

Appendix B: Selected Subdivision Agreement Clauses

Maintenance of Lands

F.8 Prior to the initiation of any grading on lands within the Plan, and prior to the removal of any trees or other vegetation on lands within the Plan, the Owner shall prepare a report satisfactory to the Town:

- i. identifying all existing trees and vegetation which are noteworthy of preservation;
- ii. detailing the manner in which such trees and vegetation will be preserved and protected before, during and after construction;
- iii. detailing the manner in which such environmentally significant features will be preserved and protected before, during and after construction;
- iv. file with the Town a Letter of Credit or Letters of Credit in an amount, form and term acceptable to the Town to guarantee the preservation and protection of the trees, vegetation and environmentally significant features referred to aforesaid;

Special Conditions

G.7(a) Prior to the Town Recommending release of the Plan for registration, the Owner shall submit to and obtain the approval of the Town to a report, which demonstrates how compliance with the approved Functional Servicing Plan (“FSP”) is achieved in the following areas:

- i) No net reduction in surficial aquifer recharge;
- ii) Minimized potential for contamination of groundwater;
- iii) No reduction in total flow or flow characteristic to Lake Wilcox;
- iv) No increase in nutrient loading to Lake Wilcox;
- v) No loss of wetland function or area;
- vi) Minimized alterations to the natural drainage boundaries;
- vii) No creation of new flood or erosion problems or aggravation of existing flood or erosion problems;
- viii) Minimized pollutant loadings to Humber River;
- ix) No net loss of fish habitat; and
- x) No constructed stormwater treatment facilities will be allowed on EPA1 lands. Stormwater treatment facilities may be permitted on EPA 2 lands subject to an EIS and where there is a net environmental benefit.

G.7(b) The Owner shall also carry out, or cause to be carried out, the monitoring plan identified in the FSP to the satisfaction of the Town, and until such a time as the municipal services within the Plan are assumed and the maintenance period has expired or five year from the date of substantial completion, whichever shall last occur.

G.9 (a) Prior to the initiation of any grading or development on the lands included in the Plan and prior to the Town recommending release of the Plan for registration, the Owner shall prepare and obtain the approval of the Town to detailed plans indicating the type of construction and long-term mitigation measures to minimize roadway disturbances to

EPA1 lands, EPA2 lands and Buffer Area land, in particular, wetlands which report shall make reference to the specifications and guidelines set out in “Guidelines on Erosion and Sediment Control fore Urban Construction Sites” (MNR et al. 1987).

G.9 (b) The Owner shall maintain all erosion and siltation control devices in good repair during the construction period in a manner acceptable to the Town.

G.10 The Owner shall insert in every agreement of purchase of sale for one or more lots or blocks suitable for development within the plan the notice with respect to the Homeowner’s Manual set out in Schedule “M-5” and all subsequent agreements of Purchase of Sale.

Schedule “M” NOTICES

Buffer Areas

The intention of the Town is that such lands be left in their natural state or planted with native species, subject to the requirements contained within the official plan. Subject to the foregoing, the purchasers further acknowledge that they are not permitted to place, or permit to be placed, any fence, tree, shrub, bush, hedge or other object within the block(s) or to landscape the said lands in any manner whatsoever.

Clauses Selected from:

Town of Richmond Hill. 2 September 1999. Plan of Subdivision File No. 19T-93029, Phase II. Subdivision Agreement. Ballymore Development (Oak Ridges) Corporation;

Town of Richmond Hill. 1 September 1999. Plan of Subdivision File No. 19T-85093. Subdivision Agreement. North Channel Country Properties Ltd.;

Town of Richmond Hill. 23 April 1999. Plan of Subdivision File No. 19T-88038, Phase 2. Subdivision Agreement. 1133373 Ontario Inc.;

Town of Richmond Hill. 17 November 1998. Plan of Subdivision File No. 19T-93029. Subdivision Agreement. Ballymore Development (Oak Ridges) Corporation)