

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 Parcel 49532, Lots 163 to 165, Plan M-423, and Part of Lakewood Drive, all in Lot 2, Concession 2, McKim Township as shown on a plan of subdivision prepared by Terry Del Bosco, O.L.S., dated December 24th, 2002, as amended by Dennis Consultants on May 21st, 2003 and attached to the staff report dated May 21st, 2003, and as further amended by a plan issued by Dennis Consultants on March 29, 2004 under the title 'Twin Lakes Subdivision - Revised Layout'.
2. That the street(s) shall be named to the satisfaction of the City of Greater Sudbury.
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 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.
8. That 5% of the land, or alternatively 5% of the cash value of the land, included in the plan of subdivision be deeded or provided to the City of Greater Sudbury for parks purposes in accordance with Section 50.1(1) of The Planning Act.
9. 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.

10. 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. The report should also include design information and recommend construction procedures for storm and sanitary sewers, storm-water management facilities, water-mains, roads to a 20 year design life, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. In addition, included in this report must be details regarding remove of substandard soils, if any, and placement of engineered fill, if required, for the construction of new residential dwellings. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services. A soils caution agreement, if required, shall also be registered on title, to the satisfaction of the Chief Building Official and the City Solicitor.
11. The owner shall provide, to the satisfaction of the General Manager of Growth and Infrastructure, the Director of Planning Services and the Nickel District Conservation Authority, a detailed Lot Grading and Drainage Plan prepared, signed, sealed, and dated by a professional civil engineer with a valid Certificate of Authorization from the Association of Professional Engineers of Ontario, for the proposed lots as part of the submission of servicing plans. This plan must show finished grades around new houses, retaining walls, side yards, 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 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.
12. As part of the submission of servicing plans, the owner/applicant shall have rear yard slope treatments designed by a geotechnical engineer with a valid Certificate of Authorization from the Association of Professional Engineers of Ontario, incorporated into the plans at locations required by the General Manager of Growth and Infrastructure. Suitable provisions shall be incorporated in the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the General Manager of Growth and Infrastructure.
13. Deleted.
14. Deleted.
15. The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, storm sewers and related appurtenances.
16. 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, watermains, storm sewers and surface drainage facilities.

17. Draft approval does not guarantee an allocation of sewer or water capacity. Prior to the signing of the final plan, the Director of Planning 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.
18. The developer will be required to construct a 300 mm watermain along Street "A" to Street "B", along Street "B" and then along Lakeview Drive to the easterly boundary of the subdivision.
19. The developer shall be required to provide a 1.6 m walkway and associated works on Block 73 to the satisfaction of the General Manager of Growth and Infrastructure.
20. That this draft approval shall lapse on July 24, 2021.
21.
 - a) That prior to any drilling and blasting work being conducted on the subject property the owner shall investigate all private wells used for domestic water sources for all properties abutting the subject property; that during and following blasting these same wells be monitored by the owner of the subject property for any loss of quantity or quality of water; and, that the owner agree to the satisfaction of the General Manager of Growth and Infrastructure to rectify any situations where there is a loss in quantity and/or quality of water in an existing well.
 - b) That a peer review be undertaken of the above described study, by a qualified consultant, chosen by the municipality, at the cost of the owner.
 - c) The agreement in a) shall contain provisions for deposits for financial guarantees and suitable time limits for the resolution of water problems should they occur as a result of the subdivision development.
22. That in accordance with the phasing as shown on the Revised Draft Plan dated May 21, 2003 only Phase 1 shall be permitted prior to June, 2005.
23. That in accordance with the phasing as shown on the Revised Draft Plan dated May 21, 2003, Phase 4 shall not be permitted until such time as municipal sanitary sewer and water services have been extended to service the opened portion of Arlington Drive and Belmont Drive and Lakewood Drive west of Belmont Drive.
24. 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, #11, #12, #14, #16, #21, #31 and #32 have been complied with to his satisfaction.
25. Deleted.

26. The owner/applicant shall provide Utilities Servicing Plans, designed by a consulting engineer with a valid Certificate of Authorization from the Association of Professional Engineers of Ontario, for the proposed lots, to the satisfaction of the Director of Planning Services. The utilities servicing plan, at a minimum, shall show the location of all utilities including City services, Greater Sudbury Hydro Plus or Hydro One, Bell, Union Gas, Eastlink and Canada Post. This plan must be provided prior to construction of any individual phase. The owner/applicant shall be responsible for all costs associated with the installation of said services.
27. The owner is to provide proof of sufficient fire flow in conjunction with the submission of construction drawings for each phase of construction to the satisfaction of the General Manager of Growth and Infrastructure Services. All costs associated with upgrading the existing distribution system to service this subdivision will be borne totally by the owner.
28. The owner/applicant is to provide proof of sufficient sanitary sewer capacity in conjunction with the submission of construction drawings for each phase of construction to the satisfaction of the General Manager of Growth and Infrastructure Services. All costs associated with upgrading the existing collection system and/or sewage lift stations to service this subdivision will be borne totally by the owner/applicant.
29. The owner shall provide to the City, as part of the submission of servicing plans a Siltation Control Plan. The Siltation Control Plan must show the location and types of sediment and erosion control measures to be implemented. The siltation controls shall remain in place until all disturbed areas have been stabilized. All implemented. The siltation controls 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 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. 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. Said plan shall be to the satisfaction of the General Manager of Growth and Infrastructure and the Nickel District Conservation Authority.
30. The roadways connecting South Bay Road to Lakewood Drive be constructed to an urban residential standard with a sidewalk on one side. It is recommended that a sidewalk be constructed along one side of the most southerly cul-de-sac to connect with the walkway that is required on Block 73.
31. The owner shall to the satisfaction of the Director of Planning Services of the City of Greater Sudbury and Canada Post agree in the subdivision agreement to include in all offers of purchase and sale, a statement:

- i. That advises the prospective purchaser that the home/business mail delivery will be from a designated Centralized Mail Box; and,
 - ii. That the owner be responsible for officially notifying the purchasers of the Centralized Mail Box locations prior to the closing of any home sales.”
32. The owner further agrees in the subdivision agreement to:
- a) Work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations, which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision;
 - b) Install a concrete pad in accordance with the requirements of, and in locations to be approved by, Canada Post to facilitate the placement of Community Mail Boxes;
 - c) Identify the pad above on the engineering servicing drawings. The pad is to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision; and,
 - d) Determine the location of all centralized mail facilities in cooperation with Canada Post and to post the location of these sites on appropriate maps, information boards and plans.”
33. The owner shall provide a geotechnical report to the satisfaction of the Chief Building Official on how the work related to blasting shall be undertaken safely to protect adjoining structures and other infrastructure. The geotechnical report shall be undertaken by a blasting consultant defined as a professional engineer licensed in the Province of Ontario with a minimum of five (5) years experience related to blasting.
34. A blasting consultant shall be retained by the owner and shall be independent of the contractor and any subcontractor doing blasting work. The blasting consultant shall be required to complete specified monitoring recommended in their report of vibration levels and provide a report detailing those recorded vibration levels. Copies of the recorded ground vibration documents shall be provided to the contractor and contract administration weekly or upon request for this specific project.
35. Prior to the commencement of any removal of rock by blasting the owner shall submit a geotechnical report to the satisfaction of the Chief Building Official which will provide recommendations and specifications on the following activity as a minimum but not limited to:
- i. Pre-blast survey of surface structures and infrastructure within affected area;
 - ii. Trial blast activities;
 - iii. Procedures during blasting;
 - iv. Procedures for addressing blasting damage complaints;

- v. Blast notification mechanism to adjoining residences; and,
 - vi. Structural stability of exposed rock faces.”
36. Should the developer’s schedule require to commence blasting and rock removal prior to the subdivision agreement having been signed, a site alteration permit shall be required under the City of Greater Sudbury’s By-law #2009-170 and shall require a similar geotechnical report as a minimum prior to its issuance.
37. Deleted.
38. Deleted.
39. Deleted.
40. Deleted.
41. Deleted.
42. 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 phase sought to be registered.
43. 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.
44. That in accordance with Section 59(4) of the Development Charges Act, a notice of agreement shall be registered on title to ensure that persons who first purchase the subdivided land after registration of the plan of subdivision are informed, at the time the land is transferred, of all development charges related to development.
45. A storm-water management report and associated plans must be submitted by the owner’s consulting engineer for approval by the City to the satisfaction of the General Manager of Growth and Infrastructure. The report must address the following requirements:

- a) The underground storm sewer system within the plan of subdivision must be designed to accommodate and/or convey the minor storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's two year design storm. The permissible minor storm discharge from the subject development must be limited to 20% below the existing pre-development site runoff resulting from a two year design storm. Any resulting post development runoff in excess of this permissible discharge rate must be controlled and detained within the plan of subdivision;
 - b) The overland flow system within the plan of subdivision must be designed to accommodate and/or convey the major storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 100 year design storm or Regional storm event, whichever is greater, without causing damage to proposed and adjacent public and private properties. The permissible major storm discharge from the subject development must be limited to 20% below the existing pre-development runoff resulting from a 100 year design storm or Regional storm event, whichever is greater;
 - c) "Enhanced" level must be used for the design of storm-water quality controls as defined by the Ministry of the Environment, Conservation and Parks;
 - d) Storm-water management must follow the recommendations of the Ramsey Lake Sub-watershed Study;
 - e) The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any storm-water management plan;
 - f) The final grading of the lands shall be such that the surface water originating on or tributary to the said lands, including roof water from buildings and surface water from paved areas, will be discharged in a manner satisfactory to the General Manager of Growth and Infrastructure;
 - g) Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties;
 - h) Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted; and,
 - i) The owner shall be responsible for the design and construction of any required storm-water management works as part of the servicing plans for the subdivision and the owner shall dedicate the lands for storm-water management works as a condition of this development.
46. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner/applicant.

47. The owner shall provide Master Servicing Plans to the satisfaction of the General Manager of Growth and Infrastructure for both the sanitary and storm sewer as well as water-mains as they pertain to the new subdivision layout. Said plans are to show general alignment details, number of units and area serviced by individual runs, pipe diameter and flow direction. Said plan shall ensure that pipe diameters and alignments are established in order to support all phases of development.

NOTES:

1. In accordance with Planning Committee Recommendation #2003-95, which was ratified by Council on June 12, 2003, this draft approval shall not come into effect until Official Plan Amendment # 220 to the Official Plan for the Sudbury Planning Area comes into affect.