

Attachment #9

Conditions of Draft Plan Approval

DEV-02-22 (SW-2022-01 and Z-02-22)

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 Malone Given Parsons, identified as file number 17-2657, dated May 10, 2024, which illustrates 510 - 615 single detached units, 350 townhouse units, school blocks, park blocks, stormwater management blocks, Natural Heritage System blocks, walkway blocks, maintenance block road widenings, and roads.
2. The Subdivider shall name road allowances included in this draft plan to the satisfaction of the Region of Durham and the Town of Whitby.
3. The Subdivider shall submit plans showing the proposed phasing to the Region 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, to the satisfaction of the Region, revise the draft plan of subdivision based on the final Brooklin Major Roads Environmental Assessment

with respect to all matters addressed therein, as may be required by the Region, including any impacts on sanitary sewerage, water supply, Regional roads and stormwater management facilities servicing Regional roads.

9. The Subdivider shall convey to the Region of Durham sufficient road widening of 20 metres measured from centre of the original road allowance, free and clear of all encumbrances, to allow 40 metres overall or 20 metres from the existing centreline of road, with the registration of the plan.
10. The Subdivider conveys a sight triangle of 15m x 10m at the intersection of Thickson Road North and Street B.
11. Prior to the finalization of this plan of subdivision, the Subdivider must provide satisfactory evidence to the Regional Municipality of Durham in accordance with the Region's Soil and Groundwater Assessment Protocol to address site contamination matters. Such evidence may include the completion of a Regional Reliance Letter and Certificate of Insurance. Depending on the nature of the proposal or the findings of any Record of Site Condition (RSC) Compliant Phase One Environmental Site Assessment (ESA), an RSC Compliant Phase Two ESA may also be required. The findings of the Phase Two ESA could also necessitate the requirement for an RSC through the Ministry of the Environment, Conservation and Parks accompanied by any additional supporting information.
12. The Subdivider shall agree in the Town of Whitby Subdivision Agreement to implement the recommendation of the report, entitled "Environmental Noise Assessment - Revised" prepared by YCA Engineering dated February 2024, which specifies noise attenuation measures for the development. The measures shall be included in the Subdivision Agreement and must also contain a full and complete reference to the noise report (i.e. author, title, date and any revisions/addenda) and shall include warning clauses identified in the study.
13. That prior to any on-site grading, construction or final approval of the plan, the Subdivider shall submit to and obtain approval from Central Lake Ontario Conservation Authority for reports and plans describing the following:
 - a) The intended means of conveying stormwater from the site, consisting of stormwater techniques which are appropriate and in accordance with provincial guidelines as well as in conformity with the recommendations found within the CLOCA Technical Guidelines for Stormwater Management Submissions and the Brooklin Secondary Plan Sub-Area Study 3A.
 - b) The intended means to maintain appropriate water balance for the subject lands and to the adjacent hydrologic features (eg. wetlands, headwater features, watercourses) as part of this development. This includes confirmation that commitment to infiltration targets assigned to school and

park blocks have been accepted by the School Board and the Town of Whitby respectively.

- c) The intended means to design, install, access, maintain and monitor any proposed Low Impact Development (LID) measures as part of this development. This includes the completion of in-situ infiltration testing and seasonal high groundwater monitoring in the location of the proposed facilities to ensure that they will function as designed.
 - 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.
14. That the Subdivider agree that Restoration Planting Plans will be provided and approved by the Town and Central Lake Ontario Conservation Authority for lands within Natural Heritage System Blocks 81, 82, and 83 to restore any disturbed areas and advance the establishment of native species within all former agricultural fields and buffer areas adjacent to natural hazard lands and related features. Included in this Plan will be details on wetland creation and restoration required as part of approved wetland removals.
 15. That the Subdivider shall agree within the Subdivision Agreement to erect a permanent fence between the boundary of Blocks 81, 82 and 83 and any residential lands, to prevent any direct entry of landowners/occupants from private lands into these Blocks. Any associated development agreement shall include provisions to prohibit private gates being installed through this fence.
 16. That the Subdivider agree to complete a Trail Impact Study to identify any negative impacts and mitigation required related to any trail design and locations proposed through Blocks 81, 82 and 83 to the satisfaction of the Town and Central Lake Ontario Conservation Authority.
 17. That the Subdivider shall agree to dedicate all Blocks containing Natural Hazard Land to an appropriate public body.
 18. 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*.
 19. 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.
 20. 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 14 to 18 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 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.
21. The Subdivider shall agree that prior to final approval, the Subdivider shall submit to the Ministry of Transportation for their review and approval, a copy of a Storm Water Management Report indicating the intended treatment of the calculated runoff.
22. The Subdivider shall agree that prior to final approval, the Subdivider shall submit to the Ministry of Transportation for their review and approval, a copy of a Traffic Impact Study (report/analysis/assessment) indicating the anticipated traffic volumes and their impact upon the Highway 12. The following intersections/interchanges shall be included in the review:
- Highway 12 at Thickson Road
 - Highway 12 and Columbus Road
 - Brawley Road at Highway 12.
 - Highway 407 at Baldwin Street interchange
 - Highway 407 at Thickson Road interchange
23. The Subdivider shall agree that prior to final approval, the Subdivider shall enter into a legal agreement with the Ministry of Transportation whereby the Subdivider agrees to assume financial responsibility for the design, construction and installation of all necessary associated highway improvements in the case where improvements to the Provincial Highway Network are identified.
24. That the Subdivider agrees to set aside, within the subject plan, Block 74, for public elementary school purposes and Block 73, for public secondary school purposes.
25. That the Subdivider and the Durham District School Board enter into an agreement for the acquisition of Block 74 for public elementary school purposes and Block 73, for public secondary school purposes.

26. 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 74 and Block 73.
27. That the Subdivider provide the Durham District School Board with a report detailing the soil bearing capacity and composition of soils within Block 74 and Block 73, prior to the registration of Phase 1 of the development. Specifically, the report will detail the chemical composition of soils and the presence of methane and/or radon gas within Block 74 and Block 73.
28. That any filling conducted within Block 74 and Block 73 meet the Durham District School Board criteria for soil bearing capacity and be approved by the Durham District School Board soils engineer.
29. That the Subdivider rough grade Block 74 and Block 73 to the satisfaction of the Durham District School Board.
30. That the Subdivider agrees to bring all municipal services and connections to the edge of Block 74 and Block 73, along the street and submit drawings to the Durham District School Board for approval.
31. 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 74 and Block 73 where it abuts proposed existing residential lands (lots or blocks), and/or any other proposed or existing land use, except for active municipal parkland.
32. That the following "Notice to Parents" be inserted in all agreements of purchase and sale between the Subdivider and all prospective homebuyers...

"Students from the development may have to attend existing schools. Although a school site has been reserved within this plan of subdivision, a school may not be constructed for some time, if at all, and then only if the Durham District School Board receives funding for the construction of this required school."
33. That the Subdivider agrees to post in the sales office, or provide a copy to potential homebuyers, of the standard Durham District School Board approved "Notice to Parents".
34. The Subdivider shall convey the following to the Town:
 - a. Block 75 for Local Park;
 - b. Blocks 76, 77 and 78 for Parkettes/Trail Heads;
 - c. Blocks 79 and 80 for Stormwater Management Facilities (SWMF);
 - d. Blocks 81 to 83 for Natural Heritage Systems;

- e. Blocks 84 to 90 for Walkways;
 - f. Block 92 to 97 for Road Widening; and,
 - g. Block 98 to 100 for Municipal Use/Grading.
35. The Subdivider shall implement all changes to the plan for registration resulting from recommendations and findings of the Brooklin North Major Roads Environmental Assessment (BNMREA) and Active Transportation Plan including but not limited to the final right-of-way widths, alignments, and horizontal and vertical designs of Street 'A;'
36. The Subdivider shall be responsible for sidewalk and/or multi-use path installation in the following locations:
- a. 3.0m wide multi-use path on the west side and 1.8m wide concrete sidewalk on the east side of Street 'A' except along Block 75 Local Park where a 2.5m wide concrete sidewalk is required;
 - b. 3.0m wide multi-use path on the south side and a 1.8m wide concrete sidewalk on the north side of Street 'B';
 - c. 2.5m wide concrete sidewalk on the west side and 1.8m wide concrete sidewalk on the east side of Street 'C';
 - d. 2.5m wide concrete sidewalk on the east and north sides of Streets 'D'/'J' along the school block frontage and 1.8m wide concrete sidewalk on the other side;
 - e. 2.5m wide concrete sidewalk on the north side and 1.8m wide concrete sidewalk on the south side of Street 'E';
 - f. 2.5m wide concrete sidewalk on the south side along the local park frontage and 1.8m wide concrete sidewalk on the north side of Street 'T';
 - g. 2.5m wide concrete sidewalk on the north side along the local park frontage and 1.8m wide concrete sidewalk on the south side of Street 'U';
 - h. 2.5m wide concrete sidewalk on the west side and 1.8m wide concrete sidewalk on the east side of Street 'V'; and;
 - i. 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.

37. The Subdivider shall be financially responsible for the reconstruction and urbanization of the south side of existing Brawley Road along the development frontages to a Type 'A' Arterial Town standard or as required to service the needs of the proposed development, from Thickson Road to Street 'A' to the satisfaction of the 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 conditions that match existing, along the external road frontages, can be considered.

38. The Subdivider shall be responsible for intersection controls at Street 'B'/Thickson Road and Street 'P'/Thickson Road to the satisfaction of the Town of Whitby and the Region of Durham. If required, the Subdivider shall be responsible for implementing any plan changes associated with the final acceptable intersection control designs.

39. The Subdivider shall ensure that Street 'P' at Thickson is aligned with any future street on the west side (i.e., 7510 and 7570 Thickson).

40. 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.

41. The Subdivider shall address the comments provided in a separate memo from Transportation Services dated April 15, 2024 (Attachment 2.0) prior to detailed design.

As part of the revised TIS, it shall be demonstrated that 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) are in conformance to street classifications, Transportation Association of Canada (TAC) guidelines and Town of Whitby Design Criteria and Engineering Standards.

Sightline analysis must also be provided at all skewed intersections.

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

42. The Subdivider shall provide a permanent emergency access for Street 'Q' as per the Town's criteria to the satisfaction of Fire Services.

43. 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.
44. 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.
45. 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.
46. The Subdivider shall provide a revised Environmental Constraints Plan (ECP) showing development limits along Natural Heritage System (NHS) areas. The development limits shall be based on environmental features/constraints, including a floodline and shall be established using all applicable environmental buffers/setbacks. The ECP shall include a Town's 6.0m wide access corridor which must be located outside of all environmental features, including the 100-year floodline. The corridor shall not contain any new plantings and shall be accessible for Towns' service vehicles.

Any change to the lot lines adjacent to the NHS (i.e., development limit) must be reflected in the Draft Plan (DP) prior to final approval.
47. 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.
48. Northern lots on Block 1 affected by the temporary cul-de-sac shall be placed on hold until such time as the adjacent development land to the north is developed.
49. 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.
50. 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.

51. The infiltration chambers proposed within Park Block 75 are to be designed to meet all relevant Town, CLOCA and MOECP criteria. Any change to the design that may affect the layout of the chamber system is subject to Community Services acceptance with respect to the overall park design and fitment.
52. Block 26 shall be placed on hold until such time as the Town is in receipt of a satisfactory park design for Block 75 and the infiltration chamber design has been sized to suit. Should modifications to SWM block 80 be required to properly treat additional storm flows from the site based on the final infiltration chamber design, a portion, or all of, the lands from Block 26 shall be conveyed by the Subdivider to the Town (SWM Block 80) to suit the final required SWM facility design.
53. SWM Blocks 79 and 80 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.
54. 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.
55. 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.
56. The Subdivider shall construct all required 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.
57. 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.

58. The Subdivider shall be responsible for providing service connections and a suitable storm drainage outlet for flows associated with Park Block 75 if required and to the satisfaction of Engineering Services and the Community Services Department.
59. The Subdivider shall provide preliminary driveway layouts for Blocks 64, 67 and 68 along the laneway +/- 90° bends to confirm adequate driveway spacing (refer to Standard 411). The plan for registration must be revised to accommodate any required changes.
60. All window streets shall be designed such that they provide for positive boulevard drainage to their respective roadways, while complying with minimum and maximum boulevard grade criteria. Any grade difference between window streets and adjacent roads shall be addressed through the use of maximum 3:1 sloping within a buffer block between the two (2) rights-of-way. Buffer blocks shall also be sized to accommodate any grading requirements to facilitate sidewalk connections to the adjacent street.
61. 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.
62. 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 submission will not be provided final acceptance until it is confirmed that the drawing set-up conforms to this requirement.
63. 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.
64. All plan and profile drawings shall indicate the seasonal high water table elevation and the corresponding Minimum Basement Elevation, all to be confirmed by Hydrogeological Consultant and accepted by Central Lake Ontario

Conservation Authority (CLOCA). The Subdivider shall protect all proposed private dwellings from the seasonal high-water table where applicable.

65. 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.
66. The Subdivider shall provide the Town with a full electrical design (i.e., primary, secondary and streetlight design) for this development. All aspects of the secondary electrical design and street light design will be peer reviewed by the Town. The Subdivider will be financially responsible for the peer review cost including a 15 percent administrative fee. The street lighting design shall comply with the latest version of the RP-8 Roadway Lighting Design standard and shall utilize LED technology.
67. Any concerns raised through future re-submissions of the Geotechnical and Hydrogeotechnical Reports for the site shall be addressed by the Subdivider to the satisfaction of Engineering Services. This includes, but is not limited to, 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.
68. The Subdivider shall provide an assessment of dead, dying, diseased and/or over mature trees along the edge of the natural areas for pruning or topping purposes to address safety and liability concerns. The report must include details for the protection, enhancement, and edge management of the retained vegetated areas. All hazards, debris, or garbage shall be removed prior to the registration of the plan.
69. The Subdivider shall implement a pre-construction survey/assessment, including a vibration monitoring program within the vibration zone of Influence (ZOI), on any adjacent buildings/structures/properties that may be affected by the construction activity, prior to commencing construction. The assessment shall be completed by a qualified person (QP) to the satisfaction of the Town and shall be provided to the Town prior to construction. Any waiving of this requirement shall be at the sole discretion of the Director of Engineering Services of the Town of Whitby.
70. 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.

71. 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.
72. The Subdivider shall provide a copy of the approved individual lot grading plan (i.e., siting) to each lot purchaser prior to closing.
73. The Subdivider shall agree to implement the recommendations of all reports submitted in support of the application.
74. The Subdivider shall be responsible for satisfying any additional requirements identified by the Engineering Services not specifically listed above.
75. The Subdivider shall satisfy their obligations related to parkland dedication as required in a Brooklin Master Parks Agreement or other arrangement to the satisfaction of the Town. Parkland dedication will be calculated at a rate in accordance with the Town's Parkland Dedication By-Law and the Planning Act.
76. The Subdivider shall convey Block 75 at a minimum size of 1.44 hectares to the Town, free and clear of all costs and encumbrances to the satisfaction of the Senior Manager of Parks Planning and Development, upon registration of the subdivision.
77. The Town will consider the provision of a stormwater infiltration system within the park block if it cannot be accommodated elsewhere within the development such as within designated SWM Blocks, rear yard infiltration trenches, or open spaces, and it supports the achievement of highest tier of the Whitby Green Standards by providing a significant increase to the infiltration capacity for the development.
78. The parkland credit for any area of the park block encumbered by stormwater facilities, including the excavation setback zone, may be reduced at a rate determined by the Town and based on the detailed design and impact to the lifecycle of the park to the satisfaction of the Senior Manager of Parks Planning and Development. Encumbered parkland will only be accepted if it does not negatively influence the optimal park design, to the satisfaction of the Senior Manager of Parks Planning and Development.
79. Prior to acceptance of any stormwater management facilities within the park block and prior to approval of the detailed servicing and grading plans, the subdivider shall prepare detailed park design and grading plans, prepared by a qualified landscape architect, that achieve the Town's park design and lifecycle criteria, outlined below, to the satisfaction of the Senior Manager of Parks Planning and Development.

80. The Subdivider shall submit a detailed park design and grading plans and supporting documentation addressing the following park design and lifecycle criteria, to the satisfaction of the Senior Manager of Parks Planning and Development:
- a) The proposed shape, orientation and size of the footprint of the underground stormwater facility be reconfigured and/or reduced to accommodate the Town's required park facilities and design requirements.
 - b) Park facilities and amenities shall include:
 - i. Separated junior and senior playgrounds (minimum combined size of 750m²)
 - ii. Two tennis courts (31m x 35m), oriented north-south
 - iii. Multi-skills court (36m x 19m), oriented north-south and setback 40 metres from any residential uses
 - iv. One shade structure (minimum 64m²)
 - v. Asphalt walkways (2.5m)
 - vi. Seating/benches
 - vii. Large open lawn area (minimum 2,500m²)
 - viii. Tree planting, including continuous perimeter tree planting along all street frontages.
 - c) Outline of the stormwater management facility plus the setback for future excavations of the stormwater management structure using a width that is equal to approximately 1.2 times the dimension from surface grade to the underside of the base of the stormwater management structure.
 - d) All permanent park structures and trees shall be located outside of the footprint of the stormwater facility, including the excavation setback zone.
 - e) Provision of sufficient soil to a minimum depth of 1.5 metres as measured from the top of any granular material to the finished grade of the park.
 - f) Demonstrate that no disruption to the ongoing usage of the park facilities by the public will occur based on the preparation of a construction management plan for the lifecycle replacement of the stormwater management facility. The plan should illustrate ongoing park access, tree preservation measures, safety fencing and mitigation of any construction areas, solution to soil storage, construction access/staging, dust control, and any other requirements to the satisfaction of the Town.

81. If the park design and lifecycle replacement criteria cannot be satisfied due to the proposed stormwater encumbrance to the satisfaction of the Senior Manager of Parks Planning and Development, then an alternative stormwater management solution will be required and the subdivider shall be responsible to revise the draft plan of subdivision and engineering documents as necessary to accommodate the stormwater infrastructure elsewhere within the development.
82. Parkette Blocks 76 and 77 identified on the draft plan dated May 10, 2024 will not be eligible for any parkland credit. These blocks shall be revised and renamed to Open Space Blocks 76 and 77 if the intent is to convey these lands to the Town.
83. The Subdivider shall provide grading works, topsoil, and an as-built grading survey, prepared by a qualified person, for all park blocks, to the satisfaction of the Senior Manager of Parks Planning and Development.
84. After completion of park grading works, the subdivider shall provide an as-built grading plan and geotechnical report, prepared by a qualified person, for all park blocks, to the satisfaction of the Senior Manager of Parks Planning and Development.
85. The Subdivider shall provide the following servicing and utility connections to park block 75, to the satisfaction of the Senior Manager of Parks Planning and Development and in accordance with the Town's Design Criteria and Engineering Standards:
 - a) A stormwater catch basin at the low point of each catchment area(s) within the park block.
 - b) A 200 mm sanitary connection extending 1 metre into the park and terminating in a manhole at an elevation flush with the adjacent grades.
 - c) A 50 mm water supply connection with a shutoff valve at the property line and the water line extending 1 metre into the park block and plugged.
 - d) A single-phase electrical connection.
86. The Subdivider agrees to convey all natural heritage blocks (Blocks 81, 82, and 83) to the Town in a physical condition to the satisfaction of the Parks Planning and Development Department, upon registration of the plan of subdivision.
87. The Subdivider shall be responsible for detailed design and construction of the off-road trails within the subject draft plan of subdivision, including Natural Heritage Blocks 82 and 83, to the satisfaction of the Senior Manager of Parks Planning and Design and shall secure any additional permits or approvals at no cost to the Town.

88. All trails, trail crossing, bridges, boardwalks, culverts, structures shall be designed and constructed by the developer at their cost, in accordance to Community Services Department, Parks Development Division requirements.
89. The composite transportation plan shall be revised to identify an off-road trail within Natural Heritage Block 82, which shall run the length of Block 82 and connect from Brawley Road to Block 95. Where the off-road trail runs parallel to the SWM maintenance road within Block 80, the maintenance road shall be utilized for that section of trail.
90. An off-road trail crossing of Tributary B/NHS Block 83 shall be identified on the composite transportation plan from the north termination of the trail within Block 83 to cul-de-sac at the north of Street Q or an alternative location to the satisfaction of the Senior Manager of Parks Planning and Development.
91. The trail design and grading requirement shall include, but are not limited to the following:
- a) Trails to be constructed to details and specifications provided by the Parks Planning and Development Division.
 - b) All trails shall be planned and designed to meet accessibility standards.
 - c) All primary trails shall be planned and designed to a minimum width of 2.5 metres and surfaced in asphalt.
 - d) 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.
 - e) 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%.
 - f) Trail grades are generally not to exceed 2% cross slope and 5% longitudinal slope unless unavoidable due to existing grades.
 - g) Rest areas and benches are to be provided at a rate of 3 per kilometer of trail.
92. The Subdivider shall prepare an Environmental Impact Study which details all potential impact from the off-road trail works, to the satisfaction of the Town and CLOCA.
93. Prior to registration, the Subdivider shall secure approval of the trail design from CLOCA and any other applicable approval authorities.
94. If it is identified through the detailed design and grading of the trails that additional land is required to accommodate the off-road trail requirements of the

Town and other approval authorities, then the natural heritage blocks and adjacent residential lots shall be adjusted to the satisfaction of the Senior Manager of Parks Planning and Development.

95. The Subdivider shall advise potential purchasers of the location of the proposed park facilities and off-road trails by providing plans, approved by the Senior Manager of Parks Planning and Development, in all sales offices and agreements of purchase and sale for any dwelling units within the draft plan of subdivision.
96. Detailed Subdivider obligations concerning parks and trails development will be included in the associated subdivision agreements based on review of the detailed design and grading plans, to the satisfaction of the Senior Manager of Parks Planning and Development.
97. Prior to execution of the Subdivision Agreement, the subdivider shall provide a Letter of Credit, in an amount to be determined by the Senior Manager of Parks Planning, to secure delivery of base park and off-road trail works.
98. The Subdivider agrees to install a 1.2 metre black vinyl standard park fence where any open space and park blocks abut residential lots.
99. The Subdivider shall be responsible for satisfying any additional requirements identified by Parks Planning and Development not specifically listed above.
100. The Subdivider shall ensure all municipal trees proposed for removal are appraised by an ISA Certified Arborist. The appraisal must be approved by the Town Forestry staff and the Subdivider shall provide cash compensation to the Town of Whitby Tree Reserve in accordance with the approved appraisal.
101. The Subdivider shall provide a Tree Preservation Plan in coordination with an Erosion and Silt Control (ESC) fencing. Once installed, the Tree protection fencing is to be inspected and approved by the Town in advance of any on-site grading works.
102. The Subdivider shall ensure any dead, diseased or hazardous trees adjacent to the proposed development are identified and removed in coordination with the Town Planning and Forestry staff.
103. The Subdivider shall ensure all adjacent boulevards are urbanized, top-soiled, fine-graded, sodded and provided with buffer tree planting.
104. The Subdivider shall provide the Town with a detailed Compensation Planting Plan & NHS Edge Management, Restoration and Enhancement Plan through a revised EIS. Once approved, a cost estimate is to be provided so the Town can secure these works through a Landscape LC.

105. The Subdivider agrees that as soon as grading works are complete and prior to registration of the subdivision, the approved "Restoration Plan" will be implemented and stabilized to the satisfaction of Town of Whitby & CLOCA. Given that access to the proposed restoration areas within the Greenbelt may be restricted once construction of the buildings occurs, it is recommended that implementation occur prior to construction commencing and access to this area be restricted.
106. The Subdivider shall ensure the success and management of the Restoration Plan is monitored for a 3-year period by the Landscape Consultant. Annual inspections with and reporting to both the Town and CLOCA is required during this period.
107. 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.
108. The Subdivider shall convey protected and undevelopable lands to the Town where, in public ownership, the lands will be protected in perpetuity. This includes block 79-83; the Greenbelt lands to the east of the development (Block 82), NHS Blocks 83&81 & SWM Pond Blocks 79&80.
109. The Subdivider shall ensure all black vinyl chainlink fences are designed and constructed in accordance with the relevant Engineering Standards to delineate Town blocks and Open spaces from private property.
110. The Subdivider shall ensure the three (3) Category 2 Butternuts to be removed and harmed will be registered and approved from the Ontario Ministry of Natural Resources and Forests prior to any disturbance.
111. The Subdivider shall consult with Canada Post to determine suitable permanent locations for Community Mail Boxes. The Subdivider will indicate these locations on the appropriate servicing plans.
112. That the Subdivider enter into a Subdivision Agreement for the subdivision, and a future Site Plan Agreement for each block with the Municipality and be responsible for the fees associated with the preparation and registration of the Agreement, including any review required by Legal Services.
113. The required noise mitigation measures and warning clauses shall be included in the Subdivision Agreement and future Site Plan Agreements.
114. The Subdivider shall provide a tree preservation plan and install protective fencing in advance of any on-site grading works.

115. Through the Plan of Subdivision Agreement, the Subdivider shall complete the Whitby Green Standard performance measures as part of the construction of the approved development as detailed in Sustainability Rationale Report submitted by the proponent.
116. That the new home construction be designed to meet the Energy Star standards or equivalent.
117. The Subdivider shall prepare and implement the following reports and plans in accordance with the applicable guidelines to the satisfaction of the agencies noted:

Report	Town	Region	CLOCA
Functional Servicing and Stormwater Management Report	Yes	Yes	Yes
Geotechnical Investigation	Yes	Yes	Yes
Hydrogeological Study	Yes	Yes	Yes
Noise Impact Study	Yes	Yes	-
Phase One Environmental Site Assessment	Yes	Yes	-
Archaeological Assessment	Yes	Yes	-
Sustainability Report	Yes	-	-
Transportation Impact Study	Yes	Yes	-
Trail Impact Study	-	-	Yes

118. 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.
119. That the Subdivider covenants and agrees to enter into the cost sharing agreement amongst the benefitting landowners in accordance with Section 11.4.31.5 e) and f) as set out in the Town of Whitby Official Plan and that the Town will clear Condition No. 119 upon receipt of a letter of clearance from the "Trustee" representing the North Brooklin Cost Sharing Agreement.
120. 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 to 12 have been satisfied.
 - b) The Central Lake Ontario Conservation Authority, how conditions 13 to 20 have been satisfied.
 - c) The Ministry of Transportation, how conditions 21 to 23 have been satisfied.

- d) The Durham District School Board, how conditions 24 - 33 have been satisfied.

Note

Please be advised that the approval of this draft plan will lapse three (3) years after the date the plan is draft approved. The approval may be extended pursuant to Section 51(33) of the Planning Act, but no extension can be granted once the approval has lapsed.

If final approval is not given to this plan within three (3) years of the draft approval date, and no extensions have been granted, draft approval will lapse under 51 (32) of the Planning Act, RSO, 1990, as amended. If the owner wishes to request an extension to the draft approval, a written request and explanation must be received by the Commissioner of Planning and Development 120 days prior to the lapsing date. A processing fee in effect at the time of request, shall apply.