRS.15.061 at the April 15, 2015 Council Public Meeting. The Staff Report provided a thorough outline of the relevant Provincial, Regional and Town policy framework which the applicant's proposal has been weighed against. It should be noted that the proposal is in conformity with all relevant policies found in the following documents:

- Provincial Policy Statement
- Region of York Official Plan
- Town of Richmond Hill Official Plan (2010), including the Part 2 North Leslie Secondary Plan.

The North Leslie Secondary Plan requires the preparation of comprehensive Master Environmental Servicing Plans (MESP) prior to the approval of individual development applications. The MESP is required to comprehensively address the following matters, to the satisfaction of the Town, the Region of York and the Toronto and Region Conservation Authority:

- Environmental protection and management recommendations for aquatic, terrestrial, groundwater and surface water resources;
- Servicing requirements (grading, stormwater management, sanitary, water, transportation and noise);
- An open space plan;
- An historical and archaeological assessment; and,
- Urban design guidelines.

The MESP for the lands to the west of Leslie Street was approved by the Town on October 19, 2015. The applicants’ draft plan of subdivision is in conformity with approved MESP.
Proposed Zoning By-Law Amendment

The subject lands are now zoned "Agricultural (A1) Zone" under By-law No. 2325-68, as amended. The "A1" zone permits agricultural and related uses, kennels or veterinarian establishments, one single family detached dwelling, a school, a clinic, a place of worship and conservation projects. This zoning does not permit the uses envisioned by the Secondary Plan nor those proposed by the subject applications; amendments to the zoning by-law are therefore required to facilitate the proposed developments.

The applicants are proposing to expand the boundaries of By-law No. 55-15 to include the subject lands and to rezone the lands accordingly to implement each draft plan of subdivision. By-law No. 55-15 is the new parent by-law for the North Leslie Secondary Plan area. Below is an overview of the proposed zoning for each draft plan:

The applicant has submitted a draft Zoning By-law Amendment which will bring the subject lands into By-law No. 55-15 (the North Leslie Secondary Plan Area Zoning By-law) and to zone the lands “Residential Wide Shallow Two (RWS2) Zone”, “Residential Wide Shallow Three (RWS3) Zone”, “Semi-detached One (RD1) Zone”, “Multiple Residential Ten (RM10) Zone”, “Environmental Protection Two (EPA2) Zone”, “Park (P) Zone” and “Open Space (O) Zone”.

The applicants also request site-specific zoning exceptions for certain blocks within the draft plan (Map 4). The relief is supported for the following reasons:

- Block 177 - back-to-back townhouses. Due to the curvature of Street "4" along its frontage, the front yard setback to the northeastern corner of the townhouse block is reduced to 1.6 metres (5.25 feet), whereas the required minimum front yard setback is 3.0 metres (9.8 feet). Most of the corner unit will comply with the minimum setback, including the garage, which will comply with the required setback of 5.8 metres (19.0 feet).

- Block 165 - rear lane townhouses. The rear lane garage of the eastern (corner) unit in this block of townhouses will be located 0.4 metres (1.3 feet) from the adjacent daylighting triangle, due to the placement of the townhouse within Block 165. By-law No. 55-15 requires this setback of 0.6 metres (2.0 feet). The difference (0.2 metres / 0.6 feet) will not affect the accessibility of either the garage or the flankage yard.

- Block 233 - Medium/High Density future development. The applicants request that the minimum setback of a dwelling from a daylighting triangle be 0.6 metres (2.0 feet), regardless of whether the daylighting triangle is Town-owned or York Region-owned. At present, this setback applies only to Town-owned daylighting; the required setback to a Regional daylighting is much more because the setback is typically treated as a flankage or rear yard.
Town By-law No. 54-15, for the West Gormley Secondary Plan Area, provides for the same 0.6 metre setback from either Town or Regional daylighting triangles through the wording "The minimum setback from the hypotenuse of a daylighting triangle taken by a Public Authority to the main building shall be 0.6 metres". To be consistent, this wording should also apply to the subject lands. This will allow for the 0.6 metre setback to apply to future development adjacent to the daylighting triangle (owned by the Region) at the northwest corner of Leslie Street and William F. Bell Parkway.

Section 5.7 Landscaping of By-law No. 55-15 contains general landscaping requirements for medium and high density residential and commercial uses. The section includes an exemption for street and block townhouses and quadruplex buildings which face a street. The applicants have requested that rear lane and back-to-back townhouses be included in this clause, which is appropriate because these housing forms are permitted in the medium and high density residential zones of By-law No. 55-15.

- Blocks 197 - 203 - half-back townhouses. These blocks are to be zoned "Residential Wide Shallow Three (RWS3) Zone", which permits back-to-back townhouses. The dwellings in these blocks will be "half-backs", which are the back-to-back house form but without the abutting unit at the rear. The half-back design is specifically intended to abut the northwestern portion of the Town's Richmond Green Park, to provide a noise attenuation function. The by-law contains provisions which exempt noise walls and fences attached to the dwellings (between the blocks of units) from the setback and coverage standards applicable to the dwellings.

As discussed in Staff Report SRPRS.16.110, which recommended approval of three development applications within the western portion of the North Leslie Secondary Plan, a series of general "housekeeping" revisions to By-law No. 55-15 were needed to better accommodate the various housing products envisioned by the Secondary Plan and to provide for more consistent streetscapes within the residential lands. The revisions also correct redundancies in the existing document and provide more flexibility in housing design, to assist landowners in achieving the minimum density requirements of the Secondary Plan. Council approved the recommended revisions to By-law No. 55-15 and the revisions were included in Zoning By-laws Nos. 82-16, 83-16 and 84-16, which implemented the applications by Raki Holdings Inc., Autumnhill Investment Ltd. and Richview 19 Holdings Inc.

The applicant's draft Zoning By-law Amendment includes the same general "housekeeping" amendments to By-law No. 55-15, which are supported because they are intended to become applicable to other North Leslie developments at such time as they are approved and their lands brought into By-law No. 55-15.
Parkland

The North Leslie Secondary Plan area is subject to the same parkland dedication policies that apply across the Town. Currently this means that the required parkland dedication will be equivalent to 5% of the gross residential development area, 2% of the gross commercial development area, 1 hectare per 300 residential units, 1 hectare per 730 people to be housed in the development, or the cash equivalent to 1 hectare per 500 residential units. The rate which applies to any specific development is dependent on land use type, number of dwelling units to be constructed, site area and whether parkland requirements will be fulfilled through land conveyance or payment of cash.

For the North Leslie West area, the parkland dedication requirements have been determined at the Block Plan level and the accounting to balance the inequitable distribution of parkland amongst the individual subdivisions will be undertaken through a separate Landowner Group’s Cost Sharing Agreement amongst the developers. This approach to parkland dedication is beneficial from the Town’s perspective because it will facilitate significant parkland over-dedications within specific subdivisions and thereby enable the Town to consolidate large parkland parcels (e.g. community parks) without the need to purchase land outside the development process.

On January 30, 2017, Council approved the recommendations of Staff Report SRPRS.17.018, which recommended approval of a Master Parks Agreement for the North Leslie West community, as follows:

a) That a North Leslie West Master Parks Agreement between the participating property owners in the North Leslie West area, the Trustee for the North Leslie Residential Landowners Group, and the Town be executed by the Mayor and Clerk consistent with SRPRS.17.018 and upon recommendation from the Commissioner of Planning and Regulatory Services;

b) That the Town purchase up to 2.0 acres of parkland within the North Leslie West area using funds from the Cash in Lieu of Parkland Dedication Reserve Fund at a rate of $3.3 million per acre pursuant to the terms of the North Leslie West Master Parks Agreement.

In its conditions of draft approval, the Park and Natural Heritage Planning Section has included a requirement for the Subdivision Agreement to require Town have entered into this Master Parks Agreement prior to registration of the subdivision.

Draft Plan of Subdivision Application

The draft plan of subdivision discussed in this report is an integral component of the comprehensively planned North Leslie Secondary Plan (refer to Map 3). It is the third to be recommended for approval within the western half of the Plan and will provide key community infrastructure, including street access to Leslie Street, parkland and stormwater management ponds. The site also contains a significant amount of land designated Natural Heritage System, which will be conveyed to a public authority.
Department and External Agency Comments

Development Planning Division

- The proposed development conform with the policies of the Town's Official Plan (2010), including the Part 2 North Leslie Secondary Plan;

- The proposed development conform with the approved MESP for the North Leslie West area;

- The draft plan of subdivision meets the minimum and maximum density provisions for residential development within the respective land use designations; and,

- The limits of environmental features and associated buffers to the features are reflected on the draft Plan of Subdivision and are to be protected.

Other Departments/External Agencies

Comments have been received from the Town's Community Services Department, Corporate and Financial Services Department, Regulatory Services Division, Fire Services Division, Urban Design Section, Parks Planning and Natural Heritage, Development Engineering Division, Region of York and the Toronto and Region Conservation Authority. These Town departments and external agencies have no objections to the application and/or have provided their conditions of draft approval. The Schedule of Conditions of draft approval for the applicants' draft Plan of Subdivision is attached as Appendix “B” to this report.

Richmond Hill Sustainability Metrics

In collaboration with the City of Brampton and the City of Vaughan, Richmond Hill developed a set of sustainability metrics to ensure new development helps create healthier, sustainable communities through the project “Measuring the Sustainability Performance of New Developments.” The sustainability metrics were created as a performance tool to quantify the sustainability of new development projects consistently across the three municipalities. With more than 50 potential criteria listed, the sustainability metrics tool is used by applicants to calculate the score of each proposed application, ensuring it meets Richmond Hill’s sustainability standards. Each draft plan or site plan application must include sustainable elements in their plans, such as producing their own energy, conserving water, using environmentally-friendly materials in construction, reducing greenhouse gas emissions by encouraging use of sustainable transportation like public transit, and more.

The applicants have submitted a Sustainability Performance Metrics Tool for consideration by the Town as part of its review and approval of the subject applications, including the allocation of servicing capacity. The Sustainability Metrics has been reviewed by Staff and is found to be acceptable. The applicants’ sustainability commitments will be implemented through the Subdivision Agreement between the Town and the owners. The scores achieved by the applicants are as follows:
On September 29, 2015, Council ratified Committee of the Whole’s recommendations regarding Staff Report SRPRS.15.148 – Servicing Capacity and Allocation Summary Update. This staff report provided Council with an update as to the Town’s servicing allocation commitments and the potential servicing demand for remaining residential development applications, and requested the Region of York to grant the Town additional servicing capacity to facilitate the approval of new residential development throughout the Town. Included in SRPRS.15.148 is a table listing all the current development applications in North Leslie (West) with a breakdown into Phase 1 and 2 unit counts. It is therefore recommended that servicing capacity for 332 units / 1,025 persons equivalent be allocated to Phase 1 of the subject development.

It has been previously determined that Site Plan Control should be included in the approval process, to ensure that the sustainability components of applicants’ Sustainability Metrics submission will be implemented through to the building permit stage. In this case, the applicants’ have committed to Energy Star certification of all the homes within the development, which will be above the current minimum requirements of the Ontario Building Code. A by-law to impose Site Plan Control within the subject lands should be adopted in conjunction with the appropriate zoning by-law amendment.

Residential reserve blocks within the draft plan will be subject to further Planning applications (i.e. Part Lot Control Exemption) and will therefore be allocated servicing at that time, through the Part Lot / Severance Allocation Reserve. The Phase 2 area of the subject lands will be allocated servicing capacity as per the Town’s protocol for servicing allocation of multi-phased developments. Servicing allocation for Block 233, intended for Medium/High Density development, will be dealt with at the time of Site Plan approval for the development of that block.

Financial/Staffing/Other Implications
The recommendation does not have any financial, staffing or other implications.

Relationship to Strategic Plan
The applicant's development proposal would align with Goal Two of the Town's Strategic Plan - Better Choice in Richmond Hill by providing a range of housing that provides options for people at all stages of life. The proposal would also align with Goal Four of the Strategic Plan - Wise Management of Resources in Richmond Hill by using land responsibly.

Conclusions
The applicants are seeking Council’s approval of their Zoning By-law Amendment and Draft Plan of Subdivision applications submitted in support of their proposal for a residential development consisting of 864 dwelling units on public streets, public
parkland, stormwater management facilities and the preservation of the natural heritage system.

The draft Plan of Subdivision is in conformity with the land use policies of North Leslie Secondary Plan and the approved Master Environmental Servicing Plan for the North Leslie West area. As the applicants have now satisfactorily addressed the issues and concerns raised during the circulation of the applications, the draft Plan of Subdivision is recommended for approval, subject to the draft approval conditions set out in Appendix “C”.

The proposed Zoning By-law amendment is also supported, including the revisions to By-law No. 55-15 discussed in this report, as they will implement the draft Plan of Subdivision. It is recommended that the amending by-law be forwarded to Council for enactment upon payment of the applicable processing fees.

Staff has considered the applicants’ Sustainability Performance Metrics Tool, which has achieved a performance standard of “very good” in relation to Council’s threshold scores, and are found to be acceptable. It is therefore recommended that Phase 1 servicing capacity for a total of 332 residential units (1,025 persons equivalent) be allocated to the subject lands. It is also recommended that the necessary by-law to impose Site Plan Control within the subject lands be adopted to secure the applicant’s sustainable building design commitment.
Appendix Contents and Maps:
The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Appendix A, Extract from Council Public Meeting C#18-15 held on April 15, 2015
- Appendix B, Applicant’s Draft Zoning By-law
- Appendix C, Schedule of Conditions of Draft Approval 19T(R)-14006
- Map 1, Aerial Photograph
- Map 2, North Leslie Secondary Plan – Applicable Land Use Designations
- Map 3, North Leslie West Block Plan
- Map 4, Draft Plan of Subdivision
Appendix A - Council Extract


Request for Comments – Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications – Sandmill Developments Inc. – Sandmill Developments Inc. – Part of Lot 28, Concession 2, E.Y.S – 11190 Leslie Street – File Nos. D01-13003, D02-13036 and D03-13016 (19T(R)-13016)

Deborah Giannetta of the Planning and Regulatory Services Department provided an overview of the proposed Zoning By-law Amendment and Draft Plan of Subdivision applications as well as the proposed Official Plan Amendment, Zoning Amendment and Draft Plan of Subdivision applications to facilitate the construction of four (4) predominantly residential developments on the subject lands within the North Leslie Secondary Plan Area. Ms. Giannetta advised that staff’s recommendation was that the staff report be received for information purposes only and all comments be referred back to staff.

Bill Tam, Partner, and James Kennedy, President, KLM Planning Partners Inc., agents for E. Manson Investments Inc., Raki Holdings Inc., and Mattamy (Elgin Mills) Ltd. and Virtual Developments Inc., thanked staff for the report and advised that they were in attendance to answer any questions Council members may have regarding their applications.

Mark McConville, Senior Planner, Humphries Planning Group Inc., agent for Sandmill Developments Inc., thanked staff for the report and advised that he was in attendance to answer any questions Council members may have regarding their applications.

Henry Yu, 11044 Leslie Street, on behalf of a family member who purchased a residential unit on this property, addressed Council regarding the applications to inquire how the proposed developments will affect their property.

Moved by: Councillor Liu

Seconded by: Regional and Local Councillor Hogg

a) That SRPRS.15.061 with respect to the Zoning By-law Amendment and Draft Plans of Subdivision applications submitted by the following Owners for the lands described below, be received for information purposes only and that all comments be referred back to staff:
i. E. Manson Investments Inc., Part of Lot 31, Concession 2, E.Y.S (municipal address: 11546 Leslie Street), File Nos. D02-03072 and D03-03013 (19T(R)-03013);

ii. Raki Holdings Inc., Part of Lot 30, Concession 2, E.Y.S, File Nos. D02-03031 and D03-03007 (19T(R)-03007); and,

iii. Mattamy (Elgin Mills) Ltd. and Virtual Developments Inc., Parts of Lots 27 and 28, Concession 2, E.Y.S (municipal addresses: 0, 10956 and 11060 Leslie Street, File Nos. D02-14019 and D03-14006 (19T(R)-14006).

b) That SRPRS.15.061 with respect to the Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications submitted by Sandhill Developments Inc., for lands known as Part of Lot 28, Concession 2, E.Y.S (municipal address: 11190 Leslie Street), File Nos. D01-13003, D02-13036 and D03-13016 (19T(R)-13016) be received for information purposes only and that all comments be referred back to staff.

Carried
Appendix B - Applicants' Draft Zoning By-law

THE CORPORATION OF THE TOWN OF RICHMOND HILL

BY-LAW ___-17

A By-law to Amend By-law 2325-68, as amended, of The Corporation of the former Township of Markham and By-law 55-15, as amended, of The Corporation of the Town of Richmond Hill

WHEREAS the Council of The Corporation of the Town of Richmond Hill at its Meeting of _____________, directed that this by-law be brought forward to Council for Consideration:

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF RICHMOND HILL ENACTS AS FOLLOWS:

1. That By-law 2325-68, as amended, of The Corporation of the former Township of Markham, be and is hereby further amended by removing those lands shown on Schedule “A” to this By-law ___-17 (“Subject Lands”), and any provisions of By-law 2325-68, as amended, of The Corporation of the former Township of Markham, that previously applied to the subject lands shall no longer apply.

2. That By-law 55-15, as amended, of The Corporation of the Town of Richmond Hill, be and is hereby further amended as follows:

   a) By expanding the boundary to include the Subject Lands and zoning them “Residential Wide Shallow Two [RWS2](a) Zone”, “Residential Wide Shallow Three [RWS3](a) Zone”, “Residential Wide Shallow Three [RWS3](a)(b) Zone”, “Residential Wide Shallow Three [RWS3](a)(b)(c) Zone”, “Residential Wide Shallow Three [RWS3](a)(b)(d) Zone”, “Residential Wide Shallow Three [RWS3](a)(b)(e) Zone”, “Residential Semi-detached One [RD1](a) Zone”, “Multiple Residential Ten [RM10](a)(f) Zone”, “Park [P] Zone”, “Environmental Protection Two [EPA2] Zone”, and “Open Space [O] Zone”, as shown on Schedule “A” to By-law ___-17.

   b) By adding the following to Section 7 - EXCEPTIONS:

   “7.a:

   Notwithstanding any other provisions of By-law 55-15, as amended, to the contrary, the following special provisions shall apply to those lands zoned RWS2, RWS3, RD1, and RM10 and generally described as Parts of Lots 27 and 28, Concession 2, E.Y.S. and denoted by the bracketed number (a) as shown on Schedule “A” to By-law ___-17:

   1. Notwithstanding the preamble of Exception Section 7.3, the amendments to By-law 55-15 set out in Exception Section 7.3 shall apply to the lands zoned “Residential Wide Shallow Two [RWS2] Zone”, “Residential Wide Shallow Three [RWS3] Zone”, and “Public Open Space [O] Zone” as shown on Schedule “A” to By-law ___-17.
Notwithstanding any other provisions of By-law No. 55-15, as amended, to the contrary, the following special provisions shall apply to those lands zoned RWS3 and generally described as Parts of Lots 27 and 28, Concession 2, E.Y.S. and denoted by the bracketed number (b) as shown on Schedule “A” to By-law __-17:

1) Notwithstanding the definition of Lot Line, Front in Section 6.95, for the Corner Lot of a Rear Lane Townhouse Dwelling or a Back-to-back Dwelling, the Front Lot Line shall be deemed to be the Front Lot Line of the abutting interior Lot.

Notwithstanding any other provisions of By-law No. 55-15, as amended, to the contrary, the following special provisions shall apply to those lands zoned RWS3 and generally described as Part of 28, Concession 2, E.Y.S. and denoted by the bracketed number (c) as shown on Schedule “A” to By-law __-17:

1) The Minimum Required Front Yard on a Corner Lot shall be 1.6 metres.

Notwithstanding any other provisions of By-law No. 55-15, as amended, to the contrary, the following special provisions shall apply to those lands zoned RWS3 and generally described as Part of Lot 27, Concession 2, E.Y.S. and denoted by the bracketed number (d) as shown on Schedule “A” to By-law __-17:

1) Notwithstanding Special Provision #5 of Table A2, the minimum setback from the hypotenuse of a daylighting triangle taken by the Town of Richmond Hill to the main building shall be 0.4 metres.

Notwithstanding any other provisions of By-law No. 55-15, as amended, to the contrary, the following special provisions shall apply to those lands zoned RWS3 and generally described as Part of Lot 27, Concession 2, E.Y.S. and denoted by the bracketed number (e) as shown on Schedule “A” to By-law __-17:

1) Attached walls regardless of height which are used for noise attenuation purposes are permitted to project into the minimum required interior side yard or minimum required flankage yard, up to the Interior Side Lot Line or the Flankage Lot Line.

2) Attached walls regardless of height which are used for noise attenuation purposes shall not be included in the calculation of Lot Coverage.
7.f:

Notwithstanding any other provisions of By-law 55-15, as amended, to the contrary, the following special provisions shall apply to those lands zoned RM10 and generally described as Part of Lots 27 and 28, Concession 2, E.Y.S. and denoted by the bracketed number (f) as shown on Schedule “A” to By-law __-17:

1) The minimum setback from the hypotenuse of a daylighting triangle taken by a Public Authority to the main building shall be 0.6 metres.

2) The Provisions of Section 5.7 shall not apply to street townhouse dwellings or quadruplex dwellings or block townhouse dwellings or rear lane townhouse dwellings nor to back-to-back dwellings that are designed to so that the front façade of the dwelling unit faces a street.”

3. All other provisions of By-law 55-15, as amended, not inconsistent with the foregoing, shall continue to apply to the lands shown as Schedule “A” attached hereto.

4. The imperial measurements found in this by-law in brackets are provided for information purposes only and are intended to be an approximate conversion of the metric measurements. The metric or SI measurements shall be deemed to be the standards established by this by-law and, wherever there is a variance between the metric or SI measurements and the imperial measurements, the metric or SI measurement shall apply.

Schedule “A” attached to By-law __-17 is declared to form a part of this by-law.

PASSED THIS _______ DAY OF __________________, 2017

________________________________________________________________________

Dave Barrow
Mayor

________________________________________________________________________

Stephen M.A. Huycke
Town Clerk
THE CORPORATION OF THE TOWN OF RICHMOND HILL

EXPLANATORY NOTE TO BY-LAW __-17

By-law __-17 affects lands described as Parts of Lots 27 and 28, Concession 2, E.Y.S.

By-law No. 2325-68, as amended, presently zones the subject lands “Agricultural [A1] Zone”. The permitted uses in the “A1 Zone” include agriculture and associated uses, kennels, veterinarian establishments, elementary or secondary schools, medical clinics, places of worship, conservation projects, one single detached dwelling, and home occupations. The effect of By-law __-17 would be to repeal By-law No. 2325-68 insofar as it applies to the subject lands.

By-law __-17 would expand the boundaries of By-law 55-15 to include and rezone the subject lands to “Residential Wide Shallow Two [RWS2](a) Zone”, “Residential Wide Shallow Three [RWS3](a) Zone”, “Residential Wide Shallow Three [RWS3](a)(b) Zone”, “Residential Wide Shallow Three [RWS3](a)(b)(c) Zone”, “Residential Wide Shallow Three [RWS3](a)(b)(d) Zone”, “Residential Wide Shallow Three [RWS3](a)(b)(e) Zone”, “Residential Semi-detached One [RD1](a) Zone”, “Multiple Residential Ten [RM10](a)(f) Zone”, “Park [P] Zone”, “Environmental Protection Two [EPA2] Zone”, and “Open Space [O] Zone”, and to implement site specific development standards to facilitate the creation of back to back townhouse building forms, laneway accessed townhouses, and semi-detached dwellings as well as recognize lots with unique configurations.
Appendix C
The Corporation of The Town Of Richmond Hill

Schedule of Conditions
Draft Plan of Subdivision
File 19T(R)-14006

Mattamy (Elgin Mills) Ltd. and Virtual Developments Inc.
Parts of Lots 27 and 28, Concession 2, E.Y.S
Town of Richmond Hill

Town of Richmond Hill

Development Planning Division


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 York Region. The Owner shall agree in the Subdivision Agreement that all street names shall be identified to the satisfaction of the Town prior to construction of any buildings.

5. The Owner shall agree in the Subdivision Agreement that no building permit application will be submitted for any individual lot or block until the Owner has submitted architectural design plans of the building facades, for all lots and/or blocks within the plan and obtained the approval of the Town through the Architectural Design Control process. Such architectural design plans shall be in accordance with Town approved Architectural Design Control Guidelines. The Owner shall agree to build in accordance with the approved plans.
Development Engineering Division

6. The road allowances and road widenings included within this draft Plan of Subdivision shall be dedicated as public highways to the Town without monetary consideration and free of all charges and encumbrances.

7. Any dead ends, open sides of road allowances, or entrances from existing road allowances created by this draft Plan of Subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the Town without monetary consideration and free of all charges and encumbrances.

8. a) Prior to final approval of the draft plan or any portion thereof, the owner shall enter into one or more Subdivision Agreements with the Town in order to satisfy the financial, servicing and other requirements of the Town, including the construction and installation of municipal services (including, inter alia, roads, curbs, gutters, sidewalks, watermains, sanitary sewers, storm sewers, street lights, traffic lights, street name and regulatory signs) at the owner’s expense, both upon the lands within the draft plan and upon lands external thereof, provision of insurance, payment of Development Charges and prepayment of Local Improvement charges as required by the Town.

b) The owner shall agree in the Subdivision Agreement to pay all processing fees in accordance with the Town’s Tariff of Fees By-Law with respect to the subdivision of lands, and shall pay any new or additional costs or fees imposed upon the Town by the Province of Ontario or The Regional Municipality of York which relate to the lands within the draft plan and which may arise prior to the final execution of the subdivision agreement. Payment of applicable Regional, Educational and Town-wide Development Charges will be required prior to the issuance of any building permit upon the subdivision lands.

9. Prior to final approval of the draft plan or in any portion thereof, the owner shall enter into an agreement with a distributor as that term is defined in the Electricity Act, 1998, respecting the provisions of electric service and streetlighting.

10. Such easements as may be required for utility, municipal servicing or drainage purposes shall be granted to the Town or other appropriate authority in priority to all charges and encumbrances. Such easements to be conveyed to the Town, Region, the Province or the Toronto and Region Conservation Authority shall be conveyed without monetary consideration.

11. Prior to entering into any agreement with any telecommunications service provider, any natural gas or electricity service distributor or transmitter or any other public utility provider for the use of any lands within the Plan, which is to be deeded or dedicated to the Town, the Region, Her Majesty the Queen in the Right of the Province of Ontario or any other public authority, including, inter alia,
land which is to be dedicated to the Town the Region, Her Majesty the Queen in the Right of the Province of Ontario as public highways, the Owner shall obtain the approval of the Town of the location of any services permitted by such agreement and the wording of the agreement.

Wherever any agreement with a telecommunications service provider, any natural gas or electricity service distributor or transmitter or any other public utility provider for the use of any lands within the Plan, and any easement which has been transferred or is to be transferred to a telecommunications service provider, any natural gas or electricity service distributor or transmitter or any other public utility provider for the use of any lands within the Plan, permits or will permit the installation of aboveground services or facilities, prior to entering into the agreement or transferring such easement, the Owner shall obtain the approval of the Town of the design of such services and facilities. The Owner shall agree in the subdivision agreement to not construct or permit to be constructed any aboveground services or facilities inconsistent with or not in accordance with approved design drawings.

The Owner shall agree in the subdivision agreement to provide evidence satisfactory to the Town that the aforesaid restrictions have been complied with prior to registration of the subdivision agreement.

12. The Owner shall agree in the Subdivision Agreement to obtain the approval of the appropriate authority for the installation of electric, gas, telephone and telecommunication services and that the installation of those services shall be underground within the road allowances or within other appropriate easements.

13. The Owner shall permit any telephone or telecommunications service provider to locate its plant within the proposed subdivision prior to the registration provided the telephone or telecommunications services provider has executed a Municipal Access Agreement with the Town. The Owner shall ensure that any such provider will be permitted to install its plant so as to permit connection to individual dwelling units within the subdivision as and when each dwelling unit is constructed. The Owner shall agree to the foregoing in the subdivision agreement.

14. Public highways shall be designed in accordance with the Town’s standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 metre reserves. For public highways designated as local roads, curb radii shall be designed to provide a 9.5 metre pavement width within the horizontal curve at all changes in horizontal alignment between 60 to 90 degrees.

15. The owner shall agree in the Subdivision Agreement that construction access shall be provided only in a location approved by the Town and the Regional Transportation Department.
16. The owner shall agree in the Subdivision Agreement that all portions of public highways which are not paved and all drainage swales on public or private property shall be graded and sodded in accordance with the standards of the Town.

17. The owner shall agree in the Subdivision Agreement to grade and seed all undeveloped lands within the plan, other than conservation lands, and to maintain, to the satisfaction of the Town, all undeveloped lands within the plan.

18. The owner shall agree in the Subdivision Agreement 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.

19. Prior to final approval, a geotechnical report with respect to the sufficiency and adequacy of the soil within the draft plan to sustain the municipal services and buildings and other structures to be constructed within the draft plan shall be submitted to the Town for review and approval. The owner agrees that the geotechnical report shall include a detailed investigation of site conditions based on sufficient boreholes to support final engineering design. The owner agrees that the geotechnical report shall address the site specific groundwater, geologic and hydrogeologic conditions with respect to the final design and construction of municipal services including groundwater monitoring in accordance with the findings and recommendations of the Master Environmental Servicing Plan for the North Leslie West Secondary Plan area.

20. The owner shall provide to the Town, engineering drawings for, and shall agree in the Subdivision Agreement to install, to the satisfaction of the Town, watermains, sanitary sewage works, storm sewage works, adequate pavement width for roadways, curbs, gutters, sidewalks, street lighting, traffic signals, regulatory signs, street name signs, and any other services or facilities as required. The owner shall not connect any watermain or sewer to existing municipal systems without the written approval of the Town. All lands to be conveyed to the Town for open space purposes and all easements shall be shown on the engineering drawings. The owner shall obtain the approval of the Region and/or the Ministry of the Environment, by way of certificate of approval, for the installation of watermains, sanitary sewage works, and storm sewage works.

Further, the Owner shall agree in the Subdivision Agreement that the plan or any portion thereof shall not be granted final approval and registered until:

i) adequate sanitary sewage is available as determined by the Town and has been allocated, by the Town, to the plan;

ii) adequate water supply capacity is available, as determined by the Town, and has been allocated, by the Town, to the plan;
And further, the Owner shall agree in the Subdivision Agreement that the Owner shall save harmless the Town and the Regional Municipality of York from any claim or action as a result of water or sanitary sewer service not being available when anticipated.

21. The owner shall agree in the Subdivision Agreement that the sanitary and storm sewers shall be connected and drained to outlets approved by the Ministry of the Environment, the Region of York, the Town of Richmond Hill and where applicable, the Toronto and Region Conservation Authority.

22. The owner shall agree in the Subdivision Agreement that the water distribution system for this draft Plan of Subdivision shall be looped within this draft Plan of Subdivision and with the existing watermain system on the periphery of this draft Plan of Subdivision as necessary, and that allowance shall be made for the future servicing of parcels of land abutting this draft Plan of Subdivision as required by the Town.

23. The Plan of Subdivision or any portion thereof shall not be given final approval for registration until such time as storm and sanitary sewer outlets, water distribution systems, and site access via local and collector road systems are available or other arrangements satisfactory to the Town have been made.

24. The Owner shall agree in the Subdivision Agreement that no building permits will be applied for or issued for any individual lot or block until the Owner has submitted an individual house siting and grading plan and obtained the approval of the Town for such individual lot or block plan showing inter alia, the driveway location(s) within the road allowance and the building(s) on the lot. The Owner shall agree to build in accordance with the approved plan.

25. The pattern of streets and the layout of reserve blocks within this draft Plan of Subdivision shall be designed to align precisely with the pattern and layout for existing plans or any adjoining proposed Plan of Subdivision.

26. The owner shall agree in the Subdivision Agreement:
   a) to be responsible for the proper drainage within this draft Plan of Subdivision and the effect of such drainage on all lands abutting this draft plan;
   b) that all lot and block grading plans shall be prepared by the engineer for the owner in accordance with the Town’s Design Criteria and Design Standards and to provide individual lot grading plans for each lot on the plan prior to the issuance of building permits;
   c) that for the purpose of preparation of the overall lot and/or block grading plans and the individual lot grading plans, the owner shall comply with the Town policy with respect to usable yard criteria;
   d) to develop the lands within the plan in accordance with the approved grading plans and individual lot grading plans; and,
e) that the overall lot and/or block grading plans and the individual lot grading plans shall reflect the Tree Inventory and Management Plan and shall minimize grade changes in areas of trees to be retained.

27. The owner(s) shall agree in the Subdivision Agreement 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. The owner(s) shall agree in the subdivision agreement to provide as built engineering drawings (including tributary areas drawings), in accordance with the digital and hard copy submission requirements specified in Town Standards and shall include the database required to satisfy the Town’s Infrastructure Management System.

28. The owner(s) shall contribute towards the cost of supplying and installing horizontal and vertical control and certification by an Ontario Land Surveyor as part of the Town’s survey monumentation program.

29. Prior to final approval of the draft plan or any portion thereof, arrangements satisfactory to the Town shall be in place to provide for the following community services (at a time and with securities satisfactory to the Town and with the conveyance of the necessary lands or easements for the community services to the Town at a time satisfactory to it), which community services are in accordance with, or necessarily incidental to the Functional Servicing and Stormwater Management Report (FSSWMR) prepared for the Plan and Master Environmental Servicing Plan (MESP) for the North Leslie West Secondary Plan Area:

a) Construction of one primary means public road access from the roads within the draft plan to William F. Bell Parkway, together with all appurtenant watermain(s), sanitary sewer(s) and storm drainage sewer(s) thereunder;

b) Construction of one secondary means of public road access from the roads within the draft plan to Elgin Mills Road East or Bayview Avenue, together with all appurtenant watermain(s), sanitary sewer(s) and storm drainage sewer(s) thereunder;

c) Construction of the piped water supply system and appurtenances external to the draft plan, including upgrades to the existing system, for the pressure district servicing the draft plan (to the satisfaction of the Region as well as the Town) and construction of the piped water supply system to service the draft plan, all as outlined in the FSSWMR and MESP;

d) Construction of the sanitary sewer system and appurtenances external to the draft plan to an established outlet and construction of sanitary sewers and appurtenances to service the draft plan, all as outlined in the FSSWMR and MESP;
e) Construction of the stormwater system to service the draft plan, including Storm Water Management (SWM) Facilities as shown in the FSSWMR and MESP, together with required stormwater system outlet(s) external to the plan to the existing watercourse(s) for stormwater management and municipal servicing purposes; and,

f) Conveyance of all lands within and external to the draft plan required for municipal servicing purposes, all as outlined in the FSSWMR and MESP.

30. Prior to final approval of the Plan of Subdivision or any portion thereof, the owner shall enter into one or more agreements, satisfactory to the Town, pertaining to the provision of the community services referenced in Condition 29, which said agreement(s) shall address, among other things, credits under the Development Charges Act to the satisfaction of the Town.

31. Prior to final approval of the Plan of Subdivision or any portion thereof, one or more by-laws enacted by the Town under the Development Charges Act providing for development charges for boundary road improvements shall have come into force as provided for under that Act and any appeals to the said by-laws shall have been disposed of by the OMB.

32. Prior to final approval of the Plan of Subdivision or any portion thereof, the owner shall provide evidence satisfactory to the Commissioner of Planning and Regulatory Services that the owner has executed a cost sharing agreement with other owners within the North Leslie Secondary Plan area for the provision of community services within or external to the plan.

33. Prior to any grading, stripping or servicing of the lands included within the draft plan, the Owner shall provide a detailed Stormwater Management Report. This report shall be completed to the satisfaction of the Commissioner of Planning and Regulatory Services and shall address:

a) the selection of stormwater management source, conveyance, low impact development and end-of pipe practices to be implemented within and external to the draft plan to address storm water quantity, quality, runoff volume and erosion control;

b) the protection of groundwater quality and quantity;

c) the facility design, inspection, operation and maintenance procedures and associated costs;

d) monitoring plans, programs, equipment, procedures and associated costs required to address storm water management and facility performance in accordance with the requirements of the Functional Servicing and Stormwater Management Report (FSSWMR) and Master Environmental Servicing Plan (MESP); and,
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e) erosion and sediment control measures to be implemented before stripping and grading of the subject lands to protect downstream watercourses and environmental features.

Such report(s) shall utilize as guidelines the Ministry of the Environment Stormwater Management Planning and Design Manual, the Town of Richmond Hill Stormwater Management Design Criteria and the Master Environmental Servicing Plan. The Owner shall incorporate the recommendations of this report into the applicable engineering plans to be prepared for approval by the Commissioner of Planning and Regulatory Services.

The Owner shall agree in the subdivision agreement:

a) to implement the recommendations of the Stormwater Management Report;
b) to undertake the stormwater management monitoring program specified in the Stormwater Management Report and to provide appropriate securities to carry out or cause to be carried out the monitoring program; and,
c) to convey lands to the Town for the necessary stormwater management facilities without monetary consideration and free of all charges and encumbrances to the satisfaction of the Commissioner of Planning and Regulatory Services.

34. The Owner shall agree in the subdivision agreement:

a) to demonstrate that, prior to assumption of municipal services, all stormwater management facilities are performing in accordance with their approved design to the satisfaction of the Commissioner of Planning and Regulatory Services; and,
b) to satisfy the facility quality and quantity performance monitoring requirements during construction and for assumption specified in the Town of Richmond Hill Stormwater Management Design Criteria.

35. The owner shall engage the services of a certified noise consultant to complete a noise study recommending noise control features satisfactory to the Town, the Regional Transportation and Works Department and in accordance with Ministry of the Environment and Energy noise guidelines.

36. The owner shall agree in the Subdivision Agreement that the noise control features recommended by the study referred to in Condition 35, shall be implemented as approved. Prior to final approval of the Plan of Subdivision, a copy of the fully executed Subdivision Agreement shall be forwarded to the Regional Transportation and Works Department.

37. Where the noise study has determined that a noise level of between 55 dBA to 60 dBA will remain, despite the implementation of the recommendations of that
study, the following warning clause shall be included in the registered Subdivision Agreement with respect to the lots or blocks affected:

"Purchasers are advised that despite the inclusion of noise control features within the development area and within the individual building units, noise levels may continue to be of concern, occasionally interfering with some activities of the building occupants."

Such clause shall be required to be included in all offers of purchase and sale for the lots or blocks affected.

38. Where the noise study has determined that noise attenuation fences will be constructed onto lots or blocks within the plan, the following warning clause shall be included in the registered Subdivision Agreement with respect to the lots or blocks affected:

"Purchasers are advised that where noise attenuation fences are shown on the plans attached to the Subdivision Agreement with the Town (Schedule B”), it is the requirement of the Town that such noise attenuation fences be constructed on private property and that they be maintained by the individual owner of the lot(s) or block(s) to the satisfaction of the Town."

Such clause shall be required to be included in all offers of purchase and sale for the lots or blocks affected.

39. Prior to final approval, the Owner shall agree in the Subdivision Agreement to retain a qualified hydrogeologist to assess the condition of all private wells with respect to quantity of water produced and its quality for drinking purposes. The hydrogeologist will identify the potential area of impact of the proposed construction and assess and report on the potential for construction activity, associated with the servicing of the subdivision, to detrimentally impact any of the wells. In the event any of the identified wells deteriorate as a result of this development, as determined by the hydrogeological assessment, the Owner agrees to provide the services of a hydrogeologist to investigate claims and recommend appropriate solutions, in a timely manner, and that the cost of any or all investigations and remedies will be the sole responsibility of the Owner.

40. The owner shall agree to include the following warning clause in the registered Subdivision Agreement with respect to Lots 1 to 26, Lot 143, Lots 211 to 231, Block 144, Blocks 157 to 161, Blocks 184 to 191, Block 232 and Block 233, inclusive:

"Purchasers are advised that this block fronts onto or abuts a public highway designated as a Collector Road. Purchasers may experience heavy traffic volumes at times which may occasionally interfere with driveway access and egress from the property."

Such clause shall be required to be included in all offers of purchase and sale for the lots or blocks affected.
41. The owner shall agree in the subdivision agreement to retain a qualified geotechnical engineer to provide full time resident inspection during the construction of below ground municipal services including storm sewers, sanitary sewers, watermains and stormwater management facilities. The owner agrees that the geotechnical engineer shall monitor and provide recommendations for excavation stability with respect to the local groundwater, geologic and hydrogeologic conditions in accordance with the geotechnical report for the plan and in accordance with the findings and recommendations of the Master Environmental Servicing Plan for the North Leslie West Secondary Plan area.

42. Prior to final design of municipal servicing including storm water management facilities and prior to final approval of the plan, the Owner shall provide additional geotechnical data and reports in order to refine the evaluation of Safe Excavation Depths within the shallow groundwater system above the Oak Ridges Aquifer Complex (ORAC) and the evaluation of the Inferred Maximum Excavation Depth associated with the ORAC all to the satisfaction of the Town and to satisfy the recommendations of the North Leslie West Master Environmental Servicing Plan.

43. The owner shall agree in the Subdivision Agreement that Block 232 and Block 204 shall be shown as blocks on the final plan and shall be developed only in conjunction with abutting lands. If the owner acquires the abutting lands prior to the release of this draft plan for registration, the abutting lands may be combined with the said blocks and shown as lots within the final plan. Further, with respect to this restriction, the owner shall provide and register restrictions under Section 118 and 119 of the Land Titles Act, satisfactory to the Town.

44. Based on the final SED evaluation determined through Condition 42, the final plan and/or municipal servicing design shall be revised if necessary, including the location and/or configuration of Blocks for stormwater management facilities and adjacent Lots, to satisfy design constraints all to the satisfaction of the Town.

45. Prior to final approval of the Plan either;

1) Draft plans 19T-12012, 19T-12013 and 19T-03006 (located west of the plan) approved by the Town (or OMB) shall be registered and adequate road access to Bayview Avenue shall have been provided or alternatively draft plan 19T-03006 and future draft plan(s) (located south of the plan) in the form approved by the Town (or OMB) shall be registered and adequate road access to Elgin Mills Road East shall have been provided, together with all required above and below ground municipal services to the satisfaction of the Town or;

2) The lands to form the public highway adjacent to the plan (to the west or south) for access to either Bayview Avenue or Elgin Mills Road East shall have been conveyed to the Town without cost and free of encumbrances, and arrangements satisfactory to the Town shall be in place for the construction of
the road thereon, together with all required above and below ground municipal services.

Heritage and Urban Design Division

46. Prior to final approval, the Owner shall submit an Architectural Design Control Guideline document for review and approval in accordance with the Town's Terms of Reference for Architectural Control Guidelines to the satisfaction of the Manager of Heritage and Urban Design.

Policy Planning Division – Parks Planning and Natural Heritage Section

47. The Owner shall convey to the Town Park Blocks 234 and 235 on the Draft Plan in partial fulfillment of parkland dedication requirements. The Owner shall agree in the subdivision agreement that the remaining parkland dedication obligations associated with this plan of subdivision will be fulfilled through future parkland conveyances within the North Leslie West Planning District as described in the North Leslie West Master Parks Agreement.

48. Prior to registration of any phase of the plan, the Owner shall enter into a Master Parks Agreement with the Town and obtain, and provide to the Town, a clearance letter from the Trustee for the North Leslie West Landowners Group, confirming adherence to the North Leslie West Master Parks Agreement.

49. The Owner shall agree in the subdivision agreement to convey to the Town, Stormwater Management Blocks 236 and 237, Natural Heritage System Block 238 (for environmental protection purposes) and Walkway Block 239 free and clear of all encumbrances and/or encroachments.

50. The Owner shall agree in the subdivision agreement to implement the recommendations of the Phase 1 Environmental Site Assessments (ESAs) prepared by Winchurch Environmental Inc., dated October 2, 2012 and Soil Probe Ltd., dated July 23, 2012 and to pay for all costs associated with the implementation.

51. The Owner shall not:

   a) construct any permanent or temporary stormwater management facilities and/or permit any storage of construction related debris or materials (including topsoil) in or on any park or natural heritage blocks identified within the draft plan;

   b) install or permit any subdivision services to be located within parkland other than those that are required to service the park itself; and,

   c) construct or permit temporary or permanent emergency/construction access routes through any park or natural heritage lands other than those required to build the park itself.
52. 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 Town. 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 Town, the Owner shall restore the lands and/or provide compensation to the municipality as required by the Town.

53. Prior to any grading, development, pre-servicing or site alteration the Owner shall submit a Tree Inventory and Preservation Plan completed consistent with the Town’s guidelines for the preparation of such reports and to the satisfaction of the Town. The Owner shall agree to implement the recommendations of Tree Inventory and Preservation Plan finally approved by the Town, 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 provide associated securities upon request to guarantee undertaking of the work.

54. The Owner shall agree in the subdivision agreement to implement the recommendations of the Environmental Impact Statement prepared by R.J. Burnside & Associates Limited, dated August 2014 and last revised October 2016 as finally approved by the Town, to pay all costs associated with implementation, and to provide associated securities as requested to guarantee undertaking of the work. In the event that construction of the subdivision does not commence within 3 years of draft plan approval, the Owner agrees to submit an update to the Environmental Impact Statement and to implement the recommendations of such update as approved by the Town.

55. Prior to execution of the Subdivision Agreement, the Owner shall pay to the Toronto and Region Conservation Authority $117,000.00, which the TRCA will use in consultation with the Town, for the protection, enhancement and management of approximately 12 hectares of land for Grassland Bird Habitat within the Town of Richmond Hill.

56. The Owner will agree in the Subdivision Agreement to implement the Grassland Bird Habitat Restoration Plan for lands within the Plan at the confluence of Major Tributary 2, as described on the Buffer Enhancement and Restoration Plans prepared by Nak Design Strategies, dated December 2015.

57. Prior to execution of the Subdivision Agreement, the Owner shall prepare and submit for approval by the Town Landscape Plans, which will provide for:
   a) Landscaping traffic islands and circles;
   b) Boulevard/street trees;
   c) Planting, restoration and enhancement of any and all disturbed areas within the Protected Countryside/Natural Heritage System;
   d) Pedestrian/trail linkages and associated landscaping through Walkway Block 239;
e) Entrance and perimeter landscape features;
f) Landscaping of the stormwater management blocks (Blocks 236 and 237);
g) Tree cover replacement;
h) Boulevard/Street Trees;
i) Landscape measures (including locations of increased topsoil) necessary to maintain seasonal water balance in the key natural heritage features; and,
j) Any other specific landscaping required.

The Owner shall agree in the subdivision agreement to implement the Landscape Plans as finally approved by the Town, to pay all costs associated with implementation, and to provide associated securities as requested to guarantee undertaking of the work.

58. Prior to execution of the Subdivision Agreement, the Owner shall prepare and submit for approval by the Town Utility Coordination Plans which include proposed boulevard tree locations (approximately one street tree per lot/unit).

59. The Owner shall agree in the subdivision agreement that topsoil used throughout the Plan will be fertile and consistent with Town standards. Further, the Owner shall confirm that such is the case by submitting reports and soil test results as requested by the Town. If the results of the reports and soil tests indicate that the topsoil is not fertile and/or does not meet Town standards, reports must recommend how the topsoil should be amended to meet such requirements.

60. Prior to any grading, stripping or pre-servicing of the lands, the Owner shall prepare and submit for approval by the Town, grading and servicing plans, which provide for:
a) Consistency with the recommendations of the approved Tree Inventory and Preservation Plan;
b) Grading within Park Blocks 234 and 235 to generally result in between two (2%) percent and five (5%) percent grade differential across the entire block;
c) Servicing of Park Blocks 234 and 235 in accordance with Town standards including 50 mm water service to the property line (with curb stop/valve box at street line), electrical connection to the property line, and storm sewer manholes for each drainage area within the park to 1 metre of the property line;
d) Engineered fill and all backfill material used to grade Park Blocks 234 and 235 shall be compacted to the Town’s standards, and shall be selected material from excavation or other sources for the use intended, unfrozen and free of rocks larger than 75 mm, cinders, ashes, sods, refuse or other deleterious materials;
e) Finished elevations of Park Blocks 234 and 235 that include 20 cm topsoil depth and meet and match the proposed finished grade at all property lines for all abutting land uses;

f) Permanent chain link fencing consistent with Town standards, where parkland, natural heritage system lands, stormwater management facilities and pedestrian walkway blocks abut non-municipal lands; and,

g) Temporary post and wire fencing along the perimeter of Park Blocks 234 and 235 where it abuts road allowances or other potential access points, to prohibit access to such lands until such time as parkland improvements proceed.

61. Following completion of the grading and servicing works referred to in Condition 60 above (and prior to application of the topsoil), the Owner shall provide the Town with post-grading geotechnical soil tests, and a topographic survey that meets Town requirements, confirming that the grading and servicing of Park Blocks 234 and 235 are consistent with approved plans.

62. The Owner shall agree in the subdivision agreement to provide topsoil on Park Blocks 234 and 235 to Town standards. Prior to application of the topsoil to Park Blocks 234 and 236 the Owner will provide the Town with the results of a topsoil fertility analysis confirming that the topsoil to be applied to the park meets Town standards. Following application of the topsoil to the Park Block the Owner will provide the Town with a finished grade topographical survey consistent with Town requirements.

63. The Owner shall agree in the subdivision agreement to sod/seed Park Blocks 234 and 235 if requested to do so by the Town.

64. The Owner shall agree in the subdivision agreement to install a sign on Park Blocks 234 and 235 notifying residents of the future park planned for the site and indicating that no dumping is permitted on the future park lands.

65. The Owner shall agree in the subdivision agreement to provide securities for all required works in the park including grading, servicing, topsoil, sodding/seeding, fencing, signage etc. The Owner understands that the Town will draw on the securities to undertake required works if the Owner fails to proceed with the park works at a reasonable speed.

66. The Owner shall agree in the Subdivision Agreement to maintain Blocks 234, 235, 236, 237, 238 and 239 in a manner and condition acceptable to the Town until such time as the above and below ground services associated with the subdivision are assumed by the Town or such earlier time as advised in writing by the Town. The Owner shall indemnify and save the municipality harmless with respect to any occurrence on or related to Blocks 234, 235, 236, 237, 238 and 239 until such time as the above and below ground services associated with the subdivision are assumed.
67. The Owner shall agree in the subdivision agreement that warning clauses will be included in all agreements of purchase and sale, and that information will be provided on all community information maps and promotional sales materials, providing notice as follows:

a) that encroachments of any kind are not permitted in natural heritage system blocks, stormwater management blocks, or park lands;

b) that Park Blocks 234 and 235 will be developed into an active park and uses may include sports facilities, courts, play equipment, and other facilities that will attract a range park users, sports groups and spectators. Purchasers are advised that properties in the vicinity of the park may be affected by increased traffic and parking on the streets, and ambient noise and lighting from park use.

c) that Blocks 236 and 237 will be used for stormwater detention purposes and may have a pond retaining from time to time a level of water that may be dangerous to unattended children or to other persons not adequately supervised. Neither the Owner nor the Town shall be responsible to provide any supervision on the said land of any kind and purchasers agree to release, indemnify and save harmless the Owner and Town from any and all claims arising from the use or occupation of Block 236 and 237, by the purchasers, their family, friends or invitees;

d) that it is the intention of the Town that all or part of the stormwater management lands are to be naturalized and left in its natural state, provided the Purchasers acknowledge that nothing in this notice shall in any manner whatsoever preclude or be interpreted as precluding the Town from undertaking any improvements to the said lands at any further date;

e) that Blocks 234, 235, 236, 237, 238 and 239 are intended to include public walkways and trails and that such uses may result in increased vehicular and pedestrian traffic on the street and adjacent to or in the vicinity of the property and a high volume of pedestrian traffic on the walkways. Purchasers are further advised that properties adjacent to such Blocks may be affected by noise and lighting from such uses.

Region of York - Regional Corporate Services Department

68. The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the Town of Richmond Hill and York Region.

69. York Region shall confirm that adequate water supply and sewage 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.

70. The Owner shall agree in the Subdivision Agreement that 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.
71. 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.

72. Prior to final approval, the Owner shall satisfy York Region with respect to improvements to 19th Avenue, between the intersections of Bayview Avenue and Leslie Avenue, to its ultimate full urban cross section, per the approved Environmental Assessment and subject to DC credits in accordance with Regional policy.

73. Prior to final approval, the Owner shall provide the following, in regards to the 19th Avenue improvement, to the satisfaction of York Region:

   Engineering drawings to 60% detail, detailed financial cost sharing arrangements of the construction cost to improve 19th Avenue, and the timeline for the completion of the 19th Avenue improvement works.

74. Prior to final approval, the Owner shall satisfy York Region that no access will be permitted onto Leslie Street from Block 233 (medium/high density block located on the northwest corner of William Bell Parkway and Leslie Street). Access to Block 233 will only be provided through local or collector roads to support the future development of this block.

75. Prior to final approval, the Owner shall satisfy York Region that it will protect/ provide for future vehicular/cycling and walking interconnection with the property located on 11044 Leslie Street.

76. Prior to final approval, the Owner shall satisfy York Region that it will provide direct shared pedestrian/cycling facilities and connections from the proposed development to Leslie Street and surrounding local/collector roads to support active transportation and public transit, where appropriate. A drawing showing the conceptual routing of active transportation facilities and connections internal to the site and to the Regional roads shall be provided.

77. Prior to final approval, the Owner shall provide a comprehensive Transportation Impact Study (TIS) to address the comments provided in Section A.2. of the Region’s Memo dated August 11, 2016, to the satisfaction of the Region.

78. Prior to final approval, the Owner shall provide a Transportation Demand Management (TDM) Plan to address the comments provided in Section A.3. of the Region’s Memo dated August 11, 2016, to the satisfaction of the Region.

79. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Regional Corporate Services Department to implement the recommendations of the functional transportation report/MESP as approved by the Regional Corporate Services Department.
80. Prior to final approval, the Owner shall submit detailed engineering drawings, to the Regional Corporate Services Department for review and approval, that incorporate the recommendations of the functional transportation report/MESP as approved by the Regional Corporate Services Department.

81. Prior to final approval, the Owner shall provide a set of engineering drawings, for any works to be constructed on or adjacent to Leslie Street, to the Regional Corporate Services Department, Attention: Manager, Development Engineering, that includes the following drawings:
   a) Plan and Profile;
   b) Grading and Servicing;
   c) Intersection/Road Improvements;
   d) Construction Access Design;
   e) Utility and underground services location plans;
   f) Signalization and Illumination Designs if required;
   g) Line Painting;
   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;

82. Prior to final approval, the location and design of the construction access for the subdivision work shall be completed to the satisfaction of the Regional Corporate Services Department and illustrated on the Engineering Drawings.

83. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Regional Corporate Services Department, that all existing unused driveway(s) along the Leslie Street frontage of this subdivision will be removed as part of the subdivision work, at no cost to York Region.

84. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Regional Corporate Services Department that elevations along the streetline shall be 0.3 metres above the centreline elevations of Leslie Street, unless otherwise specified by the Regional Corporate Services Department.

85. 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 Leslie Street right-of-way,
   b) Tree protection measures to be implemented on and off the Leslie Street right-of-way,
   c) Any woody vegetation within the Leslie Street right-of-way that is proposed to be removed or relocated. However, it is to be noted that tree removal within Leslie Street 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,

d) A planting plan for all new and relocated vegetation to be planted within the Leslie Street 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.

86. 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 Regional Corporate Services Department recommending noise attenuation features.

87. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Regional Corporate Services Department, to implement the noise attenuation features as recommended by the noise study and to the satisfaction of the Regional Corporate Services Department.

88. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Regional Corporate Services Department, 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.

89. 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."

90. Where noise attenuation features will abut the Leslie Street right-of-way, the Owner shall agree in the Subdivision Agreement, in wording satisfactory to York Region’s Corporate Services Department, as follows:

a) That no part of any noise attenuation feature shall be constructed on or within the Leslie Street right-of-way;
b) That noise fences adjacent to Leslie Street 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 Leslie Street right-of-way shall not be the responsibility of York Region; and

d) That any landscaping provided on the Leslie Street right-of-way by the Owner or the area municipality for aesthetic purposes must be approved by Community Planning and Development Services and shall be maintained by the area municipality with the exception of the usual grass maintenance.

91. 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 Leslie Street of sufficient width to provide a minimum of 20.5 metres from the centreline of construction of Leslie Street, and;

b) A 15 metre by 15 metre daylight triangle at the north-west corner of Leslie Street and William Bell Parkway, and;

b) A 15 metre by 15 metre daylight triangle at the north-west corner of Leslie Street and William Bell Parkway, and;

c) A 0.3 metre reserve across the full frontage of the site, where it abuts Leslie Street and adjacent to the above noted widening, and;

d) An additional 2.0 metre widening, 40.0 metres in length, together with a 60.0 metre taper for the purpose of a southbound right turn lane at the intersection of Leslie Street and William Bell Parkway.

92. 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 the above noted lands to York Region.

93. 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.

94. The Owner shall also provide the Region’s Community Planning and Development Services 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.

95. The Owner shall satisfy York Region that it will be responsible for decommissioning 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.

96. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Regional Corporate Services Department, that pedestrian access to Leslie Street shall be provided from the internal roadway.

97. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Regional Corporate Services Department, that all local underground services will be installed within the area of the development lands and not within Leslie Street’s road allowance. If a buffer or easement is needed to accommodate the local services adjacent to Leslie Street’s right-of-way, the Owner shall provide a satisfactory buffer or easement to the area municipality, at no cost to the Region.
98. The Owner shall satisfy York Region that the Owner will be responsible for determining the location of all utility plants within Leslie Street 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.

99. Prior to final approval, the Owner shall satisfy the Regional 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 roadways 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 roadways that have/will have transit services.

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

Future YRT/Viva transit services are planned for the following roadway or sections of:
• Street “1” (William F. Bell Pkwy.)

100. The Owner shall satisfy the Regional Transportation Services Department that the services to be installed within or in conjunction with the Plan will provide the passenger standing areas/shelter pads identified below and shall be installed to the satisfaction of the local municipality and York Region Transit. The Region confirms that all such passenger standing areas/shelter pads shall be owned and maintained by the Region and that the local municipality shall have no responsibility for those, notwithstanding that they may be included in the Subdivision Agreement.

Subject to approval by YRT/Viva, passenger standing areas and shelter pads shall be provided at the following locations:

**On Street:** Street “1”

**At Street:** Street “10”, Street “2”, Street “5”, Street “11”

**Location:** NE Corner (Block 169), SW Corner (Block 195), NW Corner (Block 243, just west of Block 23), SW Corner (Block 219/220)

**Standard:** YRT-1.01

**Traffic Signal Request:** No
The passenger standing areas/shelter pads shall be provided at no cost to York Region and shall be provided concurrently with construction of necessary sidewalks. The Owner may apply for a development charge credit, in accordance with the York Region - Road Works development charge credit guideline for passenger standing areas and shelter pads.

Landscaping should not interfere with the bus stops, passenger standing areas, shelters or corner sightlines. Bus stops located in front of the employment areas shall be incorporated into the landscape design.

The bus stop locations determined during the design phase are subject to change. Prior to construction of the passenger standing areas/shelter pads, the Owner/consultant shall confirm with YRT/Viva the final bus stop locations/requirements. The Owner/consultant is to contact YRT/Viva Facilities Supervisor (tel. 905-762-2111) to confirm final details.

101. Prior to final approval, the Owner shall submit drawings showing, as applicable, the sidewalk locations, concrete pedestrian access, passenger standing areas and shelter pads to the satisfaction of York Region.

102. Street “1” shall be designed to accommodate transit vehicles to the satisfaction of the area municipality and York Region Transit. The minimum pavement width for transit vehicles is 3.5 m. The minimum curb radius for transit vehicles is 15 m. These standards are according to the Canadian Transit Handbook and the Ontario Urban Transit Association.

103. The Owner shall satisfy York Region that it will advise all potential purchasers of the existing and future introduction of transit services in this development as identified in Condition 99. This includes current and potential 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.

104. The Owner shall satisfy the Regional 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 or will have transit services, sidewalks, pedestrian access and bus stop locations.

105. Prior to final approval, the Owner shall provide a copy of the executed Subdivision Agreement to the Regional Corporate Services Department.

106. The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise; Regional Development Charges are payable prior to final approval in accordance with By-law # 2012-36.
Toronto and Region Conservation Authority

107. That prior to any development, pre-servicing or site alteration, or registration of this plan or any phase thereof, the applicant shall submit and attain the approval of the TRCA for:

a) The final consolidated North Leslie (West) Master Environmental Servicing Plan (MESP), be provided to the satisfaction of the TRCA.

b) The final Environmental Impact Study (EIS), be revised, updated and specifically include a section as outlined in Section 11 of the MESP Addendum. The EIS shall be completed and approved to the satisfaction of the TRCA.

c) The final Environmental Management Plan (EMP), including a dynamic Adaptive Management Plan, be approved to the satisfaction of the TRCA. The EMP will be required to incorporate the Morrison Environmental Groundwater Control Investigation (September 2016).

d) A detailed development phasing plan illustrating the various phases of development and associated timing of construction to implement the draft plan be provided to the TRCA. The phasing plan will include the re-creation of a new wetland and the loss of wetland MAS2-1 including:

i) Provide an evaluation and rational for the specific details on the feature, dimension/area of each habitat type, the type of wetland function, and flora and fauna surveys (including complete fish, amphibians and breeding bird surveys) for MAS2-1.

ii) The design of the new wetland compensation block shall be to the satisfaction of the TRCA. The Wetland Compensation Strategy and Plan shall address a recommended location, the appropriate level of compensation and mitigation, demonstrate that the form and function of the wetland can be recreated and self-sustaining, and shall include a complete planting and restoration plan to be undertaken;

iii) The strategy shall provide details on how any species present will be collected, removed and relocated through a Wildlife Rescue Plan;

iv) Details be provided on the staging and construction sequencing of the new wetland be provided. The new wetland will be required to be completed and functionally operational prior to the removal of MAS2-1, including how the new wetland will receive water to support the flora and fauna.

v) Obtain the appropriate permits from the TRCA and MNRF (where applicable) in accordance with Ontario Regulation 166/06 as amended;

e) All outstanding issues as itemized in the August 26, 2016 comment letter prepared by TRCA be addressed to the satisfaction of the TRCA;
f) A engineering report and plans including by not limited to the Stormwater Management Report and Functional Servicing Report 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, to the satisfaction of the TRCA. This report shall include:

i. plans illustrating how this drainage system will tie into surrounding drainage systems and storm water management techniques which may be required to control minor or major flows. Confirmation must be provided with respect to how target flows as identified in the related hydrologic studies within the approved MESP will be achieved during and post-development;

ii. appropriate Stormwater Management Practices (SWMP’s) to be used to treat stormwater, to mitigate the impacts of development on the quality of ground and surface water resources (including thermal impacts) which demonstrates how it relates to terrestrial and aquatic species and their habitat, in addition to natural features and systems. The existing drainage patterns should be maintained to the greatest extent possible, and the existing ecological function of all headwater drainage features is to be maintained, and consistent with TRCA Guidelines.

iii. proposed methods for controlling or minimizing erosion and siltation on-site and/or in downstream areas and/or discharge to wetland areas during and after construction, in accordance with current Erosion and Sediment Control (ESC) guidelines utilized by the TRCA. ESC plans and an ESC report must address phasing and staging, demonstrate how impacts to the NHS will be minimized and contingency measures within the EMP Adaptive Management Plan. The EMP shall also have specific regard for erosion monitoring for Tributary 2-2 and 2-1 to monitor instream and downstream and/or bank erosion;

iv. location and description of all outlets and other facilities, including grading or site alterations, development, infrastructure and watercourse alterations which are required to service or facilitate the development of the subject lands, be confirmed to the satisfaction of the TRCA. This includes demonstrated consistency with the MESP with respect to location of outfalls to minimize the impacts to sensitive natural heritage features. For areas which require a permit pursuant to Ontario Regulation 166/06, the Authority’s Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation, all supporting technical studies and analysis, be provided. Should red-line revisions be necessary to meet the requirements of the TRCA, these alterations to expand blocks, or modify the size or configuration may occur on lands within this subdivision which are currently proposed for development;
v. the integration of LID measures and the employment of source and conveyance controls to mimic to the extent possible, pre-development hydrology. Multiple LID measures shall be used as part of an overall treatment train approach to benefit the stormwater management system to the satisfaction of the TRCA;

vi. mapping of all proposed stormwater management measures (including Low Impact Development measures of LIDs), with consideration for minimizing the extent of the existing vegetation to be disturbed, grade differentials and extent and depth of grading required for construction.

vii. identification and quantification of the specific measures that are being employed, and the analysis that has been completed to ensure that there will be no predicted erosion related impacts on downstream areas (during and post construction), which are to be integrated into the stormwater management plan to the satisfaction of the TRCA. The report must specifically identify in detail, the potential for downstream erosion associated with flows generated from this development (erosion threshold analysis) and provide a suite of mitigation measure if required;

viii. detailed design of all proposed infiltration and low-impact development measures that are to be employed, demonstrating that TRCA’s requirements, which include but are not limited to quality and quantity requirements, have been satisfied and how the receiving stormwater management ponds are being managed during the construction phase while some or all of the LIDs are not in operation. Should the LIDs be constructed in the first phase of development, the report should also identify how the LIDs will be maintained during and after construction to ensure they function in accordance with the intended design parameters;

ix. the size and location of all LID measures associated with this development be confirmed to the satisfaction of the TRCA. If required to meet TRCA requirements, red-lined revisions be made to the plan to provide for necessary blocks within the Plan. This may require modifications to the size or configuration of the LID into surrounding lands within this subdivision which are currently proposed for development.

x. all stormwater outfalls, outflow channels and/or flow dispersal measures associated with stormwater management discharge, be designed to incorporate TRCA’s design guidelines. This includes regard for additional enhancements to water quality, quantity control, mitigation of thermal impacts to the receiving habitat, reduce potential erosion and maximize potential infiltration, and integrate naturalized outlet channels or constructed wetlands where applicable, to the satisfaction of the TRCA;

xi. demonstrate how the pre-development drainage patterns are being preserved, post-development (to the greatest extent possible), in
accordance with the approved MESP. The report shall include an impact mitigation report which demonstrates how construction and development shall minimize the potential impacts of the flow diversion on the natural systems on or off the subject property, and including any broader impacts upon the sub watershed. Alterations to the approved drainage patterns in the MESP to any natural feature will require a reassessment of the HSPF model calibration to demonstrate how the feature based water balance is maintained;

xii. 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 permanent 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;

xiii. in order to preserve the limits of the natural heritage feature adjacent to the stormwater management pond blocks, the Owner is hereby notified that any lots or blocks abutting stormwater management Block 236 and Block 237 may be subject to adjustment should additional tablelands be required to accommodate revisions to the stormwater management ponds to meet the requirements of the TRCA;

xiv. to address the issues related to Feature Based Water Balance (FBWB) and preserve the limits of the natural heritage feature and its associated buffers, the Owner is hereby notified that any lots or blocks abutting the Natural Heritage System (NHS) Block 238 may be subject to adjustment should additional tablelands be required to provide the necessary lands to achieve site or feature based water balance to the NHS. The FBWB of the NHS shall be completed to the satisfaction of the TRCA.

g) Grading plans for the subject lands. These plans must indicate how grade differentials will be accommodated without the use of retaining walls within or adjacent to natural feature blocks, associated environmental buffers, or adjacent landowners not yet draft approved;

h) All applicable plans illustrating that all works, including all grading, site alterations, construction staging, or materials associated with these activities, will not encroach or be placed on lands owned by the TRCA, Town of Richmond Hill, or lands to be conveyed to a public agency as part of this plan of subdivision, or on environmental lands adjacent to this plan of subdivision;
i) detailed Site Water Balance and Feature-Based Water Balance reports which identifies measures that will be implemented during construction and post-construction, demonstrating how the development meets the water balance for their site to the greatest extent possible, to the satisfaction of the TRCA, including:

i. how the proposed mitigation measures will not have a negative impact on the overall site water balance as outlined in the approved MESP;

ii. the integration of low impact development measures and the employment of source and conveyance controls to mimic pre-development surface and groundwater water balance to the extent possible, to the satisfaction of the TRCA.

iii. maintain pre-development flow regimes and hydroperiods (e.g. quality, volume, rate, duration, timing, frequency and spatial distribution of water) to significant natural features - including but not necessarily limited to Wetland 18, Wetland 19, Wetland 31, the woodlands and the watercourse. Alterations to the approved drainage patterns in the MESP to any natural feature will require a reassessment of the HSPF model calibration to demonstrate how the feature based water balance is maintained;

iv. provide for on-site retention of stormwater management to the satisfaction of the TRCA;

v. mitigate against any potential on-site or downstream erosion associated with the stormwater management system and maintain (not exceed) target flows to downstream wetlands and watercourses by providing;

- summary tables of the pre and post-development hydrologic modelling parameters used in SWMHYMO modelling, including detailed calculations of the weighted parameters (i.e. time to peak, initial abstraction, percent impervious and SCS curve numbers).

- all supporting mapping and drawings used for all calculations (i.e. soil maps and travel lengths).

- target release rates to account for the uncontrolled drainage areas and update the calculations, designs and reports. Provide a summary table to illustrate the unit release rates, uncontrolled flows, the target release rates accounting for the uncontrolled flow and the proposed release rates for the lands.

vi. provide a suite of proposed mitigations which follow the principles of the MESP, whereby the peak flow rates, volumes, and hydroperiod of the features will be mitigated in subsequent design stages to match the existing conditions;

vii. provide detailed design of the system(s) and implementation information and measures;
viii. provide a comprehensive monitoring plan for site water balance and feature based water balance which includes a monitoring program to assess the functioning and effectiveness of proposed stormwater LID (in accordance with the MESP), source and conveyance measures. This monitoring plan must also provide continuous data logging compiled monthly and submitted to TRCA quarterly for all wetlands. The monitoring plan shall include monitoring data throughout construction and post-construction and provide funding securities for the long-term monitoring of this system (minimum of 3 years and a maximum of 5 years after post construction) to the satisfaction of the TRCA and the Town.

j) provide an Adaptive Management Report and Plan within an approved EMP that includes a comprehensive monitoring program associated with adjacent wetlands where the pre-development catchment area is being altered through this development, and wetlands and watercourses to which stormwater from this property is being discharged. This report must compile all available pre-development/baseline monitoring information, provide for on-going pre-development monitoring where possible, and provide a plan with measures to be implemented for maintaining the pre-development water balance (in accordance with the requisite water balance reports) during construction and post-construction to the greatest extent possible. In the absence of sufficient pre-development monitoring, this report must also identify contingency measures and specific actions that may be taken within the development area to supplement and/or modify the quantity and quality of flows being directed to each impacted feature on an on-going basis, should the monitoring program identify that the pre-development conditions and/or pre-development wetland characteristics are being adversely impacted, to the satisfaction of the TRCA. The Adaptive Management Report must also include a specific section including an assessment of potential options for addressing unanticipated results of the monitoring – such as erosion downstream of the stormwater management outlet, or sediment discharge to natural features;

k) provide a ground water constraint assessment that will examine existing and proposed ground water levels in relation to the proposed development, underground construction and servicing and stormwater management infrastructure to further confirm safe excavation depths to avoid potential basal heave during construction. Interactions between untreated (or insufficiently treated) surface and groundwater, shallow ground water, and dewatering requirements must be identified, with refinements and/or revisions made as necessary to the stormwater management system to mitigate against any potential impacts to the satisfaction of the Town’s Geotechnical Peer Reviewer. A confirmation letter from the peer reviewer will be required to be provided to the TRCA.
l) permanent dewatering of groundwater or interflow associated with any component of this development shall not be permitted. The need for liners associated with the stormwater management system shall be assessed, and suitable liners shall be provided where necessary. All underground construction and infrastructure must be designed to not require permanent dewatering, and any potential impacts to the groundwater system that may result from the development must be assessed and mitigated;

m) information detailing all anticipated temporary depressurization or dewatering that may be required during the construction phase, including anticipated volumes, duration, discharge locations, erosion threshold analysis, recovery rates and time to recover groundwater to 90% recovery on an upward trend, and filtration media - as required, to the satisfaction of the TRCA, for the purposes of determining whether a TRCA permit, PTTW, MNRF permit, and/or Fisheries Act review is required;

n) provision of additional mitigation measures to confine the zone of influence (to the greatest extent possible) for the temporary dewatering and/or depressurization of the Oak Ridges Aquifer for the purposes of installing infrastructure and or services, will be reviewed and approved to the satisfaction of the TRCA and the Town;

o) For areas in which the pre-development catchments of adjacent wetland features are being affected by this development, an assessment of phasing opportunities related to grading work and dewatering/depressurization be undertaken, including undertaking additional continuous groundwater and surface water level monitoring of all PSW’s during construction. All data is to be compared against existing conditions to ensure that no negative impacts are observed in accordance with the MESP.

p) the applicant attain all Ontario Regulation 166/06 permits from the TRCA for all works proposed on the subject property for which permits would be required, and those related to any associated infrastructure or stormwater management works required to support this development. No grading, preservicing or temporary stormwater management works are to be initiated until such time as a permit from the TRCA and all requisite TRCA approvals are attained;

q) no grading shall be permitted within any Natural Heritage Feature. Grading encroachment within the established environmental buffers (as determined on a site by site basis) shall not be permitted unless otherwise agreed upon by the Town and the TRCA. All areas to be protected must be effectively isolated through fencing or other appropriate measures prior to any site alteration being initiated.
r) a restoration and enhancement strategy be completed to the satisfaction of the TRCA, for all stormwater management blocks, environmental buffer lands and any areas in which works associated with this subdivision may extend onto lands to be conveyed to a public agency;

s) all slopes be designed at a stable incline, without the use of retaining walls (to the greatest extent possible), and with due consideration for TRCA’s Healthy Soil Guidelines within all buffer areas. All slopes are to be restored with a robust planting plan, consistent with TRCA’s planting guidelines, and to the satisfaction of the TRCA;

t) the IMED is respected for all excavations and mitigated for all infrastructure works approved by the Town’s Geotechnical Peer Reviewer. 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;

u) an Infrastructure Maintenance Manual and Groundwater Control Manual be provided for review and approval to the satisfaction of the TRCA and the Town prior to registration;

v) best efforts shall be undertaken to incorporate Ecological Significant Groundwater Recharge Areas (EGRAs) into the Environmental Management Plan if possible. Ecological Significant Groundwater Recharge Areas (EGRAs) are identified as part of the Rouge River Watershed Plan.

w) the potential need for sub-drains within the SWM ponds will be considered based on detailed geotechnical design requirements. Should they be required, subdrains will be directed towards tributaries and wetland features in accordance with the approved EMP, and in accordance with the approved Feature Based Water Balance;

x) all utility crossings under watercourses will be required to meet TRCA standards of a minimum of 2.0 metres between the obvert of the utility and the valley (watercourse thalweg and bank wall), and that appropriate ESCs showing construction practices and staging are provided, subject to site specific SED considerations;

y) any proposed crossings of the NHS, associated buffers or adjacent areas for interim and/or permanent servicing, will provide further detailed information with respect to the location and span of the crossing, and shall be consistent with TRCA’s Stream Crossing guidelines, and permits pursuant to Ontario Regulation 166/06 be obtained, to the satisfaction of the TRCA;

z) all stormwater outlets and outflow channels be naturalized, be designed to incorporate TRCA’s design guidelines, and be designed to provide additional enhancements to water quality, quantity control, thermal impact mitigation,
and habitat. Off-line wetlands, riparian plantings, flow dispersal measures, micro-topography creation and similar measures shall be employed where feasible to achieve these objectives;

aa) all calculations and modeling parameters prepared for the stormwater management, erosion assessment, water balance, and floodplain assessment (including floodplain mapping update) as part of the MESP will be confirmed, updated and/or refined as part of the subsequent detailed design stages based on updated information on land-use, building envelopes, site imperviousness, and any area where more detailed information (i.e. detailed topographic survey) will be provided.

108. That a contingency plan as a component of the EMP be provided for review and approval by the TRCA prior to earthworks being undertaken, in such case as the ORAC is breached during the construction/excavation of the SWM pond, infrastructure, or foundations on the site. The Plan shall outline potential measures for reconstruction of the till cap in the event of unexpected bottom heave/excavation into the underlying Oak Ridges Moraine Aquifer occurs, be prepared and submitted to the Town as part of the detailed pond design.

109. The design and coordination of the spine servicing plans for the North Leslie Area be provided for review and approval to the satisfaction of the TRCA. Servicing within North Leslie must demonstrate that the alignment and location of the services are feasible with due consideration to avoid natural features, and demonstrate the proposed works will have no negative impacts upon the ecological, hydrogeological and geotechnical concerns within the North Leslie Secondary Plan area.

110. The implementing zoning by-law recognize all natural features, stormwater management and environmental buffer blocks in an environmental protection or other suitable zoning category which has the effect of prohibiting development and structural encroachment, and ensuring the long term preservation of the lands in perpetuity, to the satisfaction of the TRCA;

111. Prior to the registration of this plan or any phase thereof, the Owner shall prepare a plan that addresses the removal and restoration of any historical, man-made intrusions in the Woodlot, Open Space and Open Space Buffers to the satisfaction of TRCA. This includes (but is not limited to) the removal of tile drains, culverts, structures, fences, debris, etc. and the restoration of these areas to a natural state.

112. To provide for all warning clauses and information identified in TRCA’s conditions;

113. The draft plan be red-lined revised in consultation with the TRCA with respect to regularizing the rear lot lines adjacent to NHS Blocks prior to entering into any purchase and sale agreements.
114. The owner shall agree in the subdivision agreement, in wording acceptable to 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, including but not limited to;

(i) MESP for North Leslie West
(ii) Environmental Impact Study
(iii) Feature Based Water Balance Report
(iv) Environmental Management Plan
(v) Adaptive Management Plan
(vi) Stormwater Management Plan
(vii) Functional Servicing Report
(viii) Hydrogeological Reports
(ix) Geotechnical Investigations
(x) Infrastructure Maintenance Manual and Groundwater Control Manual
(xi) Erosion and Sediment Control Plan and Report
(xii) Restoration and Enhancement Plans for all Environmental Buffers
(xiii) Wetland Compensation Strategy and Plan
(xiv) Wildlife Rescue Plan

b. to implement the requirements of the TRCA’s conditions in wording acceptable to the TRCA;

c. to design and implement on-site erosion and sediment control plans as well as monitoring in accordance with current TRCA standards or MNRF 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 Town of Richmond Hill in a manner satisfactory to the TRCA;

e. to obtain all necessary permits pursuant to Ontario Regulation 166/06 from the TRCA, in addition to all necessary permits and approvals from the Ministry of the Environment for PTTW, Fisheries and Oceans Canada, and the Ministry of Natural Resources and Forestry;

f. to erect a permanent fence to the satisfaction of the TRCA on all lots and blocks abutting lands to be conveyed to the public authority, prior to occupancy of any homes within that lot or block. This includes Block 242 and lots 1-21 and lots 27-84 inclusive;
g. to implement all water balance/infiltration measures identified in the water balance study and feature based water balance that is to be completed for the subject property;

h. to design a Wetland Compensation Strategy and Plan and a Wildlife Rescue Plan, provide a monitoring protocol and the requisite funding of the Wetland Compensation Block and provide mitigation measures to ensure the long-term viability of this feature;

i. to provide a planting and enhancement of the Wetland Compensation Block in accordance with the Wetland Compensation Strategy and approved plans by the TRCA. The Wetland Compensation Block shall be functionally operational and all wildlife transplanted from MAS2-1 prior to its removal. The planting restoration of this area shall be completed and maintained for a minimum of 3 years to a maximum of 5 years after registration, to the satisfaction of the TRCA. Sufficient funds shall be secured through a Letter of Credit or other appropriate measure in favour of the Town of Richmond Hill and shall be released upon final inspection of the Block to the satisfaction of the TRCA and the Town.

j. to design a comprehensive monitoring protocol and provide the requisite funding and permissions for the construction and long-term monitoring and maintenance of the water balance and infiltration measures on this site to the satisfaction of the TRCA;

k. 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.

115. That the owner shall carry out, or cause to be carried out, the removal and restoration of any historical, man-made intrusions on lands to be conveyed to a public agency, including Block 238 and all associated buffers. This includes but is not limited to the removal of culverts, structures, fences, debris, etc. and the restoration of these areas to a natural state, to the satisfaction of TRCA and/or the Town.

116. That Natural Heritage System Block 238 be conveyed into public ownership.

117. That the draft plan be red-lined revised in consultation with the TRCA with respect to regularizing the rear lot lines adjacent to NHS Blocks prior to entering into any purchase and sale agreements.

118. That the owner acknowledges and agrees not to finalize any agreements of purchase and sale with respect to any lots or blocks abutting stormwater
management blocks, natural heritage system blocks until such time as the stormwater management plans and feature based water balance report have been completed and approved to the satisfaction of the TRCA;

119. That a warning clause be included in all agreements of purchase and sale, and information be provided on all community information maps and promotional sales materials for Block 233 and lots 1-21 and lots 27-84 inclusive adjacent to Natural Heritage System Blocks which identifies the following:

a. The owners are advised that the rear lot lines are adjacent to environmental protection lands, which are regulated by the Toronto and Region Conservation Authority. These lands are considered to be part of the publicly owned environmental protection area, which is intended to remain naturalized, and may not be actively maintained. A future trail may be located within all or a part of this area, however private uses such as picnic, barbeque or garden areas; storage of materials and/or the dumping of refuse or ploughed snow are not permitted on these lands. In addition, access to the adjacent TRCA lands through the subject property is not permitted. Private rear yard gates are prohibited.

120. That a warning clause for lots 1-21 and lots 27-84 (inclusive) be included in all agreements of purchase and sale, and information be provided on all community information maps and promotional sales materials for private lots or blocks on which infiltration related infrastructure such as LID’s, rear yard swales and catch basins are located which identifies the following:

a. That stormwater management infrastructure is located on the subject property, which forms an integral part of the stormwater management infrastructure for the community. It is the owner’s responsibility for the long-term maintenance of this system by ensuring that proper drainage is maintained. Grading within the rear yard, such as swales which convey stormwater to this system must remain in their original form.

121. That a warning clause be included in all agreements of purchase and sale, and information be provided on all community information maps and promotional sales materials for all private lots or blocks with respect to groundwater conditions in the area which identifies the following:

a. Owners are advised that the land within the North Leslie Secondary Plan area is subject to high groundwater conditions and upward hydraulic pressure from the underlying Oak Ridges Moraine Aquifer Complex. It is the owner’s responsibility to undertake due diligence with the Town of Richmond Hill and the Toronto and Region Conservation Authority prior to any site alteration, grading, or excavation of privately owned lands to ensure the overlying soils will sufficiently maintain a safe depth of soil to ensure the aquifer is not breached. The owner is advised this may preclude the ability to install any works which require excavations, including but not limited to in-ground swimming pools and/or basement walkouts. For any proposed excavations,
an assessment may be required to be completed by a qualified hydrogeologist or geoscientist.

122. To carry out, or cause to be carried out the cleaning-out and maintenance of all stormwater management infrastructure (including best management practice measures and LIDs) prior to assumption of the subdivision by the Town of Richmond Hill.

123. 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 Culture
124. 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.

125. The Owner shall agree in the subdivision agreement that no development or grading shall occur on any site identified as being archaeologically significant by the assessment referred to in Condition 124, 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
126. Final approval for registration may be issued in phases provided that all government agencies agree to registration by phases and provide clearances as required in Conditions 127 to 130 inclusive; clearances will be required for each phase proposed for registration by the Owner; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.

127. The Town of Richmond Hill shall advise that Conditions 1-67 inclusive and 126 have been satisfied; the clearance letter shall contain a brief statement detailing how each condition has been met.

128. The Regional Corporate Services Department shall advise that Conditions 68 to 106 inclusive and 126 have been satisfied; the clearance letter shall contain a brief statement detailing how each condition has been met.

129. The Toronto and Region Conservation Authority shall advise that Conditions 107 to 123 and 126 have been satisfied; the clearance letter shall contain a brief statement detailing how each condition has been met.
130. The Ministry Culture shall advise that Conditions 124 and 125 and 126 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 __________________

Ana Bassios
Commissioner of Planning and Regulatory Services
The Town of Richmond Hill

DATE:
Map 2 North Leslie Secondary Plan – Applicable Land Use Designations
Map 4 Draft Plan of Subdivision