

City Council's conditions applying to the approval of the final plan for registration of the subject subdivision are as follows:

1. That this approval applies to the draft plan of subdivision of parts of Plans M-1044 and M-1045, Lots 2 & 3, Concession 6, Township of McKim as shown on a plan prepared by S. J. Gossling, O.L.S. and dated November 14, 1989 and further as amended and replaced in part by the plans prepared by Miller & Urso Surveying Inc., dated July 13, 2006 and R.V. Anderson Associates Limited, dated April 28, 2011.
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 one-foot 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 lands.
4. That the lot areas, frontages and depths appearing on the final plan shall not violate the requirements of the Restricted Area By-laws of the Municipality in effect and approved by the Ontario Municipal Board at the time such plan is presented for approval.
5. That the subdivision agreement be registered by the Municipality against the lands to which it applies.
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 requirements, financial and otherwise, of the City of Greater Sudbury, concerning the provision of roads, installation of services and drainage.
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 three years after registration.
9. Deleted
10. Deleted
11. Deleted
12. That a notice be registered against the title to lots 1 to 21 inclusive, advising prospective purchasers that their property abuts a corridor which has been designated as a possible future major arterial.

13. That prior to the signing of the final plan, the owner shall indicate the type of treatment proposed for rear yard slopes, and suitable provisions shall be incorporated into the subdivision agreement to ensure that the treatment is undertaken.
14. Deleted
15. Deleted
16. Deleted
17. That no development other than the development of lots 1 to 29 on the plan prepared by Miller & Urso Surveying, shall be permitted on lots fronting onto Forestdale Drive south of the hydro corridor, until such time as Forestdale Drive has been extended to connect with the east-west street (Roselawn Street) north of the hydro corridor, which shall have been built from Forestdale to Montrose Avenue and Montrose Avenue shall have been extended north from Forestdale Drive to the north limit of the east-west street (Roselawn Street).
18. Until such time as Montrose Avenue has been extended to the Maley Drive corridor and connected to Agincourt Avenue, no development shall be permitted north of Roselawn Street except for the lots abutting Roselawn Street which shall be permitted to develop.
19. Deleted.
20. 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, 12,13 and 25 have been complied with to his satisfaction.
21. Deleted
22. That this draft approval shall lapse on September 22, 2026.
23. Draft approval does not guarantee an allocation of sewer or water capacity. Prior to the signing of the final plan, the Planning and Development Department is to be advised by the General Manager of Growth and Infrastructure that sufficient sewage treatment capacity and water capacity exists to service this development.
24. The owner shall provide a 150 mm diameter watermain connected to the Montrose Booster Pump to provide adequate water pressure to Lots 167 to 170 inclusive and Lots 250 to 255 inclusive.

25. The owner agrees to provide Lot 255 to the City for the construction of a future upgraded Water Booster Station by the City. The owner shall install supply and outlet piping for said station to the satisfaction of the General Manager of Public Works.
26. The owner agrees to direct all future sanitary sewage for the subdivision to the existing Nickeldale Trunk Sanitary Sewer.
27. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the General Manager of Growth and Infrastructure, provide an updated geotechnical report prepared, signed, sealed, and dated by a geotechnical engineer licensed in the Province of Ontario. Said report shall, at a minimum, provide factual information on the soils, and groundwater conditions including the identification of any springs within the proposed development. Also, the report should include design information and recommend construction procedures for 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. 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 be registered on title, to the satisfaction of the Chief Building Official and the City Solicitor.
28. 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 establish how the quantity of stormwater generated by the subdivision will be controlled to 85% of the pre-development flow 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 treatment as defined by the MECP. The plan shall be submitted to the satisfaction of the Director of Planning Services. The major storm flow path shall be clearly delineated on the stormwater management and subdivision grading plans. Major storm overland flow for the subdivision is to remain within City road allowances and City drainage blocks. The civil engineering consultant shall meet with the Development Approvals Section prior to commencing the Stormwater Management Report. The stormwater management report and plan must also be reviewed and approved to the satisfaction of Conservation Sudbury, in order to protect the co-efficiency of the Flood Control Structures, at the Maley Reservoir and Nickeldale Reservoir.

29. 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.
30. 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. A lot grading agreement, if required, shall be registered on title, to the satisfaction of the Director of Planning Services and the City Solicitor.
31. The owner shall provide a utilities servicing plan showing the location of all utilities including City Services, Hydro Services, Bell, Union Gas, Eastlink, and Canada Post. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase.
32. The development of lots 1 to 29 as shown on the July 13, 2006 Miller and Urso sketch shall not be permitted until such time as the developer's engineer provides the City with a review of the Thorncliffe Court water booster showing that this station is suitable for this increase in use. If improvements are necessary, they must be made to the satisfaction of the Director of Planning Services.
33. The development of lots 1 to 29 as shown on the July 13, 2006 Miller and Urso sketch shall proceed with either the construction of an above grade pressure reducing station or the construction of a watermain loop, complete with the required check valves, within proposed street right-of-ways to the existing main at the intersection of Montrose Avenue and Woodbine Avenue. The watermain servicing to be provided must be to the satisfaction of the Director of Planning Services.
34. Prior to final approval, a copy of the lot grading plan and drainage plan, showing existing and final grades, must be submitted to Hydro One Networks Inc. for review and approval.

35. The owner shall agree in the subdivision agreement that:
- a) Any development in conjunction with the subdivision must not block vehicular access to any Hydro One Networks Inc. facilities located on the right of way. During construction, there will be no storage of materials or mounding of earth or other debris on the right-of-way.
 - b) The subdivider shall make arrangements satisfactory to Hydro One Networks Inc. for the crossing of the hydro right-of-way by the proposed road. Separate proposals including detailed lighting and site servicing plans shall be submitted in triplicate to Hydro One Networks Inc. for future road crossings.
 - c) The costs of any relocations or revisions to Hydro One Networks Inc. facilities which are necessary to accommodate this subdivision will be borne by the developer.
 - d) The easement rights of Hydro One Networks Inc. and its legal predecessors are to be protected and maintained.
36. That prior to the signing of the final plan, the Planning Services Division is to be advised by Ontario Hydro Networks Inc. that conditions 34 and 35 have been complied with to their satisfaction.

Note:

- 1. The transmission lines abutting this subdivision operate at 500,000, 230,000 or 115,000 volts. Section 186 - Proximity- of the Regulations for Construction Projects in the Occupational Health and Safety Act, require that no object be brought closer than 6 metres (20 feet) to an energized 500 kV conductor. The distance for 230 kV conductors is 4.5 metres (15 feet), and for 115 kV conductors it is 3 metres (10 feet). It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the conductors can raise and lower without warning, depending on the electrical demand placed on the line.
37. 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.

38. The Owner/Developer shall complete to the satisfaction of the Director of Planning Services of the City of Greater Sudbury and Canada Post.

- a) Include on all offers to purchase and sale, a statement that advises the prospective purchaser that the home/business mail delivery will be from a designated Centralized Mail Box.

The Owner/Developer further agrees 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 the Community Mail Boxes.
- c) Identify the pads above on the engineering servicing drawings. The pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of the subdivision. Curb depression will be required if not a roll over curb.
- d) These pads are to be installed 3 meters from a fire hydrant or a transformer.

39. The developer will be required to provide a geotechnical report on how the work related to blasting shall be undertaken safely to protect adjoining structures and other infrastructure.

- a. 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.
- b. The blasting consultant shall be retained by the developer 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 his 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.

- c. The geotechnical report will provide recommendations and specifications on the following activity as a minimum but not limited to:
 - Pre-blast survey of surface structures and infrastructure within affected area;
 - Trial blast activities;
 - Procedures during blasting;
 - Procedures for addressing blasting damage complaints;
 - Blast notification mechanism to adjoining residences; and,
 - Structural stability of exposed rock faces.
 - d. The above report shall be submitted for review to the satisfaction of the Chief Building Official prior to the commencement of any removal of rock by blasting.
 - e. 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.
40. That prior to the signing of the final plan for any phase within 450 metres of the Maley Drive right-of-way, and prior to any pre-servicing taking place on the site, an acoustical report shall be prepared by a qualified engineer to determine the noise levels on the site, and what noise attenuation features would be required in the construction of homes to reduce noise levels in accordance with Ministry of the Environment guidelines, to the satisfaction of the Director of Planning Services.
41. That if the acoustical report determines that noise attenuation features are required within the subdivision, suitable provisions be included in the subdivision agreement to ensure these measures are undertaken. If required, a noise attenuation agreement will be registered on title for the affected lots to the satisfaction of the Chief Building Official.
42. That the owner shall contribute a maximum of the equivalent cost of traffic signals to the construction of a roundabout at Montrose Avenue and Maley Drive to the satisfaction of the General Manager of Growth and Infrastructure.
43. 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.
44. 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 Development and the General Manager of Growth and Infrastructure.
45. 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.
46. Prior to final approval, the owners/applicants shall, to the satisfaction of the Director of Planning Services, demonstrate that all relevant requirements set out by the Province under the Endangered Species Act have been satisfied.
47. That resolutions CC2015-345 and CC2016-380-A2 be complied with.