

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 Parcel 49532, Lots 163 to 165, Plan M-423, and Part of Lakewood Drive, all in Lot 2, Concession 2, McKim Township as shown on a plan of subdivision prepared by Terry Del Bosco, O.L.S., dated December 24th, 2002, as amended by Dennis Consultants on May 21st, 2003 and attached to the staff report dated May 21st, 2003, and as further amended by a plan issued by Dennis Consultants on March 29, 2004 under the title 'Twin Lakes Subdivision - Revised Layout'.
2. That the street(s) shall be named to the satisfaction of the City of Greater Sudbury.
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 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.
8. That 5% of the land, or alternatively 5% of the cash value of the land, included in the plan of subdivision be deeded or provided to the City of Greater Sudbury for parks purposes in accordance with Section 51.(1) of The Planning Act.
9. 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.

10. 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 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.
11. The owner shall provide a detailed lot grading plan for all the proposed lots as part of the submission of servicing plans as described in the staff report of April 15th, 2003. Suitable provisions shall be incorporated into the Subdivision Agreement to ensure that treatment is undertaken to the satisfaction of the General Manager of Growth and Infrastructure.
12. 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.
13. 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 deal with the control of both the 1:5 year and Regional Storm events, so as to limit the volume of flow generated on the site to pre-development levels. The Regional Storm flow path is to be set out on the plan(s). The report shall set out any necessary improvements to downstream storm sewers and water courses. The civil engineering consultant shall meet with the Development Approvals Section prior to commencing the stormwater management report.
14. The applicant will be required to dedicate rear lot easements to the City of Greater Sudbury for municipal purposes. The maximum allowable runs for rear lot swales are not to exceed 500 ft. without a storm inlet.
15. The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, storm sewers and related appurtenances.
16. 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.

17. Draft approval does not guarantee an allocation of sewer or water capacity. Prior to the signing of the final plan, the Director of Planning is to be advised by the General Manager of Growth and Infrastructure, that sufficient sewage treatment capacity and water capacity exists to service the development.
18. The developer will be required to construct a 300 mm watermain along Street "A" to Street "B", along Street "B" and then along Lakeview Drive to the easterly boundary of the subdivision.
19. The developer shall be required to provide a 1.6 m walkway and associated works on Block 73 to the satisfaction of the General Manager of Growth and Infrastructure.
20. That this draft approval shall lapse on June 24, 2020.
21. a) That prior to any drilling and blasting work being conducted on the subject property the owner shall investigate all private wells used for domestic water sources for all properties abutting the subject property; that during and following blasting these same wells be monitored by the owner of the subject property for any loss of quantity or quality of water; and, that the owner agree to the satisfaction of the General Manager of Growth and Infrastructure to rectify any situations where there is a loss in quantity and/or quality of water in an existing well.

b) That a peer review be undertaken of the above described study, by a qualified consultant, chosen by the municipality, at the cost of the owner.

c) The agreement in a) shall contain provisions for deposits for financial guarantees and suitable time limits for the resolution of water problems should they occur as a result of the subdivision development.
22. That in accordance with the phasing as shown on the Revised Draft Plan dated May 21, 2003 only Phase 1 shall be permitted prior to June, 2005.
23. That in accordance with the phasing as shown on the Revised Draft Plan dated May 21, 2003, Phase 4 shall not be permitted until such time as municipal sanitary sewer and water services have been extended to service the opened portion of Arlington Drive and Belmont Drive and Lakewood Drive west of Belmont Drive.
24. 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, #11, #12, #14, #16, #21, #31 and #32 have been complied with to his satisfaction.
25. Deleted.

26. 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.
27. The owner 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.
28. The owner 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.
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 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.
30. The roadways connecting South Bay Road to Lakewood Drive be constructed to an urban residential standard with a sidewalk on one side. It is recommended that a sidewalk be constructed along one side of the most southerly cul-de-sac to connect with the walkway that is required on Block 73.
31. The owner shall to the satisfaction of the Director of Planning Services of the City of Greater Sudbury and Canada Post agree in the subdivision agreement to include in all offers of purchase and sale, a statement:
 - i. That advises the prospective purchaser that the home/business mail delivery will be from a designated Centralized Mail Box; and,
 - ii. That the owner be responsible for officially notifying the purchasers of the Centralized Mail Box locations prior to the closing of any home sales."
32. The owner further agrees in the subdivision agreement 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 Community Mail Boxes;
 - c) Identify the pad above on the engineering servicing drawings. The pad is to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision; and,
 - d) Determine the location of all centralized mail facilities in cooperation with Canada Post and to post the location of these sites on appropriate maps, information boards and plans.”
33. The owner shall provide a geotechnical report to the satisfaction of the Chief Building Official 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.
34. A blasting consultant shall be retained by the owner 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 their 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.
35. Prior to the commencement of any removal of rock by blasting the owner shall submit a geotechnical report to the satisfaction of the Chief Building Official which 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.”
36. 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.
37. Deleted.

38. Deleted.
39. The owner shall be responsible to have a storm-water management report prepared to assess how the quality and quantity of storm-water will be managed for the subdivision development, in addition to the flows generated from upstream lands. The report shall establish how the quantity of storm-water generated within the subdivision will be controlled to the new MOECC 20% reduction of pre-development flow for the 1:2, 1:100 and Regional Storm events. The owner shall be required to submit a comprehensive drainage plan of the subject lands and any upstream areas draining through the subdivision. The quality of the storm-water must meet an 85% TSS removal of the 50 micron particle size. The plan shall be submitted to the satisfaction of the Director of Planning Services and the Nickel District Conservation Authority.
40. The 100 year or Regional Storm flow path is to be engineered and delineated on the stormsewer drainage area plan and the subdivision grading plan. Major storm overland flow for the subdivision is to remain within City road allowances and City drainage blocks.
41. That prior to the signing of the final plan, the owner shall contact the Ministry of Natural Resources and Forestry (MNRF), Sudbury District Office, and satisfy all requirements set out by MNRF under the Endangered Species Act. In addition, the owner shall to the satisfaction of the Director of Planning Services, demonstrate that all requirements set out by MNRF under the Endangered Species Act have been satisfied prior to any site alteration or development taking place on the subject lands.
42. 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.
43. 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.

NOTES:

1. In accordance with Planning Committee Recommendation #2003-95, which was ratified by Council on June 12, 2003, this draft approval shall not come into effect until Official Plan Amendment # 220 to the Official Plan for the Sudbury Planning Area comes into affect.