

Schedule of Conditions

19T-03E01

Part Lots 16 to 19, Concession 2,
Town of East Gwillimbury

Re: Draft Plan of Subdivision prepared by KLM Planning Partners Inc.
Project No. P-466, dated January 17, 2003

1. The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the area municipality and the Regional Planning and Development Services Department.
2. The owner shall agree that the lands within this draft plan of subdivision shall be appropriately zoned by a zoning by-law that has come into effect in accordance with the provisions of the Planning Act. The Holding provisions of Section 36 of the Planning Act may be used in conjunction with any zone category to be applied to the subject lands in order to ensure that development does not occur until such time as the Holding "H" symbol is removed in accordance with the provisions of the Planning Act. The Zoning By-law amendment shall specify the terms under which Council may consider the removal of the Holding "H" symbol, (in accordance with Official Plan policy/ Pre-Paid Development Charge Agreement, or other requirements). Said terms shall include confirmation from the Regional Transportation and Works Department that there will be adequate water and sanitary servicing capacity available to accommodate the draft plan or any phase thereof in accordance with the Queensville/Holland Landing Development Charge Credit Agreement executed by the Region and owner/developer.
3. The owner shall agree in the subdivision agreement that he/she shall save harmless the area municipality and Regional Municipality of York from any claim or action as a result of water service or sanitary sewer service not being available when anticipated.
4. Prior to final approval the Sixteenth Avenue and Southeast Regional trunk sewer mains shall be in service, or other suitable arrangements in service to the satisfaction of York Region.
5. Prior to final approval the Region shall confirm that adequate water supply capacity and sewage servicing capacity are available and have been allocated by the Town of East Gwillimbury for the development proposed within this draft plan of subdivision or any phase thereof. This will require:

- 16th Avenue Trunk Sewer, Phase 2 in service
 - Southeast Collector Sewer in service
 - Newmarket Equalisation Tank construction in service
 - Confirmation of Peel water supply, treatment and transmission
 - Aurora/Newmarket feedermain in service
 - Queensville elevated tank in service
6. Prior to final approval, arrangements satisfactory to York Region and the Town of East Gwillimbury shall have been made for the extension of Provincial Highway 404 to provide two additional lanes of north-south road capacity. Satisfactory arrangements may include front-ending agreements, accelerated payments, or other suitable mechanisms between the Province, Region and developer(s) group.

Note:

The above condition is to be included if the OMB decides to issue its Order to draft approve plan of subdivision 19T-03001, prior to the satisfactory arrangements being made.

7. The Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required Regional road improvements for this subdivision. The report/plan, submitted to the Regional Transportation and Works Department for review and approval, shall explain all transportation issues and shall recommend mitigative measures for these issues. This report shall take into account the development of the entire developing area and shall be submitted for the Region's review.
8. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Regional Transportation and Works Department, to implement the recommendations of the functional transportation report/plan as approved by the Regional Transportation and Works Department.
9. The Owner shall submit detailed engineering drawings, to the Regional Transportation and Works Department for review and approval that incorporate the recommendations of the functional transportation report/plan as approved by the Regional Transportation and Works Department. Additionally, the engineering drawings shall include the subdivision storm drainage system, site grading and servicing, plan and profile drawings for the proposed intersection, construction access and mud mat design, utility location plans, pavement markings, intersection signalization and illumination design, traffic control/construction staging plans, x-sections at 20m intervals across the site where it abuts regional road and landscape plans.
10. The following lands shall be conveyed to the Regional Municipality of York for public highway purposes, free of all costs and encumbrances:

- a) a widening across the full frontage of the site where it abuts Leslie Street of sufficient width to provide a minimum of 18.0 metres from the centreline of construction of Leslie Street;
 - b) a 15 metre x 15 metre daylight triangle at the northwest and southwest corner of Leslie Street and Street “1” north intersection;
 - c) a 15 metre x 15 metre daylight triangle at the northwest and southwest corner of Leslie Street and Street “1” south intersection;
 - d) a 15 metre x 15 metre daylight triangle at the northwest and southwest corner of Leslie Street and Street “22” intersection;
 - e) an additional 2 metre wide widening, 40 metres in length, together with a 60 metre taper for the purpose of a southbound right turn lane at the intersection of Leslie Street and Street “1” south and for a southbound right turn lane at the intersection of Leslie Street and Street “22” intersection.
 - f) a 0.3 metre reserve across the full frontage of the site adjacent to the above noted widening.
- 11. Direct vehicle access from Blocks 1, 8, 839, 846 and 847 to Leslie Street will not be permitted. Access must be obtained through the internal road network.
 - 12. Any existing driveway(s) along the Regional road frontage of this subdivision must be removed as part of the subdivision work, at no cost to the Region.
 - 13. The location and design of the construction access for the subdivision work shall be provided to the satisfaction of the Regional Transportation and Works Department.
 - 14. The north and south intersections of Leslie Street and Street “1” and the intersection of Leslie Street and Street “22”, shall be designed and constructed to the satisfaction of the Regional Transportation and Works Department with any interim or permanent intersection works including turning lanes, profile adjustments, illumination and/or signalization as deemed necessary by the regional Transportation and Works Department.
 - 15. The Owner shall submit to the Region of York Transportation and Works Department for review and approval, landscape plans showing the proposed planting.

16. Pedestrian access to transit facilities is to be provided from the internal roadways to the Regional roadways, as follows:
- a. From the westerly limit of Street #2 and along Street #1 to Leslie Street;
 - b. From the westerly limit of Street #4, 15 and 22 to Leslie Street;
 - c. From the limits of Street #9, 13 and 17 to Street #22; and,
 - d. Along Leslie Street.

The pedestrian access shall be shown on the requisite engineering drawings and is subject to review and approval by the Town of East Gwillimbury and the Regional Transportation and Works Department.

17. Pedestrian access is to be provided by means of concrete walkway(s), and should be provided “at grade” (i.e. without stairs, inclines, etc.), unless otherwise approved by the Town of East Gwillimbury and the Regional Municipality of York.

18. Bus passenger platforms and/ or shelter pads are to be provided at the following locations:

- a. on Street #1 at Block #832 (south side, east of Street #2);
- b. at Block 823 (northwest corner) and opposite Block #831;
- c. on Street #2 at Lot #541 (southeast corner) and on opposite side;
- d. on Street #4 at Lot #793 (southeast corner);
- e. on Street #9 at Lot #521 (mid block and opposite side);
- f. at Block 837 (southeast corner);
- g. at Block 492 (northwest corner);
- h. on Street #13 at Lot #159 (southwest corner);
- i. at 153 (northeast corner);
- j. on Street #15 at Lot #446 (southeast corner);
- k. on Street #17 at Lot #229 (northwest corner);
- l. at Lot 107 (southeast corner); and
- m. on Street #22 at Lot #335 (northeast corner)

The location of the platform shall be shown on the requisite engineering drawings and is subject to review and approval by the Regional Transportation and Works Department.

19. The Owner shall agree in the subdivision agreement that the bus passenger platform(s) identified in Condition No. 7 shall be designed to the satisfaction of the area municipality and the Regional Transportation and Works Department. It is recommended that the developer work with York Region Transit to determine the final locations and number of the passenger standing areas.

20. The owner shall agree in the subdivision agreement to construct sidewalks along both sides of Streets 1, 2, 4, 9, 13, 15, 17 and 22 subject to the approval by the area municipality and the Regional Transportation and Works Department.
21. Streets #1, 2, 4, 9, 13, 15, 17 and 22 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 3.5m. The minimum curb radius for transit vehicles is 15m. These standards are according to the Canadian Transit Handbook and the Ontario Urban Transit Association.
22. The owner shall agree to provide a revised master servicing plan and detailed phasing plan subject to approval by the area municipality and the Regional Transportation and Works Department.
23. The owner shall agree in the subdivision agreement to advise all potential purchasers of the possible introduction of transit service in this subdivision; this would include potential transit routes, bus-stops and shelter locations. This can be achieved through sales offices, marketing materials, and appropriate notification clauses in purchase agreements.
24. Prior to final approval, the Owner shall submit a noise and/or vibration study, prepared by a qualified consultant for approval by both the Town and the Regional Municipality of York. The preparation of the noise report shall include the ultimate traffic volumes associated with the surrounding road network. The Owner shall agree in the subdivision agreement to implement the approved abatement measures.
25. Where noise attenuation features will abut a Regional right-of-way, the Owner shall agree in the subdivision agreement, in wording satisfactory to the Regional Transportation and Works Department, as follows:
 - a. That no part of any noise attenuation feature shall be constructed on or within the Regional right-of-way.
 - b. That noise fences adjacent to Regional roads may be constructed on the private side of the 0.3 metre reserve and may be maximum 2.5 meters in height, subject to the area municipality's concurrence.
 - c. That maintenance of the noise barriers and fences bordering on Regional right-of-ways shall not be the responsibility of the Regional Municipality of York.
 - d. That any landscaping provided on the Regional right-of-way by the Owner or the area municipality for aesthetic purposes must be approved by the

Regional Transportation and Works Department and shall be maintained by the area municipality with the exception of the usual grass maintenance.

26. The Owner shall include the following warning clauses in a schedule to all offers of purchase and sale, or lease for all lots/blocks within the entire subdivision plan:
 - a. “Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including those from construction activities, may be of concern and occasionally interfere with some activities of the dwelling occupants.”
 - b. “Purchasers and/or tenants are advised that traffic calming measures may have been incorporated into the road allowances.”
27. Prior to Final Approval the Owner shall provide a signed copy of the subdivision agreement to the Regional Transportation and Works Department, outlining all requirements of the Regional Transportation and Works Department.
28. The owner shall provide a solicitor's certificate of title to the Region's Corporate and Legal Services Department, to the satisfaction of the Regional Solicitor, at no cost to the Region, with respect to the conveyance of lands to The Regional Municipality of York.
29. The owner shall enter into an agreement with the Region of York, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law DC-3-98-77.
30. The Region of York Planning and Development Services Department shall advise that Conditions 1 to 29 inclusive, have been satisfied.

