

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 PIN 73504-0952, Rem. of Parcel 764 S.E.S., in Lot 6, Concession 1, Township of Hanmer as shown on a plan of subdivision prepared by Adrian Bortolussi, O.L.S., and dated November 24, 2011.
2. That the streets 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 November 28, 2024.

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. That a direct application to the Conservation Sudbury shall be required prior to any development. The applicant or City of Greater Sudbury as part of the Paquette Whitson drain project must prepare a flood plain drainage study on the effects of rerouting Tributary 8A of the Whitson River. The study must demonstrate that downstream areas will not suffer any negative effects including increased flood flows. The proposal must also be reviewed by Department of Fisheries & Oceans and Ministry of Natural Resources.
13. That the owner undertake a Traffic Impact Study. The owner will be responsible to contribute to the cost of any upgrades or improvements identified in the study, all to the satisfaction of the General Manager of Growth and Infrastructure. Some of the issues to be reviewed as part of the study include the following:
 - a) It is intended that John Street will provide the main access to the subdivision. The study is to review and recommend a plan for phasing development of the subdivision to minimize the impact to existing residential streets.
 - b) Undertake a capacity study and traffic signal warrant analysis at the intersection of Highway 69 North and John Street, and Highway 69 North and Campeau Street.
 - c) Review the feasibility and need to extend the easterly north/south road to the south in the future.
 - d) Review the number and location of future road connections to the undeveloped land to the east.
14. That John Street and the easterly north/south roadway be constructed to an urban collector standard. John Street shall be constructed with on-road bicycle lanes on both sides. On-street parking shall be restricted on both sides of John Street.
15. 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.

16. 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, 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. The geotechnical engineer will be required to address On-site and Excess Soil Management in accordance with O. Reg. 406/19. A soils caution agreement shall be registered on title, if required, to the satisfaction of the Chief Building Official and the City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement.
17. All streets will be constructed to an urban standard, including the required curbs, gutters and sidewalks.
18. The owner shall provide a detailed lot grading plan for the proposed lots, prepared, signed, sealed, and dated by a professional civil engineer with a valid certificate of authorization, 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. 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.
19. 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. 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.
20. The owner shall develop a siltation control plan for the subdivision construction period to the satisfaction of the Director of Planning Services, Conservation Sudbury and the Department of Fisheries and Oceans.

21. Any streetlights required for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
22. 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.
23. 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 and Vianet (where applicable). This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase.
24. 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.
25. 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 and/or sewage lift stations to service this subdivision will be borne totally by the owner.
26. That the following conditions related to the implementation of the Paquette-Whitson Municipal Drain be addressed to the satisfaction of the General Manager of Growth and Infrastructure:
 - a) The owner acknowledges that the creation of the Paquette-Whitson Municipal Drain is essential to the development of the subject subdivision and agrees to sign the petition for the Paquette-Whitson Municipal Drain project and support said project.
 - b) The owner acknowledges that the current Tributary 8A watercourse that crosses the subject subdivision will be rerouted southerly to the Whitson River on lands east of the subject subdivision lands. Existing road and storm sewer drainage from MacMillan Drive and Josephine Street shall be directed westerly, as part of the subdivision design, towards the existing Municipal Road 80 and Tributary 8A cross culvert.
 - c) Deleted.
 - d) The owner agrees to enter into a fill supply agreement with the City.

- e) The owner agrees to pay Paquette-Whitson Municipal Drain assessments applied to the subject subdivision lands as set out in the Engineer's Report for benefit, outlet and stormwater management and in conformance with Finance Committee Resolution FA2012-12 (Paquette Whitson Financing Report) ratified by City Council on July 10, 2012.
- f) Deleted.
- g) New drainage swales are required on the owner's lots to accept drainage from the backyards of the existing lots on MacMillan Drive.
- h) The owner shall provide stormwater drainage works for the internal subdivision storm sewer system including the Regional Storm overland flow path and the external subdivision stormwater works on the Paquette-Whitson Drain lands. The owner is responsible for the cost of the outlet storm sewer to the northwest pond forebay including the provision of engineering plans as outlined in the Paquette-Whitson Municipal Drain Engineer's Report dated February 8, 2012. The owner is required to design the site storm sewer to meet a storm sewer elevation of 284.69 metres at the east subdivision property line on John Street.
- i) Major storm overland flow for the subdivision is to remain within the road allowance, and follow the road pattern for the subject subdivision to the northwesterly pond forebay via the future John Street to meet the City designed overland flow path at surface elevation 287.94 metres at the east subdivision property line on John Street.
- j) The owner acknowledges the final built of the City pond lands are complete, and the design of the subdivision rear yard drainage swales and catch basins must be integrated with the grading of the pond to the satisfaction of General Manager of Growth and Infrastructure. The owner will be responsible to install any outlet storm sewers from the subdivision to connect to the constructed City facility.
- k) The owner agrees to transfer a 6.17 hectare tract of land on the south portion of the subdivision in consideration of the subdivision stormwater land requirement and the requirements of the Engineer's Report for the Paquette-Whitson Municipal Drain and the owner agrees to accept the land allowance payment contained in the report of \$41,000 as the financial consideration for the transfer of the 6.17 ha of land to the City.
- l) That any required approvals or permits from the Conservation Sudbury, the Ministry of Natural Resources and Department of Fisheries and Oceans, be obtained.
- m) Deleted.

- n) The owner shall provide a 1.8 metre high galvanized chain link fence, 0.05 metres inside the subdivision lot line and along the subdivision boundary with the stormwater management block from Lot 37 to Lot 21.
27. That prior to the signing of the final plan the owner shall satisfy Canada Post with respect to mail delivery facilities for the site.
 28. 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 and 15 have been complied with to his satisfaction.
 29. 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.
 30. 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.
 31. 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.
 32. The proponent acknowledges that the current extent of the flood plain (as of September 2021) will not be eliminated from the subject parcel until the works associated with the Paquette-Whitson Municipal Drain have been completed, are fully operational, and the reduced flood plain has been accepted by Conservation Sudbury. The proponent must acknowledge that development within the flood plain is prohibited.

Information note:

Please be advised that the Nickel District Conservation Authority regulates the hazards associated with natural features and uses mapping as a tool to identify those hazards for the public. Although the Nickel District Conservation Authority makes every effort to ensure accurate mapping, regulated natural hazards may

exist on-site that have not yet been identified. Should a regulated natural hazard be discovered as the site is developed, the applicant must halt works immediately and contact Conservation Sudbury directly at 705.674.5249. Regulated natural hazards include flood plains, watercourses, shorelines, wetlands, and valley slopes.”