

Attachment #11

Conditions of Draft Plan of Subdivision Approval

File SW-2023-04

1. The Subdivider shall prepare the final plan on the basis of the approved draft plan of subdivision, prepared by Evans Planning Inc., dated November 20, 2022, which shows 1 residential block, and 2 road widening blocks.
2. 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.
3. The Subdivider shall convey to the Region of Durham sufficient road widening of 7.26 metres across the total frontage along Taunton Road, free and clear of all encumbrances, to allow 45.0 metres overall or 22.5 metres from the existing centreline of road, with the registration of the plan.
4. The Subdivider shall convey to the Region of Durham a sight triangle of 15 metres x 15 metres at the southwest quadrant of the intersection of Taunton Road East and Sebastian Street. The widening shown as Block 2 on the draft plan of subdivision is acceptable.
5. The Subdivider shall grant to the Region 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.
6. The Subdivider shall agree in the Town of Whitby's Subdivision Agreement to implement the recommendations of the "Noise Impact Feasibility Study," prepared by J.E. Coulter Associates Ltd., dated November 16, 2022, which specifies noise attenuation measures for the development. The measures shall be included in the subdivision agreement and must also contain a full and complete reference to the noise report (i.e., author, title, date, and any revisions/addenda) and shall include any required warning clauses identified in the study.
7. 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.
8. Prior to entering into a subdivision agreement, the Region of Durham shall be satisfied that adequate water pollution control plant and water supply plant capacities are available to the proposed subdivision.

9. 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 concerning the provision and installation of sanitary sewers, water supply, roads, and other regional services.
10. That prior to any on-site grading, construction or final approval of the plan, the Subdivider shall submit to and obtain approval from Central Lake Ontario Conservation Authority for reports and plans describing the following:
11. 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 Pringle Creek Master Drainage Plan.
12. 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.
13. The intended means to maintain appropriate water balance for the overall site in accordance with CLOCA Hydrogeological Assessment Submission Guidelines and CLOCA Stormwater Management Guidelines as part of future development.
14. The intended means to design, install, access, maintain and monitor any proposed Low Impact Development (LID) measures as part of this development. Appropriate borehole locations, groundwater monitoring and insitu infiltration testing will be required to verify the feasibility of any LID strategy prior to approval.
15. 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.
16. The subdivision agreement between the Subdivider and the Town of Whitby shall contain, among other matters, the following provisions:
17. The Subdivider agrees to carry out the works referred to in Conditions 10 a) to d) to the satisfaction of the Central Lake Ontario Conservation Authority.
18. The Subdivider agrees to maintain all 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.
19. The Subdivider shall convey the following to the Town:
20. Block 3 for road widening on Garrard Road.
21. The Subdivider shall be responsible for concrete sidewalk and/or multi-use path installation in the following locations:

22. 3.0m-wide multi-use path on the south side on the south side of Taunton Road.
23. 1.8m-wide concrete sidewalk on west side of Sebastian Street.
24. 1.8m-wide concrete sidewalk on east side of Garrard Road.

Cash-in-lieu payment for the above may be provided at the site plan agreement stage should construction be deferred as determined by the Town. Further review and consideration of sidewalk placement is required and will be addressed through detail design / engineering as part of the site plan application.

25. 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.
26. 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.
27. 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.
28. The Subdivider shall implement all recommended noise control measures identified in the Environmental Noise Assessment report and revise the plan as required to accommodate recommended noise control measures prior to registration.
29. 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.
30. 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.
31. 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.

32. All community mailboxes for the private developments shall be located within private properties.
33. The Subdivider shall provide a detailed engineering submission in accordance with Section J of Town of Whitby Design Criteria for Site Plan submission requirements as it relates to the future Site Plan application.
34. 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.
35. 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.
36. 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.
37. 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.
38. The Subdivider shall agree to implement the recommendations of all reports submitted in support of the application.
39. The Subdivider shall be responsible for satisfying any additional requirements identified by the Engineering Services not specifically listed above.

40. The Subdivider shall provide a permanent vehicular and pedestrian access easement for the sole purpose of providing continuous vehicular and pedestrian access to the lands at 915 Taunton Road East in the future.
41. 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.
42. That the Subdivider enter into a Subdivision Agreement for the subdivision, and a future Site Plan Agreement 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.
43. The required noise mitigation measures and warning clauses shall be included in the Subdivision Agreement and future Site Plan Agreement.
44. The Subdivider shall provide a tree preservation plan and install protective fencing in advance of any on-site grading works.
45. The Subdivider shall prepare and implement the following reports and plans in accordance with the applicable guidelines to the satisfaction of the agencies noted:

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

46. 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.
47. Prior to final approval of this plan for registration, the Town of Whitby shall be advised in writing by:

48. The Regional Municipality of Durham, how conditions 1, 2, 3, 4, 5, 6, 7, 8 and 9 have been satisfied.
49. The Central Lake Ontario Conservation Authority, how conditions 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 has 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.