

Conditions of Draft Plan Approval

Conditions of Approval**DEV-05-20 (SW-2020-02)**

1. The Subdivider shall prepare the final plan and shall include a land use table on the basis of the approved draft plan of subdivision, prepared by MGP, identified as MGP File: 18-2672, revised and dated July 4, 2021, which illustrates 616 single-detached dwellings, 242 semi-detached dwellings, 237 street townhouses, 175 laneway townhouses, 8 future residential blocks, 2 future development blocks, 3 elementary school blocks, 1 district park block, 2 local park blocks, 1 local commercial block, 1 special purpose commercial block, 1 prestige industrial block, 1 potential future interchange block, 2 storm water management pond blocks, 3 natural heritage system blocks, 1 access block, 4 road widening blocks, and roads.
2. The Subdivider shall name road allowances 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, to the satisfaction of the Region of Durham, revise the draft plan of subdivision based on the final Brooklin Major Roads Environmental Assessment with respect to all matters addressed therein, as may be required by the Region, including any impacts on sanitary sewerage, water supply, Regional roads and stormwater management facilities servicing Regional roads.
5. 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 more than one registration.
6. Prior to final approval, the Subdivider is required to submit a Record of Site Condition (RSC) to the Region of Durham and the Ministry of Environment, Conservation and Parks (MECP). The RSC must be to the satisfaction of the Region, including an Acknowledgement of Receipt of the RSC by the MECP.
7. The Subdivider shall carry out an archaeological assessment of the subject property and mitigation and/or salvage excavation of any significant heritage resources to the satisfaction of the Ministry of Heritage, Sport, Tourism and Culture Industries. No grading or other soil disturbance shall take place on the subject land prior to a letter of clearance from the Ministry of Heritage, Sport, Tourism and Culture Industries.

8. The Subdivider shall agree in the Whitby Subdivision Agreement to implement the recommendations of the report, entitled "Preliminary Noise Impact Study," prepared by Candevcon Ltd., dated December 9, 2020, 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.
9. 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.
10. 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.
11. 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.
12. That prior to any on-site grading or construction or final approval of the plan, for any given stage of development, the Subdivider shall submit reports and plans describing the following to the satisfaction of the Central Lake Ontario Conservation Authority:
 - a) The intended means to establish an incremental floodplain cut/fill balance as proposed in the West Brooklin Functional Servicing & Stormwater Management Report (Candevcon East Ltd, December 2020), that results in no negative upstream or downstream impacts to the satisfaction of the Central Lake Ontario Conservation Authority. Based on the results of this study, the Subdivider shall agree that the draft plan may be subject to red-line revisions to ensure that all residential lots are outside of the established hazard limits.
 - b) The intended means of conveying stormwater from the site, consisting of stormwater techniques which are appropriate and in accordance with provincial guidelines as well as in conformity with the recommendations found within the Lynde Creek Master Drainage Plan and Brooklin Secondary Plan Sub-Area Study 1A.

- c) The intended means whereby erosion and sedimentation and their effects will be minimized on the site during and after construction, in accordance with provincial guidelines. The report must outline all actions to be taken to prevent an increase in the concentration of suspended solids in any water body because of on-site, or other related works.
 - d) The intended means to maintain appropriate water balance for the site and to the adjacent hydrologic features (eg. wetlands, headwaters, watercourses) as part of this development. This report will include appropriate mitigation measures recommended as part of the completed Headwater Drainage Feature Assessments for this development.
 - e) The intended means to design, install, access, maintain and monitor any proposed Low Impact Development (LID) measures as part of this development.
 - f) The intended means to address Official Plan Policies 11.5.25.4, 11.5.25.5, 11.5.25.11 and 11.5.25.12 related to replacement of previously isolated natural heritage features, as well as the restoration and enhancement of previously straightened watercourses, and those providing contributing, occupied and recovery habitat for Redside Dace to the satisfaction of the Central Lake Ontario Conservation Authority. This Natural Heritage System Restoration and Enhancement Plan shall include restoring meandering channels and the removal of existing farm crossings, as well as wildlife corridor enhancement, wildlife habitat enhancement, watercourse function and water quality enhancement.
 - g) The intended means to address Official Plan Policy 5.3.7.9 to establish and maintain the identified vegetation protection zones as a natural self-sustaining vegetated area.
 - h) The intended means to address all appropriate design criteria and recommendations within the Ministry of the Environment, Conservation and Parks (MECP) approved Brooklin North Major Road Environmental Assessment Study. Based on the results of this exercise, the Subdivider shall agree that the draft plan may be subject to red-line revisions.
 - i) The intended means to provide any pedestrian trails as part of this development.
13. That the Subdivider agree to not undertake any on-site grading or other site alteration works, including any pre-servicing infrastructure works for any given stage of development until the Central Lake Ontario Conservation Authority has advised in writing that lands within the draft plan are not susceptible to flood risk to the satisfaction of Central Lake Ontario Conservation Authority.

14. That the Subdivider agree to not enter into any purchase and sale agreements with respect to any lots or blocks shown on the draft plan that are located within, or partially within, a Flood Plain limit (eg. Lots 1-4, 9 to 16 and Block 810), until such time that the Central Lake Ontario Conservation Authority has advised in writing that on-site grading works have confirmed that these lands are not subject to any flood susceptibility.
15. That the Subdivider agree to restore the riparian area of headwater feature NW-HDF1b within Blocks 738 and 739 on the draft plan to the satisfaction of the Central Lake Ontario Conservation Authority and the Municipality, in consultation with the Ministry of the Environment, Conservation and Parks. A letter of credit will be required to secure for the restoration of this area within an agreed timeframe.
16. That the Subdivider agree that prior to any further site alteration (other than restoration of these lands), or approval of any development within Blocks 738 and 739 (or their equivalent consolidated Block number), that Official Plan policies 11.5.25.3, 11.5.25.4 and 11.5.25.5 related to any changes to the Natural Heritage System boundary, evaluation of headwater features and other isolated key natural heritage features shall be addressed to the satisfaction of the Central Lake Ontario Conservation Authority and the Municipality, in consultation with the Ministry of the Environment, Conservation and Parks. Based on the results of this exercise, the Subdivider shall agree that the plan may be subject to red-line revisions.
17. That the Subdivider agree that prior to any site alteration and/or development within any Natural Heritage System Blocks, that Official Plan policies 5.3.7.4 and 5.3.7.5 related to permitted activities within key natural heritage features, key hydrologic features and their vegetation protection zones be addressed to the satisfaction of the Central Lake Ontario Conservation Authority and the Municipality, in consultation with the Ministry of the Environment, Conservation and Parks. Based on the results of this exercise, the Subdivider shall agree that the plan may be subject to red-line revisions.
18. That the Subdivider agree that prior to any site alteration and/or development within habitat of an endangered species or threatened species, that conformity with all Provincial and Federal requirements, specifically within the Endangered Species Act and the Species at Risk Act will be demonstrated to the satisfaction of the Ministry of the Environment, Conservation and Parks (MECP) and Department of Fisheries and Oceans. Based on the results of this exercise, the Subdivider shall agree that the plan may be subject to red-line revisions.
19. That the Subdivider agree that the plan may be subject to further red-line revisions to accommodate the requirements of the Central Lake Ontario Conservation Authority, the Town of Whitby and other approval agencies with respect to stormwater management pond block sizes and development limits associated with natural heritage features and hazard lands.

20. That the Subdivider shall agree to dedicate all Natural Heritage System Blocks to an appropriate public body.
21. That the Subdivider shall agree within the Subdivision Agreement to install all approved planting and restoration plans identified within the Natural Heritage Corridor Restoration and Enhancement Plan to the satisfaction of the Town of Whitby and Central Lake Ontario Conservation Authority. The timing of plantings and restoration implementation will coincide with, if not happen before, the timing of any removals and/or impacts to the Natural Heritage System as approved by the Town of Whitby and Central Lake Ontario Conservation Authority. Letters of Credit will be held by the Town of Whitby for all required restoration and enhancement required as part of the approved Natural Heritage Corridor Restoration and Enhancement Plan.
22. That the Subdivider shall agree within the Subdivision Agreement to erect a 1.2m high black vinyl chain link fence between the boundary of all Natural Heritage System Blocks and residential lands to prevent any direct entry of landowners/occupants from private lands into any Natural Heritage System Blocks. Any associated development agreement shall include provisions to prohibit private gates being installed through this fence.
23. The Subdivider shall obtain all necessary permits from Central Lake Ontario Conservation Authority required through Ontario Regulation 42/06, or any successor regulations made under the Conservation Authorities Act.
24. 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.
25. The subdivision agreement between the Subdivider and the Town of Whitby shall contain, among other matters, the following provisions:
 - a) The Subdivider agrees to carry out the works referred to in Conditions 12 to 24 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) 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.
26. That prior to final approval, the Subdivider shall have made an Agreement satisfactory to the Durham Catholic District School Board for the transfer of a

Catholic elementary school site as shown in the plan submission. The Catholic elementary school site, Block 819, shall contain not less than 2.42 hectares.

27. That the Subdivider shall agree in the Town of Whitby's Subdivision Agreement in wording satisfactory to the Durham Catholic District School Board
- a) To grade Block 819 and in doing so compact, fill with clean material, replace any topsoil disturbed in the grading process and at the same time sod/seed the same lands to specifications determined by the Board;
 - b) To remove any buildings on Block 819;
 - c) To remove trees, as required to accommodate school layout;
 - d) To provide a letter of credit pertaining to stockpiling and removal of top soil, by taking the volume of topsoil to be stored upon the school site and multiplying such volume by 125% of the current market prices for waste material disposal, as set forth in the latest version of Hanscomb's Yardsticks for costing, cost data for the Canadian Construction Industry, to the satisfaction of the Durham Catholic District School Board;
 - e) To remove stockpiled topsoil within 30 days of written notice by the Board and in doing so compact, fill with clean material, replace any topsoil disturbed in the grading process and at the same time sod/seed the same lands to specifications determined by the Board;
 - f) To construct a temporary/permanent galvanized chain link fence, Type II 1 1/2" mesh, 1.8 m high along all boundaries of the school block, including road frontage(s) at the discretion of the Board;
 - g) To construct the fences prior to the issuance of building permits in an appropriate phase to the satisfaction of the Board;
 - h) To erect and maintain a sign on the Catholic school site at such time as the relevant access roads are constructed, indicating that the date has not been set for the construction of the school;
 - i) To provide a geotechnical investigation and Phase 1 and Phase 2 environmental site assessment conducted by a qualified engineer. For an elementary school site a minimum of eight boreholes shall be required;
 - j) To provide the foregoing at no cost to the Board;
 - k) To assume any upstream and downstream charges for hydro, natural gas, sanitary and storm drainage, and water supply.
28. That the Subdivider shall submit to the Durham Catholic District School Board, at no cost to the Board, a letter from a qualified consultant concerning:

- a) The suitability of Block 819 for school construction purposes, relating to soil bearing factors, surface drainage, topography and environmental contaminants;
 - b) The availability of natural gas, electrical, water, storm sewer and sanitary sewer services.
29. That the Subdivider shall agree in the Town of Whitby Subdivision Agreement, in wording acceptable to the Durham Catholic District School Board that the utility services referred to above in (b) shall be installed to the mid-point of the frontage of the elementary school site and positioned as designated by the Board, at no cost to the Board.
 30. That prior to final approval, the Subdivider shall submit to the School Board an initial set of engineering plans for review and approval, and subsequently, a copy of the final engineering plans as approved by the Town of Whitby which indicate the storm drainage system, utilities, and the overall grading plans for the complete subdivision area.
 31. That prior to final approval, the local hydro authority shall have confirmed in writing to the Board that adequate electrical capacity will be supplied to the school site frontage by the Subdivider at no cost to the Board.
 32. That the Durham Catholic District School Board shall advise that the Conditions noted above have been met to its satisfaction. The clearance letter shall include a brief statement detailing how each condition has been satisfied or carried out.
 33. That the Town of Whitby Subdivision Agreement include warning clauses advising residents that their children may have to attend an existing school, outside of their immediate neighbourhood, although a site in the area has been reserved for a school building, a school may not be built for several years, if at all, and only then if it can be justified to the satisfaction of the Ministry of Education.
 34. That the Town of Whitby Subdivision Agreement provide for the installation of sidewalks throughout the development, thereby allowing for a safe pedestrian walking route to the school site.
 35. That the Subdivider agrees to set aside, within the subject plan, Block 818, for public elementary school purposes.
 36. That the Subdivider and the Durham District School Board enter into an agreement for the acquisition of Block 818 for public elementary school purposes.
 37. That the Subdivider submit plans indicating existing and proposed grades, drainage and servicing for approval by the Durham District School Board for all lots, blocks, easements and roads abutting Block 818.

38. That the Subdivider provide the Durham District School Board with a report detailing the soil bearing capacity and composition of soils within Block 818, prior to the registration of Phase 1 of the development. Specifically, the report will detail the chemical composition of soils and the presence of methane and/or radon gas within Block 818.
39. That any filling conducted within Block 818 meet the Durham District School Board criteria for soil bearing capacity and be approved by the Durham District School Board soils engineer.
40. That the Subdivider rough grade Block 818 to the satisfaction of the Durham District School Board.
41. That the Subdivider agrees to bring all municipal services and connections to the edge of Block 818, along the street and submit drawings to the Durham District and connections to the edge of Block 818, along the street and submit drawings to the Durham District School Board for approval.
42. That the Subdivider agrees to install a 1.8 metre chain link fence of standard school construction (number 9 gauge) along the perimeter of Block 818 where it abuts proposed or existing residential lands (lots or blocks), and/or any other proposed or existing land use, except for active municipal parkland.
43. That the following "Notice to Parents" be inserted in all agreements of purchase and sale between the Subdivider and all prospective homebuyers...

"Students from the development may have to attend existing schools. Although a school site has been reserved within this plan of subdivision, a school may not be constructed for some time, if at all, and then only if the Durham District School Board receives funding for the construction of this required school."
44. That the Subdivider agrees to post the standard Durham District School Board approved "Notice to Parents" in all sales representation centres.
45. Prior to final approval, the Subdivider shall make satisfactory to the Conseil scolaire catholique MonAvenir for the transfer of a French Elementary School site as shown in the plan of submission. The French elementary school site shall contain not less than 1.98 hectares.
46. That the Subdivider shall agree in the Town of Whitby Subdivision Agreement in wording satisfactory to the Conseil scolaire catholique MonAvenir.
 - a) To rough grade Block 820 and in doing so compact, fill with clean material, replace any topsoil disturbed in the grading process;
 - b) To remove any existing buildings on Block 820;
 - c) To construct a temporary galvanized chain link fence along all boundaries of the French Elementary School block;

- d) To provide the foregoing at no cost to the School Board.
47. That the Subdivider shall submit to the Conseil scolaire catholique MonAvenir, at no cost to the Board, a letter from a qualified engineering consultant concerning;
- a) The suitability of Block 820 for school construction, relating to soil bearing factors, surface drainage, topography and environmental contaminants;
 - b) The availability of natural gas, electrical, water, storm sewer and sanitary sewer services to be supplied to the site.
48. That the Conseil scolaire catholique MonAvenir shall advise that the conditions noted above have been met to its satisfaction. The clearance letter shall include a statement detailing how each condition has been satisfied.
49. That the Town of Whitby Subdivision Agreement provide for the installation of the sidewalks along the perimeter of the School Block 820 that is adjacent to a road.
50. The Subdivider shall determine improvements that may be required for:
- a) The Highway 7 and the intersection at Highway 7 / Cochrane Street
 - b) The Highway 7/12 and the intersection at Highway 7/ 12/ Columbus Road
51. Consider any impacts of this development on Highway 7 and any need for widening to 6 lanes, plus 1 centre left lane.
52. Consider any future widening needs of Columbus Road and its impact on the Highway 7 / 12 future widening at 4 lanes, plus 1 centre left turn lane and Highway 7 / 12 / Columbus Road intersection.
53. Enter in to a legal agreement with the MTO to undertake (if required);
- a) Widening to 6 lanes, plus 1 centre left turn lane on Highway 7 in the vicinity of the development.
 - b) Necessary improvements to Highway 7 and the intersection at Highway 7 / Cochrane Street.
 - c) Necessary improvements to Highway 7/ 12/ Columbus Road.
54. Ensure that the drainage from the development does not adversely impact the Highway 7, Highway 407 or Highway 7/12 drainage system.
55. The Subdivider shall provide the MTO with a traffic analysis for the full built-out year of 2026.
56. The MTO requires the existing driveway access from Block 825 to Highway 7 to be removed.

57. Natural Heritage Blocks 830 to 832 be dedicated to the Town as Open Space.
58. The proposed multi-use trail adjacent to Natural Heritage Blocks 830 to 832 trail must be asphalt and a minimum of 2.5 metres wide. The Developer shall undertake approval permissions / applications, design and install the multi-use trail to the Town's standards. The developer shall minimize potential environmental impacts related to construction of the trail and follow environmental protocols provided by the approval process. The Developer shall be responsible for any compensation requirements associated with the trail location approvals and construction. The trail design must also include design solutions for accessibility, seating, signage and grading for road crossings connections into Carnwith Road West and Vipond Road. The multi-use trail design is required to incorporate connection options into various points within the plan including the adjacent proposed plan of subdivision to north, connection to Anjou Court, storm pond blocks 828 and 829, a link to Joyce Marshall Drive through Storm Pond Block 829 and a feasibility report/brief of a future trail to pass underneath the Highway 407 to link the community to future destinations south of Highway 407 including the Sports Complex.
59. The Park Blocks 821, 822, and 823 as revised, pending the approved Park Block Fitment Plans for each park block and shall be dedicated the Town free and clear of all encumbrances.
60. Park Block Fitment Plans are required for each proposed Park Block within the proposed plan and completed by a qualified Landscape Architect, to be approved by the Community Services Parks Division.
61. While the future Parks Master Agreement should address the park dedication of the subject plan and overall Brooklin Development Area it is currently in draft form and needs to be finalized through further discussion and review with the Brooklin Landowners Group. Should the Parks Master Agreement not get finalized then the Town's standard rates for parkland dedication would apply. As a condition of draft approval for the proposed plan, parkland dedication will be required at a rate of 1 hectare per 300 units for parkland dedication and 1 hectare per 500 units for the case in parkland cash-in-lieu calculations and/or 5% of the total land holdings. This is consistent with the Town's Official Plan policy 4.9.4.3, the recent Planning Act changes and the Department's standard practice.
62. The Department will require the developer to install 1.2 metre black vinyl standard park fencing or a greater standard if determined through further study or where other agency requirements dictates a different standard to be installed where open space and park blocks abut residential lots.

63. The Subdivider shall convey the following to the Town:
- a) Block 821 for District Park and Blocks 822 and 823 for Local Parks;
 - b) Blocks 828 and 829 for Stormwater Management facilities;
 - c) Blocks 830 to 832 (inclusive) for Open Space lands;
 - d) Blocks 834 to 836 for Road Widening on the east side of Cochrane Street; and,
 - e) Block 837 for Road Widening on the west side of Ashburn Road.
64. The Subdivider shall be responsible for concrete sidewalks and/or multi-use paths installation in the following locations:
- a) 3.0m wide multi-use path on the west side of Ashburn Road along the frontage of the proposed development;
 - b) 3.0m wide multi-use path on the east side of Cochrane Street along the frontage of the proposed development;
 - c) 3.0m wide multi-use path on the north side and 1.5m/2.0m sidewalk on the south side of Carnwith Road West between Ashburn Road and Cochrane Street;
 - d) 3.0m wide multi-use path on the north side and 1.5m/2.0m sidewalk on the south side of Vipond Road between Ashburn Road and Cochrane Street;
 - e) 3.0m wide multi-use path on the east side and 1.5m/2.0m sidewalk on the west side of Doctor Grant Street / Randy Tureski Drive (Vipond to Charters);
 - f) Subject to confirmation from Ministry of Transportation (MTO), a 3.0m wide multi-use trail within the MTO setback adjacent to the north side of Highway 407, to provide a connection between the NHS and Ashburn Road;
 - g) 2.0m wide sidewalk adjacent to all School and Park blocks;
 - h) 1.5m wide sidewalk on both sides of collector, arterial roads and Terranova Street, Champion Street, Aldwick Street, Joyce Marshall Drive, Pat Perkins Drive and Cristiano Street between Pat Perkins Dive to Federica Street. Sidewalk width shall be increased to 2.0m adjacent to schools and parks per the above; and;
 - i) 1.5m wide sidewalk on one side of all other streets. Sidewalk width shall be increased to 2.0m adjacent to schools and parks per the above.

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

65. The Subdivider shall implement all changes to the plan resulting from recommendations and findings of the ongoing Brooklin North Major Roads Environmental Assessment (BNMREA) prior to registration, including but not limited to:
- a) The final right-of-way width, alignment and horizontal and vertical design of Carnwith Road West, Vipond Road and Doctor Grant Street between Vipond Road and the north limit of the plan.
 - b) Any changes to lots and/or road allowances adjacent to trail crossings, especially on Carnwith Road West and Vipond Road, to accommodate recommended crossing structures and trail connections up to the roadway.

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

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

67. The Subdivider shall be responsible for the reconstruction and urbanization of existing Ashburn Road and Cochrane Street along the development frontages to a Type 'B' Arterial Road Town standard, all to the satisfaction of the Public Works Department. Ultimate road cross-sections, turning lanes, active transportation infrastructure and pedestrian crossing requirements at proposed intersections along both Ashburn Road and Cochrane Street to be determined through completion and acceptance of the on-going Environmental Assessment study.

Grading match along the right-of-way limit to be based on the ultimate cross-section and boulevard grading. If required to address construction staging and timing, interim grading and drainage requirements that match existing conditions along the external road frontages are to be accommodated. Development Charge recoveries, in accordance with the Town of Whitby's Development Charges Background Study, will apply.

68. 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.

69. Subject to Ministry of Transportation approval, the Subdivider shall be responsible for a 3.0m Multi-Use Trail within the MTO setback adjacent to Hwy 407 through Blocks 827, 832, 829 and 825. The trail should be routed to avoid the SWM Pond, but should reconnect at the setback at Ashburn Road. The Town has been successful in providing a trail adjacent to a provincial highway corridor and the potential should be explored.
70. The Subdivider shall provide an updated Traffic Impact Study (TIS) to address the following comments and those provided under attached separate memo from Transportation Services 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 Vipond Road and Carnwith Road West, at creek crossings/valley trail locations and on all roads adjacent to Park and School Blocks to support safe travel speeds and a comfortable environment for all users.
 - b) The Subdivider shall, through detailed design, identify traffic calming needs and measures, if required, for streets leading to or adjacent to Town-owned lands, industrial and commercial blocks. All traffic calming measures identified shall consider potential impacts to traffic operations, winter maintenance and storm drainage.
 - c) The Subdivider will be responsible for speed hump installations along Pat Perkins Drive, between Vipond Road and Allegra Drive, and Champion Street. Speed hump type and design to be reviewed and approved by the Town at the detailed design stage.
 - d) Pedestrian Crossovers (PXO) are expected at key locations (i.e. pedestrian destinations, where trails/paths cross the roadway, etc.) and shall be supported by the appropriate infrastructure. The type and level of PXO is to be identified as part of the TIS.
71. 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.
72. The Subdivider shall provide at least two (2) non-garage parking spaces at all corner lots. Driveways shall have constant width from the garage to the curb line. This will be addressed in the Brooklin Zoning By-law.
73. Interim turning provisions shall be provided for the temporary terminus of any partial street and any other streets as required through construction phasing to the satisfaction of the Public Works Department. This may require placing affected development lands on hold with details to be evaluated at the detail design stage when construction phasing is known.

74. The following Lots/Blocks shall be placed on hold:
- a) Lots 1 to 8 inclusive, until such time as the land to the north is developed;
 - b) Blocks 810 to 812 inclusive – Future Residential, until such time as they can be merged with land to the north;
 - c) Blocks 813 and 814– Future Residential, until such time as they can be merged with the land to the south and north respectively; and
 - d) Blocks 815, 816 and 817 inclusive – Future Residential, until such time as they can be merged with the land to the south, west and north respectively. The Subdivider shall provide an updated FSSR to address all comments provided in Section B Informational Comments prior to submission of detailed engineering drawings.
75. The Subdivider shall provide a detailed engineering submission in accordance with 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.
76. SWM Blocks 828 and 829 shall be sized to accommodate all Town of Whitby, Central Lake Ontario Conservation Authority (CLOCA) and Ministry of the Environment, Conservation, and Parks (MECP) design elements/features, including but not limited to, emergency spillway, sediment drying area, maintenance roads, access and turn around provision, forebay length, length to width ratios, maximum side slopes and cooling trenches and / or wetland pockets at the outfall.
- Pond sizing shall also include drainage areas for the ultimate improvements and urbanization of external roads that are tributary to the site. At the time of detailed engineering design, should review of the SWM Facility show that the block has been undersized, the Subdivider shall revise the plan to increase the block size accordingly.
77. The Subdivider shall provide confirmation from the Geotechnical Consultant that retention of the existing pond within Block 832 does / will not negatively impact the long term function and stability of the proposed SWM pond.
78. The Subdivider shall provide confirmation from Central Lake Ontario Conservation Authority (CLOCA) for the acceptance of:
- a) The limits of the Natural Heritage System (NHS), including appropriate setbacks, as well as the location and grading of the proposed Multi-use Trail beyond environmental setbacks;
 - b) Design recommendations from the Brooklin North Major Roads Environmental Assessment that will impact the proposed subdivision regarding watercourse crossings and regulatory floodplain spill locations;

- c) Water balance evaluation;
 - d) Proposed strategy to mitigate the post-development infiltration deficit; and,
 - e) Location and design of Low Impact Development (LID) measures.
79. The Subdivider shall implement the recommendations of the Environmental Noise Assessment for the proposed development and revise the plan; if required, to accommodate recommended noise control measures prior to registration.
80. 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.
81. 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.
82. 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 shall be revised accordingly to provide said flood protection prior to registration.
83. The Subdivider shall be responsible for providing service connections and a suitable storm drainage outlet for flows associated with Park Blocks 821, 822 and 823, to the satisfaction of the Public Works Department and the Community Services Department.
84. All window streets shall be designed such that they provide for positive boulevard drainage to their respective roadways, while complying with minimum and maximum boulevard grade criteria. Any grade difference between window streets and adjacent roads shall be addressed through the use of maximum 3:1 sloping within a buffer block between the two right-of-ways. Buffer blocks shall also be sized to accommodate any grading requirements to facilitate sidewalk connections to the adjacent street. If required to accommodate grading, the Subdivider shall revise the plan prior to registration.
85. The Subdivider shall place all community mailboxes within the public right-of-way adjacent to sidewalk, unless otherwise specifically approved by the Public Works Department. All community mailboxes for the private developments shall be located within private properties.
86. Construction phasing of the development shall be to the satisfaction of the Public Works Department, 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 Ashburn Road and Cochrane Street, including coordination with the proposed adjacent developments.

87. The Subdivider shall provide an assessment of dead, dying, diseased and over mature trees for pruning or topping purposes along the edge of the NHS as well as all hazards and debris for removal to address safety and liability concerns.

Provide details for the protection, enhancement and edge management of the retained vegetated areas. All hazards, debris, or garbage shall be removed prior to the registration of the plan.

88. The Subdivider shall provide the Town with a deposit for any necessary peer review costs with the amount to be determined at the 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.
89. The Subdivider shall provide a copy of the approved lot grading siting to each lot purchaser prior to closing.
90. 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 Public Works Department. 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 for registration must reflect changes required in this regard.
91. 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 and / or the oversizing of services if required.
92. 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.
93. 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.
94. The Subdivider shall agree to implement the recommendations of all reports submitted in support of the application.
95. The Subdivider shall be responsible for satisfying any additional requirements identified by the Public Works Department not specifically listed above.

96. 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 Report	Yes	Yes	Yes
Geotechnical Investigation	Yes	Yes	Yes
Hydrogeological Study	Yes	Yes	Yes
Noise Study	Yes	Yes	-
Phase One & Two Environmental Site Assessment(s)	Yes	Yes	-
Archaeological Assessment	Yes	Yes	-
Transportation Impact Study	Yes	Yes	-
Sub Area Study	Yes	-	Yes

97. The Subdivider shall provide a Firebreak Lot/Block Plan to the satisfaction of the Whitby Fire and Emergency Services Department.
98. The Subdivider is required to implement the architectural guidelines for the Brooklin Secondary Plan.
99. That the following Lots / Blocks shall be placed on hold and not offered for sale until such time as it can be determined that a trail can be accommodated within the Natural Heritage System, being Lots (103-105, 110-111, 127-128, 132-143, 451, 459-460, 481-482, 499, 504-507, 731-734) and Blocks (773-774). If it is identified through the trail design process that more land is required to meet the Town trail design requirements, then the adjacent Lots / Blocks shall be adjusted into the developable area to accommodate the trail.
100. That the Subdivider shall update the Sustainability Rationale as a standalone document in an acceptable format in accordance with the comments provided.
101. That the Subdivider covenants and agrees to enter into the cost sharing agreement amongst the benefitting landowners in accordance with Section 11.5.31.5 e) and f) as set out in the Town of Whitby Official Plan and that the Town will clear Condition No. 101 upon receipt of a letter of clearance from the "Trustee" representing the Brooklin Cost Sharing Agreement.

102. That the new home construction be designed to meet the Energy Star standards or equivalent.
103. Any financial securities required of the development shall be provided as specified by the Town's Corporate Services Department and shall not include bonds.
104. 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.
105. Prior to final approval of this plan for registration, the Town of Whitby shall be advised in writing by:
 - i) The Regional Municipality of Durham, how conditions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 have been satisfied;
 - ii) The Central Lake Ontario Conservation Authority, how conditions 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25 have been satisfied;
 - iii) The Durham Catholic District School Board, how conditions 26, 27, 28, 29, 30, 31, 32, 33 and 34 have been satisfied;
 - iv) The Durham District School Board, how conditions 35, 36, 37, 38, 39, 40, 41, 42, 43 and 44 have been satisfied;
 - v) Mon Avenir Conseil Scolaire Catholique, how conditions 45, 46, 47, 48 and 49 have been satisfied
 - vi) The Ministry of Transportation Ontario, how conditions 50, 51, 52, 53, 54, 55 and 56 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. The 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 extensions have been granted, draft approval will lapse under 51 (32) of the Planning Act, RSO, 1990, as amended. If the owner 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 request, shall apply.