

# Agency & Stakeholder Detailed Comments

## File DEV-24-22 (SW-2022-05, Z-16-22)

### Internal Departments

#### Community Services – Parks Planning and Development Division

It is Parks Staff's understanding that the proposed development consists of:

- Zoning By-law Amendment and Draft Plan of Subdivision Application to facilitate:
  - the development of a mixture of low density housing units including single detached dwellings and townhouses, a storm water management pond block, an easement block, a mixed use commercial block, a school block, a road widening block, and public roads and laneways.

#### Parkland Dedication

Upon review of the above noted materials, Parks Staff offer the following comments:

1. This development application may or may not be subject to a Master Parks Agreement which is a cost sharing agreement between the Landowners Group. The Master Parks Agreement is intended to address the parkland dedication and approach towards cash-in-lieu of parkland for the subject plan and overall North Brooklin Landowners Group. Should the Master Plan Agreement not be finalized prior to execution of the subdivision agreement, then the Town will require the maximum rates for parkland dedication and/or cash in-lieu for parkland dedication in accordance with Cash-in-Lieu of Parkland By-law #7733-21 and the Planning Act.
2. The Town will be seeking cash-in-lieu of parkland as part of the current draft plan of subdivision application for the 548 units identified in the submitted draft plan (January 4, 2024) at 5% of developable lands for residential blocks (26.21 ha) with an additional 2% of developable lands for commercial blocks (0.7 ha), bringing the total CIL to 1.32 ha of the appraised value of the subject lands.
3. Any additional units or development added in any future applications, above that identified in the submitted draft plan, will be potentially subject to additional CIL.

#### Trails and Open Space

4. As was stated in previous comments submitted by Parks Staff on April 26th, 2023, and again on March 26th, 2024, the Lands containing the Trans-Canada Pipeline (Block 310) are to be labeled accordingly (i.e. open space) and be dedicated to the Town. Please revise draft plan to reflect this.

#### Fencing

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5. The department will require 1.2 metre black vinyl standard park fencing to be installed where open space and park blocks abut residential lots, which will be a condition of draft approval.

### Conditions of Draft Plan of Subdivision Approval

The following draft plan conditions shall be satisfied prior to entering into a subdivision agreement:

1. Parkland contribution is required for this development at a rate in accordance with the Planning Act.
2. The subdivider shall provide written confirmation from the Landowners Group Trustee that the subdivider has satisfied their obligations in relation to the Master Parks Agreement.
3. Should the Master Parks Agreement not get finalized prior to registration, then the subdivider will be required to satisfy parkland dedication based on the applicable rates, to the satisfaction of the Senior Manager of Parks Planning and Development. A land appraisal will be required for review and approval by the Town.
4. The subdivider agrees to install a 1.2 metre black vinyl park fence where any open space and natural heritage blocks abut residential lots.
5. The subdivider agrees to convey open space blocks 310 & 311 to the Town in a physical condition to the satisfaction of the Parks Planning and Development Department, upon registration of the plan of subdivision.
6. The subdivider shall prepare detailed trail design and grading drawings, prepared by a qualified landscape architect and/or engineer, for any required off-road trails within Block 310, to the satisfaction of the Senior Manager of Parks Planning and Design.
7. 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 developer, 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.

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- 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.
8. Prior to registration the subdivider shall secure approval of the trail design from the gas utility and any other applicable approval authorities.
  9. The subdivider shall construct all off-road trail works in accordance with the approved plans and secure any additional approvals and permits, as required, at no cost to the Town.
  10. The subdivider shall advise potential purchasers of the location of the proposed park facilities and off-road trails by providing plans in all sales offices and agreements of purchase and sale for any dwelling units within the draft plan of subdivision.
  11. 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.

### Engineering Services

The Draft Plan of Subdivision has been revised to develop the subject lands with 548 residential dwelling units, consisting of a mix of 236 single detached dwellings, 74 semi-detached dwellings, and 238 townhouses, with a mixed-use residential and commercial block. The application also proposes a stormwater management pond block as well as an elementary school block.

The site is adjacent to the Lakeview Homes Development (SW-2020-06) to the west, Cedarbrook Trail to the east and Columbus Road West to the south. A Trans-Canada pipeline corridor exists to the north with easements within the development lands.

The subject lands are currently zoned Agricultural (A). The purpose of the Zoning By-Law Amendment application is to change the zoning to appropriate categories to implement the Draft Plan of Subdivision.

The Engineering Services, Development Engineering Section, has conducted a preliminary review of the circulated materials outlined below for the draft plan of subdivision and zoning applications:

- Draft Plan of Subdivision, (Groundswell Urban Planners Inc.) dated July 12, 2024

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- Brooklin Secondary Plan Area, Sub-Area Study (SAS), Sub-Area 2A (SCS Consulting Group Ltd.) dated February 2024;
- Functional Servicing and Stormwater Management Report. (Urbantech) dated January 2024;
- Traffic Impact Study (C.F. Crozier & Associates Inc.) dated December 2023;
- Environmental Impact Statement. (GeoProcess Research Associates) dated January 2024; and
- Hydrogeological Investigation (DS Consultants Ltd.) dated December 21, 2023

We have reviewed the drawings and reports, and they are generally acceptable for a preliminary review. There are revisions, however, that will be required through the detailed design process in order for the proposed subdivision to conform to our Design Criteria and Engineering Standards.

Please provide a copy of these comments to the Subdivider.

### A. Conditional Comments

The Engineering Services supports a favourable decision to the applications based on the following comments and conditions.

To address the Town's Community Strategic Plan 2023 to 2026 and assist in providing a complete picture of the proposed subdivision's mobility provisions, Engineering Services has attached a Composite Transportation Component Plan (CTCP) highlighting the anticipated locations of sidewalks, multi-use trails, multi-use paths and dedicated biking facilities for reference. Engineering Services expects that the components of this plan will be further refined and implemented through the future detailed engineering design processes following draft approval.

1. Prior to final acceptance of the Draft Plan of Subdivision, the following shall be addressed to the satisfaction of the Engineering Services.
  - 1.1. Revise the Draft Plan (DP) as follows:
    - a. Remove the 0.3m reserve blocks, Blocks 314 to 316.
    - b. For cul-de-sacs abutting municipal lands or another right-of-way (i.e., Streets 'J', 'K', and 'M', the edge of the right-of-way (ROW) shall extend tangentially from the widest part of the bulb.
    - c. Revise the rear lot line for the northernmost unit of Block 296 to replace the curve with a straight segments.

Engineering Services requires the following Financial Considerations to be identified within Section 7 of the Council Report:

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With each new subdivision development approved by the Municipality, the Town of Whitby assumes assets requiring regular operational maintenance and eventually capital replacement. The following assets will be generated as a result of the subdivision and included in the Town's Asset Management Plan. The Capital replacement and annual operating costs would be included in future budgets. Further details regarding infrastructure costs would also be identified in the Financial Services Asset Management annual report.

Asset	Quantity
Roads	7.81 lane-km
Sidewalks/Multi-use paths	7.92 km
Storm Sewers	4.1 km
Ponds	22,839 m <sup>3</sup> /1.7 ha

2. Engineering Services requires the following Conditions of Draft Approval:

2.1. The Subdivider shall convey the following to the Town:

- a. Block 308 for stormwater management (SWM) facilities;
- b. Block 311 for a walkway
- c. Block 312 for a road widening on Cedarbrook Trail and
- d. Block 313 for a road widening on Columbus Road West.

2.2. The Subdivider shall implement all changes to the plan for registration resulting from recommendations and findings of the Municipal Class Environmental Assessment Brooklin North Major Roads EA (BNMREA) and the on-going Columbus Road Detailed Design Project including the final right-of-way and road widening widths, of Street 'A' and Columbus Road West, including a 27 m inscribed circle diameter roundabout located at the intersection of Street 'A' and Cedarbrook Trail.

2.3. The Subdivider shall be responsible for concrete sidewalk and/or multi-use path installation in the following locations:

- a. 3.0m-wide multi-use path on the south side and a 1.8m-wide sidewalk on the north side of 'Street A'.

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b. 2.5m-wide multi-use trail within Block 310 (TransCanada Pipeline (TCPL) easement).

c. 2.5m-wide sidewalk adjacent to all school and park blocks.

d. 1.8m-wide concrete sidewalk on both sides of all other streets including cul-de-sacs.

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

2.4 The Subdivider shall provide an updated Functional Servicing and Stormwater Management Report (FSSR) to address the comments provided in a separate memo from Water Resources dated September 16, 2024 prior to the submission of detailed engineering drawings.

2.5. The Subdivider shall provide an updated Sub-Area Study (SAS) 2A to address comments provided in a separate memo from KSGS dated March 2024 prior to detailed engineering submission.

2.6. The Subdivider shall be responsible, financially and otherwise, for the maintenance, upkeep, and decommissioning of the temporary dry pond within Lots 18 to 27 and part of Street 'K' until such time as it is no longer deemed necessary by the Town. The Subdivider shall also be responsible for its fencing, landscaping and signage as required by the Town to be determined at the detailed design stage.

2.7. The Subdivider is responsible financially and otherwise, for the reconstruction and urbanization of the west side of existing Cedarbrook Trail, including the analysis and design of the proposed storm sewers, along the development frontage, to an arterial road Town standard, all to the satisfaction of Engineering Services.

Grading match along the ROW 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.

2.8. 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.

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2.9. The Subdivider shall provide a written response letter to address the comments provided in a separate memo from Transportation Services dated March 6, 2024 prior to or with the submission of detailed engineering drawings.

The TIS shall include a plan shall be provided showing all road allowance widths, centreline radii, street line 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.

2.10. The Subdivider shall be responsible, financially and otherwise, for implementing any design elements, intersection control and/or changes to the plan for registration required to address any sightline and/or alignment concerns such as:

a. Construct a roundabout with a minimum inscribed circle diameter of 27m at the intersection of Cedarbrook Trail and Street 'A' including dedication of the necessary right-of-way lands to the Town.

b. Ensure the right-of-way and pavement dimensions for the bend on Laneway 'A' will accommodate all expected waste collection and winter maintenance vehicles while maintaining a minimum 1m-wide boulevard.

2.11. The Subdivider agrees that if at the time of detailed design, should the final roundabout designs identify need for additional property requirements, the Subdivider shall adjust property lines accordingly. Roundabout design shall be based on minimum diameter and minimum boulevard width as outlined by the Town.

2.12. Due to the nature and design of the proposed neighbourhood roundabouts, driveway access may be restricted for some of the lots and units within the limits of the splitter islands. Purchase and sale agreements for the affected lots and units shall contain a warning clause to this effect to be registered on title.

2.13. 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.

2.14. The Subdivider shall provide a composite Traffic Calming Plan for all roads in the plan that includes, but is not limited to, area specific speed limits, speed humps, and raised intersections, for review and acceptance by the Director of Engineering Services.

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2.15. The Subdivider shall provide a Construction Management Report and Plan(s) to the Town's satisfaction that includes, but is not limited to, a neighbourhood communication strategy, construction traffic route, schedule and mud and dust control best management practices. Construction traffic shall be restricted to time windows that do not conflict with the typical peak school drop-off and pick-up times of the nearby school.

2.16. Construction access shall be limited to Cedarbrook Trail or as prescribed in the Construction Management Report.

2.17. 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.

2.18. The Following Lots/Blocks shall be placed on hold:

a. Lots 18 to 27, until such time as the temporary dry pond is decommissioned to the Town's satisfaction;

b. Lots 109 and 110 – until roundabout design and appropriate driveway locations are finalized;

c. Block 274, until such time as Street 'B' is extended to the adjacent development unless it can be demonstrated at detailed design that this block can be constructed without the need to extend Street 'B', to the satisfaction of the Director of Engineering Services; and

d. Blocks 305 and 306 – Future Residential, until such time as they can be merged with land to the west and south respectively, due to stormwater management and access constraints.

2.19. SWM Block 308 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.



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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.

2.20. 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.

2.21. 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.

2.22. 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.

2.23. 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.

2.24. 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 using maximum 3:1 sloping within a buffer block between the two rights-of-way. Buffer blocks shall also be sized to accommodate any grading requirements to facilitate sidewalk connections to the adjacent street.

2.25. All community mailboxes for the private developments shall be located within private properties.

2.26. 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.

2.27. 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

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the Design Criteria. The engineering drawings will not be accepted until it is confirmed that the drawing set-up conforms to this requirement.

2.28. 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.

2.29. All plan and profile drawings shall indicate the seasonal high water table elevation and the corresponding Minimum Basement Elevation, all to be confirmed by Hydrogeological Consultant and accepted by Central Lake Ontario Conservation (CLOC). The Subdivider shall protect all proposed private dwellings from the seasonal high-water table where applicable.

2.30. 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.

2.31. 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, shall comply with the latest version of the RP-8 Roadway Lighting Design standard and shall utilize LED technology.

2.32. Any concerns raised through future re-submissions of the geotechnical and hydrogeotechnical reports for the site shall be addressed by the Subdivider to the satisfaction of the Engineering Services. This includes, but is not limited to, long term slope stability, confirmation of design parameters and preliminary layout for LID measures (proposed infiltration trenches), proposed stormwater management pond elevations relative to groundwater levels and the need/thickness of the impervious membrane or synthetic clay lining, foundation construction requirements and recommended measures for Best Management Practices for municipal servicing construction. The plan must reflect changes required in this regard prior to registration.

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2.33. The Subdivider shall provide the Town with a deposit for any necessary peer review costs with the amount to be determined at time of first peer review. The Town will administer payments to any Peer Review Consultant(s) and provide milestone billings back to the Subdivider. The Town may request additional deposits for the Peer Review funds if required. At the time of issuance of full engineering approvals, any remaining deposit will be returned to the Developer. This condition will be superseded at such time as the Town has a Peer Review By-law in place.

2.34. 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.

2.35. The Subdivider shall provide a copy of the approved individual lot grading plan (i.e. siting) to each lot purchaser prior to closing.

2.36. The Subdivider shall agree to implement the recommendations of all reports submitted in support of the application.

2.37. The Subdivider shall be responsible for satisfying any additional requirements identified by the Engineering Services not specifically listed above.

### Informational Comments

3. The following items can be addressed through the Engineering Submission and Subdivision Agreement process:

3.1. An initial deposit for the Engineering Review Fee in the amount of \$9,686.50 or 50% of the Engineering Review Fee based the estimated cost of works, whichever is greater, shall be paid to the Town prior initiating processing of the engineering drawings. Any balance owing of the final Engineering Review Fee shall be paid at the earlier of, third engineering submission or prior to final approval of the engineering drawings by the Town.

3.2. A detailed Stormwater Management (SWM) Report is required at the design stage which should include pond design, pond and related structures drawings, clay liner information, overland flow route calculations, emergency spillway details (100-year uncontrolled flow), storm sewer design sheets, dual drainage model to determine HGL (if basement are connected to sewer system) and O&M manual.

a. It is noted that the runoff coefficients specified within the Town's Design Criteria and Engineering Standards are minimum values to be utilized for sizing of the storm sewer system. Sample calculations shall be provided for all housing types (not just single detached) and shall be demonstrated by the consultant that the use of these minimum values is appropriate for the subject development. If

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required, the values shall be increased to represent the actual development proposal.

### 3.3. Functional Servicing and Stormwater Management Report

The following comments can be addressed in the detailed engineering drawings or detailed SWM report:

- a. An optional residential lot layout is to be provided for the School Blocks in the event that the site(s) are not developed as school(s). The storm drainage plan shall show drainage boundaries for both development scenarios for the proposed School Block; one for development as a school site, and one for possible residential development. The receiving storm sewers shall be sized for the most conservative development scenario.
- b. Show the 3.0m wide multi-use trail within the TCPL easement with associated preliminary grading.
- c. Provide sidewalk connections to Cedarbrook Trail along Street 'G'.
- d. Continue sidewalks for all cul-de-sacs similar to what is shown for Streets 'J' and 'K' on the Functional Grading Plan (FGP).
- e. FGP & cross-section 9-9: clarify if the 100-year ponding elevation shown considers weir flow depth over the lowest point on the boulevard.
- f. Cross-section 11-11: top the of the berm should have a flat area of 1-3m in the interim.
- g. Check Street 'A' centerline location. Appears offset from center.
- h. Show 3:1 maximum sloping at the limit of the Greenbelt/north property line.
- i. Provide slope grading within proposed lots. Ensure minimum 2% and 5% maximum slopes are provided and 3:1 maximum embankment grading where 5% cannot be met.
- j. Remove proposed fencing around the pond where not adjacent to open space lands or private lots.
- k. Revise proposed storm sewers along Laneway 'A' to be at minimum 0.4% based on pipe size, except for the first leg which must have a minimum 1% slope.

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- l. Consideration to be given to removing storm sewers along Laneway 'A' and connecting required services off Street 'D'.
  - m. Explore opportunities to reduce the pond inlets to one inlet.
  - n. Ensure first leg of any storm sewer is at 1.0% minimum slope.
  - o. Ensure maximum 100m spacing between maintenance holes.
  - p. Minimize use of rear yard catchbasins.
  - q. The use of sump pumps to address foundation drainage is discouraged and will only be considered with reasonable supporting rationale (i.e., shallow sewer and/or outfall). Confirm which lots require sump pumps based on shallow hydraulic grade line elevations. All lots requiring sump pumps shall be clearly identified on the detailed engineering plans, along with the associated minimum outlet elevation.
  - r. Suggest reducing sewer depths where possible (i.e., near the intersection of Street 'A' and Street 'H').
  - s. Provide layout, cross-section and profile details for the SWM facility outlets as part of the engineering drawings.
  - t. Ensure catchbasins are located a minimum of 1m away from driveway edge and preferably at common lot line locations, where feasible.
  - u. Ensure LID measures are not located within fill areas.
  - v. Lots and blocks serviced by laneways, regardless of housing type, shall have all roof leaders directly connected to the municipal storm sewer unless otherwise approved.
- 3.4. To address lot level low impact development (LID) recommendations, ensure that lots and areas where roof water leaders are proposed to be disconnected from the storm sewer connection are clearly noted and can accommodate the drainage without creating problems associated with winter ice accumulation. Ensure that storm drainage areas reflect the correct boundary location.
- 3.5. The consultant is to provide the Town with a dual drainage (minor/major system) storm model for the entire development using Personal Computer Stormwater Management Model (PCSWMM) as part of the detail design and confirmation of HGL elevations.

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3.6. The use of Inlet Control Devices (ICDs) is discouraged and shall be limited to roadway sags, as per Town requirements, to the greatest extent possible. The model shall illustrate the implications of conventional ICD placement at CBs, per Town standards and documentation regarding the recommended use of ICDs within the proposed subdivision shall be provided.

3.7. Provide detailed ponding limits at overland flow low points, and any points of overland convergence to ensure that appropriate emergency access can be maintained to the area based on Town of Whitby Design Criteria and that private property has been protected from flooding. Ponding limits are to be shown for 100-year storm events. Low points are to be located at the appropriate block or intersection location.

3.8. For all overland flow outlet points, the following shall be provided: flow channel profile, cross-sections and erosion protection works at all locations i.e. across window street boulevard areas, within specific overland flow blocks, across SWM Pond Blocks and any direct outlets to Open Space areas.

3.9. Provide details and analysis for the routing of overland flow through the stormwater management ponds to ensure stability of the pond under major storm events.

3.10. On-road cycling facilities are to be integrated with the Community Services trails network at locations where off-road facilities are provided (e.g. signage, rest stops and/or other enhancements).

3.11. Due to the preliminary nature of the proposed grading design for the school blocks, and commercial blocks, the overland flow calculations must consider the worst-case scenario for the determination of flow volumes at each outlet.

3.12. Noise fence/barrier design may need to accommodate surface drainage outlets depending on the lot type and grading design. At the design stage, once detailed grading information is available, a letter will be required from the noise consultant to confirm that the recommendations of the Noise Report provided for the development remain relevant to the accepted grading.

Any transition in height of the noise barrier is to occur at lot lines so that the noise barrier height across individual lots is consistent.

3.13. The Subdivider shall address mail delivery provisions for any proposed phasing of the development as required.

3.14. The Town will not grant exemptions to half-load restrictions to facilitate construction of the proposed development. The Subdivider shall schedule construction activities in accordance with typical timing of load restrictions for the surrounding road network.

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3.15. Per the recommendation within the Functional Servicing and Stormwater Management Report prepared by Urbantech, topsoil thickness for landscaped areas within the development is to be increased to 300 mm.

3.16. The Subdivider shall provide the Town with a cash contribution in accordance with the by-law rate in force at the time of payment, for each newly installed streetlight for the re-lamping and cleaning of streetlights, representing typical maintenance costs prior to assumption.

3.17. The Subdivider shall provide the Town with a cash contribution in accordance with the by-law rate in force at the time of payment towards the installation of vertical control benchmarks.

#### Financial Services – Development Charges

The following pertains to the Town of Whitby only and reflects current provincial legislation and Town of Whitby by-laws; additional information can be found on the Town's development charge webpage (<https://www.whitby.ca/en/work/development-charges.aspx?mid=3457>).

#### Development Charge Rate Calculation

- Since this development will have a Zoning By-Law Amendment (ZBA) application submitted after January 1, 2020, the development charge rate will be calculated as per Section 26.2 of the Development Charges Act (the Act).
- The base DC rate will be the rate in effect as of the ZBA **submission** date.
- Interest will accrue on the base DC rate from the date of ZBA submission until
- the date of building permit issuance.
- The current interest rate is 5%, subject to change as per the Town's Development Charge Interest Rate Policy.
- The applicant has 2 years from the date of ZBA application **approval** to obtain the building permit, otherwise Section 26.2 of the Act no longer applies; the applicant would instead pay the current posted development charge rate in effect at the time of building permit issuance.
- If any portion of the proposed development also requires a future site plan (SP),
- then for the purpose of any DC calculations under Section 26.2, any SP application dates (submission / approval) supersede any ZBA application dates (submission / approval) for the applicable portion of the development.

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### Development Charges

- Will be payable in full prior to the issuance of the building permit.

### Pre-Payment of Development Charges

- If all other minimum development application requirements have been satisfied, the Town of Whitby may permit the pre-payment of development charges up to 60 days in advance of building permit issuance. If granted and building permit issuance occurs more than 60 days after Town of Whitby Development Charges are paid, additional development charges will be due (if applicable) for:
  - any additional incremental interest due, for those developments with a site plan application or zoning by-law amendment application made after January 1, 2020. Incremental interest will be calculated from the date of development charge payment to the date of building permit issuance for any calculated development charge rate(s); or
  - any change in the posted development charge rate(s) as a result of the annual indexing on February 1st, or any other approved development charge posted rate increase for those developments not subject to Section 26.2.

### Parkland Dedication / Cash-in-Lieu of Parkland

- The Conveyance of Parkland and Cash in Lieu of Parkland By-Law will apply towards this development.

Please note, Region of Durham development charges and DDSB/DCDSB education development charges will also apply towards this development, they have their own by-laws and policies that must be followed, please contact them directly with any questions.

### Fire and Emergency Services

- A Water supply for firefighting shall be provided.
- Access shall be maintained on site from Cedarbrook Trail to Street B and Street A throughout construction.
- A firebreak layout shall be submitted to the fire department for review and approval prior to site plan application
- Fire hydrants shall be provided at either end of Laneway A



## Agency & Stakeholder Detailed Comments

### File DEV-24-22 (SW-2022-05, Z-16-22)

#### Landscaping

##### General Comments:

Based on the latest Arborist report provided by MBTW dated January 19th, 2024, tree removals are proposed on Zones 1 and 2. The current report notes that all these trees are located on the subject property. As previously discussed, Town Planning would require the ownership of these trees to be clearly verified through a Tree Inventory Plan overlaid on a survey prepared by a Certified Ontario Land Surveyor. This requirement has been included as a condition to the Draft Plan Approval.

##### Conditions of Draft Plan of Subdivision Approval:

The following draft plan conditions shall be satisfied prior to entering into a subdivision agreement:

1. The Subdivider shall provide Town Planning with a revised Tree Inventory Plan & Arborist Report, verifying, with reference to a legal survey, any boundary and/or publicly owned trees within 6m of the property line. This will assist both Town staff and the Subdivider in verifying privately owned trees which could be removed prior to the finalization of the Engineering drawings.
2. No municipal tree removal shall occur prior to the Town Engineering Department's approval of the detailed Engineering drawings for Columbus Road and Cedarbrook Trail. Where feasible, existing Street Trees shall be retained and incorporated into the design of Columbus Road and Cedarbrook Trail. The Subdivider shall ensure that a Tree Preservation Plan (TPP) is provided to reflect municipal tree preservation and removal requirements based on the approved Engineering drawings. Satisfactory installation of tree protection measures must be confirmed by Town Planning Staff in advance of removal activities.
3. The Subdivider shall ensure that the western boulevard of Cedarbrook Trail is urbanized, topsoiled, fine-graded, sodded and provided with tree plantings, sidewalks, and other municipal infrastructure as part of the subdivision agreement.
4. The subdivider shall ensure that street tree planting is provided along Columbus Road as part of the subdivision agreement.
5. The Subdivider shall ensure that hazardous trees along the edges of the limit of development are identified in advance and wherever adjacent to proposed development; on-site review with staff from the Town's Forestry staff (Operations) and landscape inspection (Planning) is required prior to anticipated removals and throughout the development process.

## Agency & Stakeholder Detailed Comments File DEV-24-22 (SW-2022-05, Z-16-22)

6. The Subdivider shall complete and stabilize the required buffer planting works within six months of the registration of the applicable phase of the plan of subdivision, or upon completion of the fill and grading of lands adjacent to the buffer planting area, whichever comes first. The Subdivider shall ensure that the success and management of the buffer plantings are monitored for two (2) growing seasons by the Subdivider's Landscape Consultant. A Letter of Credit is required for The Edge Management and Buffer Planting prior to registering the first phase of the plan of subdivision.

### General Requirements for Submission of a Landscape Plan:

Once draft plan approval has been provided, the submission of a detailed Landscape plans is required. These plans will be submitted directly to the undersigned (Planning Landscape Architect) and will be circulated, reviewed and approved by the relevant agencies. The current review is intended to inform agreement requirements only.

### Landscape Plan Submission Requirements:

Submission of a landscape plan that has been prepared by a qualified professional landscape architect is required as part of a complete submission. This should be accompanied by a cost estimate for all proposed landscape works. Required landscape works are secured for at 100% of their estimated value. The consultant should reference the Town's Landscape Plan Guidelines for Subdivisions and Site Plans, available on the Town's website; applicable requirements, setbacks, notes, and detail standards are available for use in the submission.

<https://www.whitby.ca/en/work/landscape-plan-guidelines.aspx>

- Chapter 2.0 Submission Requirements
- Chapter 4.0 Design Criteria for Landscape works in Subdivision Development Proposals
- Chapter 5.0 Recommended Tree Species
- Chapter 10.0 Notes and Details: Landscape Plan submissions are required to include relevant planting and construction details and notes.

### Strategic Initiatives

Thank you for providing the updated Whitby Green Standard (WGS) Checklist and Sustainability Rationale Report. With the additional information provided in the updated WGS Checklist and Sustainability Rationale Report, and Groundswell Urban Planners Inc. responses to the Sustainability Team's March 25, 2024, comments we can confirm that the mandatory Tier 1 requirements of the WGS have been satisfied.

## Agency & Stakeholder Detailed Comments File DEV-24-22 (SW-2022-05, Z-16-22)

The commitments made in the WGS Checklist and Sustainability Rationale Report are to be fulfilled as per Schedule G of the Draft Plan of Subdivision Agreement.

### External Agencies

#### Bell Canada

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

“The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.”

Upon receipt of this comment letter, the Owner is to provide Bell Canada with servicing plans/CUP at their earliest convenience to [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada’s existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.

We note that WSP operates Bell Canada’s development tracking system, which includes the intake and processing of municipal circulations. However, all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP. WSP is not responsible for the provision of comments or other responses.

#### Central Lake Ontario Conservation Authority

Subsequent to the circulation of the third submission materials CLOCA has been involved in the following activities/discussions related to this project:

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### 1. Interim External Drainage Solution

The applicant provided contextual information to the potential need for an interim external drainage solution if the subject site develops before the Lakeview Homes site and the holdout property (7383 Ashburn Road). CLOCA staff agree that a temporary dry pond near Street K is a feasible condition if development proceeds as outlined through the circulation and the appended email correspondence.

CLOCA's engineering comments are also appended that shall be addressed through detailed design.

As such, based on our review of the submitted documentation and subsequent site meetings and discussions, CLOCA staff are satisfied that all our remaining outstanding comments can be addressed through conditions of draft plan approval and detailed design. Please find below Zoning comments and comments to be carried out through detailed design, followed by conditions of draft plan approval.

### Zoning (Z-16-22)

1. CLOCA staff recommend that all hazard lands and their associated development setbacks and interrelated natural heritage features and their associated vegetation protection zones, be zoned Natural Heritage System and/or Natural Hazard Land as per Zoning By-law Amendment #7959-23 to Zoning By-law 1784. No lot lines or associated development should occur within these lands.

Once a Zoning schedule has been prepared, please circulate it CLOCA for our review and approval.

### Draft Plan of Subdivision (SW-2022-05)

### Detailed Design

2. Any grading proposed beyond the proposed development limits on adjacent environmentally sensitive lands should be avoided. If minor transitional grading cannot be avoided, the disturbed area must be graded in a manner that does not harm any regulated features, including wetlands, and must be restored with an appropriate native species planting plan. Please provide a planting/restoration plan for our review and approval as part of detailed design.

3. Please find detailed comments from our Environmental Engineering staff related to their review of the submitted Functional Servicing and Stormwater Report attached to this letter as a memo. A detailed review of the submitted SAS update for Sub Area 2A has not been completed to date. Detailed comments related to our review of this document will be forthcoming. Please ensure that the comments in the attached memo are addressed as part of detailed design.

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4. Please find detailed comments from our Environmental Engineering staff related to their review of the submitted interim SWM condition. Please ensure that comments in the attached memo are addressed as part of detailed design.

5. Please find detailed comments from our Groundwater Resources staff related to their review of the submitted Hydrogeological Report attached to this letter as a memo. Please ensure that these comments are addressed as part of detailed design.

With any response to the above noted comments, a letter outlining how each comment has been addressed should be provided to assist our review.

### Conditions of Draft Plan Approval

CLOCA staff recommend that any approval of the proposed plan of subdivision be subject to the following conditions of draft plan approval on behalf of the Central Lake Ontario Conservation Authority:

1. 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 in the interim and ultimate condition, based on 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 2A.

b. The intended means to maintain appropriate water balance for the subject lands and to the adjacent hydrologic features as part of this development. This includes agreeing to an appropriate pre-development infiltration condition and providing effective post development infiltration techniques to match this target.

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.

2. That the Subdivider agree that prior to any site alteration that a Restoration and Enhancement Strategy be provided and approved by the Town and Central Lake Ontario Conservation Authority for any unavoidable encroachment of transitional

## Agency & Stakeholder Detailed Comments File DEV-24-22 (SW-2022-05, Z-16-22)

grading within the environmentally sensitive lands to the north of the development lands.

3. That the Subdivider shall agree within the Subdivision Agreement to erect a permanent 1.2 m black vinyl chain link fence between the residential lots along the northern boundary of the property and the adjacent lands, to prevent any direct entry of landowners/occupants into these lands. Any associated development agreement shall include provisions to prohibit private gates being installed through this fence.

4. 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.

5. 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.

6. 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 1 and 2 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.

Ontario Regulation 41/24 of the Conservation Authorities Act

7. Any approved alteration to a watercourse and/or headwater feature will require permission through Ontario Regulation 41/24 of the Conservation Authorities Act. The drainage feature that currently flows through the centre of these lands from north to south meets the definition of a watercourse as defined within this Regulation. A permit from CLOCA will be required prior to any site alteration and/or development within lands regulated through Ontario Regulation 41/24 of the Conservation Authorities Act. The permit application submission, fee collection, and processing will be facilitated through CLOCA Head Office in Oshawa.

**Durham Catholic District School Board**

## Agency & Stakeholder Detailed Comments File DEV-24-22 (SW-2022-05, Z-16-22)

Planning staff at the Durham Catholic District School Board have reviewed the above noted planning applications and have no objections to the proposed plan.

This development is located within the boundary of St. Bridget C.S. Located at 200 Carnwith Drive West, Brooklin. Whitby.

### **Durham District School Board**

Staff has reviewed the information on the above noted and has the following comments:

1. Approximately 239 elementary pupils and 110 secondary pupils could be generated by the above noted application.
2. The revised draft plan of subdivision reflects a 2.63 ha (6.5 ac) parcel of land to that would result in an elementary school block with a total area of 3.05 ha (7.54 ac) which is sufficient to adequately accommodate the required elementary school facilities.
3. That the following conditions be included in the conditions of Draft Plan Approval for plan DEV-24-22 (SW-2022-05, Z-16-22):
  - I. That the Owner agrees to set aside, within the subject plan, Block 309 (2.63 hectares) for public elementary school purposes.
  - II. That the Owner and the Durham District School Board enter into an agreement for the acquisition of Block 309 for elementary school purposes.
  - III. That the Owner 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 309.
  - IV. That the Owner provide the Durham District School Board with a report detailing the soil bearing capacity and composition of soils within Block 309, at least 60 days prior to the registration of the Phase for which the School Block is included. Specifically, the report will detail the chemical composition of soils and the presence of methane and/or radon gas within Block 309.
  - V. That any filling conducted within Block 309 meet the Durham District School Board criteria for soil bearing capacity and be approved by the Durham District School Board soil engineer.
  - VI. That the Owner rough grade Block 309 to the satisfaction of the Durham District School Board.

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- VII. That the Owner agrees to bring all municipal services and connections to the edge of Block 309, along the street and submit drawings to the Durham District School Board for approval.
- VIII. That the Owner agrees to install a 1.8 metre chain link fence of standard school construction (number 9 gauge) along the perimeter of Block 309 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.
- IX. That the following "Notice to Parents" be inserted in all agreements of purchase and sale between the Owner and all prospective homebuyers:
- "Students from this 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."
- X. That the Owner agrees to post the standard Durham District School Board approved "Notice to Parents" in all sales representation centres.

### **Elexicon**

Further to the referenced File # DEV-24-22 Elexicon Energy Inc. has no objection to permit the development.

The applicant or its authorized representative shall consult with Elexicon Energy Inc. concerning the availability of supply voltage, service location, metering, costs and any other details. These requirements are separate from and in addition to those of the ESA. Elexicon Energy Inc. will confirm the characteristics of the available electrical supply and will designate the location of the supply point to the applicant. Elexicon Energy Inc. will also identify the costs that the applicant will be responsible for.

The applicant or its authorized representative shall apply for new or upgraded electric services and temporary power service in writing. The applicant is required to provide Elexicon Energy Inc. with sufficient lead-time in order to ensure:

- a) The timely provision of supply to new and upgraded premises; and/or
- b) The availability of adequate capacity for additional loads to be connected in the existing premises.

Please ensure that Elexicon's approved standards and clearances are followed, for all structures, equipment, and people.



## Agency & Stakeholder Detailed Comments File DEV-24-22 (SW-2022-05, Z-16-22)

### **Enbridge Gas**

Enbridge Gas Inc. does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions.

This response does not constitute a pipe locate, clearance for construction or availability of gas.

The applicant shall contact Enbridge Gas Inc.'s Customer Connections department by emailing [AreaPlanning40@Enbridge.com](mailto:AreaPlanning40@Enbridge.com) to determine gas availability, service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.

If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phased construction, all costs are the responsibility of the applicant.

In the event that easement(s) are required to service this development, and any future adjacent developments, the applicant will provide the easement(s) to Enbridge Gas Inc. at no cost.

### **Region of Durham**

#### Provincial Plan Review Responsibilities

##### Archaeology

A Stage 1 and 2 Archaeological Assessment prepared by ASI (July 2019) was submitted in support of the application. This study recommended that no further archaeological assessment is required. The Ministry of Heritage, Sport, Tourism and Culture Industries provided their clearance letter for the study. There are no further matters of archaeological concern.

##### Potential Site Contamination

A Site Screening Questionnaire was completed and stamped by a Qualified Person. This form is acceptable to the Region and there are no further matters of potential site contamination.

##### Noise Control Feasibility Study

A Noise Control Feasibility Study, prepared by S.S. Wilson Associates, dated March 30, 2022, was submitted in support of the subdivision development. The study recommends

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the use of noise mitigation measures and warning clauses for the proposed development and is acceptable to the Region.

As a condition of draft approval, we will require an updated Noise Study to address the revisions to the draft plan of subdivision. The Region will require any noise control recommendations of the Noise Study must be included in the Town of Whitby's subdivision agreement to the satisfaction of the Region.

### Environmental Impact Statement

The Region's previous comments indicated that a peer review was required for the Environmental Impact Statement, (EIS) prepared by GeoProcess Research Associates Inc., dated January 2024. However, recent discussions between the Region and the CLOCA have determined that CLOCA can address the environmental concerns associated with the proposed development through their July 24, 2024, comment and conditions letter to the Town of Whitby. Therefore, the Region no longer requires the EIS to be peer reviewed.

CLOCA's updated comments are generally supportive of the proposed subdivision development. CLOCA indicated that the remaining environmental concerns that have not been satisfactorily addressed could be resolved as conditions of draft approval for the subdivision application.

As a result of CLOCA's provided supportive comments for the proposed subdivision application, the Region has now determined that the proposed subdivision application conforms with the current ROP and the new adopted ROP and the Growth Plan, and is consistent with the PPS.

### Municipal Servicing

#### Water Supply

The subject lands are located within the Zone 3 and Zone 4 of the water supply system for Whitby. Areas with centreline road grade elevations above 190m shall be within the Zone 4 water zone. The boundary between the Zone 3 and Zone 4 pressure zones will need to be confirmed based on the preliminary grading work completed to date. The Functional Servicing Report provided will need to be revised to show this information correctly.

According to our calculations, the current population within the Zone 4 water pressure district is at the current theoretical capacity for the pumps supplying water to Zone 4 area. The Region has undertaken a design assignment for modifications to the existing pumping station located at the Thickson Road Reservoir to increase the service population on an interim basis prior to the construction of an additional Zone 4 pumping facility and the construction of the Zone 4 reservoir.

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The extension of a 600mm dia. feedermain from the Thickson Road Zone 4 pumping station up to Columbus Road, along Thickson Road, will be required to provide service to the early phase of sections of the proposed Draft Plan development in Zone 4 prior to the construction of the Zone 4 reservoir. Connection of the Zone 4 to the remainder of the proposed Zone 4 water system needs to be shown in the Functional Servicing Report and Functional Servicing Plans.

The full build out of the West Brooklin Growth Areas will require the construction of a Zone 4 reservoir, a Zone 4 pumping station and a Zone 5 pumping station. The Class Environmental Assessment for the Zone 4 reservoir has been completed. The Zone 4 reservoir, and the Zone 4 and Zone 5 pumping station have been identified in the Region of Durham's 2023 Capital Water Budget and nine year forecast.

The Brooklin Landowners should work together to coordinate an overall water servicing plan for the Brooklin area based on the current proposed draft plans and preliminary grading. This drawing is required to clearly establish the water pressure zone boundaries and the looping of the 300 mm and 400 mm watermains and other associated feeder mains required to service the Brooklin area.

A 400 mm Zone 4 watermain will be required on Street 'A' within the subject lands. The Region will provide additional details on the external watermain requirements as more detailed information becomes available.

### Sanitary Servicing

It is planned that the sanitary drainage from this property will be conveyed to the existing 525 mm sanitary sewer on Montgomery Avenue and Columbus Road as shown in the Functional Servicing Report.

As Brooklin expands, it is estimated that the sewage flows will exceed the conveyance capacity of the Corbett Creek Trunk Sanitary Sewer (CCTSS). Prior to the trunk sanitary sewer capacity being exceeded, the Regions conceptual plans call for a sanitary pumping station to be constructed to convey flows from Brooklin to the east via forcemain to the Conlin Road Sanitary Pumping Station, in turn to the Courtice Trunk Sanitary Sewer, and ultimately to the Courtice Water Pollution Control Plant (WPCP). A Class EA for the diversion of sanitary sewage flow from Brooklin and north Oshawa to Courtice has commenced and is ongoing.

It is important to note that the Class EA that planned the Courtice WPCP included Brooklin within the service area. Similarly, the recently completed Class EA that planned the Courtice Trunk Sanitary Sewer also included Brooklin within its service area.

In accordance with the Region of Durham Sewer Use By-Law, the Region will not permit foundation drains to connect to the sanitary sewer system.

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### Density

The draft plan of subdivision proposes to construct 551 residential units on 27.10 hectare of land which equates total theoretical population of 1811 to a peak flow of approximately 33.0 l/s.

The applicant shall provide sanitary sewer design sheets to confirm the units breakdown and the actual sewage flow from the proposed development for our review and record. In addition to provide an external sanitary servicing plan for all of the development lands contributing flow to the existing sanitary sewer on Montgomery Avenue. A sanitary sewer may be required on Columbus Road along the frontage of this property and if needed, it should be shown on the Functional Servicing Plan.

### Functional Servicing Report

The Region has reviewed the Functional Servicing and Stormwater Report prepared by Urbantech (September 2022) and have the following comments.

### Water Distribution System:

- The boundary between Zone 3 and 4 needs to be determined and shown on the Functional Servicing Plan.
- The minimum watermain size is 150mm dia., 50mm dial watermains are not acceptable.
- The watermain on Street M will need to connect to Cedarbrook Trial.
- Proposed Street L will have more than 20 lots on a single dead-end feed; the watermain servicing will need to be revised to provide adequate water supply to the 24 lots. The details will be worked through at the detail engineering submission stage.
- A 400 mm Zone 4 watermain is required on Street 'A' within the subject lands.
- Although the road elevations north of Street A are proposed to be less than 190m, this part of the site may be in Zone 4. Coordination with other developments, proper looping of the Zone 3 and Zone 4 systems, along with definition of the Zone 3 / Zone 4 pressure boundary needs to be shown on the Functional Servicing Plan.

### Sanitary Servicing:

- Proposed sanitary servicing design as illustrated on Figure 8.3 is acceptable.
- An external sanitary servicing plan for all of the development lands contributing flow to the existing sanitary sewer on Montgomery Avenue is required.

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- A sanitary sewer may be required on Columbus Road along the frontage of this property and if needed, it should be shown on the Functional Servicing Plan.

#### Waste Management

The Region of Durham provides recycling and waste collection service to draft plans of subdivision residential lots and freehold townhouse blocks in the Town of Ajax, City of Pickering, Townships of Scugog, Brock and Uxbridge and the Municipality of Clarington. Only Blue Box recycling collection is provided by the Region in the City of Oshawa and Town of Whitby.

On June 3, 2021, Ontario filed O.Reg. 391/21 under the Resource Recovery and Circular Economy Act that will make product producers responsible for the Blue Box program including collection. Once transition occurs, The Regional Municipality of Durham will no longer be the service provider for the Blue Box program. The transition of responsibility of the Blue Box program to product producers in Durham Region is expected to occur in 2024. Please see O.Reg. 391/21 for full details.

Any dead-end municipal road(s) must be designed and built with a permanent or temporary, cul-de-sac. If the residential development is built in stages or by multiple builders, municipal waste service may be delayed to completed homes due to access availability. All municipal road networks will be reviewed through the draft plan approval process and through the detailed design of any phase limits to ensure it complies with the Waste By-law 46-2011. All municipal roads, including rear laneways, must be built to a Regionally approved, area municipal standard road cross sections.

Waste Management collection for residential blocks (other than freehold townhouse blocks) including any units within these blocks which will front onto a municipal road will be assessed for waste collection through the Site Plan approval process.

#### Transportation

Columbus Road is a Type B Arterial Road under the jurisdiction of the Town of Whitby. The Town should ensure that the required ROW width of 36m is being provided along the Columbus Frontage as set out in the Brooklin North Major Roads EA (BNMREA).

#### Traffic Impact Study

The Traffic Impact Study prepared by C.F. Crozier and Associates (March 2022) was reviewed and the following comments are provided:

- The Region agrees with the use of the 2025 full build out year, and 2031 horizon year, which is consistent with the Brooklin North Multi-resolution Modelling and Traffic Forecasting (BNMTRF) reports.

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- In Section 4.4, the trip generation rates were noted to be different from those rates used in the BNMMTF study. The 683 residential units proposed as part of this draft plan, compared to the 433 allocated in the BNMMTF study would suggest that there may be an increase over the 10% agreed, therefore requiring additional modelling. The TIS scoping had assumed 13% increase. Please provide a like for like comparison of the BNMMTF assumptions vs the draft plan assumptions using the same trip rates, for further review.
- If the above noted comparison results in increases within the agreed 10% variation, then the Region agrees that the comparative increase in trips, compared with the trips assigned in the BNMMTF study is acceptable and no significant changes to the model output are required.
- The recommendation to signalize the intersections of Cedarbrook Trail at Columbus Road and Ashburn Road at Columbus are consistent with the BNMMTF and the Brooklin North Major Roads EA (BNMREA). No signalization was proposed in either the BNMMTF or BNMREA at Road II/XII at Columbus, however the spacing for future signals looks to be acceptable.
- Section 7.1 – Boundary Road Network and Section identify the road network, including active transportation facilities. It references Ashburn road's existing bike lanes but does not reference the proposed cycling facilities (combination of multi-use pathways and paved shoulders) along Columbus Rd, as identified in the Regional Cycling Plan. It is recommended that this section be updated to reference both existing and proposed cycling facilities identified in the Regional Cycling Plan.
- Section 7.1 Existing and Future TDM opportunities section should be updated to reference the proposed cycling facilities planned on Columbus Road as identified in the Regional Cycling Plan.
- The site plan should indicate where planned cycling connections on Columbus Road are to be included, as identified in the Regional Cycling Plan and their integration into the site to complement the discussion. Identifying these connections helps encourage residents and visitors to use active modes, support Transportation Demand Management (TDM) in the Region.
- Section 7.2.2 – Education / Promotion and Incentives and 7.4 Smart Commute Durham Region references Smart Commute Durham Region will be promoted within schools, local commercial and residents. It should be clarified that Smart Commute Durham Region is a program offered to Durham workplace employers for employees and this section should be revised to reflect the nature of the program and audience. Furthermore, it should be noted that distribution of transit maps, cycling maps, and additional educational and promotional information is to be coordinated and completed by the developer and it is beyond the Region's responsibility to distribute

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directly. This section should be revised to clarify that the developer will provide these materials to residents and commercial lot occupants. • There are a few minor errors in the signal modelling that will need to be addressed once detailed design is commenced on the signals. Peak Hour Factor of 0.92 is to be used and clearance times and recalls will need to be adjusted. The Region will provide further clarification at detailed design phase.

### Transportation Planning

The application was reviewed from a transportation planning perspective. The subdivision plan should indicate where planned cycling connections on Columbus Road are to be included, as identified in the Regional Cycling Plan and their integration into the site to complement the discussion. Identifying these connections helps encourage residents and visitors to use active modes and support Transportation Demand Management (TDM) in the Region.

### Durham Region Transit:

#### Protect for bus stops on:

- The west side of Cedarbrook at:
  - Street A, nearside or farside
  - Street B, nearside or farside
  - Columbus Road, nearside
- The north side of Columbus at:
  - Cedarbrook, farside
  - Street D, nearside

Additionally, sidewalks should be built on Cedarbrook, on Columbus, and all roads in the development. The sidewalks should be built with occupancy of the development.

Based on the foregoing, the Region has no objection to draft approval of the subdivision application. The attached conditions of draft approval must be complied with prior to clearance by the Region for registration of this plan.

1. The Owner shall prepare the final plan on the basis of the approved draft plan of subdivision, prepared by Groundswell Urban Planners Inc., identified as Project No.: 23-34, dated January 4, 2024, which shows 273 single-detached dwellings, 74 semi-detached dwellings, 238 townhouses, 2 future residential blocks, a mixed-use/local

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commercial block, a stormwater management pond block, an elementary school block, a trans-canada pipeline block, a walkway block, 2 blocks for 0.3 metre reserves, and roads.

2. The Owner shall name road allowances included in this draft plan to the satisfaction of the Region of Durham and the Town of Whitby.
3. The Owner 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 Owner shall grant to the Region, any easements required to provide Regional services for this development. The easements shall be in locations and of such widths as determined by the Region of Durham.
5. The Owner 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 Owner 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 any revisions/addenda thereto) and shall include any required warning clauses identified in the acoustic report. The Owner shall provide the Region with a copy of the Subdivision Agreement containing such provisions prior to final approval of the plan.
6. The Owner 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 Owner 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 Owner and the Region concerning the provision and installation of sanitary sewers, water supply, roads and other regional services.



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### **Rogers Communication**

Rogers Communications Canada Inc. (“Rogers”) has reviewed the application for the above Subdivision and has determined that it intends to offer its communications services to residents of the Subdivision. Accordingly, we request that municipal approval for the Subdivision be granted subject to the following conditions:

1. The Owner shall agree in the Subdivision Agreement to (a) permit all CRTC licensed telecommunications companies intending to serve the Subdivision (the “Communications Service Providers”) to install their facilities within the Subdivision, and (b) provide joint trenches for such purpose.
2. The Owner shall agree in the Subdivision Agreement to grant, at its own cost, all easements required by the Communications Service Providers to serve the Subdivision, and will cause the registration of all such easements on title to the property.
3. The Owner shall agree in the Subdivision Agreement to coordinate construction activities with the Communications Service Providers and other utilities, and prepare an overall composite utility plan that shows the locations of all utility infrastructure for the Subdivision, as well as the timing and phasing of installation.
4. The Owner shall agree in the Subdivision Agreement that, if the Owner requires any existing Rogers facilities to be relocated, the Owner shall be responsible for the relocation of such facilities and provide where applicable, an easement to Rogers to accommodate the relocated facilities.

In addition, we kindly request to, where possible, receive copies of the following documents:

1. the comments received from any of the Communications Service Providers during circulation;
2. the proposed conditions of draft approval as prepared by municipal planners prior to their consideration by Council or any of its committees; and
3. the municipal planners’ report recommending draft approval before it goes to Council or any of its committees.

### **TransCanada Pipeline (TCPL)**

TCPL has two (2) high-pressure natural gas pipelines contained within a right-of-way (“easement”) crossing the Subject Lands.

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TCPL's pipelines and related facilities are subject to the jurisdiction of the Canada Energy Regulator (CER) – formerly the National Energy Board (NEB). As such, certain activities must comply with the Canadian Energy Regulator Act ("Act") and associated Regulations. The Act and the Regulations noted can be accessed from the CER's website at [www.cer-rec.gc.ca](http://www.cer-rec.gc.ca).

Based upon our initial review of the revised Draft Plan of Subdivision and supporting technical reports, we are providing the following comments and are requesting that the noted development and regulatory requirements be included as conditions in the Draft Plan approval and Subdivision Agreement between the Municipality and the Proponent. TCPL may submit additional requirements to be included in the Subdivision Agreement.

#### General Comments:

1. The cul-de-sac identified as "Street L" on the Draft Plan shall be set back a minimum of 7 metres from the edge of TCPL's right-of-way, including grading and associated structures including curbs, gutters and street lighting.
2. TCPL requests additional information about the restoration area, including the type of vegetation and trees proposed. Landscaping shall be done in accordance with TCPL's requirements, as outlined in Subdivision Agreement item 8.
3. At the time of written consent for the watermain, TCPL requests additional information in order to effectively evaluate the impacts to their right-of-way. Subdivision Agreement item 11 outlines TCPL's general requirements.
4. TCPL requests detailed plans demonstrating how Lots 50, 51, 52 and 53 will be serviced. Individual servicing of these lots from Street L across the TCPL's right-of-way will not be permitted.

#### Draft Conditions:

1. TCPL's right-of-way shall be dedicated to the municipality as passive open space or parkland subject to TCPL's easement rights. TCPL's right-of-way shall be identified on all municipal plans and schedules as a pipeline/utility corridor.
2. A crossing and encroachment permit/agreement must be approved by TCPL for ongoing activities such as mowing or maintenance of the right-of-way on public lands.
3. The conditions, restrictions or covenants specified by TCPL shall be included in a separate agreement between TCPL and the Proponent, and the Proponent shall register such agreement against title to the Subject Lands prior to registration of the subdivision plan by way of application to register conditions, restrictions or

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covenants, as applicable, pursuant to the Land Titles Act, or any amendments thereto.

### Subdivision Agreement:

1. No buildings or structures shall be installed anywhere on TCPL's right-of-way. Permanent buildings and structures are to be located a minimum of 7 metres from the edge of the right-of-way. Temporary or accessory structures are to be located a minimum of 3 metres from the edge of the right-of-way.
2. A minimum setback of 7 metres from the nearest portion of a TCPL pipeline right-of-way shall also apply to any parking area or loading area, including any parking spaces, loading spaces, stacking spaces, bicycle parking spaces, and any associated drive aisle or driveway.
3. The cul-de-sac identified as "Street L" on the Draft Plan shall be set back a minimum of 7 metres from the edge of TCPL's right-of-way, including grading and associated structures including curbs, gutters and street lighting.
4. Written consent must be obtained from TCPL prior to undertaking the following activities:
  - a. Constructing or installing a facility across, on, along or under a TCPL right-of-way. A facility may include, but is not limited to: driveways, roads, access ramps, trails, pathways, utilities, berms, fences/fence posts;
  - b. Conducting a ground disturbance (excavation or digging) on TCPL's right-of-way or within 30 metres of the centreline of TCPL's pipeline (the "Prescribed Area");
  - c. Driving a vehicle, mobile equipment or machinery across a TCPL right-of-way outside the travelled portion of a highway or public road;
  - d. Using any explosives within 300 metres of TCPL's right-of-way; and
  - e. Use of TCPL's Prescribed Area for storage purposes.
5. During construction of the site, temporary fencing must be erected and maintained along the limits of the right-of-way by the Proponent to prevent unauthorized access by heavy machinery. The fence erected must meet TCPL's specifications concerning type, height and location. The Proponent is responsible for ensuring proper maintenance of the temporary fencing for the duration of construction.
6. Permanent fencing may be required along the limits of TCPL's right-of-way. The fence erected must meet TCPL's and the municipality's specifications concerning type, location, and height. Any excavations for fence posts on, or within 30 metres of

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the pipeline must be done by hand or hydro vac. There shall be no augers operated on the right-of-way. The Proponent shall notify TCPL 3 business days prior to any excavation for fence posts located on or within 30 metres of the pipeline. All fences made of metallic materials must be approved by TCPL prior to being erected on or within 30 metres of the pipeline.

7. Storage of materials and/or equipment on TCPL's right-of-way is not permitted.
8. The following provides design guidance for crossings:

### General Requirements:

The crossing shall occur as close as possible to 90 degrees.

The crossing shall not occur at a bend in a TCPL pipeline.

TCPL may require the installation of permanent protective measures depending on site-specific conditions and engineering analyses.

### General Conditions for Crossings of TCPL Pipelines by Highways, Private Roads and Railways:

A highway or private road shall be constructed so that the travelled surface is no less than 1.5 metres above the top of the pipeline.

The bottom of the ditches adjacent to roads should not be less than 1.4 metres above the top of the pipeline.

Minimum cover for railway crossings (below base of rail) is 3.05 m for uncased pipe.

### General Conditions for Crossings of TCPL Pipelines by Utilities:

TransCanada shall retain the upper position in the crossing area.

Minimum separation between buried facilities shall be 300mm (600mm during installation) for open cut excavations and 1000mm for horizontal directional drill installation methods.

The utility depth shall be maintained for the entire width of the right-of-way.

The utility shall have no bends within the pipeline right-of-way.

The utility shall have no joints, splices or other connections within the TCPL pipeline right-of-way.

Pipeline crossings should not be placed within 7 metres of a TCPL pipeline bend.

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For road crossings, TCPL is required by the CER to prepare a detailed engineering assessment of all loads expected during the construction and operation of the crossing, and, if required, provide designs for appropriate mitigation. The cost of this engineering assessment, analysis and design work, the costs of any required mitigation or pipe modification required will be 100% the responsibility of the Proponent.

It is recommended that the Applicant consult with TCPL as soon as possible through the third party crossings tool: <https://writtenconsent.tcenergy.com>.

9. Planting and Vegetation Plans will minimize vegetation on TCPL's right-of-way and ensure:
  - a. A 5 metre wide, continuous access way is provided on each side of the pipeline within the right-of-way;
  - b. TCPL's right-of-way is seeded with Canada #1 seed;
  - c. No portion of a tree or shrub (including the canopy) at the time of maturity encroaches within 5 metres of the edge of TCPL's facilities;
  - d. No trees or shrubs that will reach a height greater than 4 metres are planted within the right-of-way;
  - e. Tree roots do not interfere with or cause damage to the pipeline.
  - f. A minimum 10 metre separation is established between all groups of trees/shrubs. A group may consist of no more than 5 trees/shrubs; and
  - g. Where high-pressure gas is contained within an enclosed building (such as a metre station or building housing a compressor plant), trees and shrubs should be separated from the building by a minimum of 30 metres.
10. Sidewalks/Pathways may be permitted within the right-of-way but must:
  - a. Not exceed 3 metres in width;
  - b. Maintain a minimum separation of 5 metres from the edge of the facility at all points where the pathway travels along the same direction (i.e. paralleling) as the facility within the right-of-way;
  - c. Cross TCPL's pipeline as close to 90 degrees as possible, but no less than 45 degrees;
  - d. Limit crossings to 1 per city block (approx. 200 metres)
  - e. Use company supplied signage for crossings installed by a Third Party; and

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- f. Have expansion joints installed 3 metres on either side of TCPL's pipeline(s) if the pathway is cement or asphalt.
11. Where TCPL consents to any ground disturbances in proximity to any TCPL pipeline, the original depth of cover over the pipelines within TCPL's right-of-way shall be restored after construction. This depth of cover over the pipelines shall not be compromised due to rutting, erosion or other means.
12. Facilities shall be constructed to ensure that drainage is directed away from the right-of-way so that erosion that would adversely affect the depth of cover over the pipelines does not occur. Catchment basins, drainage swales or berms are not permitted within TCPL's right-of-way. All infrastructure associated with site servicing, grading, and stormwater management (e.g. subdrains, manholes, catchbasins, retention walls, storm ponds, culverts/riprap) shall be setback a minimum of 7 meters from the edge of TCPL's right-of-way.
13. Should pooling of water or erosion occur on the right-of-way as a result of any facility installation or landscaping, the Proponent will be responsible for the remediation to TCPL's satisfaction.
14. Any large scale excavation adjacent to the right-of-way, which is deeper than the bottom of the pipe, must incorporate an appropriate setback from TCPL's right-of-way and must maintain a slope of 3:1 away from the edge of the right-of-way.
15. Mechanical excavation within 1.5 metres of the edge of TCPL's pipeline is prohibited. Hand or hydrovac excavation must be utilized within this distance.
16. In no event shall TCPL be held liable to the Proponent respecting any loss of or damage to the Proponent's Facility, which the Proponent may suffer or incur as a result of the operations of TCPL. The Proponent shall be responsible for all costs involved in replacing the Proponent's Facility damaged or removed during TCPL's operations and shall indemnify and save harmless TCPL from all actions, proceedings, claims, demands and costs brought against or incurred by TCPL as a result of the presence of or damage to the Proponent's Facility on the TCPL right-of-way.
17. Vehicle barriers, of a design acceptable to TCPL or as may be required by law, shall be installed across the width of the right-of-way, where public roads cross the right-of-way. The location of these barriers must be approved by TCPL.
18. All display plans in the lot/home sales office shall identify the TCPL pipeline right-of-way corridor within the proposed linear park block(s).
19. The Proponent shall include notice of the following in all offers of purchase and sale:

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- a. Notice of the easement agreement registered against the property which may affect development activities on the property;
  - b. Notice of the 30 metre Prescribed Area as regulated by the CER Act;
  - c. The number of high pressure natural gas pipelines within the easement and the location of the easement in relation to the development;
  - d. The setback for all permanent structures and excavations from the limits of the right-of-way; and,
  - e. The local One Call number 1-800-400-2255 or [www.clickbeforeyoudig.com](http://www.clickbeforeyoudig.com).
20. TCPL's prior approval must be obtained for the Site Plans for the permanent structures to be erected on lots and/or Blocks which are encumbered by, or are adjacent to TCPL's right-of-way.
21. If TCPL's pipelines experience contact damage or other damage as a result of construction, stop work immediately and notify TCPL at once.
22. All associated work, signage or any other engineering protection measures must be completed by TCPL or its qualified contractors at the sole expense of the Proponent. The complete scope of work that may be required is subject to other conditions that may be necessary related to a finalized design that is approved by TCPL. Additionally, prior to TCPL or its contractors conducting any associated work, TCPL and the Proponent must execute a reimbursement agreement, including financial assurances, which provides that the entire cost of conducting this associated work is 100% reimbursable to TCPL.
23. The Proponent shall ensure through all contracts entered into, that all contractors and subcontractors are aware of and observe the foregoing terms and conditions.