

Conditions of Draft Plan of Subdivision Approval

1. The Subdivider shall prepare the final plan on the basis of the approved draft plan of subdivision, prepared by GHD Ltd., identified as Project No.: 12581882, dated May 2021, which illustrates 3 lots for 3 single-detached dwellings, an institutional block, an open space block, 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 grant to the Region of Durham, any easements required to provide Regional services for this development. The easements shall be in locations and of such widths as determined by the Region of Durham.
5. The Subdivider shall agree in the Town of Whitby's subdivision agreement to implement the noise recommendations of the report, entitled, "Noise Feasibility Study," prepared by J. E. Coulter Associates Ltd., dated March 27, 2024. The Owner shall agree in the subdivision agreement to implement the recommended noise control measures and warning clauses. The agreement shall contain a full and complete reference to the noise study (i.e. author, title, date and any revisions/ addenda) and shall include any required noise control measures and warning clauses recommended in the study.
6. The Subdivider shall provide for the extension of such sanitary sewer and water supply facilities which are external to, as well as within, the limits of this plan that are required to service this plan. In addition, the Owner shall provide for the extension of sanitary sewer and water supply facilities within the limits of the plan which are required to service other developments external to this subdivision. Such sanitary sewer and water supply facilities are to be designed and constructed according to the standards and requirements of the Region of Durham. All arrangements, financial and otherwise, for said extensions are to be made to the satisfaction of the Region of Durham and are to be completed prior to final approval of this plan.
7. Prior to entering into a subdivision agreement, the Region of Durham shall be satisfied that adequate water pollution control plant and water supply plant capacities are available to the proposed subdivision.
8. The Subdivider shall satisfy all requirements, financial and otherwise, of the Region of Durham. This shall include, among other matters, the execution of a subdivision agreement between the Subdivider and the Region concerning the provision and installation of sanitary sewers, water supply, roads and other regional services.
9. 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 CLOCA Technical Guidelines for Stormwater Management Submissions
 - b. The intended means whereby erosion and sedimentation and their effects will be minimized on the site during and after construction, in accordance with provincial guidelines. The report must outline all actions to be taken to prevent an increase in the concentration of suspended solids in any water body because of on-site, or other related works.
 - c. The intended means to install, access, maintain and monitor any proposed Low Impact Development (LID) measures as part of this development.
10. 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.
11. 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.
12. The subdivision agreement between the Subdivider and the Town of Whitby shall contain, among other matters, the following provisions:
- a. The Subdivider agrees to carry out the works referred to in Conditions 9 and 10 to the satisfaction of the Central Lake Ontario Conservation Authority.
 - b. The Subdivider agrees to maintain all stormwater management and erosion and sedimentation control measures operating and in good repair during the construction period, in a manner satisfactory to the Central Lake Ontario Conservation Authority.
 - c. The Subdivider agrees to advise the Central Lake Ontario Conservation Authority 48 hours prior to commencement of grading or the initiation of any on-site works.
13. The Subdivider shall convey the following to the Town:
- a. Block 5 for open space lands; and,
 - b. Part of Lots 8 and 9, 40M-2746 (SW-2017-06) for Fire King Drive right-of-way. The Subdivider shall prepare a reference plan for review and Town approval prior to transfer.
14. The development is subject to the West Whitby Master Parks Agreement. A letter from the landowner group trustee confirming that the Subdivider has met their obligations regarding parkland will be required prior to registration of the subdivision. Cash-in-lieu of Parkland may be required subject to further review.
15. The Subdivider shall be responsible for concrete sidewalk and/or multi-use path installation in the following locations:

- a. 1.8m-wide concrete sidewalk on both sides of the unnamed Court;
 - b. 1.8m-wide concrete sidewalk on east side of Coronation; and,
 - c. 2.5m-wide asphalt multi-use trail within Block 5 open space.
16. 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.
 17. The Subdivider shall provide a Construction Management Report and Plan(s) to the Town's satisfaction that includes, but is not limited to, a neighborhood communication strategy, construction traffic route, schedule and mud and dust control best management practices.
 18. Construction access shall be limited to Coronation Road or as outlined in the Construction Management Report.
 19. 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.
 20. 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
 21. 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
 22. 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
 23. All community mailboxes for the private developments shall be located within private properties.
 24. The Subdivider shall provide a detailed engineering submission in accordance with Sections A2.00 and A3.00 of the Town of Whitby's Engineering Design Criteria. The engineering drawings must be set up as per the Town's CAD layering standards and object data requirements set out in Appendix A of the Design Criteria. The engineering drawings will not be accepted until it is confirmed that the drawing set-up conforms to this requirement.
 25. 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.

26. All plan and profile drawings shall indicate the seasonal high water table elevation and the corresponding Minimum Basement Elevation, all to be confirmed by Hydrogeological Consultant and accepted by Central Lake Ontario Conservation (CLOCA). The Subdivider shall protect all proposed private dwellings from the seasonal high-water table where applicable.
27. 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.
28. 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 include all right-of-way components including active transportation facilities, comply with the latest version of the RP-8 Roadway Lighting Design standard and shall utilize LED technology.
29. Any concerns raised through future re-submissions of the Geotechnical and Hydrogeological 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.
30. 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, or garbage shall be removed prior to the registration of the plan.
31. 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.

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 and / or the oversizing of services if required
33. The Subdivider shall provide a copy of the approved individual lot grading plan (i.e. siting) to each lot purchaser prior to closing.
34. The Subdivider shall agree to implement the recommendations of all reports submitted in support of the application.
35. The Subdivider shall be responsible for satisfying any additional requirements identified by the Engineering Services not specifically listed above.
36. The Subdivider agrees to convey all-natural heritage and open space blocks (Block 5) to the Town in a condition to the satisfaction of the Parks Planning and Development Department, upon registration of the plan of subdivision.
37. Prior to approval of grading and servicing drawings 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 Block 5, to the satisfaction of the Senior Manager of Parks Planning and Design.
38. 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. All primary trails shall be planned and designed to a minimum width of 2.5 metres and surfaced in asphalt.
 - 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.
 - g. Seating Areas with benches are to be provided at a rate of 3 per kilometre of trail. Rest Areas are to be provided every 150 metres.
39. Any concerns raised through future re-submissions of the Geotechnical and Hydrogeological reports affecting the proposed trail by way of the proposed infiltration trenches shall be addressed by the Subdivider to the satisfaction of Parks Planning.
40. 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.

41. 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.
42. The Subdivider shall advise potential purchasers of the location of the proposed 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.
43. 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 off-road trail works.
44. If it is identified through the detailed design and grading of the trails that additional land is required to accommodate the off-road trail requirements of the Town and other approval authorities, then the natural heritage blocks and adjacent residential lots shall be adjusted to the satisfaction of the Senior Manager of Parks Planning and Development.
45. The Subdivider agrees to install a 1.2 metre black vinyl standard park fence where any open space, natural heritage and park blocks abut residential lots.
46. The Subdivider shall consult with Canada Post to determine suitable permanent locations for Community Mailboxes. The Subdivider will indicate these locations on the appropriate servicing plans.
47. 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.
48. The required noise mitigation measures and warning clauses shall be included in the Subdivision Agreement and future Site Plan Agreements.
49. The Subdivider shall provide a tree preservation plan and install protective fencing in advance of any on-site grading works.
50. Through the Site Plan / Plan of Subdivision Agreement, the Subdivider / Developer 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.
51. That the new home construction be designed to meet the Energy Star standards or equivalent.
52. 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
Functional Servicing and Stormwater Management Report	Yes	Yes	Yes
Geotechnical Investigation	Yes	Yes	Yes
Hydrogeological Study	Yes	Yes	Yes
Noise Impact Study	Yes	Yes	-
Phase One Environmental Site Assessment	Yes	Yes	-
Archaeological Assessment	Yes	Yes	-
Sustainability Report	Yes	-	-
Transportation Impact Study	Yes	Yes	-

53. 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.

54. That the Subdivider covenants and agrees to enter into the cost sharing agreement amongst the benefiting landowners in accordance with Section 11.12.3. c) and e) as set out in the Town of Whitby Official Plan and that the Town will clear Condition No. 54 upon receipt of a letter of clearance from the "Trustee" representing the West Whitby Cost Sharing Agreement.

55. 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 1-8 have been satisfied.
- b) The Central Lake Ontario Conservation Authority, how conditions 9-12 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. 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.