

**CITY COUNCIL'S CONDITIONS APPLYING TO THE APPROVAL OF THE FINAL
PLAN FOR REGISTRATION OF THE SUBJECT SUBDIVISION ARE AS FOLLOWS:**

1. That this draft approval applies to the draft plan of subdivision of Part of Parcels 1880 and 416 S.W.S., Lot 6, Concession 4, Township of Waters, as shown on a plan prepared by Peter M. Bull, O.L.S. and dated March 27th, 1995.
 - a. That the plan prepared by Peter M. Bull, O.L.S. and dated March 27th, 1995 shall be revised to incorporate the re-aligned road network shown on the sketch entitled Amended Road Network and dated October 6, 2009. The revision shall include a 20 metre road right-of-way whereas the Amended Road Network Plan depicts a 19 metre road right-of-way.
2. That the street(s) shall be named to the satisfaction of the Municipality.
3. That any dead-ends or open sides of road allowances created by this plan of subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the Municipality and held in trust by the Municipality until required for future road allowances or the development of adjacent land.
4. That prior to the signing of the final plan, the Planning Services Division shall be advised by the Ontario Land Surveyor responsible for preparation of the final plan, that the lot areas, frontages and depths appearing on the final plan do not violate the requirements of the Restricted Area By-laws of the Municipality in effect at the time such plan is presented for approval.
5. That the subdivision agreement be registered by the Municipality against the land to which it applies, prior to any encumbrances.
6. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
7. That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Greater Sudbury, concerning the provision of roads, walkways, street lighting, sanitary sewers, watermain, storm sewers and surface drainage facilities, sidewalks, stormwater management facilities and installation of services.
8. That the subdivision agreement contain provisions whereby the owner agrees that all the requirements of the subdivision agreement including installation of required services be completed within 3 years after registration.
9. That 5% of the land included in the subdivision be deeded to the City of Greater Sudbury for parks purposes pursuant to Subsection 51.1(1) of The Planning Act, R.S.O. 1990 as amended.

10. That the plan described in Item 1. of this conditional approval be revised to provide an appropriate temporary turnaround incorporating a 0.3 metre reserve on A-Street and B-Street to the satisfaction of the General Manager of Growth and Infrastructure.
11. Prior to the submission of servicing plans, the owner shall have a stormwater management report and plan prepared, signed, sealed, and dated by a professional engineer with a valid certificate of authorization. Said report shall establish how the quantity and quality of stormwater will be managed for the subdivision development and assess the impact of stormwater runoff from this developed subdivision on abutting lands, on the downstream storm sewer outlet systems and on downstream water courses. The report shall deal with the control of both the 1:5 year, 1:100 year, and Regional Storm events, so as to limit the volume of flow generated on the site to pre-development levels. The Regional Storm flow path is to be set out on the plan(s). The report shall set out any necessary improvements to downstream storm sewers and water courses. The civil engineering consultant shall meet with the Development Approval Section prior to commencing the storm water management report.
12. The owner shall provide a detailed lot grading plan prepared, signed, sealed, and dated by a professional civil engineer with a valid certificate of authorization for the proposed lots as part of the submission of servicing plans. This plan must show finished grades around new houses, retaining walls, sideyards, swales, slopes and lot corners. The plan must show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties. A lot grading agreement shall be registered on title, if required, to the satisfaction of the Director of Planning Services and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the associated lot grading agreement.
13. That the subdivision agreement contain provisions whereby the owner agrees to construct a watermain loop from the existing watermain on Jacob Street to the existing watermain on Herman Mayer Drive, and that no building permits will be issued for lots not fronting Black Lake Road until such watermain loop construction has been completed all to the satisfaction of the General Manager of Growth and Infrastructure.
14. That the owner prepare a sediment control plan for the construction phase of the project to the satisfaction of the Nickel District Conservation Authority.
15. That the owner prepare a lot grading/storm water management plan addressing stormwater runoff from this developed subdivision on Junction Creek to the satisfaction of the Nickel District Conservation Authority, and that any alterations to the creek that result in lots being created along the former creek bed will require an engineering study, to determine their feasibility for development.

16. That prior to the signing of the final plan, a detailed soils report shall be prepared by a qualified engineer, to the satisfaction of the Chief Building Official and the Nickel District Conservation Authority, with respect to those lands generally described as being Lots 35 to 36 and Lots 57 to 65 inclusive on the draft plan, and the area where the creek was located, outlining how any problems associated with poor soil conditions can be overcome, and construction techniques which will be required for the construction of homes on the subject lands. A soils caution agreement, if required, shall be registered on title to the satisfaction of the Chief Building Official and City Solicitor.
17. That a notice be placed on the title to each lot described in Item (j) indicating that during construction of building foundations, the builder will be required to have a qualified soils engineer attest to the adequacy of the soil to support appropriate footings, and that this information is to be conveyed to the Chief Building Official for approval to pour the footings. A soils caution agreement, if required, shall be registered on title to the satisfaction of the Chief Building Official and City Solicitor.
18. That the subdivision agreement contain provisions whereby the owner agrees to provide mail delivery services to the satisfaction of Canada Post.
19. Deleted.
20. Draft approval does not guarantee an allocation of sewer or water capacity. Prior to the signing of the final plan, the Planning Services Division is to be advised by the General Manager of Growth and Infrastructure that sufficient sewage treatment capacity and water capacity exists to service the development.
21. That this draft approval shall lapse on July 30, 2021.
22. That prior to the signing of the final plan the Planning Services Division is to be advised by the City Solicitor that Conditions #3, #5, #6, #7, #8, #9, #10, #12, #13, #16, #17, #18 #25 and #43 have been complied with to his/her satisfaction.
23. Deleted.
24. That prior to the signing of the final plan the Planning Services Division is to be advised by the Nickel District Conservation Authority that Conditions #14 and #15 have been complied with.
25. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the Director of Planning Services, provide an updated geotechnical report prepared, signed, sealed, and dated by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommend construction procedures for any proposed storm and sanitary sewers, stormwater

management facilities, watermains, roads to a 20 year design life, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. Included in this report must be details regarding the removal of substandard soils (if any) and placement of engineered fill (if required) for the construction of homes. Also, the report must include an analysis illustrating how the groundwater table will be lowered to a level that will not cause problems to adjacent boundary housing and will, in conjunction with the subdivision grading plan, show that basements of new homes will not require extensive foundation drainage pumping. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services.

26. The applicant/owner shall provide to the City, as part of the submission of servicing plans a Siltation Control Plan detailing the location and types of sediment and erosion control measures to be implemented during the construction of each phase of the project. Said plan shall be to the satisfaction of the General Manager of Growth and Development and the Nickel District Conservation Authority. The siltation control shall remain in place until all disturbed areas have been stabilized. All sediment and erosion control measures shall be inspected daily to ensure that they are functioning properly and are maintained and/or updated as required. If the sediment and erosion control measures are not functioning properly, no further work shall occur until the sediment and/or erosion problem is addressed.
27. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
28. The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Greater Sudbury Hydro Plus or Hydro One, Bell, Union Gas, Canada Post, Eastlink. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase. The utilities servicing plan must be designed by a consulting engineer with a valid Certificate of Authorization from the Association of Professional Engineers of Ontario. The owner/applicant shall be responsible for all costs associated with the installation of said services.
29. The final plan shall be integrated with the City of Greater Sudbury Control Network to the satisfaction of the Coordinator of the Surveying and Mapping Services. The survey shall be referenced to NAD83(CSRS) with grid coordinates expressed in UTM Zone 17 projection and connected to two (2) nearby City of Greater Sudbury Control Network monuments. The survey plan must be submitted in an AutoCAD compatible digital format. The submission shall be the final plan in content, form and format and properly geo-referenced.

30. Prior to any vegetation removal or other site alteration on the subject lands, the owner shall consult with the Ministry of Natural Resources and Forestry with respect to the presence of any species at risk under the Endangered Species Act. The owner shall demonstrate to the satisfaction of the Director of Planning Services that all requirements set out by MNRF under the Endangered Species Act have been satisfied.
31. All streets will be constructed to an urban standard, including the required curbs and gutters, and sidewalks.
32. The owner shall provide proof of sufficient fire flow in conjunction with the submission of construction drawings for each phase of construction. All costs associated with upgrading the existing distribution system to service this subdivision will be borne totally by the owner.
33. The owner shall provide proof of sufficient sanitary sewer capacity in conjunction with the submission of construction drawings for each phase of construction. All costs associated with upgrades to the downstream works required to service this subdivision will be borne totally by the owner.
34. As part of the submission of servicing plans, the owner shall have rear yard slope treatments designed by a geotechnical engineer licensed in the Province of Ontario incorporated into the lot grading plans if noted as required at locations required by the Director of Planning Services. Suitable provisions shall be incorporated into the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the Director of Planning Services.
35. The owner shall be required to ensure that the corner radius for all intersecting streets is to be 9.0 m.
36. The owner will be required to provide permanent site and erosion control drainage works to the subdivision's storm water outlet to the satisfaction of the General Manager of Growth and Infrastructure.
37. The owner/applicant shall be responsible for the design of any required stormwater management facility as part of the servicing plans for the subdivision and the owner shall provide the lands for the stormwater management facility as a condition of this development.
38. The owner shall be required to have all stormwater management facilities constructed and approved by the City prior to initial acceptance of roads and sewers or at such time as the Director of Planning Services may direct.
39. The owner shall provide sodded rear yard drainage swales as a condition of the initial acceptance of the subdivision infrastructure to the satisfaction of the Director of Planning Services.

40. Final approval for registration may be issued in phases to the satisfaction of the Director of Planning Services, provided that:
 - i) Phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure and other essential services; and,
 - ii) all agencies agree to registration by phases and provide clearances, as required, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phases sought to be registered.
41. The owner shall provide the required soils report, stormwater, water, sanitary sewer and lot grading master planning reports and plans to the Director of Planning Services prior to the submission of servicing plans for any phase of the subdivision.
42. That the owner shall have completed all major outstanding infrastructure deficiencies that are critical to the overall function of the subdivision in previous phases of the plan that have been registered, or have made arrangements for their completion, prior to registering a new phase of the plan, to the satisfaction of the General Manager of Growth and Infrastructure.
43. That in accordance with Section 59(4) of the Development Charges Act, a notice agreement shall be registered on title to ensure that persons who first purchase the subdivided lands after registration of the plan of subdivision are informed, at the time the land is transferred, of all development charges related to development.