

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 Parcels 50561 and 50562 S.E.S., being Part of Part 2, Plan 53R-14815 and Parts 1 to 7 inclusive, Plan 53R-15986, excepting Part 5, Plan 53R-16951 in Lot 5, Concession 5, Township of Broder, as shown on a plan prepared by Terry DelBosco, O.L.S. and dated November 29th, 2001, and further amended as shown on a plan prepared by Terry DelBosco, O.L.S. and dated December 1st, 2010.
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. Deleted.
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 5% of the value of the land included in the subdivision be dedicated to the City of Greater Sudbury for municipal parks purposes in accordance with Section 51.1 (1) of The Planning Act. As a component of the municipal parks dedication Blocks 190 and 194, as generally illustrated by the plan, shall be dedicated to the City of Greater Sudbury to the satisfaction of the Director of Planning Services, Director of Leisure Services, Community Development and Volunteer Services and the Director of Legal Services/City Solicitor.
9. That Rockwood Drive, abutting the lands to be developed, be reconstructed as an urban cross section which shall incorporate a 1.5 m wide sidewalk along the east side of this road, all to the satisfaction of the General Manager of Growth and Infrastructure.
10. Deleted.

11. A detailed lot grading plan that includes the Regional Storm Flow Path will be required. Should a watershed storm water management study which is to be prepared by the City of Greater Sudbury determine that off-site improvement works are required as a result of this development, the owner will be required to cost share in the implementation of said works all to the satisfaction of the General Manager of Growth and Infrastructure. A lot grading agreement, if required, shall be registered on title 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 any required lot grading agreement.
12. No internal development north of Tawny Port Drive and the lots abutting thereto shall proceed prior to a second access being available to the development. Tawny Port Drive is to be constructed to a collector road standard with a 1.5 metre wide sidewalk on the north side of the street. Tuscany Trail is to be constructed to a residential road standard with a 1.5 metre wide sidewalk on the west side of the street terminating at the Tuscany Trail intersection.
13. A water booster station and the associated equipment required to provide adequate domestic pressure and fire flows shall be constructed to the satisfaction of the General Manager of Growth and Infrastructure.
14. Deleted.
15. Provisions shall be established in the subdivision agreement which implement the recommendations of the Noise Impact Study (Vintage Green) prepared by HGC Engineering, dated January 4th, 2002 to the satisfaction of the City Solicitor and the Director of Planning Services. Should design modifications occur within the subdivision which in the opinion of the Director of Planning Services warrant a qualified engineers' review of, and/or revisions to, the noise impact study said measures shall be undertaken prior to the signing of the final plan. A sound caution agreement, if required, shall be registered on-title to the satisfaction of the Chief Building Official and City Solicitor.
16. 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.
17. That Lot 78 be consolidated with abutting lands.
18. That prior to the signing of the final plan the Planning Services Division is to be advised by the Ministry of Transportation that sufficient land has been dedicated to accommodate the Southwest By-pass highway improvements, and that a storm water management report be submitted for their review.
19. That this draft approval shall lapse on May 2, 2025.

20. Draft approval does not guarantee an allocation of water or sanitary sewer capacity. Prior to the signing of the final plan, the Planning and Development Services Division is to be advised by the General Manager of Growth and Infrastructure that sufficient water and sanitary sewer capacity exists to service the development.
21. That prior to the signing of the final plan, the Planning Services Division shall be advised by an Ontario Land Surveyor that the lot areas, frontages and depths appearing on the final plan do not violate the requirements of the Restricted Area by-law of the Municipality in effect at the time such plan is presented for approval.
22. 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, #8, #15, #17 and #28 have been complied with to the satisfaction of the City Solicitor.
23. 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.
24. 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.
25. 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 geotechnical report must demonstrate that the subdivision complies with "On-Site and Excess Soil Management" requirements applicable under Ontario Regulation 406/2019 to the satisfaction of the Chief Building Official. 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 City Solicitor.

26. Should blasting be required, the following conditions would be imposed:
 - a. 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;
 - 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:
 - 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. The geotechnical 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; and,
 - d. Should the developer's schedule require to commence blasting and rock removal prior to the building permit being issued, 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.
27. That the subdivision agreement contains 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.
28. That in accordance with Section 59(4) of the Development Charges Act, a notice 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.

29. 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.
30. 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 upgrades to the downstream works required to service this subdivision will be borne totally by the owner.