

Attachment #9

Conditions of Draft Plan of Subdivision Approval File SW-2022-05

1. The Subdivider shall prepare the final plan and shall include a land use table on the basis of the approved draft plan of subdivision, prepared by Groundswell Urban Planners Inc., identified as project number 23-34, dated July 12, 2024, which illustrates 236 single-detached units, 74 semi-detached units, 238 townhouse units, two future development block, mixed use/local commercial block, stormwater management pond, elementary school block, Trans-Canada Pipeline block, walkway block, roads and road widening blocks.
2. The Subdivider shall name road allowances included in this draft plan to the satisfaction of the Region of Durham and the Town of Whitby.
3. The Subdivider shall submit plans showing the proposed phasing to the Region of Durham and the Town of Whitby for review and approval, if this subdivision is to be developed by more than one registration.
4. The Subdivider shall grant to the Region, 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.
5. The Subdivider shall provide for the extension of such sanitary sewer and water supply facilities which are external to, as well as within, the limits of this plan that are required to service this plan. In addition, the Subdivider shall provide for the extension of sanitary sewer and water supply facilities within the limits of the plan which are required to service other developments external to this subdivision. Such sanitary sewer and water supply facilities are to be designed and constructed according to the standards and requirements of the Region of Durham. All arrangements, financial and otherwise, for said extensions are to be made to the satisfaction of the Region of Durham, and are to be completed prior to final approval of this plan.
6. 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.
7. The Subdivider shall satisfy all requirements, financial and otherwise, of the Region of Durham. This shall include among other matters, the execution of a Subdivision Agreement between the Subdivider and the Region concerning the provision and installation of sanitary sewers, water supply, roads and other Regional services.

8. The Subdivider shall submit to the Region of Durham, for review and approval, a revised acoustic report prepared by an acoustic engineer based on projected traffic volumes provided by the Region of Durham Planning and Economic Development Department, and recommending noise attenuation measures for the draft plan in accordance with the Ministry of the Environment, Conservation and Parks guidelines. The Subdivider shall agree in the Subdivision Agreement to implement the recommended noise control measures. The agreement shall contain a full and complete reference to the noise report (i.e. author, title, date any revisions/addenda thereto) and shall include any required warning clauses identified in the acoustic report. The Subdivider shall provide the Region with a copy of the Subdivision Agreement containing such provisions prior to final approval of the plan.
9. That prior to any on-site grading, construction or final approval of the plan, the Subdivider shall submit to and obtain approval from Central Lake Ontario Conservation Authority for reports and plans describing the following:
 - a. The intended means of conveying stormwater from the site 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.
10. 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 grading within the environmentally sensitive lands to the north of the development lands.
11. That the Subdivider shall agree within the Subdivision Agreement to erect a permanent 1.2m 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.

12. 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.
13. 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.
14. The subdivision agreement between the Subdivider and the Town of Whitby shall contain, among other matters, the following provisions:
 - a. The Subdivider agrees to carry out the works referred to in Condition 9 and 10 to the satisfaction of the Central Lake Ontario Conservation Authority.
 - b. The Subdivider agrees to maintain all stormwater management and erosion and sedimentation control measures operating and in good repair during the construction period, in a manner satisfactory to the Central Lake Ontario Conservation Authority.
 - c. The Subdivider agrees to advise the Central Lake Ontario Conservation Authority 48 hours prior to commencement of grading or the initiation of any on-site works.
15. That the Subdivider agrees to set aside, within the subject plan, Block 309 (2.63 hectares) for public elementary school purposes.
16. That the Subdivider and the Durham District School Board enter into an agreement for the acquisition of Block 309 for elementary school purposes.
17. That the Subdivider submit plans indicating existing and proposed grades, drainage and servicing for approval by the Durham District School Board for all lots, blocks, easements and roads abutting Block 309.
18. That the Subdivider 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.

19. 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.
20. That the Subdivider rough grade Block 309 to the satisfaction of the Durham District School Board.
21. That the Subdivider 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.
22. That the Subdivider agrees to install a 1.8 metre chain link fence of standard school construction (number 9 gauge) along the perimeter of Block 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.
23. That the following "Notice to Parents" be inserted in all agreements of purchase and sale between the Subdivider 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."
24. That the Subdivider agrees to post the standard Durham District School Board approved "Notice to Parents" in all sales representation centres.
25. The Subdivider shall convey the following to the Town:
 - a. Block 308 for stormwater management (SWM) facilities;
 - b. Block 310 for open space;
 - c. Block 311 for walkway;
 - d. Block 312 for road widening on Cedarbrook Trail; and
 - e. Block 313 for road widening on Columbus Road West.
26. 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.

27. 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'.
 - 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.

28. 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 18, 2024 (Attachment #2 of Engineering Services September 26, 2024 Memorandum) prior to the submission of detailed engineering drawings.
29. The Subdivider shall provide an updated Sub-Area Study (SAS) 2A to address comments provided in a separate memo from KSGS dated March 2024 (Attachment #3 of Engineering Services September 26, 2024 Memorandum) prior to detailed engineering submission.
30. 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.
31. 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.

32. 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.

33. The Subdivider shall provide a written response letter to address the comments provided in a separate memo from Transportation Services date March 6, 2024 (Attachment 4 of Engineering Services September 26, 2024 Memorandum) 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, streetline radii, curb lines (at bends, cul-de-sacs and intersections with angles less than 90 degrees), tangents, intersection angles / skew, visibility triangles and driveway locations (at bends and intersections) to ensure conformance to street classifications, Transportation Association of Canada (TAC) and Town of Whitby. This should be provided prior to or with the submissions of the detailed engineering drawings.

34. 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.

35. 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.

36. 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.

37. 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.
38. 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, to the satisfaction of the Director of Engineering Services.
39. The Subdivider shall provide a Construction Management Report and Plan(s) to the Town's satisfaction that includes, but is not limited to, a neighborhood communication strategy, construction traffic route, schedule and mud and dust control best management practices. 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.
40. Construction access shall be limited to Cedarbrook Trail or as prescribed in the Construction Management Report.
41. 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.
42. 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 storm water management and access constraints.

43. 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.

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.

44. 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.
45. 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.
46. 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 schoolboard requirements.
47. 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.
48. 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.
49. All community mailboxes for the private developments shall be located within private properties.

50. 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.
51. The Subdivider shall provide a detailed engineering submission in accordance with Sections A2.00 and A3.00 of the Town of Whitby's Engineering Design Criteria. The engineering drawings must be set up as per the Town's CAD layering standards and object data requirements set out in Appendix A of the Design Criteria. The engineering drawings will not be accepted until it is confirmed that the drawing set-up conforms to this requirement.
52. 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.
53. 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.
54. 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.
55. 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.
56. 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.

57. 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.
58. 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.
59. The Subdivider shall provide a copy of the approved individual lot grading plan (i.e. siting) to each lot purchaser prior to closing.
60. The Subdivider shall agree to implement the recommendations of all reports submitted in support of the application.
61. The Subdivider shall be responsible for satisfying any additional requirements identified by the Engineering Services not specifically listed above.
62. 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.
63. 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.
64. 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.

65. The subdivider shall ensure that street tree planting is provided along Columbus Road as part of the subdivision agreement.
66. 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.
67. 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.
68. Parkland contribution is required for this development at a rate in accordance with the Planning Act.
69. 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.
70. 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.
71. The Subdivider agrees to install a 1.2 metre black vinyl chain link park fence where any open space and natural heritage blocks abut residential lots.
72. 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 applicable phase of the plan of subdivision.
73. 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.

74. The trail design requirement shall include, but are not limited to the following:
- a. Trails to be constructed to details and specifications provided by and approved by Town of Whitby Community Services, Parks Development Division.
 - b. All trails shall be planned and designed to meet accessibility standards.
 - c. All trails, trail crossing, bridges, boardwalks, culverts, structures shall be designed and constructed by the Subdivider, in accordance with Community Services Department, Parks Development Division requirements.
 - d. All primary trails shall be planned and designed to a minimum width of 2.5 metres and surfaced in asphalt.
 - e. Trails to be offset a minimum 3 metres from any property line to accommodate grading requirements, a 1.5 metre wide sod mow strip and a 1.5 metre wide planted privacy buffer.
 - f. Trail requires a minimum 1.5 metre sod mow strip on either side of the trail to enable mowing/maintenance. Mow strip to be sloped at a maximum 25%.
 - g. Trail grades are not to exceed 2% cross slope and 5% longitudinal slope unless unavoidable due to existing grades.
 - h. Seating Areas with benches are to be provided at a rate of 3 per kilometer of trail.
75. Prior to registration of the applicable phase, the Subdivider shall secure approval of the trail design from the gas utility and any other applicable approval authorities.
76. The Subdivider shall construct all off-road trail works in accordance with the approved plans for Blocks 310 and 311, and secure any additional approvals and permits, as required, at no cost to the Town.
77. The subdivider shall advise potential purchasers of the location of the 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.
78. 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 the off-road trail works.

79. The Subdivider shall consult with Canada Post to determine suitable permanent locations for Community Mail Boxes or Lock Box Assemblies (Mail Room). The Subdivider will indicate these locations on the appropriate servicing plans.
80. That the Subdivider enter into a Subdivision Agreement for the subdivision with the Municipality and be responsible for the fees associated with the preparation and registration of the Agreement, including any review required by Legal Services.
81. The Subdivider covenants and agrees to enter into the cost sharing agreement with the Brooklin Landowners Group in accordance with Section 11.5.31.5 e) and f) as set out in the Town of Whitby Official Plan and that the Town will clear Condition No. 81 upon receipt of a letter of clearance from the "Trustee" representing the North Brooklin Cost Sharing Agreement.
82. The Subdivider shall provide a Firebreak layout Plan to the satisfaction of the Whitby Fire and Emergency Services Department.
83. The Subdivider shall provide fire hydrants at either end of Laneway A.
84. The Subdivider is required to implement the architectural guidelines for the Brooklin Community.
85. Through the Subdivision Agreement, the Subdivider shall complete the Whitby Green Standard performance measures as part of the construction of the approved development as detailed in the Sustainability Report submitted by the proponent.
86. That new home construction shall be designed to meet the Energy Star standards or equivalent.
87. The Subdivider shall prepare and implement the following reports and plans in accordance with the applicable guidelines to the satisfaction of the agencies noted:

Report	Town	Region	CLOCA
Environmental Impact Study	Yes	Yes	Yes
Functional Servicing Report	Yes	Yes	Yes
Geotechnical Investigation	Yes	Yes	Yes
Hydrogeological Study	Yes	Yes	Yes
Arborist Report	Yes	-	-
Noise Study	Yes	Yes	-
Site Screening Questionnaire	Yes	Yes	-
Sub Area Study 2A	Yes	Yes	Yes

Sustainability Report	Yes	-	-
Transportation Study	Yes	Yes	-
Landscape Plans	Yes	-	-

88. The Subdivider shall satisfy all requirements, financial and otherwise, of the Town of Whitby, including among other matters, the execution of a subdivision agreement between the Subdivider and the Town of Whitby concerning the provision and installation of services, drainage and other local services.
89. TransCanada PipeLines Limited's (TCPL) right-of-way, Block 310, shall be dedicated to the Town of Whitby 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.
90. 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.
91. The conditions, restrictions or covenants specified by TCPL shall be included in a separate agreement between TCPL and the Subdivider, and the Subdivider 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 covenants, as applicable, pursuant to the Land Titles Act, or any amendments thereto.
92. Prior to final approval of this plan for registration, the Town of Whitby shall be advised in writing by:
 - a. The Regional Municipality of Durham, how conditions 1, 2, 3, 4, 5, 6, 7 and 8 have been satisfied.
 - b. The Central Lake Ontario Conservation Authority, how conditions 9, 10, 11, 12, 13 and 14 have been satisfied.
 - c. The Durham District School Board, how conditions 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24 have been satisfied.
 - d. The TransCanada PipeLines Limited, how conditions 89, 90 and 91 have been satisfied.

Note: Please be advised that the approval of this draft plan will lapse three (3) years after the date the plan is draft approved. This approval may be extended pursuant to Section 51(33) of the Planning Act, but no extension can be granted once the approval has lapsed. If final approval is not given to this plan within three (3) years of the draft approval date, and no extension have been granted,

draft approval will lapse under Section 51(32) of the Planning Act, RSO, 1990, as amended. If the Subdivider wishes to request an extension to the draft approval, a written request and explanation must be received by the Commissioner of Planning and Development 120 days prior to the lapsing date. A processing fee in effect at the time of the request, shall apply.