

Conditions of Draft Plan of Subdivision Approval File SW-2023-03

1. The Subdivider shall prepare the final plan on the basis of the approved draft plan of subdivision prepared by David B. Searles Surveying Ltd., identified as Drawing File No.: 21-3-22.DWG, dated February 1, 2024, which illustrates 2 lots for single-detached dwellings, 33 lots for 66 semi-detached dwellings, a walkway block, and a road.
2. The Subdivider shall name the road allowance included in this draft plan to the satisfaction of the Region of Durham and the Town of Whitby.
3. The Subdivider shall submit plans showing the proposed phasing to the Region of Durham and the Town of Whitby for review and approval if this subdivision is to be developed by more than one registration.
4. The Subdivider shall grant to the Region of Durham any easements required to provide Regional services for this development. The easements shall be in locations and of such widths as determined by the Region of Durham.
5. The Subdivider shall agree in the local subdivision agreement to implement the recommended noise control measures and warning clauses of the report, entitled, "Environmental Noise Assessment," prepared by Valcoustics Canada Ltd., dated October 28, 2022. The Subdivider shall agree in the subdivision agreement to implement the recommended noise control measures and warning clauses. The agreement shall contain a full and complete reference to the noise study (i.e., author, title, date, and any revisions/ addenda) and shall include any required noise control measures and warning clauses recommended in the study.
6. The Subdivider shall provide for the extension of such sanitary sewer and water supply facilities which are external to, as well as within, the limits of this plan that are required to service this plan. In addition, the Subdivider shall provide for the extension of sanitary sewer and water supply facilities within the limits of the plan, which are required to service other developments external to this subdivision. Such sanitary sewer and water supply facilities are to be designed and constructed according to the standards and requirements of the Region of Durham. All arrangements, financial and otherwise for said extensions are to be made to the satisfaction of the Region of Durham and are to be completed prior to final approval of this plan.
7. Prior to entering into a subdivision agreement, the Region of Durham shall be satisfied that adequate water pollution control plant and water supply capacities are available to the proposed subdivision.
8. The Subdivider shall satisfy all requirements, financial and otherwise, of the Region of Durham. This shall include, among other matters, the execution of a subdivision agreement between the Subdivider and the Region of Durham

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concerning the provision and installation of sanitary sewers, water supply, roads and other Regional services.

9. That prior to any on-site grading or construction or final approval of the plan, the Subdivider shall submit to, and obtain approval from the Town of Whitby and the Conservation Authority for reports describing the following:
 - a. the intended means of conveying stormwater flow from the site, including use of stormwater techniques which are appropriate and in accordance with provincial guidelines.
 - b. 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 solids in any water body as a result of on-site, or other related works.
10. That the Subdivider provide an analysis of the Pringle Creek hydraulic model that demonstrates no negative downstream impacts to the receiving Ash Creek tributary as a result of uncontrolled flows being discharged to this location from this development.
11. That the Subdivider shall satisfy all financial requirements of the Central Lake Ontario Conservation Authority.
12. 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 9 to the satisfaction of the Central Lake Ontario Conservation Authority.
 - b. 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.
 - c. In order to expedite clearance of Condition 11 a copy of the fully executed subdivision agreement between the area municipality and the Subdivider should be submitted to the Authority.
13. The Subdivider shall convey the following to the Town:
 - a. Block 36 for open space.
14. The Subdivider shall be responsible for concrete sidewalk and/or multi-use path installation in the following locations:

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- a. 3.0m-wide overland flow walkway within Block 36, from the cul-de-sac on Street A to the existing asphalt trail within the park as per Town of Whitby Standard 209
- b. 1.8m-wide concrete sidewalk on both sides of Street A including the cul-de-sac.

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

15. 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.
16. 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.
17. 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.
18. The Subdivider shall provide a cash-in-lieu payment to the Town equivalent to the cost of a 20-year maintenance period including filter replacements for the proposed filter-type manufactured treatment device. The amount will be finalized upon receipt of manufacturer's maintenance cost information. Furthermore, the subdivider will be required to replace the filters prior to assumption.
19. The Subdivider shall provide a response letter addressing the incorrect responses to transportation comments within the Traffic Impact Study, under "Response Comment Matrix" prior to the submission of detailed engineering drawings.
20. 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

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requirement shall be at the sole discretion of the Director of Engineering of the Town of Whitby.

21. Construction access shall be limited to Palmerston Avenue.
22. The Subdivider shall construct external services required for the proposed development to the property line prior to commencement of internal services, and at their sole expense.
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.
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.
25. 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 engineering drawings will not be accepted until it is confirmed that the drawing set-up conforms to this requirement.
26. 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.
27. 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 (CLOC). The Subdivider shall protect all proposed private dwellings from the seasonal high water table where applicable.
28. 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.

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29. 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.
30. Any concerns raised through future re-submissions of the geotechnical and hydrogeotechnical reports for the site shall be addressed by the Subdivider to the satisfaction of the Engineering Services. This includes, but is not limited to, long term slope stability, confirmation of design parameters and preliminary layout for LID measures (proposed infiltration trenches), 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.
31. 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.
32. The Subdivider shall provide a copy of the approved individual lot grading plan (i.e., siting) to each lot purchaser prior to closing.
33. The Subdivider shall agree to implement the recommendations of all reports submitted in support of the application.
34. The Subdivider shall be responsible for satisfying any additional requirements identified by the Engineering Services not specifically listed above.
35. The Subdivider shall submit a land appraisal to the Planning and Development Department for review and approval to determine the Parkland Dedication / Cash-in-Lieu of the subject lands. The land appraisal is required at the cost of the Subdivider and will remain current for a maximum period of one (1) year. The land appraisal for the Parkland Dedication / Cash-in-Lieu shall be submitted for review and approval prior to registration of the subdivision.

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36. Prior to registration, the Subdivider agrees to convey walkway Block 36 to the Town. The walkway block (Block 36) will not be considered to contribute to parkland dedication.
37. Prior to registration of the subdivision, the Subdivider agrees to pay financial compensation to the Town to compensate for the proposed encroachment and encumbrance to Palmerston Park. The compensation value will be to the satisfaction of the Supervisor of Parks Planning and calculated based on a sharing of the financial benefit to the development for utilizing the Town's property to construct the required storm infrastructure to service the subdivision. The financial compensation will be in addition to any other parkland dedication, cash-in-lieu of parkland dedication, tree compensation, letters of credit or other fees.
38. Prior to registration, the Subdivider's consulting engineer is to prepare a detailed cost estimate, to the satisfaction of the Supervisor of Parks Planning, for two scenarios in order to determine the compensation value to be paid to the Town:
 - a. Replacing/upgrading the Honey Tree Court storm sewer
 - b. Constructing a new storm sewer through Palmerston Park
39. Prior to registration of the subdivision or any site alteration or site servicing works, the Subdivider shall:
 - a. Provide a construction staging plan and park restoration plan to the satisfaction of the Supervisor of Parks Planning.
 - b. Provide letters of credit for the preservation of any trees and restoration of the park to the satisfaction of the Supervisor of Parks Planning.
 - c. Enter into any agreement(s) with the Town, as required, to authorize construction works and access to the park block.
40. Prior to registration, the Subdivider agrees to provide tree preservation and landscape plans, to the satisfaction of the Supervisor of Parks Planning, addressing:
 - a. Landscaping and a trail connections within Block 36 and the park block.
 - b. Tree preservation fencing.
 - c. a 1.2 metre black vinyl chain-link fence be installed where residential lots abut a park or open block. An opening in the fencing should be maintained adjacent Honey Tree Court and the Sugar Maple Open Space. Fencing should be added along the south property line of blocks 16 and 17.

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41. The Subdivider agrees to complete all tree preservation, landscaping, servicing, and restoration work within and adjacent to the park to the satisfaction of the Supervisor of Parks Planning and at the cost of the Subdivider.
42. The Subdivider agrees to be responsible for the repair or replacement of any park areas, amenities, and trees to the satisfaction of the Supervisor of Parks Planning.
43. The Subdivider agrees no construction activities, including construction access, staging and construction fencing is permitted within Palmerston Park without prior approval by Community Services Parks Planning and Development Section. Blocking access to Palmerston Park is prohibited without prior approval by Community Services Parks Planning and Development Section.
44. The Subdivider acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Subdivider further agrees and acknowledges to convey such easements at no cost to Bell Canada.
45. The Subdivider agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Subdivider shall be responsible for the relocation of any such facilities or easements at their own cost.
46. The Subdivider shall consult with Canada Post to determine suitable permanent locations for Community Mailboxes or Lock Box Assemblies (Mail Room). The Subdivider will indicate these locations on the appropriate servicing plans.
47. That the Subdivider enter into a Subdivision Agreement for the subdivision with the Municipality and be responsible for the fees associated with the preparation and registration of the Agreement, including any review required by Legal Services.
48. The required noise mitigation measures and warning clauses shall be included in the Subdivision Agreement.
49. The Subdivider shall provide a tree preservation plan and install protective fencing in advance of any on-site grading works.
50. The Subdivider shall prepare and implement the following reports and plans in accordance with the applicable guidelines to the satisfaction of the agencies noted:

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Report	Town	Region	CLOCA
Functional Servicing and Stormwater Management Report	Yes	Yes	Yes
Geotechnical Investigation	Yes	Yes	Yes
Hydrogeological Study	Yes	Yes	Yes
Noise Study	Yes	Yes	-
Phase One and Two Environmental Site Assessment	Yes	Yes	-
Stage 1 Archaeological Assessment	Yes	Yes	-
Sustainability Report	Yes	-	-
Transportation Study	Yes	Yes	-

51. The Subdivider shall satisfy all requirements, financial and otherwise, of the Town of Whitby, including among other matters, the execution of a subdivision agreement between the Subdivider and the Town of Whitby concerning the provision and installation of services, drainage, and other local services.

52. Prior to final approval of this plan for registration, the Town of Whitby shall be advised in writing by:

- a. The Regional Municipality of Durham, how conditions 1, 2, 3, 4, 5, 6, 7 and 8 have been satisfied.
- b. The Central Lake Ontario Conservation Authority, how conditions 9, 10, 11 and 12 have been satisfied.

Note: Please be advised that the approval of this draft plan will lapse three (3) years after the date the plan is draft approved. This approval may be extended pursuant to Section 51(33) of the Planning Act, but no extension can be granted once the approval has lapsed. If final approval is not given to this plan within three (3) years of the draft approval date, and no extension have been granted, draft approval will lapse under Section 51(32) of the Planning Act, RSO, 1990, as amended. If the Subdivider wishes to request an extension to the draft approval, a written request and explanation must be received by the Commissioner of Planning and Development 120 days prior to the lapsing date. A processing fee in effect at the time of the request, shall apply.