

Attachment #8
Agency & Stakeholder Detailed Comments
File DEV-13-21 (SW-2021-03, Z-08-21)

CS Viamonde (French Public School Board)

The Conseil scolaire Viamonde has no comments regarding Draft Plan of Subdivision and Zoning By-law Amendment applications (File No. SW-2021-03 and Z-08-21) for the property located at 5095, 5125 and 5245 Anderson Street.

Durham Catholic District School Board

Planning staff at the Durham Catholic District School Board have reviewed the above noted planning applications and have no objections to the proposed. This development is located within the boundary of St. Leo C.S. Located at 120 Watford Street, Brooklin. Whitby.

Durham District School Board

The Durham District School Board concerns with the school block have been addressed by the Subdivider through the revised subdivision plan.

Elexicon Energy Inc.

Elexicon Energy Inc. has no objection to the proposed Application. The applicant or its authorized representative shall consult with Elexicon Energy Inc. concerning the availability of supply voltage, service location, metering, costs, and any other details. These requirements are separate from and in addition to those of the ESA. Elexicon Energy Inc. will confirm the characteristics of the available electrical supply and will designate the location of the supply point to the applicant. Elexicon Energy Inc. will also identify the costs that the applicant will be responsible for.

The applicant or its authorized representative shall apply for new or upgraded electric services and temporary power service in writing. The applicant is required to provide Elexicon Energy Inc. with sufficient lead-time in order to ensure:

- The timely provision of supply to new and upgraded premises; and/or
- The availability of adequate capacity for additional loads to be connected in the existing premises.

Please ensure that a minimum of 4.8m clearance is maintained from existing overhead conductors, which applies to all structures, equipment, and people.

Canada Post

Canada Post has no objections for the proposed development.

Service type and location:

1. Canada Post will provide mail delivery service to this development through Community Mailboxes.
2. Single Detached Dwelling, Semi Detached Units, Townhouses dwellings: Will be serviced through Community Mailbox. The location of these sites is to be determined between my department (Canada Post Delivery Planning) and the Developers appointed Architect and/or Engineering firm. Given an anticipated 371 units (150 Detached, 78 Row Lane Townhomes & 143 Street Townhomes) in the subdivision, we have estimated 8 Mailbox Sites are required.
3. School Block: Will be serviced to the closest Community Mailbox catchment.
4. Please see attached linked for delivery standards:
http://www.canadapost.ca/cpo/mr/assets/pdf/business/standardsmanual_en.pdf

Municipal requirements:

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this subdivision application be approved, please provide notification of the new civic addresses as soon as possible.

Developer timeline, obligations, and installation:

1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin.
2. If applicable, please ensure that any street facing installs have a depressed curb or curb cut. Contact Canada Post Corporation – Delivery Planning for further details.
3. If applicable please ensure that any condominiums apartments with more than 100 units, incorporates a mailroom with rear loading lock box assemblies (mailboxes).
4. Finally, please provide the expected first occupancy date and ensure the future site is accessible to Canada Post 24 hours a day.

It is recommended that the owners contact Canada Post as completion draws near so as to finalize the location and compartment they will be assigned to.

Community Services – Parks Development

As Whitby's population continues to grow, managing and providing access to nature, large parks and urban green spaces are a critical component of building complete communities and enhancing residents' quality of life. Protection and investment in and near urban nature are particularly important as it provides accessible, high-quality spaces to interact with nature and serve critical biodiversity functions.

This development application may or not be subject to the Parks Master Plan Agreement which is a cost sharing agreement for the provision of parks, trails, open spaces, and cash in lieu of parkland dedication within the Brooklin Landowners Group development area. Provision of parks (including but not limited to the hectares, park facilities) and cash in lieu of parkland dedication are subject to change upon the review and potential approval the Parks Master Plan Agreement.

Parkland, Trails and Open Space

- The Town is planning a future north/south trail through the Hydro Electric Corridor behind the proposed lots on Street F as identified in the Town's Active Transportation Plan. In the future, the Town intends to enter into a recreational lease agreement with Hydro One for the use of these lands for the proposed trail. Utilization of Hydro Corridor Block 198 will be required by the Town for the purpose of a trail connection from Street F to the Hydro Corridor Trail. If it is determined by Hydro One that Block 198 is not required, the Town would require an access trail block at the same location.
- The provided park fitment plan is acceptable as shown in relation to the proposed amenities.

Conditions of Draft Plan Approval

The following conditions shall be incorporated into any future development agreement.

Parkland, Trails and Open Space

1. Parkette Block 196 shall be dedicated to the Town free and clear of all encumbrances. Parkette Block 196 shall be a minimum of .4 hectares of developable land.
2. If it is identified through the parks design process that more land is required to accommodate the park amenities included in the provided Park Facility Fitment Plan, then the individual Park Block shall be expanded into the adjacent developable area as required to accommodate the park amenities. Steeply sloping grades determined to be unsuitable for park development will not be accepted as parkland dedication.
3. While the Parks Master Agreement should address the park dedication of the subject plan and overall Brooklin Development Area it is currently in draft form and needs to be finalized through further discussion and legal review. Should the Parks Master Agreement not get finalized then the Town's standard rates for parkland dedication would apply. As a condition of draft approval parkland dedication will be required at a rate of 1 hectare per 300 units for residential

units. The remaining blocks will require parkland dedication at a rate of 5% of land holdings or in the case of cash in lieu, 1ha/500 residential units. Any under dedication of park land would be considered cash in lieu of parkland based on the value of the land. This is consistent with the Planning Act, Town's Official Plan policy and the Department's standard practice.

4. Hydro Corridor Block 198 shall be sloped/graded to allow for the construction of an accessible trail connection to the Hydro Electric Corridor behind proposed lots on Street F. Proposed trail slopes must meet Town Accessibility Standards.
5. If it is determined by Hydro One that Block 198 is not required, the Town will require an access trail block at the same location.
6. The department will require 1.2 metre black vinyl standard park fencing to be installed where park blocks abut residential lots.

Fencing

1. The department will require 1.2 metre black vinyl standard park fencing to be installed where park blocks abut residential lots.

Engineering Services

We have reviewed the drawings and reports, and they are generally acceptable for a preliminary review. There are revisions, however, that will be required through the detailed design process in order for the proposed subdivision to conform to our Design Criteria and Engineering Standards.

A. Conditional Comments

Engineering Services supports a favourable decision to the applications based on the following comments and conditions.

To address Whitby Council 2018-2022 Goals and assist in providing a complete picture of the proposed subdivision's mobility provisions, Engineering Services has attached a Composite Transportation Component Plan (CTCP) as Attachment 1 highlighting the anticipated locations of sidewalks, multi-use trails, multi-use paths and dedicated biking facilities for reference.

Engineering Services expects that the components of this plan will be further refined and implemented through the future detailed engineering design processes following draft approval.

Engineering Services expects that the components of this plan will be further refined and implemented through the future detailed engineering design processes following draft approval. In addition, comments from the Active Transportation and Safe Roads Advisory Committee may be forthcoming and will be provided to the Subdivider for consideration.

1. **Prior to final acceptance of the Draft Plan of Subdivision**, the following shall be addressed to the satisfaction of the Planning and Development Department.

1.1. Revise the Draft Plan (DP) as follows:

- a) Streets 'C', 'F' and 'G' are identified as Collector roads within the Conlin-Anderson Master Transportation Study. Revise the Right-of- Way (ROW) width of Street 'C' and Street 'F' (south of Street 'C') to 23m to accommodate sidewalk on both sides and buffered on-road bike lanes. Due to the connection with Anderson Street, Street 'G' is considered a Collector road and shall have a minimum Right-of-Way (ROW) width of 20m.

Engineering Services requires the following Financial Considerations to be identified within Section 5 of the Council Report:

With each new subdivision development approved by the Municipality, the Town of Whitby assumes assets requiring regular operational maintenance and eventually capital replacement. The following assets will be generated as a result of the subdivision and included in the Town's Asset Management Plan. The Capital replacement and annual operating costs would be included in future budgets. Further details regarding infrastructure costs would also be identified in the Asset Management annual report.

Asset	Quantity
Roads	4.9 lane-km
Sidewalks/Multi-use paths	4.9km
Storm Sewers	2.1 km
Ponds	1.54 ha
Parkette	0.41 ha

2. Engineering Services requires the following Conditions of Draft Approval:

2.1. The Subdivider shall convey the following to the Town:

- a) Block 195 for Overland Flow block;
- b) Block 196 for Parkette;
- c) Block 197 and 205 for Stormwater Management Facility;
- d) Block 198 for Open Space;
- e) Block 200 for Hydrant Access; and
- f) Block 203 and 204 for Road Widening on the east side of Anderson Street.
- g) Block TBD for Municipal Use (1.0 wide on the north side Block 199).

2.2. The Subdivider shall implement all changes to the plan resulting from recommendations and findings of the on-going Mid-Block Arterial Schedule C Environmental Assessment (MBEA) prior to registration, including but not limited to:

- a) The final right-of-way width, alignment, and horizontal and vertical design of Street 'A' (Mid-Block Arterial), including the intersection with Anderson Street.
- 2.3. The Subdivider shall provide an updated Sub-Area Study (SAS) 5 to address the comments provided in a separate memo from KSGS Engineering dated May 26, 2021. All major comments must be addressed to the Town's satisfaction prior to initiating detailed design.
- 2.4. The Subdivider shall be responsible for concrete sidewalk and/or multi-use path installation in the following locations:
 - a) 1.8m wide sidewalk on the east side of Anderson Street along the frontage of the proposed development.
 - b) 1.8m wide sidewalk on the south side and 3.0m Multi-Use Path on the north side of Street 'A' from Anderson Street to the eastern property boundary.
 - c) 3.0m Multi-Use Trail within Block 45 to connect to the proposed Trail within the adjacent Hydro Corridor.
 - d) 1.8m wide sidewalk on both sides of all other streets. Width to be increased to 2.5m adjacent to Schools and Parks.

Further review and consideration of sidewalk placement is required and will be addressed through detail design/engineering.

- 2.5. The Subdivider shall be responsible to enter into a separate agreement(s) with benefitting parties, to which the Town is not a party, to address cost sharing for external services, external road improvements and/or the oversizing of services should such oversizing be required.
- 2.6. The Subdivider shall be responsible for the reconstruction of Anderson Street to a 2 lane urban cross-section with a 3.0m Multi Use Path on the west side, sidewalk on the east side and on-road bike lanes from the former Hydro Corridor at the south limit of the development area to the Mid-Block Arterial (approximately 1.5km length). Development Charge recoveries will apply in accordance with the Development Charge By-Law in effect at the time of final approval of the Draft Plan

Ultimate road cross-section, turning lane, active transportation infrastructure and pedestrian crossing requirements at proposed intersections along Anderson Street to be determined through completion and acceptance of a future Environmental Assessment study.

Grading match along the Anderson Street ROW limit to be based on an assumed ultimate 4 lane urban cross-section and boulevard grading. If required to address construction staging and timing, interim grading and drainage requirements that match existing conditions along the external road frontages are to be accommodated.

- 2.7. The Subdivider shall be responsible for the reconstruction of Conlin Road as follows:

- a) From Anderson Street to the west limit of the Conlin/Anderson development area: this portion of Conlin Road is an existing dead-end local road. As an integral part of the subdivision developments it will stay as a local 20m road, reconstructed to an urban standard with sidewalks on both sides, including any required turning lanes and entrance works.
 - b) From Anderson Street to the east limit of the Conlin/Anderson development area: this portion of Conlin Road shall be a 30m Type 'C' arterial road reconstructed to an urban standard with a 3.0m MUP on north side, a sidewalk on the south side, on- road bike lanes, and any required turning lanes and entrance works.
- 2.8. With reference to Figure 5 of the MTS the Subdivider shall also be responsible for the installation of a traffic signal or roundabout at the Anderson Street and Conlin Road intersection, interim pedestrian crossing controls at Anderson Street / Street 'C' / Street 'AE' and Conlin Road/Street 'F'/Street 'H' intersections and the ultimate traffic signals at Anderson Street/Street 'C'/Street 'AE' and Anderson Street/Street 'N'/Street 'T' intersections.
- Development Charge recoveries will apply to portions of the above work items in accordance with the Development Charge By-Law in effect at the time of final approval of the Draft Plan.
- 2.9. The Subdivider shall demonstrate that the width of Block 42 has sufficient width to accommodate the conveyance of the necessary overland major system flows. If required, the plan shall be revised to convey additional width, all to Engineering Services satisfaction, prior to registration.
- Similarly, there is a concern that overland flows on Street 'C' will reach unacceptable depths and/or spill to Anderson Street before achieving the calculated flow depth in the overland flow path at the south end of Block 44 leading to the SWM pond. During detailed design, it must be demonstrated that major system flows will be fully contained and comply with all Town standards.
- 2.10. The Subdivider shall be responsible for maintaining the existing Town roads in an acceptable condition throughout the duration of construction and/or until such time as the Town roads are reconstructed. The Subdivider may be required to provide the Town with securities to ensure roads are maintained to the Town's satisfaction. This is to be reviewed further when information regarding the timing of construction of both the subdivision development and the reconstruction of the Town owned road(s) is known.
- 2.11. The Subdivider shall provide a Construction Management Report and Plan(s) to the Town's satisfaction that includes, but is not limited to, a neighborhood communication strategy, construction traffic route, schedule and mud and dust control best management practices.
- 2.12. The Subdivider shall provide a Water Well Interference Report, separately or as a part of a Hydrogeological Report, to the satisfaction of the Director of Engineering Services. The Report shall review the potential impacts of development activities on existing water wells, within the zone of influence, as determined by the Qualified Person, with a minimum distance of 250m from development limits. The Water Well Interference Report shall include, but is not

limited to, a pre-construction survey of the existing water wells, a potential impact analysis through the construction phase and recommendations/remediation plans to address any concerns that may arise as a result of construction stage works.

- 2.13. The Subdivider shall implement a pre-construction survey/assessment, including a vibration monitoring program within the vibration zone of Influence (ZOI), on any adjacent buildings/structures/properties that may be affected by the construction activity, prior to commencing construction. The assessment shall be completed by a qualified person (QP) to the satisfaction of the Town and shall be provided to the Town prior to construction. Any waiving of this requirement shall be at the sole discretion of the Director of Engineering of the Town of Whitby.
- 2.14. The Subdivider shall provide an updated Master Transportation Study (MTS) to address the following comments and those provided under attached separate memo (Attachment 3) prior to final acceptance of the Draft Plan by the Commissioner of Planning and Development and as part of the detailed engineering design:
- a) The Subdivider shall, through working with the Town staff, identify traffic calming measures on Street 'C', Street 'D', Street 'F', Street 'G' and on all roads adjacent to Park and School blocks to support safe travel speeds and a comfortable environment for all users.
 - b) Controlled pedestrian crossing (i.e., Intersection Pedestrian Signal (IPS) or Pedestrian Crossover (PXO) at Anderson Street/Street 'C' and Conlin Road/Street 'F'. The IPS or PXO may be an interim solution to facilitate safe active transportation movements until such time that a traffic signal may be warranted.
 - c) Active transportation connection between Street 'F' and the Hydro Corridor within Block 198.
 - d) While the volumes may be low left turn lanes should be provided on Anderson Street and Conlin Road to facilitate safe movements along the corridor for all road users.
 - e) As part of the MTS the consultant has identified that intersection of Conlin Road/Street F/Street H will operate well under two-way stop control with no auxiliary lanes. While an eastbound left turn lane may not be warranted it is recommended to be installed from a safety perspective, particularly if the significant reduction in vehicular volume on Conlin Road is not realized. The storage can be minimal, but it is always better to separate the left turning movements from the through movements.
 - f) The School Block facility fit will be subject to the review and approval of the Durham District School Board. Town comments on the school layout will be provided at the time of Site Plan design and approval.

The Draft Plan shall not preclude the alignment of school driveways with neighbourhood intersections. School designs to conform to the Region of Durham School Design Guidelines and the Institute of Transportation Engineers (ITE) School Site Planning, Design and Transportation. Access should be coordinated early to properly align with intersections within the

neighbourhood. Type and location of pedestrian crossing(s) for the school site to be included within the MTS.

- 2.15. The Subdivider shall provide a plan showing all road allowance widths, centreline radii, streetline radii, curb lines (at bends, cul-de-sacs, and intersections with angles less than 90 degrees), tangents, intersection angles/skew, visibility triangles and driveway locations (at bends and intersections) to ensure conformance to street classifications, Transportation Association of Canada (TAC) and Town of Whitby. This should be provided prior to or with the submissions of the detailed engineering drawings.

The Subdivider shall be responsible for implementing any design elements and/or changes to the plan for registration required to address any sightline and/or alignment concerns.

- 2.16. The Functional Servicing and Stormwater Management Report shall be updated to address the following comments:

- a) Where there is no other viable design alternative, the Town of Whitby will accept a single sewer pipe within the laneway i.e., either the sanitary sewer (subject to Region of Durham acceptance) or the storm sewer. The FSSR shall be revised to demonstrate how the laneway units are to be serviced from Anderson Street or Street 'B' in addition to the service within the laneway.
- b) The Design Consultant is to investigate alternative methods of servicing Block 174 for storm drainage without the need for a third collector pipe. The proposed Foundation Drain Collector system is to be eliminated if possible. The Subdivider shall implement all changes to the plan resulting from modification to the storm sewer system to drain Block 174.
- c) Current Stormwater Management (SWM) facility access road and overland flow route location is not desirable due to proximity to the proposed signalized Street 'C' and Anderson Street intersection. Access to be from Anderson Street to the north of Street 'C' with the exact location determined through detailed design review for the reconstruction and ultimate widening of Anderson Street.

- 2.17. The Subdivider shall provide a Traffic Management Implementation Plan and shall be responsible for providing both temporary and permanent signage and pavement markings for the development.

- 2.18. The Following Lots/Blocks shall be placed on hold: Block 201 – Future Development, until such time as it can be merged with land to the north.

- 2.19. SWM Block 197 and 205 shall be sized to accommodate all Town of Whitby, Central Lake Ontario Conservation Authority (CLOCA) and Ministry of the Environment, Conservation, and Parks (MECP) design elements/features, including but not limited to, emergency spillway, sediment drying area, maintenance roads, access and turn around provision, forebay length, length to width ratios, maximum side slopes and cooling trenches and / or wetland pockets at the outfall.

- a) Since separate water quality treatment for just road drainage is not efficient, every effort shall be made to accommodate external drainage from the ultimate improvements and urbanization of both Anderson Street and Conlin Road that are tributary to the site, into the SWM Pond design. This will be reviewed at the detailed design stage.
- b) Provide details for the emergency overflow outlet from SWM Pond L4 and demonstrate that Culvert C-2 under Anderson Street has capacity for the uncontrolled flows from the pond. Note that this may affect the top elevation of Pond L4, as a freeboard of at least 0.15 m is required above the calculated emergency overflow depth.

The information provided on the grading and servicing plans indicate that Anderson Road can be overtopped by emergency overflows without impacting the homes abutting the SWM Pond. This can be deferred to detailed design, but must be taken into account in the future design of Anderson Street. When urbanized, the boulevards on Anderson Street should include erosion protection at the low point / overflow path and be designed with maximum ponding depths and flow velocities as per Town Design Criteria

- c) The SAS indicates that runoff from Conlin Road is to be directed to SWM Pond L4 however, the FSSR indicates that minor system drainage is to remain external to the site and outlet to the Anderson Street tributary. Every effort shall be made to integrate the grading, servicing, and stormwater management requirements for Conlin Road with the subdivision design.
- d) Provide details for the SWM facility outlet including cross sections from the SWM facility to the receiving watercourse west of Anderson Street, including the crossing of Anderson Street and the 100 year flood line information. This information is needed to justify the normal water level in SWM Pond L4 and the SWM facility outlet location and elevation.
- e) Calculations provided in the FSSR for the sediment drying area reflect a 2m sediment pile height. Sizing of the sediment drying area shall adhere to Town of Whitby Design Criteria, which specifies a maximum 1 m height. The Subdivider shall implement all changes to the plan resulting from modification to the SWM Pond Block's sediment drying area. The sediment drying area shall be located outside of the pond maximum water level.
- f) Provide vehicle turning path for the SWM pond maintenance road to ensure that typical maintenance vehicles (cube van) and a triaxle vehicle can navigate the current layout (with minimal reverse manoeuvring).
- g) At the time of detailed engineering design, should review of the SWM Facility show that the block has been undersized, the Subdivider shall revise the plan to increase the block size accordingly.

2.20. Prior to the development of Phase 2 of the site (FSSR, Figure 4), the realignment of St. Thomas Street and replacement of the crossing of the Anderson Street Tributary, as outlined within the Functional Servicing and Stormwater Management Report and MBEA, and confirmation of the limits of the new regulatory floodline shall be completed to the satisfaction of the Central Lake Ontario Conservation Authority (CLOCA) and Town of Whitby.

- 2.21. The Subdivider shall implement all recommended noise control measures identified in the Environmental Noise Assessment report and revise the plan if required to accommodate recommended noise control measures prior to registration.
- 2.22. All non-regulatory fencing and acoustic barriers shall be installed wholly on private property and all operation and maintenance of said fencing shall be the responsibility of the private property owners.
- 2.23. All black vinyl chain link fences to delineate Town blocks, and open spaces from private property shall be designed and constructed in accordance with the relevant engineering standards. Fencing for school blocks to be as per the appropriate school board requirements.
- 2.24. The Subdivider shall ensure all private properties are protected from flooding limits at low points and points of major system flow convergence along the municipal road system. If required, the plan for registration shall be revised accordingly to provide said flood protection.
- 2.25. The Subdivider shall be responsible for providing service connections (if required) and a suitable storm drainage outlet for flows associated with Parkette Block 196, to the satisfaction of the Town of Whitby.
- 2.26. The storm drainage plan shall show drainage boundaries for both the proposed School Block and for possible residential development in the event that the site is not developed as a school. The receiving storm sewers shall be sized for the most conservative development scenario.
- 2.27. A second public access may be required for the subdivision until Street 'G' is fully constructed and extended to Street 'F' or Street 'F' is fully constructed and extended to Conlin Road. Any lots affected by the secondary access will be placed on 'Hold'. Limits of construction and affected lots to be placed on 'Hold' will be determined at the engineering design stage.
- 2.28. Streets dead ending at property boundaries will have to be terminated at the nearest intersection or end in a temporary cul-de-sac. Limits of construction and affected lots to be placed on 'Hold' will be determined at the engineering design stage.
- 2.29. All community mailboxes within the public right-of-way shall be placed adjacent to the sidewalk location. All community mailboxes for the private developments shall be located within private properties.
- 2.30. Construction phasing of the development shall be to the satisfaction of Engineering Services, and shall consider adjoining developments and provide for upstream and downstream road and servicing connectivity.

Construction staging details will be required for the proposed servicing and road works on Anderson Street and external sanitary sewer and watermain construction on Conlin Road, including coordination with the proposed adjacent developments and the Region of Durham.

- 2.31. The Subdivider shall provide a detailed engineering submission in accordance with Sections A2.00 and A3.00 of the Town of Whitby's Engineering Design Criteria. The engineering drawings must be set up as per the Town's CAD layering standards and object data requirements set out in Appendix A of the Design Criteria.
- 2.32. All plan and profile drawings shall indicate the seasonal high water table elevation and the corresponding Minimum Basement Elevation, all to be confirmed by Hydrogeological Consultant and accepted by Central Lake Ontario Conservation (CLOCA). The Subdivider shall protect all proposed private dwellings from the seasonal high water table where applicable.
- 2.33. The Subdivider shall be responsible for all hydro poles, luminaries and hydro requirements for this proposed subdivision and shall enter into a separate agreement with Elexicon accordingly.
- 2.34. The Subdivider shall provide the Town with a full electrical design (i.e., primary, secondary and streetlight design) for this development. All aspects of the secondary electrical design and street light design will be peer reviewed by the Town. The Subdivider will be financially responsible for the peer review cost including a 15 percent administrative fee. The street lighting design shall comply with the latest version of the RP-8 Roadway Lighting Design standard and shall utilize LED technology.
- 2.35. Any concerns raised through future re-submissions of the geotechnical and hydrogeological reports for the site shall be addressed by the Subdivider to the satisfaction of the Engineering Services. This includes, but is not limited to, pavement design specifications based on street classifications, earth berm grading design, confirmation of design parameters and preliminary layout for LID measures, proposed stormwater management pond elevations relative to groundwater levels and the need/thickness of the impervious membrane or synthetic clay lining, foundation construction requirements and recommended measures for Best Management Practices for municipal servicing construction. The plan must reflect changes required in this regard prior to registration.
- 2.36. The Subdivider shall provide the Town with a deposit for any necessary peer review costs with the amount to be determined at time of first peer review. The Town will administer payments to any Peer Review Consultant(s), and provide milestone billings back to the Subdivider. The Town may request additional deposits for the Peer Review funds if required. At the time of issuance of full engineering approvals, any remaining deposit will be returned to the Subdivider. This condition will be superseded at such time as the Town has a Peer Review By-law in place.
- 2.37. The Subdivider shall provide a copy of the approved individual lot grading plan (i.e., siting) to each lot purchaser prior to closing.
- 2.38. The Subdivider shall agree to implement the recommendations of all reports submitted in support of the application.

- 2.39. The Subdivider shall be responsible for satisfying any additional requirements identified by the Engineering Services not specifically listed above.

All other items related to the subdivision can be addressed through the subdivision agreement process subsequent to Draft Plan Approval.

B. Informational Comments

3. The following items can be addressed through the **Engineering Submission and Subdivision Agreement process**:

- 3.1. It is noted that the runoff coefficients specified within the Town's Design Criteria and Engineering Standards are minimum values to be utilized for sizing of the storm sewer system. Sample calculations shall be provided for all housing types (not just single detached) and shall be demonstrated by the consultant that the use of these minimum values is appropriate for the subject development. If required, the values shall be increased to represent the actual development proposal.

Ensure that the runoff coefficients in the Functional Servicing and Stormwater Management Report meet the minimum Town Design Criteria, unless otherwise approved as noted above.

- 3.2. Functional Servicing and Stormwater Management Report:

Unless significant changes are made to the Draft Plan a revised FSSR is not required therefore, comments provided below are to be considered as part of the detailed engineering design and Stormwater Management Report submission following Draft Plan approval.

a. Report Comments

1. It is understood that ultimately drainage from areas north of the plan will be conveyed when Anderson is widened and urbanized as part of the road detailed design and in the interim runoff from the external areas will be conveyed to the existing Anderson Street ditch and culvert. An analysis of the existing Anderson Street ditch capacity must be completed to confirm these flows can be conveyed/contained within the existing cross-section.
2. The use of rear yard catchbasins is to be minimized. Every effort shall be made during the detailed grading design to eliminate the need for rear yard catchbasins (RYCBs) through the use of mixed lot drainage types (i.e., pairing rear to fronts or pairing rear to fronts with split draining lots). If required, a minimum 3.0m wide easement as per Town Standard 107.20 shall be used for all RYCBs.
3. Section 6.2 and Figure 6 to be revised to reflect Town Design Criteria requirement that both front and rear roof leaders for townhouse units be connected to the storm sewer system unless otherwise directed.

4. The profile design for the Street 'A' and adjacent streets in the proposed development shall be coordinated with the MBEA Consultant. For external road improvements, proposed lot grades are to match future boulevard elevations along the ultimate right-of-way.
5. Intersection grading is to include vertical curves to minimize the depth of low points to reduce any potential flooding in the event of catchbasin blockage. Ensure catchbasins are located at low points and that the start / end of vertical curves are just beyond the edge of the adjacent travelled lane, including allowance for the future improvements on Anderson Street and Conlin Road. Single catchbasins are suitable at intersection low points.
6. Confirm the minor and overland flow drainage area boundary for the contributing portion of land east of the development land. Any area outside of the boundary that is contributing flows to the development lands is to be accommodated within the proposed development. Engineering calculations are to be provided to support the design of runoff from the hydro lands to the east draining through the front-draining residential lots on the east side of Street 'F'.
7. Provide clarification on the where the Minor and Major system flows are directed downstream of the SWM Pond. In the SAS, Section 3.4.3.1 notes that Pond L-4 drains to the Anderson Street ditch and then to proposed Culvert C-2. Also, add details outlining the requirements for the ultimate urbanization of Anderson Street and capacity calculation of the existing Anderson Street ditch.
8. Demonstrate how the minor system drainage from EXT-2 will be conveyed to SWM Pond L4.
9. The extent and location of the storm sewer pipe in Street 'A' is to be reviewed to show compliance to the cross sections provided in the MBEA.
10. Provide conceptual servicing and grading details to illustrate the internal and/or external servicing for Block 49 and include additional information on FGP and FSP to clarify these requirements.
11. The SWM criteria listed in Section 5.3.2 of the report should be updated to reference and reflect the Town's 2019 Design Criteria and Engineering Standards. It is recognized that the SWM pond concept design reflects the 2019 Standards.
12. Verify the input parameters in the pre-development and post-development Visual Otthymo (VO) hydrologic model and include figures indicating the delineation of the catchments for lands outside the study area (i.e., Catchment L11A draining to existing SWM Pond # 2, Catchment L11 Remaining Areas) and calculations supporting the key model input parameters such as % impervious.

13. The Subdivider shall provide further detail and delineate which uncontrolled areas are directed to Anderson Street and which are directed to Conlin Road. Supporting documentation and calculations shall be provided demonstrating that the existing Anderson Street and Conlin Road ditches have sufficient capacity to receive the flows.
14. Supporting calculation for the emergency spillway to the SWM facility to be provided.
15. Incorporate in the FSSR report typical Right-Of-Way cross sections.
16. Preliminary storm design sheets have not been provided so it is unclear if pipes are properly sized and if they have proper cover.

b. Functional Grading Plan Comments

1. Existing boundary grades are not being matched along the Anderson Street right-of-way. Provide cross sections to clarify the grading intent for the transition from the site to the interim and ultimate boulevard elevations.
2. Coordinate the latest MBEA grading with the proposed Functional Grading Plan. Latest Mid-Block grading elevations in the EA are not maintained by the Applicant. Applicant to monitor the detailed design process as changes to the alignment or recommended elevations may occur.
3. The design criteria specified in the Town of Whitby design standards Table C3.01 shall be used. Specific revision to the FGP include but are not limited to: i. Intersection through grades in the FGP exceed Table C3.01.
4. Provide grade and distance information for Street C.
5. Provide vertical curve K-Value for all proposed vertical curves to show compliance with Table C3.01.
6. Ensure minimum gutter grades for eyebrows are met per C3.03.3.
7. Demonstrate how the grading will work into the Hydro Corridor at Street 'A'.
8. Clarify limits of proposed work and temporary measures to tie into existing conditions.
9. Every effort shall be made to accommodate external drainage from the ultimate improvements and urbanization of Anderson Street, which is tributary to the site, into the area wide SWM design. This will be reviewed at the detailed design stage to minimize storm sewer infrastructure. As per Section 2 comments, both Anderson Street and Conlin Road are to be urbanized, therefore minor system flows are to be accommodated for all tributary areas upstream of the applicable SWM facility.

10. The method of conveyance for the external drainage area EXT-1 (1.43ha) through the adjacent front drainage lots shall be clarified and calculations provided to ensure the method of conveyance has sufficient capacity to prevent flooding of these lots.
11. Demonstrate how the flows north of Block 49 will not enter the site and how the overland flow will drain to the Lynde Creek tributary west of Anderson Street. Although the FSSR is stating this area will drain uncontrolled to Anderson and the Lynde Creek, a low point is being created at the north-west corner of Block 49 and thus causing this external drainage area and low point will be conveyed to the tributary.

c. Functional Servicing Plan Comments

1. The interim pond outlet shown on Figure 5A and the ultimate pond outlet shown on Figure 5B of the FSSR are both located below the 100yr Floodline elevation in the Lynde Creek Tributary. Provide engineering support to show how the 100yr Floodline will not adversely affect the function of the SWM Pond under both interim and ultimate conditions. The pond should meet all applicable design criteria under both conditions with (a) no tailwater at the outlet and (b) 100 year flood conditions at the outlet.
2. Provide further detail of the location and limits of sewers in Street 'A'.
3. Easements will be required for the construction of any roads and/or services that extend beyond the limits of the Draft Plan.
4. Maintenance holes with storm sewers sized 1200mm or greater shall not exceed 45 degree angles per B3.09 (e).
5. Angles less than 45 degrees between storm sewers are not acceptable per B3.09 (f).
- 3.3. Provide layout, cross-section, and profile details for the SWM facility outlets including erosion control measures along the affected valley lands between the outlet and the watercourse as part of the engineering drawings.
- 3.4. Provide layout and details for Emergency Access(s) if required due to subdivision phasing and access limitations.
- 3.5. Provide a detailed design brief and Operations and Maintenance Manual for the proposed SWM facilities.
- 3.6. Lots and blocks serviced by laneways, regardless of housing type, shall have all roof leaders directly connected to the municipal storm sewer unless otherwise approved.
- 3.7. It is noted that the Hydrogeological Assessment Report recommends that infiltration measures for Low Impact Development (LID) be located on public lands for maintenance and long term care. The Town of Whitby currently does not allow LID's within public road allowance.

- 3.8. To address lot level LID recommendations, ensure that lots and areas where roof water leaders are proposed to be disconnected from the storm sewer connection are clearly noted and can accommodate the drainage without creating problems associated with winter ice accumulation. Ensure that storm drainage areas reflect the correct boundary location.
- 3.9. The Consultant is to provide the Town with a dual drainage (minor / major system) storm model for the entire development using Personal Computer Stormwater Management Model (PCSWMM) as part of the detail design and confirmation of HGL elevations.
- 3.10. The use of Inlet Control Devices (ICDs) is discouraged and shall be limited to roadway sags, as per Town requirements, to the greatest extent possible. The model shall illustrate the implications of conventional ICD placement at CBs, per Town standards and documentation regarding the recommended use of ICDs within the proposed subdivision shall be provided.
- 3.11. Provide detailed ponding limits at overland flow low points, and any points of overland convergence to ensure that appropriate emergency access can be maintained to the area based on Town of Whitby Design Criteria and that private property has been protected from flooding. Ponding limits are to be shown for 100-year storm events. Low points are to be located at the appropriate block or intersection location.

For all overland flow outlet points, the following shall be provided: flow channel profile, cross-sections and erosion protection works at all locations i.e., across window street boulevard areas, within specific overland flow blocks, across SWM Pond Blocks and any direct outlets to Open Space areas.

- 3.12. Provide details and analysis for the routing of overland flow through the stormwater management ponds to ensure stability of the pond under major storm events.
- 3.13. In advance of any on-site work, provide recommendations for monitoring of the existing creek/tributary during construction (erosion and sediment controls, stormwater management, vegetation protection, stream protection in area of storm outfall(s), dewatering, access, storage, and equipment maintenance requirements) and post construction (changes to vegetation or wildlife habitats and species).
- 3.14. On-road cycling facilities are to be integrated with the Community Services trails network at locations where off road facilities are provided (e.g., signage, rest stops and/or other enhancements).
- 3.15. Due to the preliminary nature of the proposed grading design for the school blocks, park blocks, and additional lands owned by the applicant, the overland flow calculations must consider the worst case scenario for the determination of flow volumes at each outlet.

- 3.16. Noise fence/barrier design may need to accommodate surface drainage outlets depending on the lot type and grading design. At the design stage, once detailed grading information is available, a letter will be required from the noise consultant to confirm that the recommendations of the Noise Report provided for the development remain relevant to the accepted grading.

Any transition in height of the noise barrier is to occur at lot lines so that the noise barrier height across individual lots is consistent.

- 3.17. The Subdivider shall address mail delivery provisions for any proposed phasing of the development as required.
- 3.18. The Town will not grant exemptions to half-load restrictions to facilitate construction of the proposed development. The Subdivider shall schedule construction activities in accordance with typical timing of load restrictions for the surrounding road network.
- 3.19. The Subdivider shall provide a Topsoil Management Plan at the detailed design stage and place lots on hold as required to facilitate the topsoil stockpile. Every effort shall be made to minimize stock piling of excess topsoil.
- 3.20. Per the recommendation within the Sub Area Study, topsoil thickness for landscaped areas within the development is to be increased.
- 3.21. The Subdivider shall provide the Town with a cash contribution in accordance with the by-lawed rate in force at the time of payment, for each newly installed streetlight for the relamping and cleaning of streetlights, representing typical maintenance costs prior to assumption.
- 3.22. The Subdivider shall provide the Town with a cash contribution in accordance with the by-lawed rate in force at the time of payment towards the installation of vertical control benchmarks.

Strategic Initiatives (Sustainability)

The Sustainability Section has reviewed the proposed development and wishes to provide the following comments:

The Sustainability section acknowledges and appreciates the sustainability considerations outlined in the Whitby Green Standard Checklist and the Sustainability Rationale report. We can confirm that the applicant has provided all information possible at this stage of the development to demonstrate compliance with the Tier 1 mandatory performance.

However, in order to ensure the standard is being achieved staff will require the following information to be provided at a later date:

- Confirmation that appliances provided in residential buildings will meet Energy Star certification or equivalent as per Tier 1 criteria ECC1.4 ;
- Renewable energy feasibility study;
- Landscape plans demonstrating compliance with Tier 1;

- Architectural plans demonstrating compliance with Tier 1; and
- Electrical Plans demonstrating compliance with Tier 1.

The commitments outlined in the WGS checklist, Regional Report and requirements noted above will need to be outlined in the Site Plan Agreement (where applicable).

Sustainability Staff continue to encourage the applicant to consider advanced sustainability criteria through the uptake of voluntary Tiers 2-4 as it progresses into the detailed design stage. These standards support sustainable site design for the development and redevelopment on public and private property, enhancing the Municipality's natural heritage, economic vitality, cultural heritage, and social aspects.

To assist with achieving the advanced Tiers, staff encourage the applicant to:

- Install Level 2 EV charging stations in the visitor parking lot and include a rough-in conduit for EV charging stations in private parking spaces. As vehicles transition to electricity, access to charging stations in residents for low-cost overnight charging is becoming essential. There is currently funding available through [The Atmospheric Fund](#) to support this and encourage the applicant to contact sustainability staff for more information.
- Explore opportunities to integrate advanced clean energy measures through uptake of solar energy and other energy efficiency measures like air source and ground source heat pumps.
- Consider the uptake of voluntary measures outlined in the Whitby Green Standard Checklist.

Landscape Division

1. The Tree Preservation Plan set of 5 drawing sheets, is acceptable as revised. This includes the Details sheet (TPD1-1 page, dated April 6, 2022) and the Cover, and associated plan sheets TP1-TP3 (4 pages).
2. This (first) submission of the Arborist Report is acceptable with the following items noted:
 - The photos provided on the last two pages have no locations noted. If this information is available, please have the consultant provide this information.
 - The following trees require the permission of the adjacent landowner prior to removal: A, B, 463, 464, 465, 466, 445, 446. A copy of this permission is required to be submitted to the Planning Department, c/o the undersigned, for the town's records.
 - The following trees, identified as Boundary trees shared with Town, are noted. These trees are acceptable to remove: Tree #'s 892, 882, 883

The Arborist Report identified the following trees as located within the Town's right-of-way. These trees were also identified as requiring removal to facilitate this proposed development. An appraisal is required to be generated by an ISA certified Tree Appraiser, for submission to the Planning Department. The submitted appraisal will be considered in determining the appropriate compensation value and will be reviewed prior to providing the Town's permission for removal of these three trees. The trees that this condition applies to are identified in the Arborist Report as tree #'s 889, 886, and 867.

Fire and Emergency Services

The current proposal is showing a long dead-end on the west and east side of the site until the future development block is constructed to connect street F. FES would accept eliminating the secondary access if the developer can confirm that Street F are connected prior to any occupancies.

A fire break and hydrant plan shall be submitted for review and acceptance.

Region of Durham

The ROP designates the subject lands as "Living Areas" within the Urban System. Approximately half of the subject lands are also situated within the Built Boundary of Whitby's Urban Area, whereas the remaining lands are situated within a designated Greenfield Area. Lands within the designated Greenfield Area require a minimum overall gross density of 50 residents and jobs combined per hectare. Living Areas are intended to accommodate a full range of housing options at higher densities.

The ROP classifies Anderson Street and the future Street 'A' as Type 'B' Arterial Roads. Where access opportunities are limited, Policy 11.3.35 of the ROP requires new development applications that abut arterial roads to minimize the amount of reverse lot frontages along arterial roads or promote alternatives.

Based on our preliminary review, the proposed plan of subdivision appears to increase the residential density on the subject lands to approximately 110 units per gross hectare (for lands within the Built Boundary) and achieve an overall greenfield density target of approximately 60 persons and jobs per hectare when jobs are introduced and calculated into this development. As such, the proposed development will contribute to the allocation of units for intensification within Whitby's built boundary as outlined in Schedule E – Table 'E9' of the ROP.

The subject lands are also in proximity to (industrial) Employment Areas. The Ministry of the Environment, Conservation and Parks (MECP) categorizes existing and future industrial operations south and east of the subject as less sensitive than residential uses. In accordance with provincial guidelines, the proposed residential uses must be assessed for land use compatibility. It is the Region's understanding that these lands form part of the holdings of the Brooklin Landowner's Group and that this group is conducting a comprehensive LUC and Noise Study to address the impact and the required setbacks to the existing and future non-sensitive land uses in the area.

The proposed draft plan provides for a range of housing types, in accordance with the Town of Whitby's Brooklin Community Secondary Plan. Although the proposed development generally conforms to the Living Areas permissions of the ROP's, full conformity with the ROP can only be assessed once the Land Use Compatibility and Noise Study assessment has been completed and peer reviewed to the satisfaction of the Town of Whitby and the Region of Durham.

Provincial Policy and Delegated Plan Review Responsibilities

Provincial Policy Statement

The Provincial Policy Statement (PPS) contains policy direction on matters of Provincial interest related to land use planning. The PPS encourages settlement areas to be the focus of growth and development and supports a range and mix of land uses and housing types. New development in designated growth areas are to be compact and allow for the efficient use of land, infrastructure, while also supporting the health and well-being of communities. The PPS aims to minimize and eliminate land use compatibility issues between residential and industrial land uses.

The proposed development provides a range of housing types allowing for compact, efficient use of land and infrastructure. However, consistency with the PPS will be determined once the proponent's finalizes outstanding issues with Land Use Compatibility and Noise Study.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe

In accordance with Policy 2.2.2.2 of the Growth Plan, a minimum of 40 percent of all residential development occurring annually in the Region must be within "Built-up Areas." Policy 2.2.7 requires all new development within designated greenfield areas to accommodate a minimum density target of 50 residents and jobs combined per hectare.

The Growth Plan also requires all intensification areas to support vibrant neighbourhoods by providing a diverse and compatible mix of land uses, including residential and employment uses.

As previously noted, subject lands are almost equally within both Whitby's "Built-up Area" and the designated Greenfield Area. The proposal will help contribute to the annual intensification targets and designated greenfield minimum density targets for the Town of Whitby and the Region, as well as provide a diverse and compatible mix of land uses within the Brooklin Urban Area. Conformity with the Growth Plan will be determined once Land Use Compatibility and Noise Study are completed and peer reviewed.

Provincial Plan Review Responsibilities

Environmental Site Assessment

In support of the proposed development, GHD has prepared the following documents for review:

- A Phase One Environmental Site Assessment (ESA) dated October 29, 2020;
- A Regional Reliance Letter dated October 30, 2020.

The Phase One ESA noted two potentially contaminating activities (PCAs) within the study area [250 metres (m)] from the subject lands pertaining to an above ground storage tank (AST) for heating oil purposes and a small electrical substation. The PCA's identified did not result into areas of potential environmental concern on the subject lands. As such, GHD concluded that the subject lands have a low risk of environmental concern and recommended that no further assessment of the environmental conditions is required at this time.

The Region has considered GHD's findings in accordance with our Soil and Groundwater Assessment Protocol (SGAP), but requires GHD to update the following:

- A certificate of Insurance must be submitted in accordance with Appendix F – Regional Municipality of Durham Reliance Letter of the SGAP.

In accordance with the Region's SGAP and the Ontario Brownfields Regulation (O.Reg. 153/04), we note that the above-noted documents will have to be updated periodically at the Region's discretion.

Environmental Natural Heritage

In support of the proposed development, Cambium Inc. (Cambium) prepared an Environmental Impact Study (EIS) dated January 27, 2021. The study was prepared to identify features and determine whether mitigation measures for the proposed removal or alteration of existing key natural heritage and/or hydrologic features (KNHHF) and their buffer area encroachments are required. The study also monitored various wildlife and species-at-risk (e.g., birds and redbreasted dace) that exist and any adverse effects the proposed development may cause on their existence.

The EIS referenced various mitigation measures to ensure that the proposed construction, alterations, and post-development effects related to the proposed development will prevent any negative impacts on the KNHHF, wildlife and their associated functions throughout the site.

The Region has a Memorandum of Understanding with the Central Lake Ontario Conservation Authority (CLOCA) to review and evaluate the environmental features and functions of all development proposals.

In CLOCA's commenting letter dated June 25, 2021, CLOCA notes a variety of environmental matters that remain outstanding prior to their issuance of their conditions of draft approval.

An updated letter dated July 28, 2022 was submitted from CLOCA stating that they have no issues granting approval of the proposal a, subject to the proponent satisfying the conditions outlined in their letter.

Land Use Compatibility Assessment and Noise Mitigation

The Brooklin Landowners Group is currently addressing a series of Land Use Compatibility (LUC) issues associated with surrounding existing and future employment uses area. The Region anticipates a consolidated study to address the related LUC and Noise mitigation. The consolidated LUC and Noise study will be subject to the Region's peer review process.

Regional Municipal Servicing

The theoretical servicing population for this development is 1188 people.

All units within the proposed development shall be serviced by Regional sanitary sewer and water supply only within the standard width right-of-way.

The Region will not permit the construction of sanitary sewer and water mains within the rear laneways. In accordance with the Region of Durham Sewer Use By-Law, the Region will not permit foundation drains and/or roof leaders to connect to the sanitary sewer system. Sanitary capacity is on a first come first serve basis and is only allocated at the time of signing a development application.

Water Supply

The subject lands are located within the Zone 3 water supply system for Whitby (Brooklin). The estimated static water pressure for this area ranges between 510 kilopascals (kpa) or 73 pounds per square inch (psi) to 667 kpa (96 psi). The estimated static water pressure in parts of the site exceeds the maximum allowance of 550 kpa (80 psi), therefore, private pressure reducing valves will be required within each unit fronting a centreline road elevation below 164 metres (m).

The following works must be completed for water servicing to be available:

- A 600 millimetres (mm) Zone 3 feedermain on Anderson Street to the Region-owned driveway, just west of Garrard Road;
- A 900 mm Zone 3 feedermain on the Region owned driveway from Conlin Road to the Garrard Road Zone 3 Pumping Station;
- Upgrades of the Garrard Road Zone 3 Water Pumping Station; and
- A 400 mm Zone 3 feedermain on Anderson Street from Conlin Road to Clair Avenue.

The design of the sections of feedermain along Conlin Road, east of Thickson Road and along the Region owned driveway to the Garrard Road Zone 3 pumping station is currently underway. The details related to construction phasing and timelines are still being developed but this project is expected to be tendered in 2021.

It is our understanding that the sections of proposed Zone 3 feedermain on Conlin Road, west of Thickson, and Anderson Street from Conlin to Street 'A', along with the 400 mm diameter (dia.) watermain on Anderson Street from Street 'A' to the north side of highway 407 to Clair Avenue will be constructed by the developers.

Ultimately, the proposed development will require two water connections to the Zone 3 water supply system with a water feed from the east along Conlin Road and one water feed from the north along Anderson Street. Details regarding implementation, timing and cost sharing will need to be discussed and confirmed.

The internal watermain sizing should be reviewed with the surrounding development applications. Currently, the Region anticipates that 300 mm watermain are likely on Streets 'C', 'F' and 'G' within the subject lands. Further review of the watermain sizing will be determined upon subsequent submissions.

Sanitary Servicing

Sanitary servicing to the subject lands will require the extension of a local sanitary sewer from the existing 1,200 mm trunk sanitary sewer located within an existing easement west of Anderson Street. Based on a theoretical population of 1,188 people, the sanitary flow would equate to approximately 22 litres per second (l/s).

Brooklin Sanitary Diversion to the Courtice Water Pollution Control Plant

The existing trunk sanitary sewer located within the existing easement west of Anderson Street conveys sanitary sewage flows from Brooklin to the Corbett Creek Water Pollution Control Plant (WPCP).

As Brooklin expands, it is estimated that the sewage flows will exceed the conveyance capacity of the Corbett Creek Trunk Sanitary Sewer. Prior to the trunk sewer capacity being exceeded, the Regions conceptual plans call for a sanitary pumping station to be constructed to convey flows from Brooklin to the east via forcemain to the Conlin Road Sanitary Pumping Station, to the Courtice Trunk Sanitary Sewer, and ultimately to the Courtice WPCP. It is important to note that the Class EA that planned the Courtice WPCP included Brooklin within the service area. Similarly, the recently completed Class EA that planned the Courtice Trunk Sanitary Sewer also included Brooklin within its service area.

The additional proposed servicing works are outlined within the current Development Charge Background Study at a conceptual level; however, they will be subject to further study as part of the Class EA for the diversion of sanitary sewage to service North Whitby and North Oshawa. This Class EA is underway and is anticipated to be completed late 2022 early 2023. It is expected that the timing for the construction of these works will not impact the timing for development within the Brooklin Expansion Area, but this must be reviewed and may change as development within the Brooklin Expansion Area proceeds.

Function Servicing and Stormwater Management Report

In support of the proposed development, Candevcon prepared a Functional Servicing and Stormwater Management Report dated March 2021. We have reviewed this report and request that the report and associated Functional Servicing Plan (FSP) drawing reflect the above-noted comments.

Waste Management

Guidelines for municipal waste collection service on Private Property are outlined in Schedule "P" of the Regional Waste Bylaw 46-2011. The Region only provides recycling service in the Town of Whitby. The Town provides all other waste collection. The set out of waste by each unit within a new development must adhere to the Technical and Risk Management Guidelines, showing clear delineation of set out for each residential unit where waste collection will occur.

For additional information the link is provided below:

<https://www.durham.ca/en/doing-business/commercial-waste.aspx>

Any dead-end road(s) must be designed and built with a permanent or temporary, T-turn or Cul-de-sac. The turn arounds will be reviewed in detail at the Engineering review stage to ensure it complies with the Waste Bylaw 46-2011.

Currently, the Ontario Ministry of Environment, Conservation and Parks introduced a draft regulation under the *Resource Recovery and Circular Economy Act*, 2016. The regulation will make producers responsible for blue box programs' operation including collection, as part of the Province's full producer responsibility framework. Subject to the filing of the new regulation and amendments, the Region of Durham cannot confirm that it will be the recycling service provider for this development upon the completion of Durham Region's Blue Box program transition, anticipated to occur in 2024.

For additional information the link is provided below:

<https://www.ontario.ca/page/waste-management#section-1>

Transportation

The proposed development was also reviewed from a Regional transportation operational and planning perspective.

Transportation Operational

The BA Group prepared the Conlin-Anderson Master Transportation Study dated March 2021 in support of the proposed development and adjacent properties. We have reviewed this report and have provided the following comments.

1. The Master Transportation Study is in support of the Conlin-Anderson Comprehensive Block Plan (CBP), covering 5095, 5125, 5245 and 5034 Anderson Street. The CBP comprises of development of 1850 residential units, 10,000m² commercial and 400 pupil school, lands within the Brooklin Community Secondary Plan area.
2. The transportation network within the study area is all within the jurisdiction of the Town of Whitby, with no direct Regional Road impacts. However, the Region has been involved in the ongoing Mid-Block Arterial Road EA and the multi-resolution modelling process, undertaken by BA Group for the Brooklin North Landowners Group. The following comments/recommendations are for the Town to consider in determining if additional submissions or revisions are required.
3. Based on the proposed CBP design, the modelling zones were increased and updated in the development area. When comparing the original assumptions made in the modelling with the updated assumptions, as set out in Table 4 (Page 19) there is shown to be an overall decrease in the residential trips (and total trips) when compared.
4. To match the Region's standards for operation of signals please ensure all modeling of signalized locations is in accordance with the following:
 - Minimum initial should be 8 seconds (sec) for side streets, 20 sec for main streets, and 5 sec for advance phases;
 - Permitted protected lefts should have an amber of 3 seconds and all red of 0 seconds;

- Recall mode should be C-max for main street phases and none for side street (with actuation by stop bar detection), recalls for advances should also be none for main streets and side streets and actuated by detectors setback 15 m. All signals should have Anderson as main street and Conlin as side street.
 - Advise against the use of an advance left phase at shared left/through/right lane as was modeled at Anderson & Street 'T'/Street N.
5. Sections 3.1 Proposed Network (Page 11) and Section 6.0 Summary and Conclusions (Page. 39) – identify the inclusion of pedestrian and cycling amenities in the development to promote sustainable transportation. It is recommended that 0.6 spaces/unit of long-term bicycle parking facilities and 0.1 spaces/unit or 3 spaces of short-term bicycle parking facilities be included at all properties and referenced in the report. It is recommended that both the longer term and short-term bicycle parking facilities be located near building / property entrances to help encourage sustainable transportation.
 6. We recommended that the proponent consider including Electric-Vehicle (EV) charging stations on site or “roughing-in” parking stalls for future ability to install charging stations for residents and/or visitors. Including EV charging stations can help support TDM and the achievement of sustainable mode share targets for the Town and Region.
 7. To promote sustainable commuting options for businesses and employees located at the mixed-use commercial segment of the proposed development, we recommend that carpool priority parking spots be provided and that information about the Region’s Smart Commute program for businesses and employers in Durham region to encourage sustainable transportation options.
 8. Section 6.0 Summary and Conclusions (Page 39) – indicate that current transit service in the area is limited and acknowledges that as the lands located in the Conlin-Anderson master plan area are developed, opportunities to expand transit service may arise. It is recommended that the Figure 10 Connectivity Map (page 33) be updated to denote where sidewalks as well as current and future / potential transit stops adjacent to the site are located, to help identify pedestrian-transit connections and to the site. Durham Regional Transit (DRT) should be consulted on potential transit stop locations.

Transportation Planning

The alignment of the Mid-Block Arterial is conceptually shown at the northern edge of the draft plan of subdivision as Street 'A'. The Mid-Block Arterial Class EA study was completed in July 2021, and the plan should the road and corresponding roundabout are fully accommodated.

A walkway or open space block should also be provided between Street 'A' (the Mid-Block Arterial) and Street 'D' in the vicinity of Blocks 11 and 12. This would provide pedestrian connectivity between the Anderson Street / Mid-Block Arterial and the subdivision for access to future transit service and school travel (e.g., from the adjacent subdivision planned west of Anderson Street).

Transit

The proposed development was also reviewed from a Durham Region Transit (DRT) perspective and it was determined that the proposed development does not pose any significant transit concerns. Transit stop and infrastructure planning will be addressed during the subdivision draft plan approval stage or the site plan application stage, where appropriate.

Conclusion

The future draft approval of the proposed plan of subdivision is subject to the applicants satisfying the above-noted requirements. Any future revisions to the proposed draft plan of subdivision must also be subject to our review.

Region of Durham (Addendum to Previous Comments May 19, 2023)

Further to our previous correspondence on the above noted applications, a consolidated Land Use Compatibility report dated May 4, 2023, and a Noise Mitigation report, dated October 24, 2022 have been submitted. The Region is also in receipt of an updated Draft Plan dated April 23, 2023, for a subdivision development consisting of 378 residential units over 20.33 hectares (ha).

The proposed plan of subdivision increases the residential density to approximately 110 units per gross hectare (for lands within the Built Boundary) and achieves an overall greenfield density target of approximately 60 persons and jobs per hectare. As such, the proposed development will contribute to the allocation of units for intensification within Whitby's built boundary as outlined in Schedule E – Table 'E9' of the ROP.

The subject lands are in proximity to (industrial) Employment Areas. A Land Use Compatibility study was submitted and prepared by Cambium, dated May 4, 2023, and a Noise study was submitted and prepared by Valcoustics, dated October 25, 2022. The studies have concluded that the proposed residential development will meet applicable provincial standards and regulations.

In accordance with the Region's practices, a peer review needs to be conducted to confirm the findings of the studies and any mitigation/clauses to the satisfaction of the Town of Whitby and the Region of Durham. Any conditions associated with the peer review must be addressed as conditions of approval prior to the registration of any of the residential lots within the proposed plan of subdivision.

Conformity to the Durham Regional Official Plan (ROP)

The ROP designates the subject lands as "Living Areas" within the Urban System. Approximately half of the subject lands are also situated within the Built Boundary of Whitby's Urban Area, whereas the remaining lands are situated within a designated Greenfield Area. Lands within the designated Greenfield Area require a minimum overall gross density of 50 residents and jobs combined per hectare. Living Areas are intended to accommodate a full range of housing options at higher densities.

The ROP classifies Anderson Street and the future Street 'A' as Type 'B' Arterial Roads. Where access opportunities are limited, Policy 11.3.35 of the ROP requires new development applications that abut arterial roads to minimize the amount of reverse lot frontages along arterial roads or promote alternatives.

Based on our review, the proposed plan of subdivision appears to increase residential density on the subject lands to approximately 110 units per gross hectare (for lands within the Built Boundary) and achieve an overall greenfield density target of approximately 60 persons and jobs per hectare when jobs are introduced and calculated into this development. As such, the proposed development will contribute to the allocation of units for intensification within Whitby's built boundary as outlined in Schedule E – Table 'E9' of the ROP.

The subject lands are also in proximity to (industrial) Employment Areas.

The Ministry of the Environment, Conservation and Parks (MECP) categorizes existing and future industrial operations south and east of the subject as less sensitive than the proposed residential uses. In accordance with provincial guidelines, the proposed residential uses must be assessed for land use compatibility. A Land Use Compatibility study was submitted and prepared by Cambium, dated May 4, 2023, and a Noise study was submitted and prepared by Valcoustics, dated October 25, 2022. The studies have concluded that the proposed residential development will meet applicable provincial standards and regulations.

In accordance with the Region's practices, a peer review of the submitted reports shall be conducted to confirm the findings of the studies and any mitigation/clauses to the satisfaction of Town of Whitby and the Region of Durham.

The ultimate development of the proposed plan of subdivision will contribute to the Town's residential growth targets and provide for an array of housing options in general conformity to the Living Areas permissions of the ROP.

Provincial Policy and Delegated Plan Review Responsibilities

Provincial Policy Statement

The Provincial Policy Statement (PPS) contains policy direction on matters of Provincial interest related to land use planning. The PPS encourages settlement areas to be the focus of growth and development and supports a range and mix of land uses and housing types. New development in designated growth areas are to be compact and allow for the efficient use of land, infrastructure, while also supporting the health and well-being of communities. The PPS aims to minimize and eliminate land use compatibility issues between residential and industrial land uses.

The proposed development provides a range of housing types allowing for compact, efficient use of land and infrastructure. As such, the proposal is generally consistent to the Provincial Policy Statement.

A Place to Grow: Growth Plan for the Greater Golden Horsehoe

In accordance with Policy 2.2.2.2 of the Growth Plan, a minimum of 40 percent of all residential development occurring annually in the Region must be within “Built-up Areas.” Policy 2.2.7 requires all new development within designated greenfield areas to accommodate a minimum density target of 50 residents and jobs combined per hectare.

The Growth Plan also requires all intensification areas to support vibrant neighbourhoods by providing a diverse and compatible mix of land uses, including residential and employment uses.

As previously noted, subject lands are almost equally within both Whitby’s “Built-up Area” and the designated Greenfield Area. The proposal will help contribute to the annual intensification targets and designated greenfield minimum density targets for the Town of Whitby and the Region, as well as provide a diverse and compatible mix of land uses within the Brooklin Urban Area. As such, the proposal generally conforms with A Place To Grow.

Provincial Plan Review Responsibilities

Environmental Site Assessment

In support of the proposed development, GHD has prepared the following documents for review:

- A Phase One Environmental Site Assessment (ESA) dated October 29, 2020;
- A Regional Reliance Letter dated October 30, 2020.

The Phase One ESA noted two potentially contaminating activities (PCAs) within the study area [250 metres (m)] from the subject lands pertaining to an above ground storage tank (AST) for heating oil purposes and a small electrical substation. The PCA’s identified did not result into areas of potential environmental concern on the subject lands. As such, GHD concluded that the subject lands have a low risk of environmental concern and recommended that no further assessment of the environmental conditions is required at this time.

The Region has considered GHD’s findings in accordance with our Soil and Groundwater Assessment Protocol (SGAP), and requires GHD to update the following:

- A certificate of Insurance must be submitted in accordance with Appendix F – Regional Municipality of Durham Resilience Letter of the SGAP.

In accordance with the Region’s SGAP and the Ontario Brownfield Regulation (O. Reg. 153/04), we note that the above-noted documents will have to be updated periodically at the Region’s discretion and can be included as a future condition of draft approval.

Environmental Natural Heritage

In support of the proposed development, Cambium Inc. (Cambium) prepared an Environmental Impact Study (EIS) dated January 27, 2021. The study was prepared to identify features and determine whether mitigation measures for the proposed removal or alteration of existing key natural heritage and/or hydrologic features (KNHHF) and their buffer area encroachments are required. The study also monitored various wildlife and species-at-risk (e.g., birds and redbreasted dace) that exist and any adverse effects the proposed development may cause on their existence.

The EIS referenced various mitigation measures to ensure that the proposed construction, alterations, and post-development effects related to the proposed development will prevent any negative impacts on the KNHHF, wildlife and their associated functions throughout the site.

The Region has a Memorandum of Understanding with the Central Lake Ontario Conservation Authority (CLOCA) to review and evaluate the environmental features and functions of all development proposals.

An updated letter dated July 28, 2022 was submitted from CLOCA stating that they have no issues granting approval of the proposal a, subject to the proponent satisfying the conditions outlined in their July 28th letter.

Regional Municipal Servicing

Comments from the Regional Works Department provided in September 2022 remain applicable.

Transportation

Comments from the Regional Works Department provided in September 2022 remain applicable.

Conclusion

The proposed subdivision application will facilitate the development of 371 residential units and provide an array of housing types in general conformity with the direction of the ROP. A consolidated LUC and Noise Mitigation Study was submitted to the Region and concludes the proposed residential uses meet applicable provincial standards and guidelines. In accordance with regional requirements, a peer review of the submitted reports shall be conducted. The peer review and any of its findings and/or recommendations must be addressed to the satisfaction of the Town of Whitby and the Region of Durham.

Central Lake Ontario Conservation Authority

Based on our review of the submitted documentation we are satisfied that all remaining outstanding comments can be addressed through fulfillment of conditions of draft plan

approval. As such, the following comments are provided to guide the next steps of the development process.

Zoning By-law Amendment (Z-08-21)

1. All permanent Hazard Land and its approved development setback should be zoned Greenbelt (G) as per Zoning By-law 1784 or the appropriate equivalent.
2. Lands that are currently within Hazard Land (i.e., Regulatory Floodplain and setback) that are proposed for development once they are brought out of the floodplain when certain infrastructure improvements (i.e., Mid-Block Arterial Road) have been completed should have a Holding Provision attached to their assigned zone that only permits existing uses on these lands until the following conditions are satisfied:
 - a) That the Owner demonstrate that all lands proposed for development are outside of all hazard land associated with Lynde Creek (e.g., regulatory floodplain and setbacks) to the satisfaction of Central Lake Ontario Conservation Authority.
3. Please provide CLOCA with a copy of the draft Zoning By-law Amendment with Schedule prior to any approval of the zoning for this property.

Draft Plan of Subdivision (SW-2021-03)

CLOCA staff recommend that any approval of the proposed plan of subdivision be subject to the following conditions of draft plan approval on behalf of the Central Lake Ontario Conservation Authority:

1. That prior to any on-site grading or construction or final approval of the plan, the Owner shall submit to and obtain approval from Central Lake Ontario Conservation Authority for reports and plans describing the following:
 - a. The intended means to remove all developable lands from within the regulatory floodplain of Lynde Creek. Based on the results of this study, the Subdivider agrees that the draft plan may be subject to red-line revisions to ensure that all appropriate development limits, including, but not limited to residential lots are outside of the established hazard limits.
 - a) The intended means to address all appropriate design criteria and recommendations within the Ministry of the Environment, Conservation and Parks (MECP) approved Municipal Mid-Block Arterial Road Class Environmental Assessment Study. Based on the results of this exercise, the Subdivider agrees that the draft plan may be subject to red-line revisions.
 - b) The intended means of conveying stormwater from the site, consisting of stormwater techniques which are appropriate and in accordance with provincial guidelines as well as in conformity with the recommendations found within the Lynde Creek Master Drainage Plan and Brooklin Secondary Plan Sub-Area Study 5.

- c) The intended means whereby erosion and sedimentation and their effects will be minimized on the site during and after construction, in accordance with provincial guidelines. The report must outline all actions to be taken to prevent an increase in the concentration of suspended solids in any water body because of on-site, or other related works.
 - d) The intended means to maintain appropriate water balance for the site and to the adjacent hydrologic features (e.g., wetlands, headwaters, watercourses) as part of this development.
 - e) The intended means to design, install, access, maintain and monitor any proposed Low Impact Development (LID) measures as part of this development.
2. That the Subdivider shall agree to not undertake any on-site works related to Phase Two (2) of the plan of subdivision, including any servicing or on-site grading until the Central Lake Ontario Conservation Authority has advised in writing that the affected lands are not susceptible to flood risk to the satisfaction of Central Lake Ontario Conservation Authority.
 3. That the Subdivider agree to not enter into any purchase and sale agreements with respect to any lots or blocks in Phase Two (2) of the draft plan of subdivision that are located within, or partially within, the regulatory floodplain until such time that the Central Lake Ontario Conservation Authority has advised in writing that all new and improved infrastructure has been constructed and installed to our satisfaction resulting in the removal of these lands from the regulatory floodplain.
 4. That the Subdivider agree that prior to any site alteration and/or development within habitat of an endangered species or threatened species, that conformity with all Provincial and Federal requirements, specifically within the *Endangered Species Act* and the *Species at Risk Act* will be demonstrated to the satisfaction of the Ministry of the Environment, Conservation and Parks (MECP) and Department of Fisheries and Oceans. Based on the results of this exercise, the Subdivider agree that the plan may be subject to red-line revisions.
 5. That the Subdivider agree that the plan may be subject to further red-line revisions to accommodate the requirements of the Central Lake Ontario Conservation Authority, the Town of Whitby and other approval agencies with respect to development limits associated with existing hazard lands.
 6. The Subdivider shall obtain all necessary permits from Central Lake Ontario Conservation Authority required through Ontario Regulation 42/06, or any successor regulations made under the *Conservation Authorities Act*.
 7. The Subdivider shall satisfy all financial requirements of the Central Lake Ontario Conservation Authority. This shall include Application Processing Fees and Technical Review Fees owing as per the approved Authority Fee Schedule.
 8. The subdivision agreement between the Subdivider and the Town of Whitby shall contain, among other matters, the following provisions: a. The Subdivider agrees to carry out the works referred to in Conditions 1 to the satisfaction of the Central Lake Ontario Conservation Authority.

9. The Subdivider agrees to maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period, in a manner satisfactory to the Central Lake Ontario Conservation Authority.
10. The Subdivider agrees to advise the Central Lake Ontario Conservation Authority 48 hours prior to commencement of grading or the initiation of any on-site works.
11. The Subdivider agrees to provide Central Lake Ontario Conservation Authority with a copy of the final M-Plan and executed Subdivision Agreement prior to registration of each Phase of development.

Ontario Regulation 42/06 of the *Conservation Authorities Act*

A permit from CLOCA will be required for any site alteration and/or development within any lands regulated through Ontario Regulation 42/06 of the *Conservation Authorities Act*. A separate application process and fee collection will be required as part of this process.

Hydro One

Please be advised that the transmission corridor lands affected by the proposed development and identified as such herein are subject to a statutory right in favour of HONI pursuant to Section 114.5(1) of *The Electricity Act, 1998*, as amended. The owner of these lands is Her Majesty, The Queen In Right of Ontario, as represented by The Minister of Infrastructure ("MOI"). Ontario Infrastructure & Lands Corporation ("OILC") as agent for the Province, must review and approve all secondary land uses such as roads that are proposed on these lands. HONI is currently acting as a service provider to OILC, and undertakes this review on their behalf.

The comments detailed herein do not constitute an endorsement of any element of the subdivision design or road layout, nor do they grant permission to access, use, proceed with works on, or in any way alter the transmission corridor lands, without the express written permission of HONI.

Should the developer require any use of and/or access to the transmission corridor at any time, the developer must contact Greg Gowan, Senior Real Estate Coordinator at 416-527-3487 in order to ensure all of HONI's technical requirements are met to its satisfaction, and acquire any applicable agreements.

The following should be included as Conditions of Draft Approval:

1. Prior to HONI providing its final approval, the developer must make arrangements satisfactory to HONI for lot grading and drainage. Digital PDF copies of the lot grading and drainage plans (true scale), showing existing and proposed final grades, must be submitted to HONI for review and approval. The drawings must identify the transmission corridor, location of towers within the corridor and any proposed uses within the transmission corridor. Drainage must be controlled and directed away from the transmission corridor.
2. Any development in conjunction with the subdivision must not block vehicular access to any HONI facilities located on the transmission corridor. During

construction, there must be no storage of materials or mounding of earth, snow, or other debris on the transmission corridor.

3. At the developer's expense, temporary fencing must be placed along the transmission corridor prior to construction, and permanent fencing must be erected along the common property line after construction is completed.
4. The costs of any relocations or revisions to HONI facilities which are necessary to accommodate this subdivision will be borne by the developer. The developer will be responsible for restoration of any damage to the transmission corridor or HONI facilities thereon resulting from construction of the subdivision.

This letter and the conditions contained therein should in no way be construed as permission for or an endorsement of proposed location(s) for any road crossing(s) contemplated for the proposed development. This permission may be specifically granted by OILC under separate agreement(s). Proposals for any secondary land use including road crossings on the transmission corridor are processed through the Provincial Secondary Land Use Program (PSLUP). HONI, as OILC's service provider, will review detailed engineering plans for such proposals separately, in order to obtain final approval.

Should approval for a road crossing be granted, the developer shall then make arrangements satisfactory to OILC and HONI for the dedication and transfer of the proposed road allowance directly to the Town of Whitby.

Access to, and road construction on the transmission corridor is not to occur until the legal transfer(s) of lands or interests are completed.

In addition, HONI requires the following be conveyed to the developer as a precaution:

1. The transmission lines abutting the subject lands operate at either 500,000, 230,000 or 115,000 volts. Section 188 of Regulation 213/91 pursuant to the *Occupational Health and Safety Act*, require that no object be brought closer than 6 metres (20 feet) to an energized 500 kV conductor. The distance for 230 kV conductors is 4.5 metres (15 feet), and for 115 kV conductors it is 3 metres (10 feet). It is the developer's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the *Act*. They should also be aware that the conductors can raise and lower without warning, depending on the electrical demand placed on the line.

Our preliminary review only considers issues affecting HONI's transmission facilities and transmission corridor lands. For any proposals affecting distribution facilities (low voltage), the developer should consult the local distribution supplier.