

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

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1. That this approval applies to the draft plan of subdivision of Part of Parcels 2433 & 9436, Lot 3, Concession 5, Township of Blezard, as shown on a plan prepared by D.S. Dorland, O.L.S., and dated May 28<sup>th</sup>, 1999.
2. That the street(s) 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 2 years after registration.
9. That 5% of the land included in the plan of subdivision be deeded or provided to the City for parks purposes in accordance with Section 51.1 of the Planning Act to the satisfaction of the Director of Leisure Services and the City Solicitor.
10. That the subdivision agreement contain a provision requiring that the cul-de-sac be designed to contain a paved surface radius of 13.5 metres in order to accommodate a school bus turning radius.

11. That a Notice of Agreement shall be placed on title to all lots whereby the owner shall agree that:
  - a) Given water chemistry results obtained during the preparation of the Hydrogeological Investigation, water supplies will require treatment systems or disinfection systems to ensure potable water for domestic purposes. A Drinking Water Treatment System must be designed by a mechanical engineer to Ontario Building Code Division B, Part 7, 7.2.10.17(1); CAN/CSA-B483.1 and a Potable Water Agreement registered on title to the satisfaction of the Chief Building Official.”
  - b) Any sewage system proposal made at the time of application for a building permit shall be designed by a professional engineer.
  - c) A natural vegetation buffer be maintained along the water's edge, to be measured horizontally 15 metres back from the normal high watermark. The existing vegetation and natural soil mantle within this buffer strip will be maintained in a natural state, except where traversed by access paths or walkways.
  - d) The owner understands and agrees that no municipal sewer or water services are available nor shall the owner make any demands upon the municipality to provide such municipal services.
  - e) Lots 1 to 15, 30, 31 and 32 shall contain a notice whereby the owner agrees that since these lots are partially located within a designated flood plain, approval of the Nickel District Conservation Authority is required prior to any development taking place.
12. That all lots shown on the final plan shall contain a minimum area of one hectare.
13. The owner shall provide to the City, as part of the submission of servicing plans an erosion and sediment 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 Infrastructure 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.

14. That the developer prepare a lot grading/drainage plan addressing storm water runoff from this developed subdivision to the adjacent Whitson Lake to the satisfaction of the Nickel District Conservation Authority and the City of Greater Sudbury. The detailed lot grading plan is to be prepared 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 as per the City's Lot Grading Policy. 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/applicant shall be responsible for the legal costs of preparing and registering the associated lot grading agreement.
15. 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.
16. A storm-water management report and associated plans must be submitted by the owner's consulting engineer for approval by the City. 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 2 year design storm. The permissible minor storm discharge from the subject development must be limited to the existing pre-development site runoff resulting from a 2 year design storm;
  - b) The reduction of the permissible minor storm to pre-development levels may be alleviated by providing a drainage route via City owned blocks within the proposed subdivision out-letting into the lake;
  - c) Any resulting post development runoff in excess of this permissible discharge rate must be controlled and detained within the plan of subdivision unless directed via City owned blocks within the proposed subdivision to the lake body;
  - d) 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 the existing pre-development runoff resulting from a 100 year design storm or Regional storm event, whichever is greater;

- e) The reduction of the permissible major storm to pre-development levels may be alleviated by providing a drainage route via City owned blocks within the proposed subdivision out-letting into the lake;
  - f) "Enhanced" level must be used for the design of storm-water quality controls as defined by the Ministry of the Environment, Conservation and Parks;
  - g) Storm-water management must follow the recommendations of the Whitson River Sub-watershed Study;
  - h) The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any storm-water management plan;
  - i) 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;
  - j) Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties;
  - k) Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted; and,
  - l) The owner shall be responsible for the design and construction of any required storm-water management works to the satisfaction of the General Manager of Growth and Infrastructure 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.
17. Deleted.
18. That prior to the signing of the final plan, the applicant shall provide the Planning Services Division with a report by a qualified engineer, advising as to how any abandoned mine shafts located on the property, have been or will be rehabilitated in accordance with the "Mine Rehabilitation Code of Ontario". If remedial action is proposed to take place after registration of the plan, the subdivision agreement shall contain suitable provisions to ensure completion of this work and a Record of Site Condition is to be provided prior to any building permits being issued.
19. That prior to the signing of the final plan, the Planning Services Division shall be advised by the General Manager of Growth and Infrastructure that Condition 15 has been complied with to his satisfaction.
20. That prior to the signing of the final plan, the Planning Services Division is to be advised by the City Solicitor that Conditions 5, 6, 7, 8, 9, 10, 11 and 18 have been complied with to his satisfaction.

21. That this draft approval shall lapse on June 16, 2024.
22. The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Greater Sudbury Hydro Utilities or Hydro One, Bell Canada, Union Gas, East Link Cable 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.
23. That the detailed road design between lots 4 and 5 be completed to meet the road design standards for the City of Greater Sudbury, to the satisfaction of the General Manager of Growth and Infrastructure.
24. 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. 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.”
25. 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.
26. The geotechnical report 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.
27. The geotechnical report in Conditions 24 and 26 shall be submitted for review to the satisfaction of the Chief Building Official prior to the commencement of any removal of rock by blasting.

28. 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.
29. That prior to any vegetation removal or other site alteration on the subject lands, the owner shall demonstrate to the satisfaction of the Director of Planning Services that all requirements set out by the Ministry of the Environment, Conservation and Parks under the Endangered Species Act have been satisfied.
30. Deleted.
31. Prior to the submission of servicing plans, the owner/applicant shall, to the satisfaction of the Director of Planning Services and the Nickel District Conservation Authority, 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. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services. Included in this report must be details regarding removal of substandard soils (if any) and placement of engineered fill (if required) for the construction of new homes. A soils caution agreement, if required, shall be registered on title to the satisfaction of the Chief Building Official and the City Solicitor.
32. 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 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.
33. The owner will be required to provide permanent silt and erosion control drainage works to the subdivision's storm water outlet to the satisfaction of the General Manager of Growth and Infrastructure.
34. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.

35. 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.
36. That the owner/applicant 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.
37. That the draft plan be amended in order to delete the bulb located at Lots 4 and 5 and that a 20 metre right-of-way be provided in this location to the satisfaction of the General Manager of Growth and Infrastructure.
38. The owner will 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 footings 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. Also, a Soils Caution Agreement, if required shall be registered on title to the satisfaction of the Chief Building Official.
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.

40. That the owner shall provide an environmental impact study (EIS) to the City that determines whether the proposed development will have negative impacts on the water quality and aquatic ecology of Whitson Lake. The EIS will identify whether the negative impacts can be mitigated and, if so, will recommend measures that should be followed to achieve the desired impact mitigation. The EIS must include, but not be limited to, a lakeshore capacity assessment following provincial guidance. The EIS must be to the satisfaction of the Director of Planning Services and must be prepared by a qualified professional.
41. That the applicant/owner prepare a development plan that includes the limit of the regulatory flood elevation of 292 metres and is consistent with the required lot grading/drainage plan. Development (as defined by the Conservation Authorities Act) must occur outside of the regulatory floodplain. This includes placement or removal of fill, lot grading, and the erection of buildings or structures.