

Attachment #9
Agency Comments

File No. DEV-14-21 (SW-2021-04)

CS Viamonde (French Public School Board)

The Conseil scolaire Viamonde has no comments regarding applications for Zoning By-law Amendment, Draft Plan of Subdivision, and Site Plan Approval.

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 development of 30 street, 88 common element condominium and 43 stacked townhouse residential units, as well as a 3-storey apartment building with 20 residential units.

This development is located within the boundary of St. Leo C.S. Located at 120 Watford Street, Brooklin. Whitby.

Durham District School Board

Under the mandate of the Durham District School Board, staff has no objection to the development proposed in this application.

Enbridge

Enbridge Gas Inc. does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions.

This response does not constitute a pipe locate, clearance for construction or availability of gas.

The applicant shall contact Enbridge Gas Inc.'s Customer Connections department by emailing AreaPlanning40@Enbridge.com to determine gas availability, service, and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to tree planting, silva cells, and/or soil trenches) and/or asphalt paving.

If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phased construction, all costs are the responsibility of the applicant.

In the event that easement(s) are required to service this development, and any future adjacent developments, the applicant will provide the easement(s) to Enbridge Gas Inc. at no cost.

Elexicon Energy Inc.

Elexicon Energy Inc. has no objection. 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:

- a) The timely provision of supply to new and upgraded premises; and/or
- b) 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.

MTO

The Ministry has reviewed the following application DEV-14-21 (SW-2021-04, Z-09-21) - 5035 Anderson Street, in the town of Whitby. The proposed application is outside of the Ministry's permit control and therefore has no comments to provide.

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. Street Townhouses, Common Element Townhouses, Stacked 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 161 units in the Draft Plan of subdivision, we have estimated 21 Mailbox Sites are required.
3. 3 Storey Apartment Building & Commercial Units: As the building in this project consist of more than two adjoining units, sharing a common indoor entrance, the developer/owner must supply, install, and maintain a centralized mail room facility to Canada Post's specifications. Buildings with more than 99 self-contained units, require mandatory rear loading lockboxes.
4. Please see attached linked for delivery standards:
http://www.canadapost.ca/cpo/mr/assets/pdf/business/standardsmanual_en.pdf

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.

Bell Canada

The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

The Owner is advised to contact Bell Canada at planninganddevelopment@bell.ca during the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

Rogers Communications

Rogers Communications ("Rogers") has reviewed the application for the above Subdivision and has determined that it intends to provide cable and telecommunications services. Accordingly, we request that municipal approval be granted subject to the following conditions:

1. Prior to registration of the plan of Subdivision, the Developer/Owner will, at its own cost, grant all necessary easements and maintenance agreements required by those CRTC-licensed telephone companies and broadcasting distribution companies intending to serve the Subdivision (collectively, the "Communications Service Providers"). Immediately following registration of the Plan of Subdivision, the Developer/Owner will cause these documents to be registered on title.
2. Prior to registration of the plan of Subdivision, the Developer/Owner will, with consultation with the applicable utilities and Communications Service Providers, prepare an overall utility distribution plan that shows the locations of all utility infrastructure for the Subdivision, as well as the timing and phasing of installation.

Whitby Community Services – Parks Development

Parks Planning Staff are generally satisfied with the proposed development, subject to the comments listed below and ultimately the inclusion of the below condition of Draft Plan Approval.

Official Plan Park Requirements:

The Town of Whitby Official Plan, as amended and further delineated by the Brooklin Secondary Plan, does not identify the development of a Park within this proposed development. As such, the Parks department will be seeking Cash-in-Lieu of parkland conveyance, discussed below.

Conditions of Draft Plan Approval

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

1. This development application may or may not be subject to a Parks Master Plan Agreement (PMPA) which is a cost sharing agreement between the Landowners Group. The PMPA is intended to address the parkland dedication/cash-in-lieu of parkland and required park facilities for the subject plan and overall Brooklin Development Area. Should the Master Plan Agreement not get finalized or this landowner is not part of the agreement, then;
2. The Town's will require the maximum rates for cash in-lieu for parkland dedication in accordance with the Planning Act as amended.

Whitby Engineering Services

Engineering Services has conducted a preliminary review of the circulated materials outlined below for the draft plan of subdivision and zoning applications:

- Draft Plan of Subdivision (Humphries Planning Group Inc.) dated August 17, 2023.
- Detailed Concept Plan (Humphries Planning Group Inc.) dated November 25, 2020.
- Conlin Road and Anderson Street, Functional Servicing and Stormwater Management Report (FSSR) (Candevcon East Limited) dated March 2021.
- Brooklin Secondary Plan Area, Sub-Area Study (SAS) Sub-Area 5 (Candevcon East Limited) dated March 2021.
- Conlin-Anderson Master Transportation Study (MTS), Whitby, Ontario (BAGroup) dated March 2021.
- Arborist Report (Beacon Environmental Limited) dated March 2021. Arborist Report Addendum (Beacon Environmental Limited) dated July 4, 2023.
- Endangered and Threatened Species Screening Assessment Report (Beacon Environmental Limited) dated March 31, 2021. Endangered and Threatened Species Screening Addendum (Beacon Environmental Limited), dated November 23, 2021.
- Noise Impact Study (Sonair Environmental) dated March 29, 2021.
- Stage 3 Archaeological Assessment (Irvin Heritage Inc.) dated November 11, 2019.

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 for the proposed subdivision to conform to our Design Criteria and Engineering Standards.

Please provide a copy of these comments to the Subdivider.

A. Conditional Comments

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

To address the Town's Community Strategic Plan 2023 to 2026 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.

1. Prior to final acceptance of the Draft Plan of Subdivision, the following shall be addressed to the satisfaction of Engineering Services.

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

- a. Illustrate the final road allowance & lot layout for the lands immediately to the north (SW-2021-03) as per the approved Draft Plan.
- b. Remove reference to Block 8, 0.3m Reserve from the Development Statistics table.

Engineering Services requires the following Financial Considerations to be identified within Section 7 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 Engineering Services Asset Management annual report.

Asset	Quantity
Roads	0.58 lane-km

Sidewalks/Multi-Use paths	1.0 km
Storm Sewers	0.46 km

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

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

- a. Block 7 for Road Widening on the east side of Anderson Street and north side of Conlin Road.

2.2. The Subdivider shall implement all changes to the plan resulting from recommendations and findings of the Master Transportation Study (MTS) as it relates to:

- a. Sight distance/decision sight distance/stopping sight distance analysis for the location of Street 'A' at Conlin Road.
- b. The final right-of-way width, turning lane requirements, visibility triangles, alignment, and horizontal and vertical design of the Anderson Street – Conlin Road intersection.
- c. The final right-of-way width, turning lane requirements, visibility triangles, alignment, and horizontal and vertical design of the Conlin Road – Street 'A' intersection.
- d. Visibility triangles are to accommodate the ultimate intersection requirements.

2.3. The Subdivider shall be responsible for sidewalk and/or multi-use path installation in the following locations:

- a. 1.8m wide sidewalk concrete on the east side of Anderson Street along the frontage of the proposed development;
- b. 3.0m wide asphalt multi-use path on the north side of Conlin Road along the frontage of the proposed development;
- c. 2.5m wide asphalt multi-use trail within the adjacent Hydro corridor; and,
- d. 1.8m wide concrete sidewalk on both sides of all other streets.

2.4. The Subdivider shall revise the SAS Sub-Area 5 to address the KSGS peer review comments, dated May 26, 2021 (Attachment 2), including any resultant plan changes, all to the Town's satisfaction.

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 fully responsible for the reconstruction/widening of Anderson Street to accommodate any of the MTS identified intersection improvement requirements to support the development, while maintaining the existing 2-lane rural cross-section and on-road bike lanes.

The subdivider shall be responsible for the construction of a 1.8m wide concrete sidewalk on the east side of Anderson Street. 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. Priority shall be given to placing these facilities at their ultimate location and grade where feasible while maintaining the existing road cross-section.

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 may be accommodated.

2.7. The Subdivider shall be fully responsible for the reconstruction of Conlin Road from Anderson Street to the east limit of development to a 30m Type 'C' arterial road reconstructed to an urban standard with a 3.0m MUP on north side, a 1.8m sidewalk on the south side, on-road bike lanes, and any required turning lanes and entrance works required to support the development.

2.8. The Subdivider shall be responsible for the implementing the recommendations of the MTS, including but not limited to, installation of a traffic signal or roundabout at the Anderson Street and Conlin Road intersection, interim pedestrian crossing controls on Anderson Street and Conlin Road and the ultimate traffic signals on Anderson Street.

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 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.

2.10. The Subdivider shall provide an updated Master Transportation Study (MTS) to address the May 11, 2021, Paradigm peer review comments (Attachment 3) prior to or with the submission of detailed engineering drawings:

- a. The Subdivider shall, through working with the Town staff, identify traffic calming measures on Street 'A' and Street 'B' 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'/Street 'AE' and Conlin Road/Street 'F'/Street 'H'. 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. 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.
- d. As part of the MTS the consultant has identified that the 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.

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

2.12. The Subdivider shall provide a composite Traffic Calming Plan for all roads in the plan that includes, but is not limited to, area specific speed limits, speed humps, and raised intersections, for review and acceptance by the Director of Engineering Services.

2.13. 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. Construction traffic shall be restricted to time windows that do not conflict with the typical peak school drop-off and pick-up times of the nearby school(s).

2.14. The Subdivider shall implement all recommended noise control measures identified in the Noise Impact Study and revise the plan as required to accommodate recommended noise control measures prior to registration.

2.15. 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.

2.16. 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.

2.17. 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.

2.18. A second public access may be required for the subdivision until Street 'B' is fully constructed and extended to Street 'A'. Any lots or blocks affected by the secondary access will be placed on 'Hold'. Limits of construction and affected lots or blocks to be placed on 'Hold' will be determined at the engineering design stage.

2.19. The Subdivider shall be responsible for providing service connections, and a suitable storm drainage outlet, for flows associated with the future development of Blocks 5 and 6, to the satisfaction of Engineering Services.

2.20. 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.

2.21. 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.

2.22. 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 work on Conlin Road and Anderson Street, including coordination with the proposed adjacent developments and the Region of Durham.

2.23. 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. The first engineering submission will not be reviewed until it is confirmed that the drawing set-up conforms to this requirement.

2.24. The Subdivider shall confirm the details of all existing above and below grade infrastructure relevant to the proposed design. Existing details shall be confirmed in the field by a method determined by the Subdivider's consulting engineer in consultation with the Town. Acceptable methods include, but are not limited to, topographical surveys, locates, measure downs, sub-surface utility engineering (SUE) investigation Quality Level A (QL-A), also referred to as daylighting, to determine horizontal and vertical location. The Subdivider further acknowledges that any as-built information provided by the Town is for informational purposes only.

2.25. 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.

2.26. 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.

2.27. 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.

2.28. Any concerns raised through future re-submissions of the geotechnical report for the site shall be addressed by the Subdivider to the satisfaction of the Public Works Department. This includes, but is not limited to, pavement design specifications based on street classifications, confirmation of design parameters and preliminary layout for LID measures, 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.

2.29. 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 Developer. This condition will be superseded at such time as the Town has a Peer Review By-law in place.

2.30. The Subdivider shall provide a copy of the approved individual lot grading plan (i.e., siting) to each lot purchaser prior to closing.

2.31. The Subdivider shall agree to implement the recommendations of all reports submitted in support of the application.

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

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

B. Informational Comments

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

3.1. An initial deposit for the Engineering Review Fee in the amount of \$9,686.50 (plus HST) or 50% of the Engineering Review Fee based the estimated cost of works, whichever is greater, shall be paid to the Town prior initiating processing of the engineering drawings. Any balance owing of the final Engineering Review Fee shall be paid at the earlier of, third engineering submission or prior to final approval of the engineering drawings by the Town.

3.2. 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.

3.3. 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. The servicing of the subject Draft Plan of Subdivision is wholly dependant on the downstream development to the north. This development must be constructed after the downstream services are in place and accepted by the Town.
2. The use of rear yard catch basins (RYCBs) is to be minimized. Every effort shall be made during the detailed grading design to eliminate the need for 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 4.3 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. Clearly indicate the location of all proposed Low Impact Development measures.
4. The profile design for the proposed grading within Conlin Road and proposed Street 'F' (in the adjacent development) shall be coordinated. 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 catch basin blockage. Ensure catch basins 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 future improvements on Anderson Street and Conlin Road. Single catch basins are suitable at intersection low points.

6. Subdivider to clarify which uncontrolled storm areas are directed to Anderson Street and Conlin Road. Applicant to confirm that the pre-development condition is not adversely affected.
7. The SAS indicates that runoff from Conlin Road is to be directed to SWM Pond L4. However, the FSSR does not account for Conlin Road (EXT-5). The grading, servicing and stormwater management designs are to account for drainage from Conlin Road.
8. Please clarify the overland flow direction from the lands adjacent to this site and how they will interact with each other.
9. Provide conceptual servicing and grading details to illustrate internal and/or external servicing for Blocks 5 and 6 and include additional information on Functional Grading Plan (FGP) and Functional Servicing Plan (FSP) to clarify these requirements. Entrance locations are subject to the Site Plan Application and approval process and currently have no status.
10. Incorporate in the FSSR report typical Right-of-Way cross sections.
11. 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 (FGP) comments:

1. 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:
 - a. Intersection through grades in the FGP exceed Table C3.01
 - b. Sight distance analysis for the Conlin Road – Street 'A' intersection.
2. Provide additional information for the proposed grading on Conlin Road and Anderson Street including:
 - a. Impact of grading activities on adjacent roadside ditches and properties and on the intended transition between the existing boundary grades and proposed elevations along the ROW limits. Provide cross sections to clarify the grading intent for the transition from the site to the interim and ultimate boulevard elevations.
 - b. Vertical curve for proposed vertical point of intersection (VPI) at the intersection of Street 'A' and Conlin Road and at the intersection of Street 'B' and Anderson Street.
3. Provide vertical curve K-Value for all proposed vertical curves to show compliance with Table C3.01.

4. Clarify limits of proposed work and temporary measures to tie into existing conditions.

3.4. To address lot level low impact development (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.

3.5. 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.

3.6. 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.

3.7. Site specific comments for the block developments will be subject to Site Plan application and review.

3.8. 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).

3.9. 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.

3.10. The Subdivider shall address mail delivery provisions for any proposed phasing of the development as required.

3.11. 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.

3.12. 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.

3.13. Per the recommendation within the Sub Area Study, topsoil thickness for landscaped areas within the development is to be increased.

3.14. 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.

3.15. 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.

This concludes the conditional comments of Engineering Services.

Strategic Initiatives (Sustainability)

Sustainability Staff acknowledge and appreciate the updated Whitby Green Standard (WGS) Checklist and Sustainability Rationale Report. However, we will require that the WGS Checklist and Sustainability Rationale Report be updated based on comments below to demonstrate that the requirements of Tier have been satisfied.

Whitby Green Standard Draft Plan of Subdivision Checklist

Please update the WGS Checklist, in the following areas:

- SW1.5, LSF1.1 and TT1.4 – These three criteria are missing from the WGS Checklist. Please note that only Town of Whitby staff can determine if criteria can be determined not applicable and this decision is made based on the explanations provided within the completed Green Standard Checklist. As such, please update the Checklist to provide a description of why it is believed that these criteria are not applicable so that we can make an informed decision.
- TT1.1, TT1.2 & TT1.5 – Please provide details on how these criteria are being met.

It is encouraged that consideration be given for advanced sustainability criteria through the uptake of voluntary Tiers 2-4 of the Whitby Green Standard. These standards support sustainable site design for development and redevelopment on public and private property, enhancing the Municipality's natural heritage, economic vitality, cultural heritage, and social aspects.

Sustainability Rationale Report

Please update the Sustainability Rationale Report based on the comments below:

- In the Executive Summary, please ensure the municipal address is correct and confirm the number of common element condominium townhouses is 82 and not 88 as listed in the “Proposal” section above.
- When reviewing the Whitby Green Standard, it wasn’t clear that any Tier 2 to 4 criteria have been met, so please revise the Checklist to include this or update the sentence, “In certain instances, additional Tier 2 to 4 criteria have been met, where practically possible, to achieve higher-performance sustainable development on a voluntary basis” in the executive summary section.
- Section 5.3 states “The mandatory performance measures, a description of how the proposal meets the standards and their related reference document(s) in provided in the table below”, however there is no table provided.

Landscape Section

In response to the proponent’s Tree Preservation Plan and Arborist Report, both are acceptable. Detailed comments will be provided at the future Site Plan Application stages.

Fire and Emergency Services

A firebreak layout shall be submitted to the fire department for review and approval prior to site plan application.

The location of all fire hydrants for the subdivision shall be indicated on the site plan.

Fire route signs shall be provided for the Common Element Condominium (Block 5) and the fire route signage shall be indicated on the site plan.

Region of Durham – Planning

The applicant proposes to rezone the subject lands from ‘A’ – Agricultural zone to appropriate residential categories to facilitate a subdivision development consisting of 137 residential units over 4.05 hectares (ha). A breakdown of the following land uses is provided below:

- Four street townhouse blocks totaling 29 units over 0.7 ha (Previously 30 units);
- One common element townhouse block totaling 82 units over 1.66 ha (previously 88 Units);

- One mixed use block supporting a three-storey building with 20 residential units, 43 townhouses and 929 square metres of grade-related commercial floor space over 0.94 ha;
- Road widening blocks covering 0.26 ha;

Conformity to the Durham Regional Official Plan (ROP)

The ROP designates the subject lands as “Living Areas” within the Urban System. The subject lands are also situated within the built boundary of the Whitby Urban Area.

Living Areas are intended to accommodate a full range of housing options at higher densities. Neighbourhood commercial uses such as convenience stores, home occupations, limited office uses and retailing of goods and services as components of mixed-use developments are also permitted within this designation.

The ROP classifies Anderson Street and Conlin Road as Types ‘B’ and ‘C’ Arterial Roads. Policy 11.3.35 of the ROP requires new development applications that abut arterial roads where access opportunities are limited to minimize the amount of reverse lot frontages along arterial roads or promote alternatives.

The proposed development will increase the residential density on the subject lands to approximately 86 units per gross hectare, which will contribute to the allocation of units for intensification as outlined in Schedule E – Table ‘E9’ of the ROP.

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 also ensure no 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 Region completes its peer review of the proponent's Land Use Compatibility 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. As such the proposal generally conforms with A Place to Grow.

Provincial Plan Review Responsibilities

Environmental Site Screening Questionnaire

The proponent has submitted a Regional Site Screening Questionnaire (SSQ) form for Identifying Potentially Contaminated Development Sites. In accordance with the Region's Soil and Groundwater Assessment Protocol, where new lots are created, the proponent's Qualified Person (QP) must review and the SSQ's results and affix their professional stamp on the form.

Depending on the QP's findings on the SSQ form, the proponent may be required to provide additional Environmental Site Assessment work in accordance with the Region's Site Contamination Protocol.

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.

Archaeological Site Assessment

According to the Region's archaeological modelling tool, the subject lands are within an area of high archaeological potential.

The applicant has submitted a stage 1 and 2 Archaeological Assessment dated October 23, 2017. The applicant also submitted clearance letter from the Ministry of Tourism, Culture and Sport.

The Ministry's clearance indicated that the Stage 1 and Stage 2 reports have been entered into the Ontario Public Register of Archaeological Reports.

The Ministry has also indicated that a comprehensive Stage 3 Archaeological Assessment must be undertaken, in accordance with the 2011 Standards and Guidelines for consultant Archaeologists set by the Ministry, prior to any intrusive activity that may result in the destruction or disturbance to the archaeological site documented in this assessment. The Stage 3 AA should be conducted to define the site extent, gather a representative sample of artifacts, and aid in the determination of a Stage 4 mitigation strategy.

Irvin Heritage Inc. (IHI) prepared a Stage 3 Archaeological Assessment dated November 11, 2019 for two archaeological sites on the subject lands [known as the Wilkinson Site (AIGr-479) and the Fringe Site (AIGr-480)]. The results of IHI findings identified that both sites contained low Cultural Heritage Value or Interest. As such, IHI recommended that the sites are no longer of archaeological concern.

As such, we have no concerns with IHI's findings but will require the proponent to provide a clearance letter from the Ministry of Heritage, Sport, Tourism and Culture that recognizes that the supporting report were prepared in accordance with the Ministry's requirements.

The proponent will be required to provide the above-noted information to the satisfaction of the Region of Durham.

This can be included as a future condition of draft approval.

Species-at-Risk Screening Assessment

Beacon Environmental (Beacon) prepared a Species-at-Risk Screening Assessment dated March 31, 2021 for the subject lands. The assessment reviewed 18 flora and/or fauna species that were threatened/endangered and were also considered possible suitable habitat or occurrence records within 5 kilometres (km) of the subject lands.

Beacon concluded that there is a possible suitable habitat for six species and that seasonal surveys will be completed to confirm the presence or absence of species at risk avian species.

An updated letter dated October 27, 2021, 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 October 27th letter.

Land Use Compatibility

The subject lands are also in proximity to industrial uses within an Employment Area. 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 prepared by Cambium, dated May 4, 2023, and Noise study was submitted prepared by Valcoustics, dated October 25, 2022. The studies have concluded that the proposed residential development will meet applicable provincial standards and regulations.

The Region is generally satisfied that the principle of development can be supported on the subject lands. 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 the Town of Whitby and the Region of Durham.

Conclusion

The proposed subdivision and zoning by-law amendment applications will facilitate the development of 348 residential units and provide a range of housing types in conformity with the ROP.

A consolidated LUC and Noise Mitigation Study was submitted to the Region and concludes the proposed residential uses would meet applicable provincial standards and guidelines. As such, the Region is satisfied this matter may proceed to the draft approval stage. However,

in accordance with regional requirements, a peer review of the submitted reports will need to 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 prior to registration.

Accordingly, the Region offers the following conditions of draft approval of the plan of subdivision application. The attached conditions of approval are to be fulfilled to the satisfaction of the Region prior to registration of the plan of subdivision.

The Town of Whitby should also be advised that the Owner must provide a land use table prepared by an Ontario Land Surveyor to the satisfaction of the Region of Durham. The land use table should confirm the lot area calculations for the proposed land use(s), as well as the total number of units and parking allocated within the draft plan of subdivision.

Region of Durham – Works

The theoretical servicing population for the townhouses is approximately 483 people. Without knowing the unit break down (e.g., the number of 1- bedroom units, number of 2-bedroom units etc.) for the apartment building, we cannot determine the proposed population for this development at this time. However, if the Regional Design Criteria is used for a 2-bedroom unit of 2.5 persons per unit, the theoretical population for the 20-unit apartment building would be approximately 50 people.

As such, we estimate that the total approximate theoretical population for the subject property is 533 people. As part of a subsequent submission of this draft plan of subdivision, the proponent shall provide a detailed unit breakdown for our review.

Municipal Servicing

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 500 kilopascals (kpa) or 70 pounds per square inch (psi) to 627 kpa (91 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 Conlin Road from 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 watermains are likely on Streets 'F' and 'B' from the north abutting subdivision development (Whitby Subdivision Application file number S-W-2021-03).

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 on Conlin Road from the existing 1,200 mm trunk sanitary sewer located within an existing easement west of Anderson Street.

Based on a theoretical population of 533 people, the sanitary flow would equate to approximately 10 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 the Brooklin Urban Area 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 will need to 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 of Durham 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>

Durham Region Transportation

The proposed development was also reviewed from a Regional transportation operational and planning perspective. 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 for side streets, 20 seconds for main streets, and 5 seconds 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 (pg. 11) and Section 6.0 Summary and Conclusions (pg. 39) – identify the inclusion of pedestrian and cycling amenities in the development to promote sustainable transportation. We 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. We also recommended that both the longer term and short-term bicycle parking facilities be located near building / property entrances to help encourage sustainable transportation. The provision of bike parking and end-of trip facilities on the site of all properties can help encourage people to use active modes and engage in multi-modal transpiration options for residents, visitors, and employees (for the mixed-use commercial property). Identifying bike parking and end-of-trip facilities can also help support Transportation TDM and achievement of sustainable mode share targets for the Town and Region. These comments should also be reflected in the associated site plan.
6. It is 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 (pg. 39) – indicate that current transit service in the area is limited and acknowledge 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.

The above noted file was reviewed from a transit perspective, and Durham Region Transit has offered the following comments:

1. The subject area is currently served by On Demand transit. The route ahead transit plan includes Anderson Street as a potential local route once the demand for transit grows within the subject area. Based on this, please update the conceptual plan to protect for a northbound far side bus stop at the intersection of Anderson Street and Conlin Road. Please refer to the attached S-12 standard drawing;
2. Sidewalks are to be built along Anderson Street and Street "C" in tandem with this development; and
3. Further comments may be provided at the site plan stage for the mixed-use block regarding pedestrian connectivity and access to future transit.

Central Lake Ontario Conservation Authority

Further to our letter dated June 23, 2021, Central Lake Ontario Conservation Authority (CLOCA) has received all of the review fees required prior to issuance of conditions of draft plan approval. Given this, and the results of our review of the submitted documents and reports associated with the above-noted Planning Act applications please accept the following comments and recommendations.

Zoning By-law Amendment (Z-09-21)

CLOCA staff have no objection to any approval of the proposed zoning by-law amendment submitted as part of this proposal.

Draft Plan of Subdivision (SW-2021-04)

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, 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 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.
 - b. The intended means to design, install, access, maintain and monitor any proposed Low Impact Development (LID) measures as part of this development.
 - 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.
2. 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).
3. 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.
4. 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 Condition 1 to the satisfaction of the Central Lake Ontario Conservation Authority.
 - b. The Subdivider agrees to maintain all stormwater management and erosion and sedimentation control measures operating and in good repair during the construction period, in a manner satisfactory to the Central Lake Ontario Conservation Authority.
 - c. 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.

Hydro One

Please be advised that Hydro One Networks Inc. ("HONI") has completed a preliminary review of the proposed plan of the above noted subdivision application. As the subject land is abutting and/or encroaching onto a HONI high voltage transmission corridor (the

“transmission corridor”), HONI does not approve of the proposed subdivision at this time, pending review and approval of the required information.

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, Sr. 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.

5. 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:

6. 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.

Oshawa Airport

1. The location appears to be within the approach surface of the Transport Canada Oshawa Executive Airport zoning. The proponent must ensure the maximum height of the development, all of its associated features and any cranes used do not exceed the maximum zoning as outlined in the Transport Canada Zoning Regulations for the Oshawa Executive Airport. We ask that the proponent prepare drawings that reflect the ASL elevations on-site with the completed structures, along with a drawing that shows the airport zoning overlaid on the property to ensure the structures and construction crane(s) are at or below the zoning.

2. The proponent will be required to submit an application to the NAV Canada land use process. No impact on the instrument approaches at the airport will be accepted. This would be for both the development and any cranes used to construct the development. We would want to see the response letter from NAV Canada illustrating no impacts.
3. The proponent must submit an application to Transport Canada to determine the need for obstacle lighting through Transport Canada's Aeronautical Assessment Form. We would want to see the response letter from Transport Canada.
4. If the proponent requires a temporary obstacle (i.e. crane) to be above the maximum height(s) as permitted by zoning at any time during the construction project they must complete a Transport Canada – Temporary Zoning exemption request prior to construction.
5. The proponent shall complete an Oshawa Airport Crane Permit application prior to erecting any obstacle into the airspace.
6. The proponent shall ensure the new structure(s) and associated refuge does not become a wildlife attractant due to its location in proximity to the airport.
7. The applicant shall ensure that the storm water management pond (if applicable) cannot be used as habitat for waterfowl.
8. The proponent must undertake a noise impact study which determines that the location is suitable for the intended use given the proximity to the airport and its associated aircraft noise. The study must identify and noise mitigation measures which should be included in the building design and same must be included in the final building design.