

Conditions of Draft Plan of Subdivision Approval

Attachment #9

Draft Plan Conditions

File No. DEV-17-21 (SW-2021-06)

1. The Subdivider shall prepare the final plan on the basis of the approved draft plan of subdivision, prepared by The Biglieri Group Ltd., identified as Project No. 2484, dated April 15, 2021, as revised dated March 30, 2023, which shows 252 lots for single-detached dwellings, 22 lots for 44 semi-detached dwellings, 10 townhouse units, 3 medium density blocks for 382 residential units, 2 mixed-use block for 253 units, a park block, 6 walkway blocks, 2 stormwater management pond blocks, 4 natural heritage system blocks, 2 road widening blocks, and roads.
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 grant to the Region of Durham, any easements required to provide Regional Services for this development and these easements shall be in locations and of such widths as determined by the Region.
4. Prior to the finalization of this plan of subdivision, the Subdivider must provide satisfactory evidence to the Region of Durham in accordance with the Region's Soil and Groundwater Assessment Protocol to address site contamination matters. Such evidence may include the completion of a Regional Reliance Letter and Certificate of Insurance.
5. The Subdivider shall submit to the Region of Durham, for review and approval, a revised acoustic report prepared by an acoustic engineer based on projected traffic volumes provided by the Region of Durham Planning and Economic Development Department, and recommending noise attenuation measures for the draft plan in accordance with the Ministry of the Environment, Conservation and Parks guidelines. The Subdivider shall agree in the Subdivision Agreement to implement the recommended noise control measures. The agreement shall contain a full and complete reference to the noise report (i.e., author, title, date and any revisions/addenda thereto) and shall include any required warning clauses identified in the acoustic report. The Subdivider shall provide the Region with a copy of the Subdivision Agreement containing such provisions prior to final approval of the plan.
6. 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 Citizenship and Multiculturalism. No grading or other soil disturbance shall take place on the subject property prior to a letter of clearance from the Ministry of Citizenship and Multiculturalism.

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:
 - 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. The Subdivider agrees that the draft plan of subdivision will be subject to red-line revisions for any necessary changes to meet the appropriate stormwater management criteria.
 - a) The intended means to maintain appropriate water balance for the subject lands and to the adjacent hydrologic features (eg. wetlands, headwaters, watercourses) as part of this development.
 - b) The intended means to mitigate and compensate for any negative impacts to features regulated through Ontario Regulation 41/24 of the *Conservation Authorities Act*.
 - c) The intended means to design, install, access, maintain and monitor any proposed Low Impact Development (LID) measures as part of this development.
 - d) 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.

11. No site alteration, sale of lots, or building permits shall be issued for Lots 1-13, Block 275, Block 276, and/or any other development requiring access by Street K from either St. Thomas Street or the future Mid-Block Arterial Road, until the following items have been addressed to the satisfaction of the Central Lake Ontario Conservation Authority. If the following conditions cannot be addressed, the draft plan of subdivision may require refinement:
 - a) Completion and implementation of detailed design of the Mid-Block Arterial Road adjacent to this development, including the reconfiguration of the intersections of St. Thomas Street and Anderson Road;
 - b) Completion and implementation of the detailed design of all necessary watercourse crossings north of this development associated with the reconfiguration of St. Thomas Street and Anderson Road and construction of the Mid-Block Arterial Road;
 - c) Completion of a floodplain analysis that demonstrates that (1) all development blocks are a minimum 0.3 m above the regulatory floodplain elevation, and (2) safe access and egress can be provided to all development blocks via Street K and the Mid-Block Arterial Road; and,
 - d) Provision of an As-Built Survey stamped by a qualified engineer that verifies that all grading within and adjacent to the regulatory floodplain has been completed as designed to fulfill the above-noted design requirements.
12. The Subdivider shall agree to complete a Trail Impact Study and design for any off-road trails and associated watercourse crossings proposed within the vicinity of natural hazards and/or features regulated through the *Conservation Authorities Act* to the satisfaction of the Town and Central Lake Ontario Conservation Authority. All off-road trail locations and their impacts must demonstrate that they will not create any new hazards or aggravate existing hazard lands.
13. That the Subdivider shall agree within the Subdivision Agreement to erect a permanent fence between the boundary of any Natural Hazard Blocks and any residential lands, to prevent any direct entry of landSubdividers/occupants from private lands onto these lands. Any associated development agreement shall include provisions to prohibit private gates being installed through this fence.
14. That the Subdivider shall agree to dedicate all Blocks containing Natural Hazard Land to an appropriate public body.
15. The Subdivider shall obtain all necessary permits from Central Lake Ontario Conservation Authority required through Ontario Regulation 41/24, or any successor regulations made under the *Conservation Authorities Act*.

16. 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.
17. 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.
18. 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.
19. 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.
20. The Subdivider shall convey the following to the Town:
 - a. Block 282 for Park.
 - b. Blocks 283 to 288 for Walkways.
 - c. Blocks 289 and 290 for Stormwater Management facilities.
 - d. Blocks 291, 292, 293 and 294 for Natural Heritage lands.
 - e. Blocks 295 and 296 for Road Widening of Anderson Street to a minimum 30m ROW width.
21. The Subdivider shall implement all changes to the plan for registration resulting from recommendations and findings of the final Mid-Block Arterial Schedule C Municipal Class Environmental Assessment (MBEA) including but not limited to:
 - a. The final right-of-way width, alignment and horizontal and vertical designs of the Mid-Block Arterial including the intersection with Anderson Street and the realignment of, and intersection with, St. Thomas Street.
 - b. The final right-of-way width, visibility triangle requirements, access restrictions, alignment/configuration and horizontal and vertical designs of the Street 'K' cul-de-sac at the intersection with the Mid-Block Arterial.
22. The Subdivider shall be responsible for concrete sidewalk and/or asphalt multi-use path installation in the following locations:
 - a. m-wide multi-use path on the west side of Anderson Street along the entire development frontage.

- b. 2.5 m wide sidewalk on the north side of Street 'B' and Street 'H' adjacent to District Park Block 282.
- c. 1.8 m-wide sidewalk on both sides of all other streets, including Conlin Road along the entire development frontage.

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

- 23. The Subdivider shall provide an up-dated Sub-Area Study (SAS) to address the comments provided in a separate memo from KSGS Engineering. Any Draft Plan changes, necessary to address the major SAS comments, shall be made to the Town's satisfaction prior to initiating detailed design. The Subdivider shall implement any changes to lot lines and/or block sizes as a result of addressing these comments. Any changes are to be reflected on the final plan for registration.
- 24. The Subdivider shall provide an Environmental Constraints Plan (ECP) showing development limits along Natural Heritage System (NHS) areas. The development limits shall be based on environmental features/constraints, including a floodline and shall be established using all applicable environmental buffers/setbacks. The ECP shall include a Town's 6.0m-wide access corridor which must be located outside of all environmental features, including the floodline. The corridor shall not contain any new plantings and shall be accessible for Town's service vehicles (e.g. no steeper than 4:1). Any change to the lot lines adjacent to the NHS (i.e. development limit) must be reflected in the final plan for registration.
- 25. The Street 'K' cul-de-sac exceeds the 230 m maximum length permitted per Town Design Criteria and Engineering Standards. As such the Subdivider shall provide fire suppression to all units on Street 'K' to the satisfaction of Whitby Fire Services.
- 26. It appears that Street 'K' may be encroaching within a Right-of-Way and/or Prescribed Area associated with the Enbridge Pipeline and Hydro One. Notwithstanding other specific comments, approval of Street 'K' will be subject to acceptance by Enbridge and Hydro One.
- 27. The Subdivider shall provide sample lot sitings for Lots 34 to 38 to demonstrate conformance to Town lot grading criteria for minimum useable rear yard area. Consideration to be given to eliminating / reducing sloping at the rear lot line by increasing the slope within the building envelope and using a double walkout (i.e. 3.6m basement depth) house design. Also, the estimated foundation levels and ability to provide sanitary sewer servicing to the basement are to be illustrated.
- 28. The Subdivider shall provide a more detailed grading design for Lots 157 to 194 backing onto the Region of Durham's Trunk Sanitary Sewer (TSS) since the sloping at the back of the lots seems to be in contradiction to the Region's comment to maintain the existing depth of cover over the TSS. Grading within the TSS easement will be subject to approval from the Region of Durham. Lot grading options to maximize grade percentages and absorb as much grade differential as possible

within the building envelope, will assist to minimize grading within the sanitary sewer easement.

29. The Subdivider shall review the need for Rooftop Drainage Collector (RDC) System. Preference shall be given to alternative methods of maintaining base flow to the noted drainage features, such as outlets from the mainline storm sewer system, without the need for a RDC pipe throughout the majority of the plan south of Conlin Road. If unavoidable, the Subdivider's Design Consultant is to provide justification for the need and extent of the RDC. Every effort is to be made to minimize both the length of RDC piping required and the number of outlets to the NHS.
30. The Subdivider shall demonstrate that sufficient width has been provided for access to Medium Density Block 279 from Street 'A' to accommodate the number and depth of proposed underground services as illustrated on the FSSR Site Servicing plan. If required, the plan shall be revised to convey additional width, all to Engineering Services satisfaction, prior to registration.
31. The Subdivider shall demonstrate that sufficient lot width has been provided to accommodate servicing easements at all locations where storm drainage pipes are located between lots. Where possible, outlet pipes shall be located at the Walkway Blocks between Street 'A' and Natural Heritage System Block 293. If required to accommodate site servicing, the plan shall be revised to convey additional width, all to Engineering Services satisfaction prior to registration.
32. 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.
33. The Subdivider is fully responsible, financial and otherwise, for the reconstruction and urbanization of existing Conlin Road along the development frontages to a Town local standard to the satisfaction of Engineering Services' as follows:
 - a. From Anderson Street to the west limit of the development: As an integral part of the subdivision development, this will stay as a local 20 m road reconstructed to an urban standard with sidewalks on both sides and a signed Bike Route, including any required turning lanes and entrance works.
34. 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 subject development, while maintaining the existing 2-lane rural cross-section and on-road bike lanes.
35. The subdivider shall be responsible for the construction of a 3.0m wide asphalt multi-use path on the west 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 elevation where feasible while maintaining the existing road cross-section.

36. 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.
37. Grading match along the Anderson Street ROW limit to be based on an assumed ultimate 4-lane urban cross-section and boulevard grading. If required to address construction staging and timing, interim grading and drainage requirements that match existing conditions along the external road frontages are to be accommodated.
38. The Subdivider shall be responsible for implementing the traffic control recommendations of the MTS, including but not limited to, the 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.
39. 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.
40. The Subdivider shall provide a Water Well Interference Report, separately or as a part of a Hydrogeological Report, to the satisfaction of the Director of Engineering Services. The Report shall review the potential impacts of development activities on existing water wells, within the zone of influence, as determined by the Qualified Person, with a minimum distance of 250m from development limits. The Water Well Interference Report shall include, but is not limited to, a pre-construction survey of the existing water wells, a potential impact analysis through the construction phase and recommendations/remediation plans to address any concerns that may arise as a result of construction stage works.
41. 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.
42. 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.

43. The Subdivider shall provide an updated Master Transportation Study (MTS) to address the following comments and those provided by Paradigm Transportation Solutions Ltd 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', at Street 'A' intersections with Streets 'B', 'J' and Conlin Road and on all roads adjacent to the Park Block to support safe travel speeds and a comfortable environment for all users.
 - b. The Subdivider shall provide a composite Traffic Calming Plan for all roads in the plan that includes, but not limited to, area specific speed limits, speed humps, and raised intersections, for review and acceptance by the Director of Engineering Services.
 - c. Controlled pedestrian crossing (i.e., Intersection Pedestrian Signal (IPS) or Pedestrian Crossover (PXO) at Anderson Street/Street 'B', Anderson Street /Street 'J' and at Conlin Road / Street 'A'. The IPS or PXO may be an interim solution to facilitate safe active transportation movements until such time that a traffic signal maybe warranted.
 - d. While the volumes may be low, left turn lanes should be provided on Anderson Street and Conlin Road to facilitate safe movements along the corridor for all road users.
44. 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.
45. The sale and/or development of Lots 1 to 13 and Blocks 275 and 276 inclusive, until such time as the Mid-Block Arterial is constructed between Baldwin Street and Anderson Street including replacement of the crossing of the Anderson Street Tributary, as outlined within the MBEA, and confirmation of the limits of the new regulatory flood line to the satisfaction of the Central Lake Ontario Conservation Authority (CLOCA) and Town of Whitby.
 - a. Unless significant changes are made to the Draft Plan, a revised FSSR is not required; however, comments provided in Section Informational Comments are to be considered as part of the detailed engineering design and Stormwater Management(SWM)Report submission following Draft Plan approval.
46. SWM Blocks 289 and 290 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, fore bay length, length to width ratios, maximum side slopes and cooling trenches and / or wetland pockets at the outfall.

- a. Pond sizing shall also include drainage areas for the ultimate improvements and urbanization of Anderson Street and Conlin Road that are tributary to the site.
- b. The quantity control storage must be stacked above the extended detention storage volume as per CLOCA's Technical Guidelines for Stormwater Management Submissions.
- c. The maximum depth of the active storage is 2 m as per the MECP Stormwater Management Planning and Design Manual.
- d. A sediment drying area is to be provided per MECP Guidelines. This area shall be located immediately adjacent to the sediment forebay area to accommodate future operational needs. Provide calculations (i.e., 10-year sediment volume) to support the size of the sediment drying area.
- e. Provide vehicle turning path for the SWM pond maintenance road to ensure that typical maintenance vehicles (cube van) and a triaxle vehicle can navigate the current layout (with minimal reverse manoeuvring).
- f. Revise the SWM Pond grading to locate the safety platform above the normal water level.

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.

47. The Subdivider shall provide confirmation from Central Lake Ontario Conservation Authority (CLOCA) for the acceptance of:

- a) Quantity control and appropriate water quality treatment measures for the storm sewer outlet, as well as the direct overland flow outlet, to the NHS from the Street 'K' cul-de-sac.
- b) The limits of the Natural Heritage System (NHS), including appropriate setbacks, and acceptance of grading encroachment beyond the currently shown Limit of Development.
- c) Proposed outlet locations to the natural drainage features for the portion of the plan to the south of Conlin Road and including external areas to the east of Anderson Street.

48. 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.
49. 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 Subdividers.
50. 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.
51. 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.
52. The Subdivider shall be responsible for providing service connections and a suitable storm drainage outlet for flows associated with Park Block 282, to the satisfaction of Engineering Services' and the Community Services Department.
53. All community mailboxes for the future private developments shall be located within the respective private properties.
54. Construction phasing of the development shall be to the satisfaction of the Engineering Services and shall consider adjoining developments and provide for upstream and downstream road and servicing connectivity. Construction staging details will be required for the proposed servicing and road works on Anderson Street and external sanitary sewer and watermain construction on Conlin Road, including coordination with the proposed adjacent developments and the Region of Durham.
55. 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.
56. 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.

57. 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 Authority (CLOCA). The Subdivider shall protect all proposed private dwellings from the seasonal high-water table where applicable.
58. 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.
59. 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.
60. 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 Engineering Services. This includes, but is not limited to, pavement design specifications based on street classifications, earth berm grading design, 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.
61. The Subdivider shall provide an assessment of dead, dying, diseased and / or over mature trees along the edge of the natural areas for pruning or topping purposes to address safety and liability concerns. The report must include details for the protection, enhancement and edge management of the retained vegetated areas. All hazards, debris, and/or garbage shall be removed from all Open Space Blocks prior to the registration of the plan.
62. 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.
63. The Subdivider shall provide a copy of the approved individual lot grading plan (i.e., siting) to each lot purchaser prior to closing.

64. The Subdivider shall agree to implement the recommendations of all reports submitted in support of the application.
65. The Subdivider shall be responsible for satisfying any additional requirements identified by Engineering Services not specifically listed above.
66. The subdivider shall not proceed with the development and sales of lots 28 to 33 until the design and fitment for the Park Block (282) has been completed to the satisfaction of the Senior Manager of Parks Planning and Development.
67. Parkland contribution is required for this development at a rate in accordance with the Planning Act.
68. The subdivider shall convey a minimum 1.01 hectares (representing 5% of the net developable area outside of the Natural Heritage System, road widening blocks for Conlin Road and Anderson Street, and excluding development Blocks 277-281) for the district park block to the Town, free and clear of all costs and encumbrances and to the satisfaction of the Senior Manager of Parks Planning and Development, upon registration of the plan of subdivision. Any additional parkland provided by the subdivider beyond the minimum 1.01 hectares will be credited towards the required parkland calculations future site plan approvals for Blocks 277-281. Any remaining parkland dedication will be satisfied through the payment of cash-in-lieu of parkland. A land appraisal will be required for review and approval by the Town at the site plan approval stage.
69. The parkland credit provided for the area within park block 282 encumbered by the Regional sanitary easement, where no permanent structures are permitted to be constructed, maybe discounted based on detailed design of the park, to the satisfaction of the Senior Manager of Parks Planning and Development.
70. Prior to approval of grading and servicing drawings for each applicable phase within this plan of subdivision, the subdivider shall submit detailed park design and grading plans, prepared by a qualified landscape architect, to the satisfaction of the Senior Manager of Parks Planning and Development.
71. The subdivider shall provide grading works, topsoil and an as-built grading survey, prepared by a qualified person, for all park blocks, to the satisfaction of the Senior Manager of Parks Planning and Development.
72. The subdivider shall provide all necessary stormwater, sanitary, water and electrical service connections to park block 282, to the satisfaction of the Senior Manager of Parks Planning and Development.
73. The subdivider agrees to install a 1.2 metre black vinyl standard park fence where any open space and park blocks abut residential lots.
74. The subdivider agrees to convey all natural heritage and open space blocks (Blocks 291 to 294) to the Town in a condition to the satisfaction of the Parks Planning and

Development Department, upon registration of each phase of the plan of subdivision.

75. Prior to approval of grading and servicing drawings for each phase within this plan of subdivision, the subdivider shall prepare detailed trail design and grading plans, prepared by a qualified landscape architect and/or engineer, for any required off-road trails within Blocks 289, 290, 292, and 293, to the satisfaction of the Senior Manager of Parks Planning and Design.
76. The trail design requirement shall include, but are not limited to the following:
 - a. Trails to be constructed to details and specifications provided by and approved by Town of Whitby Community Services, Parks Development Division.
 - b. All trails shall be planned and designed to meet accessibility standards.
 - c. All trails, trail crossing, bridges, boardwalks, culverts, structures shall be designed and constructed by the Subdivider, in accordance with Community Services Department, Parks Development Division requirements.
 - d. All primary trails shall be planned and designed to a minimum width of 2.5 metres and surfaced in asphalt.
 - e. Trails to be offset a minimum 3 metres from any property line to accommodate grading requirements, a 1.5-metre-wide sod mow strip and a 1.5 metre wide planted privacy buffer.
 - f. Trail requires a minimum 1.5 metre sod mow strip on either side of the trail to enable mowing/maintenance. Mow strip to be sloped at a maximum 25%.
 - g. Trail grades are not to exceed 2% cross slope and 5% longitudinal slope unless unavoidable due to existing grades.
 - h. Seating Areas with benches are to be provided at a rate of 3 per kilometer of trail. Rest Areas are to be provided every 150 metres.
77. Should the off-road trail require approval of the trail design from CLOCA and any other applicable approval authorities, the subdivider shall secure approval of the trail design from CLOCA and any other applicable approval authorities at the detailed design stage.
78. The subdivider shall not to proceed with the development and sales of lots 34 to 38 until detailed design of the off-road trail within the abutting Natural Heritage System or an alternative location has been completed to the satisfaction of the Senior Manager of Parks Planning and Development.

79. The subdivider shall construct all off-road trail works in accordance with the future detailed design plans and secure any additional approvals and permits, as required, at no cost to the Town of Whitby.
80. The subdivider shall advise potential purchasers of the location of the proposed park facilities and off-road trails by providing plans, approved by the Senior Manager of Parks Planning and Development, in all sales offices and agreements of purchase and sale for any dwelling units within the draft plan of subdivision.
81. Prior to execution of the Subdivision Agreement, the subdivider shall provide a Letter of Credit, in an amount to be determined by the Senior Manager of Parks Planning, to secure delivery of base park and off-road trail works.
82. That the Subdivider agrees to post the standard Durham District School Board approved "Notice to Parents" in all sales representation centres, or provide through the purchase process.
83. A firebreak layout and all fire hydrants shall be indicated on applicable plans as part of detailed design.
84. Any permanent structure shall be setback a minimum distance of 10.0m from any Trans-Northern Pipeline right-of-way.
85. Prior to Hydro One Networks Inc (HONI) providing its final approval, the subdivider 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.
86. Any development in conjunction with the site plan must not block vehicular access to any HONI facilities including any easements located on the corridor or abutting lands in favor of HONI. During construction, there must be no storage of materials or mounding of earth, snow or other debris on the transmission corridor.
87. At the subdivider'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.
88. The costs of any relocations or revisions to HONI facilities which are necessary to accommodate this site plan will be borne by the Subdivider. The Subdivider will be responsible for restoration of any damage to the transmission corridor or HONI facilities thereon resulting from construction of the site plan.
89. The northerly portion of the subject land falls within the Hydro One Networks Inc. and Enbridge regulated area. No site alteration, sale of lots, or building permits shall be issued for Lots 1-13, Block 275, Block 276, and/or any other development

requiring access by Street K from either St. Thomas Street or the future Mid-Block Arterial Road, until written consent and/or any required permits from HONI and Enbridge are obtained.

90. The subdivider shall submit an updated Sustainability Rationale Report and WGS Checklist to the satisfaction of the Strategic Initiatives (Sustainability and Climate Change) department.
91. The Subdivider shall consult with Canada Post to determine suitable permanent locations for Community Mail Boxes. The Subdivider will indicate these locations on the appropriate servicing plans.
92. That the Subdivider enter into a Subdivision Agreement for the subdivision, and a future Site Plan Agreement for each block 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.
93. The required noise mitigation measures and warning clauses shall be included in the Subdivision Agreement and future Site Plan Agreements.
94. The Subdivider shall provide a tree preservation plan and install protective fencing in advance of any on-site grading works.
95. Through the Site Plan / Plan of Subdivision Agreement, the Subdivider shall complete the Whitby Green Standard performance measures as part of the construction of the approved development as detailed in Sustainability Rationale Report submitted by the proponent.
96. That the new home construction be designed to meet the Energy Star standards or equivalent.
97. That the Subdivider covenants and agrees to enter into the cost sharing agreement amongst the benefiting land Subdividers 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. 97 upon receipt of a letter of clearance from the "Trustee" representing the Brooklin Cost Sharing Agreement.
98. 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 1-9 have been satisfied;
 - b) The Central Lake Ontario Conservation Authority, how conditions 10-19 have been satisfied;
 - c) The Town of Whitby Parks Planning Department, how conditions 66-81 have been satisfied;

- d) The Town of Whitby Engineering Services Department, how conditions 20-65 have been satisfied; and
- e) Hydro One Networks Inc., how conditions 85-89 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 extensions 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.