

**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 PINs 73348-0005, 73348-0432 & 73348-0579 in Lots 2 & 3, Concession 2, Township of Balfour as shown on a plan of subdivision prepared by Terry Del Bosco, O.L.S., and dated November 28, 2012, as amended by a plan prepared by Terry Del Bosco, O.L.S., and dated August 15, 2018.
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, watermains, storm sewers and surface drainage facilities.
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. Draft approval does not guarantee an allocation of sewer or water capacity. Prior to the signing of the final plan, the Director of Planning Services is to be advised by the General Manager of Growth and Infrastructure that sufficient sewage treatment capacity and water capacity exist to service the development.
10. That this draft approval shall lapse on December 12, 2022.
11. 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

12. The owner shall be required to upgrade Errington Avenue from Street 'F' to Mainville Street, to an urban collector standard complete with a sidewalk along the west side. The owner shall contribute towards the improvement on a per lot basis, with the total amount paid prior to half of the subdivision (142 lots) being completed. The contribution per lot will be determined at the time of registration and it will be adjusted annually based on the CanaData Construction Cost Index.
13. The owner shall be required to contribute towards the cost of constructing a sidewalk along the west side of Errington Avenue north of Mainville Street to connect to Highway 144. As per the City's Cost Sharing Policy, the owner is responsible for 100 percent of the cost for the first 100 metres of sidewalk. The City will be responsible for 100 percent of the cost for the remaining 55 metres.
14. That the following conditions be addressed to the satisfaction of the Ministry of Transportation:
  - a) A Traffic Impact Study (TIS) prepared by a Registry, Appraisal and Qualification System (RAQS) qualified traffic consultant shall be submitted for Ministry review. The TIS must determine if the proposed subdivision will have any impacts in respect to the operational viability of the intersections of Errington Avenue, Isidore Street, Richard Street and Leroux Street with Highway 144;
  - b) A stormwater management report shall be submitted for the Ministry's review;
  - c) A 0.3 metre reserve shall be created in front of Blocks A & B and transferred to the Ministry; and,
  - d) The existing highway entrance located along Block A must be removed and the Ministry ROW re-instated to the Ministry's satisfaction.
15. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the Director of Planning Services and Conservation Sudbury, 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, watermain, 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. A soils caution agreement shall be registered on title, if required, to the satisfaction of the Chief Building Official and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement.

16. All streets will be constructed to an urban standard, including the required curbs and gutters.
17. 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, 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 and show the stormwater overland flow path. The plan shall be submitted to the satisfaction of the Director of Planning Services and Conservation Sudbury. A lot grading agreement shall be registered on title, if required, to the satisfaction of the Director of Planning Services and the City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement.
18. The owner agrees to provide the required soils report, 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.
19. The owner shall develop a siltation control plan for the subdivision construction period to the satisfaction of the Director of Planning Services and Conservation Sudbury.
20. Any streetlights required for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
21. 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.
22. 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, and 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.
23. 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.

24. 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 upgrading the existing collection system to service this subdivision will be borne totally by the owner.
25. The owner shall be responsible to have a stormwater management report prepared to assess how the quality and quantity of stormwater will be managed for the subdivision development, in addition to the flows generated from upstream lands. The report shall establish how the quantity of stormwater generated within the subdivision will be controlled to pre-development levels for the 1:5, 1:100 and Regional Storm events. The owner shall be required to submit a comprehensive drainage plan of the subject property, and any upstream areas draining through the subdivision. The quality of the stormwater must meet an "enhanced" level of protection as defined by the Ontario Ministry of Environment. The plan shall be submitted to the satisfaction of the Director of Planning Services, Conservation Sudbury and the Ministry of Transportation. The Whitson River subwatershed study has commenced. The owner agrees to implement recommendations from the Whitson River subwatershed study into their subdivision design.
26. Development adjacent to natural watercourses located on Lots 66, 67 and 68, Lots 76 to 89, Lots 91 and 92, Lots 99 to 105, Lots 150 to 156, Lot 231, Lots 236 to 242, must be reviewed and approved to the satisfaction of the Conservation Sudbury. This requirement also applies to any other associated lots with this development which may not be listed above.
27. Development on Lots 1 to 19, Block A and Block B, adjacent to the realigned Whitson River - Tributary III, must be reviewed and approved by Conservation Sudbury. A Flood Plain Study will be required to the satisfaction of Conservation Sudbury in order to assess the impact of the realigned watercourse on the proposed lots, which may include adjusting the rear lot lines of Lots 1 to 19, Block A and Block B and to any properties upstream or downstream of this draft plan of subdivision to the satisfaction of Conservation Sudbury and the Director of Planning Services. Furthermore, the owner is required to design and construct a realigned channel through Block B to the satisfaction of Conservation Sudbury and the Director of Planning Services and in agreement with the findings of the Flood Plain Study.
28. That 5% of the land included in the plan of subdivision be dedicated to the City for parks purposes to the satisfaction of the City Solicitor in accordance with Section 51.1 (1) of the Planning Act. The final configuration of Block C shall be to the satisfaction of the Director of Leisure Services.
29. That Block B be transferred to the City for open space purposes.
30. That prior to the signing of the final plan for Lots 40-65, 298-301, 331-334 and 352-355, the owner shall undertake a Noise Study in relation to the sawmill operation located on abutting lands to the west (Parcel 2204 S.W.S.). The subdivision agreement, where warranted, shall contain provisions whereby the recommendations of the Noise Study relating to effected lots will be implemented to the satisfaction of the Director of Planning Services.

31. That prior to the signing of the final plan, the owner shall satisfy Canada Post with respect to mail delivery facilities for the site.
32. That prior to the signing of the final plan the Planning Services Division is to be advised by the City Solicitor that conditions 2, 3, 5, 6, 7, 8 & 29 have been complied with to his/her satisfaction.
33. 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.
34. 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.
35. The Castonguay Municipal Drains "A" and "C" are located on the subdivision lands. Drain "A" crosses through Lots 78 to lot 82. Drain "C" crosses through Lots 91, 92, 121, 122 and Lot 99 to Lot 105. The owner is responsible for the abandonment of the drains under Section 84 of the Drainage Act including notifications and engagement of an engineer pursuant to Section 84(3) to prepare a report on the condition of the municipal drain and recommendations thereof. The municipality would accept the abandoned municipal drain as a storm sewer thereby becoming a part of the Municipality's infrastructure.
36. That the road layout be revised as follows:
  - i) The offset intersections of Street I at Street F and Street G at Street F must be realigned to create one intersection; and,
  - ii) Street B must be realigned to provide a direct connection to Isidore Street."
37. That Street B, Street F and the extension of Isidore Street are to be

designed to a Collector standard.

38. That Street F shall be required to include bicycle lanes to ultimately connect to the planned cycling route on Errington Avenue and with FD lands to the west of the proposed development. On-street parking shall be restricted on both sides of Street F. As part of the design of Street F, the owner shall be required to include traffic calming features.
39. 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.