



Committee of the Whole Revised Agenda

Monday, May 6, 2024, 7:00 p.m.

Council Chambers

Whitby Town Hall

This meeting will be available for viewing through the Town's **live stream feed** while the meeting is in progress. Please visit whitby.ca/CouncilCalendar for more information about the live stream and archived videos.

This meeting will be held in a hybrid in-person and virtual format. In accordance with Section 7 of Procedure By-law # 7462-18, Members of Council may choose to attend in-person or participate virtually.

Should you wish to provide comments regarding a matter being considered below, please submit written correspondence and/or a Delegation Request Form.

- **To submit written correspondence**, please email your correspondence to the Office of the Town Clerk at clerk@whitby.ca by noon on the day of the meeting. Correspondence must include your full name, address, and the item on the agenda that your correspondence is related to.
- **To speak during the Committee meeting either in-person or virtually**, please submit a Delegation Request Form online to the Office of the Town Clerk by 10 a.m. on the day of the meeting. Should you be unable to access a computer, please call 905.430.4315 to speak with a Staff Member in the Office of the Town Clerk.

A Revised Agenda may be published on a later date. Late items added or a change to an item will appear with an asterisk beside them.

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1. **Call To Order: The Mayor**
 2. **Call of the Roll: The Clerk**
 3. **Declarations of Conflict of Interest**
 4. **Consent Agenda**
 5. **Planning and Development**
 - 5.1 Presentations
 - 5.2 Delegations

- *5.2.1 Maureen Z. Moloney, Resident (In-Person Attendance)
Re: PDP 22-24, Planning and Development (Planning Services) Department Report
Zoning By-law Amendment Application, 1000091294 Ontario Ltd. and Fortress Management and Financial Corp., 700 Rossland Road East and 3115 and 3125 Garden Street, File Number: DEV-06-24 (Z-01-24)

Refer to Item 5.4.2, PDP 22-24

- *5.2.2 Adam Layton representing 1000091294 Ontario Ltd. and Fortress Management and Financial Corp. (In-Person Attendance)
Re: PDP 22-24, Planning and Development (Planning Services) Department Report
Zoning By-law Amendment Application, 1000091294 Ontario Ltd. and Fortress Management and Financial Corp., 700 Rossland Road East and 3115 and 3125 Garden Street, File Number: DEV-06-24 (Z-01-24)

Refer to Item 5.4.2, PDP 22-24

- *5.2.3 Anthony Biglieri representing 1631057 Ontario Inc. (In-Person Attendance)
Re: PDP 24-24, Planning and Development (Planning Services) Department Report
Draft Plan of Subdivision and Zoning By-law Amendment Applications, 1631057 Ontario Inc., Northwest and Southwest Corners of Conlin Road at Anderson Street, File Numbers: DEV-17-21 (SW-2021-06, Z-11-21)

Refer to Item 5.4.4, PDP 24-24

5.3 Correspondence

5.4 Staff Reports

- 5.4.1 PDP 21-24, Planning and Development (Planning Services) Department Report
Re: Extension of Draft Approved Plan of Subdivision, Brooklin Development General Partner Limited / East Valley Farms Ltd., 6605 Cochrane Street, Whitby, File Number: DEV-05-20 (SW-2020-02)

Recommendation:

That Council approve the extension of the Draft Approved Plan of Subdivision SW-2020-02 by an additional 5 years, to October 19, 2029.

- 5.4.2 PDP 22-24, Planning and Development (Planning Services) Department Report
Re: Zoning By-law Amendment Application, 1000091294 Ontario Ltd. and Fortress Management and Financial Corp., 700 Rossland Road East and 3115 and 3125 Garden Street, File Number: DEV-06-24 (Z-01-24)

Recommendation:

1. That Council approve the amendment to Zoning By-law #1784, (File No. Z-10-23), as outlined in Planning Report No. PDP 22-24; and,
2. That a by-law to amend Zoning By-law #1784 be brought forward for consideration by Council at such time as OPA 133 becomes final and binding and Site Plan Approval is issued by the Commissioner of Planning and Development.

- 5.4.3 PDP 23-24, Planning and Development (Planning Services) Department Report Staff Report
Re: Draft Plan of Condominium Application, 1606-1614 Charles Street East GP Inc., 1604 Charles Street, File Number: DEV-05-24 (CW-2024-01)

Recommendation:

1. That Council approve the Draft Plan of Condominium (File Number: CW-2024-01) subject to the comments included in Planning Report PDP 23-24 and the Conditions of Approval, included in Attachment #4;
2. That the Mayor and Clerk be authorized to execute the Condominium Agreement and any other necessary documents; and,
3. That the Clerk advise the Commissioner of Planning and Economic Development at the Region of Durham, of Council's decision.

- 5.4.4 PDP 24-24, Planning and Development (Planning Services) Department Report
Re: Draft Plan of Subdivision and Zoning By-law Amendment Applications, 1631057 Ontario Inc., Northwest and Southwest Corners of Conlin Road at Anderson Street, File Numbers: DEV-17-21 (SW-2021-06, Z-11-21)

Recommendation:

1. That Council approve the Draft Plan of Subdivision (File No. SW-2021-06) and approve an amendment to Zoning By-law #1784 (Z-11-21) subject to the comments included in Planning Report PDP 24-24 and the conditions of draft plan approval included in Attachment #9;
2. That Staff be authorized to prepare a Subdivision Agreement;
3. That the Clerk forward a Notice to those parties and agencies who requested to be notified of Council's decision, including the Region of Durham's Commissioner of Planning and Economic Development;
4. That a by-law to amend Zoning By-law # 1784 be brought forward for consideration by Council at such time as the subdivision receives Draft Approval; and,
5. That Williams and Stewart Associates Ltd. be appointed as the Control Architect for the Draft Plan of Subdivision.

5.5 New and Unfinished Business - Planning and Development

6. Adjournment

Town of Whitby

Staff Report

whitby.ca/CouncilCalendar



Report Title: Extension of Draft Approved Plan of Subdivision SW-2020-02 (DEV-05-20) Brooklin Development General Partner Limited / East Valley Farms Ltd., 6605 Cochrane Street, Whitby

Report to: Committee of the Whole

Date of meeting: May 6, 2024

Report Number: PDP 21-24

Department(s) Responsible:
Planning and Development Department
(Planning Services)

Submitted by:

R. Saunders, Commissioner of Planning
and Development

**Acknowledged by M. Gaskell,
Chief Administrative Officer**

For additional information, contact:

B. Anderson, Principal Planner, x. 2821

1. Recommendation:

1. That Council approve the extension of the Draft Approved Plan of Subdivision SW-2020-02 by an additional 5 years, to October 19, 2029.

2. Highlights:

- Section 51(33) of the Planning Act enables Council to extend draft approval for a time period as determined by the Town, as long as the approval has not yet lapsed.

3. Background:

Draft Plan of Subdivision SW-2020-02 is located at 6605 Cochrane Street (refer to Attachment #1). The proposed plan of subdivision consists of: 858 low density residential units; 412 townhouse units; future development / residential blocks; 3 elementary school blocks; district and local park blocks; a local commercial block; a special purpose commercial block; a prestige industrial block; a block for a potential future interchange; 2 blocks for stormwater management ponds; 3 blocks for the Natural Heritage System; and a number of blocks for access and roads / road widenings (refer to Attachment #2).

Draft Plan of Subdivision SW-2020-02 was granted Draft Plan Approval on October 19, 2021, for a period of 3 years.

4. Discussion:

Section 51(32) of the Planning Act states that when granting Draft Plan Approval, the approval authority (i.e. the Town of Whitby) may establish that the approval lapses at the expiration of a specified period, provided such period is not less than 3 years. The Draft Plan of Subdivision approval for this application will expire on October 19, 2024.

The applicant has advised that they are not ready to proceed with the registration of the Draft Plan of Subdivision and have requested an extension to the expiry date. In their letter (refer to Attachment #3) the applicant references the lack of available hydro service as a key reason for delay and have requested that the fees associated with the extension be waived. The applicant has also requested the extension extend to 2029 (5 years). Section 51 (33) of the Planning Act enables Council to extend draft approval for a time period as determined by the Town, as long as the approval has not lapsed.

The Town charges a modest, standardized fee, to extend Draft Plan Approval (\$3,479.10). This fee for service applies regardless of the individual circumstances in which an extension may be required. Staff do not support the request to waive the fee. To do so would set a precedent for requests of a similar nature and diminish the fee for service protocol that applies to all applications.

The Town establishes a lapsing period of 3 years as a standard practice when approving or extending Draft Plan Approval to ensure the period between the granting of planning approvals and the construction of new housing supply is minimized. There is limited hydro service available to service new development in the broader Brooklin Secondary Plan area. The Brooklin Landowners Group are currently working with Elexicon Energy on a servicing solution. Given the complexity associated with the detailed design, approvals, and construction of the required electrical service extension, staff are supportive of a 5-year extension of Draft Plan Approval.

It is recommended that the Draft Plan of Subdivision approval be extended by an additional 5 years, with a new expiry date of October 19, 2029. The original Draft Plan Conditions would continue to apply (refer to Attachment #4).

5. Financial Considerations:

Not applicable.

6. Communication and Public Engagement:

Not applicable

7. Input from Departments/Sources:

Not applicable

8. Strategic Priorities:

The recommendations contained in this report are consistent with the Community Strategic Plan. In accordance with Strategic Pillar 1: Whitby's Neighbourhoods, the extension of Draft Plan Approval will enable the development of the subject lands to contribute to the range and diversity of the Town's housing supply.

The application of the Town's standard Planning Fees aligns with Strategic Pillar 4: Whitby's Government, by ensuring that the cost of delivering planning services are recovered through user fees.

This report is in a fully accessible format, which addresses the Town's strategic priority of accessibility.

9. Attachments:

Attachment #1: Location Sketch

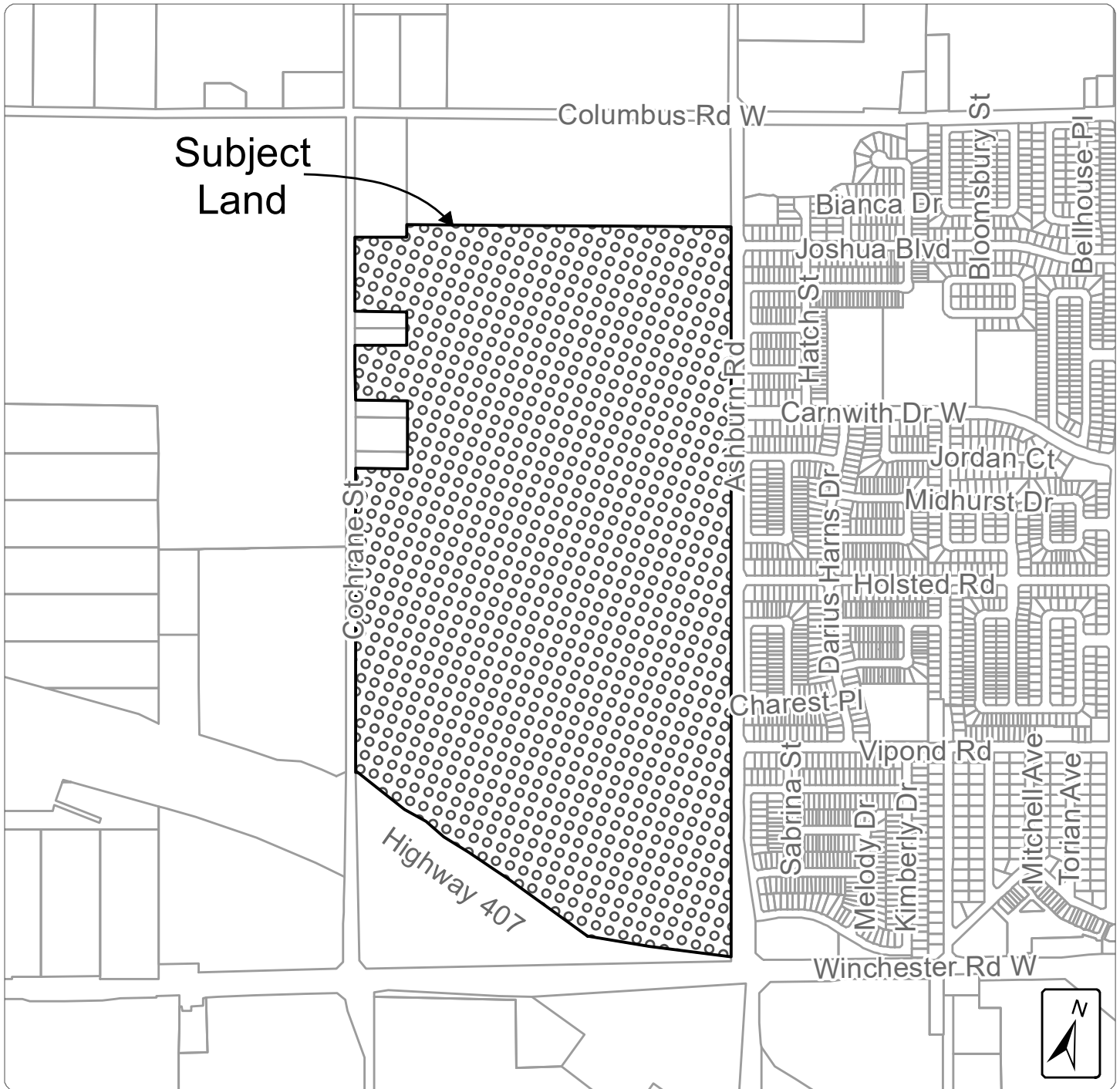
Attachment #2: Approved Draft Plan of Subdivision

Attachment #3: Letter Requesting Extension of Draft Plan Approval

Attachment #4: Conditions of Draft Approval

Attachment #1 Location Sketch

PDP 21-24



Town of Whitby Planning and Development Department

Proponent:
Brooklin Development General Partner Limited /
East Valley Farms Ltd.

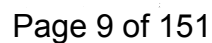
File Number:
DEV-05-20
(SW-2020-02, Z-04-20)

Date:
April 2024

External Data Sources:
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Letter Requesting Extension of Draft Plan Approval



137 Bowes Road, Concord, Ontario L4K 1H3
Tel: (905) 738-8001 Fax: (905) 669-3840

March 11, 2024

Mr. John Austin, Manager
Development Control, Design & Technical Services
Town of Whitby
575 Rossland Road East
Whitby, ON L1N 2M8

Via email: austinj@whitby.ca

RE: DPA Extension Request for Dev-05-20 (SW-2020-02 Z-04-20)
Brooklin Development General Partner Limited / East Valley Farms Ltd.
6605 Cochrane Street, Whitby

Further to our discussions, this letter will serve to formally request the extension of the Draft Plan Approval (DPA), expiring on October 19, 2024, for the captioned property.

We had commenced our earthworks program for a portion of the property in 2022 and continue to progress the detailed engineering and landscape designs but were forced to pause due to the lack of available hydro power for North Brooklin.

As you may be aware, we continue to meet with Elexicon and anticipate power may be available as early as late 2026; however, this remains to be confirmed.

We request the DPA be extended to October 29, 2027 (or possibly 2029), to account for the uncertainties surrounding the hydro for North Brooklin. Considering the above, we further request the fees associated with an extension be waived.

Thank you.

A handwritten signature in blue ink, appearing to read "Frank Filippo", is written over a horizontal line.

Frank Filippo, P. Eng.
Senior Executive Vice President

Conditions of Draft Plan Approval

Conditions of Approval**DEV-05-20 (SW-2020-02)**

1. The Subdivider shall prepare the final plan and shall include a land use table on the basis of the approved draft plan of subdivision, prepared by MGP, identified as MGP File: 18-2672, revised and dated July 4, 2021, which illustrates 616 single-detached dwellings, 242 semi-detached dwellings, 237 street townhouses, 175 laneway townhouses, 8 future residential blocks, 2 future development blocks, 3 elementary school blocks, 1 district park block, 2 local park blocks, 1 local commercial block, 1 special purpose commercial block, 1 prestige industrial block, 1 potential future interchange block, 2 storm water management pond blocks, 3 natural heritage system blocks, 1 access block, 4 road widening blocks, and roads.
2. The Subdivider shall name road allowances included in this draft plan to the satisfaction of the Region of Durham and the Town of Whitby.
3. The Subdivider shall submit plans showing the proposed phasing to the Region of Durham and the Town of Whitby for review and approval if this subdivision is to be developed by more than one registration.
4. The Subdivider shall, to the satisfaction of the Region of Durham, revise the draft plan of subdivision based on the final Brooklin Major Roads Environmental Assessment with respect to all matters addressed therein, as may be required by the Region, including any impacts on sanitary sewerage, water supply, Regional roads and stormwater management facilities servicing Regional roads.
5. The Subdivider shall grant to the Region of Durham, any easements required to provide Regional services for this development. The easements shall be in locations more than one registration.
6. Prior to final approval, the Subdivider is required to submit a Record of Site Condition (RSC) to the Region of Durham and the Ministry of Environment, Conservation and Parks (MECP). The RSC must be to the satisfaction of the Region, including an Acknowledgement of Receipt of the RSC by the MECP.
7. The Subdivider shall carry out an archaeological assessment of the subject property and mitigation and/or salvage excavation of any significant heritage resources to the satisfaction of the Ministry of Heritage, Sport, Tourism and Culture Industries. No grading or other soil disturbance shall take place on the subject land prior to a letter of clearance from the Ministry of Heritage, Sport, Tourism and Culture Industries.

8. The Subdivider shall agree in the Whitby Subdivision Agreement to implement the recommendations of the report, entitled "Preliminary Noise Impact Study," prepared by Candevcon Ltd., dated December 9, 2020, which specifies noise attenuation measures for the development. The measures shall be included in the subdivision agreement and must also contain a full and complete reference to the noise report (i.e. author, title, date and any revisions/addenda) and shall include any required warning clauses identified in the study.
9. The Subdivider shall provide for the extension of such sanitary sewer and water supply facilities which are external to, as well as within, the limits of this plan that are required to service this plan. In addition, the Subdivider shall provide for the extension of sanitary sewer and water supply facilities within the limits of the plan which are required to service other developments external to this subdivision. Such sanitary sewer and water supply facilities are to be designed and constructed according to the standards and requirements of the Region of Durham. All arrangements, financial and otherwise, for said extensions are to be made to the satisfaction of the Region of Durham, and are to be completed prior to final approval of this plan.
10. Prior to entering into a subdivision agreement, the Region of Durham shall be satisfied that adequate water pollution control plant and water supply plant capacities are available to the proposed subdivision.
11. The Subdivider shall satisfy all requirements, financial and otherwise, of the Region of Durham. This shall include, among other matters, the execution of a subdivision agreement between the Subdivider and the Region concerning the provision and installation of sanitary sewers, water supply, roads and other Regional services.
12. That prior to any on-site grading or construction or final approval of the plan, for any given stage of development, the Subdivider shall submit reports and plans describing the following to the satisfaction of the Central Lake Ontario Conservation Authority:
 - a) The intended means to establish an incremental floodplain cut/fill balance as proposed in the West Brooklin Functional Servicing & Stormwater Management Report (Candevcon East Ltd, December 2020), that results in no negative upstream or downstream impacts to the satisfaction of the Central Lake Ontario Conservation Authority. Based on the results of this study, the Subdivider shall agree that the draft plan may be subject to red-line revisions to ensure that all residential lots are outside of the established hazard limits.
 - b) The intended means of conveying stormwater from the site, consisting of stormwater techniques which are appropriate and in accordance with provincial guidelines as well as in conformity with the recommendations found within the Lynde Creek Master Drainage Plan and Brooklin Secondary Plan Sub-Area Study 1A.

- c) The intended means whereby erosion and sedimentation and their effects will be minimized on the site during and after construction, in accordance with provincial guidelines. The report must outline all actions to be taken to prevent an increase in the concentration of suspended solids in any water body because of on-site, or other related works.
 - d) The intended means to maintain appropriate water balance for the site and to the adjacent hydrologic features (eg. wetlands, headwaters, watercourses) as part of this development. This report will include appropriate mitigation measures recommended as part of the completed Headwater Drainage Feature Assessments for this development.
 - e) The intended means to design, install, access, maintain and monitor any proposed Low Impact Development (LID) measures as part of this development.
 - f) The intended means to address Official Plan Policies 11.5.25.4, 11.5.25.5, 11.5.25.11 and 11.5.25.12 related to replacement of previously isolated natural heritage features, as well as the restoration and enhancement of previously straightened watercourses, and those providing contributing, occupied and recovery habitat for Redside Dace to the satisfaction of the Central Lake Ontario Conservation Authority. This Natural Heritage System Restoration and Enhancement Plan shall include restoring meandering channels and the removal of existing farm crossings, as well as wildlife corridor enhancement, wildlife habitat enhancement, watercourse function and water quality enhancement.
 - g) The intended means to address Official Plan Policy 5.3.7.9 to establish and maintain the identified vegetation protection zones as a natural self-sustaining vegetated area.
 - h) The intended means to address all appropriate design criteria and recommendations within the Ministry of the Environment, Conservation and Parks (MECP) approved Brooklin North Major Road Environmental Assessment Study. Based on the results of this exercise, the Subdivider shall agree that the draft plan may be subject to red-line revisions.
 - i) The intended means to provide any pedestrian trails as part of this development.
13. That the Subdivider agree to not undertake any on-site grading or other site alteration works, including any pre-servicing infrastructure works for any given stage of development until the Central Lake Ontario Conservation Authority has advised in writing that lands within the draft plan are not susceptible to flood risk to the satisfaction of Central Lake Ontario Conservation Authority.

14. That the Subdivider agree to not enter into any purchase and sale agreements with respect to any lots or blocks shown on the draft plan that are located within, or partially within, a Flood Plain limit (eg. Lots 1-4, 9 to 16 and Block 810), until such time that the Central Lake Ontario Conservation Authority has advised in writing that on-site grading works have confirmed that these lands are not subject to any flood susceptibility.
15. That the Subdivider agree to restore the riparian area of headwater feature NW-HDF1b within Blocks 738 and 739 on the draft plan to the satisfaction of the Central Lake Ontario Conservation Authority and the Municipality, in consultation with the Ministry of the Environment, Conservation and Parks. A letter of credit will be required to secure for the restoration of this area within an agreed timeframe.
16. That the Subdivider agree that prior to any further site alteration (other than restoration of these lands), or approval of any development within Blocks 738 and 739 (or their equivalent consolidated Block number), that Official Plan policies 11.5.25.3, 11.5.25.4 and 11.5.25.5 related to any changes to the Natural Heritage System boundary, evaluation of headwater features and other isolated key natural heritage features shall be addressed to the satisfaction of the Central Lake Ontario Conservation Authority and the Municipality, in consultation with the Ministry of the Environment, Conservation and Parks. Based on the results of this exercise, the Subdivider shall agree that the plan may be subject to red-line revisions.
17. That the Subdivider agree that prior to any site alteration and/or development within any Natural Heritage System Blocks, that Official Plan policies 5.3.7.4 and 5.3.7.5 related to permitted activities within key natural heritage features, key hydrologic features and their vegetation protection zones be addressed to the satisfaction of the Central Lake Ontario Conservation Authority and the Municipality, in consultation with the Ministry of the Environment, Conservation and Parks. Based on the results of this exercise, the Subdivider shall agree that the plan may be subject to red-line revisions.
18. That the Subdivider agree that prior to any site alteration and/or development within habitat of an endangered species or threatened species, that conformity with all Provincial and Federal requirements, specifically within the Endangered Species Act and the Species at Risk Act will be demonstrated to the satisfaction of the Ministry of the Environment, Conservation and Parks (MECP) and Department of Fisheries and Oceans. Based on the results of this exercise, the Subdivider shall agree that the plan may be subject to red-line revisions.
19. That the Subdivider agree that the plan may be subject to further red-line revisions to accommodate the requirements of the Central Lake Ontario Conservation Authority, the Town of Whitby and other approval agencies with respect to stormwater management pond block sizes and development limits associated with natural heritage features and hazard lands.

20. That the Subdivider shall agree to dedicate all Natural Heritage System Blocks to an appropriate public body.
21. That the Subdivider shall agree within the Subdivision Agreement to install all approved planting and restoration plans identified within the Natural Heritage Corridor Restoration and Enhancement Plan to the satisfaction of the Town of Whitby and Central Lake Ontario Conservation Authority. The timing of plantings and restoration implementation will coincide with, if not happen before, the timing of any removals and/or impacts to the Natural Heritage System as approved by the Town of Whitby and Central Lake Ontario Conservation Authority. Letters of Credit will be held by the Town of Whitby for all required restoration and enhancement required as part of the approved Natural Heritage Corridor Restoration and Enhancement Plan.
22. That the Subdivider shall agree within the Subdivision Agreement to erect a 1.2m high black vinyl chain link fence between the boundary of all Natural Heritage System Blocks and residential lands to prevent any direct entry of landowners/occupants from private lands into any Natural Heritage System Blocks. Any associated development agreement shall include provisions to prohibit private gates being installed through this fence.
23. The Subdivider shall obtain all necessary permits from Central Lake Ontario Conservation Authority required through Ontario Regulation 42/06, or any successor regulations made under the Conservation Authorities Act.
24. The Subdivider shall satisfy all financial requirements of the Central Lake Ontario Conservation Authority. This shall include Application Processing Fees and Technical Review Fees owing as per the approved Authority Fee Schedule.
25. The subdivision agreement between the Subdivider and the Town of Whitby shall contain, among other matters, the following provisions:
 - a) The Subdivider agrees to carry out the works referred to in Conditions 12 to 24 to the satisfaction of the Central Lake Ontario Conservation Authority.
 - b) The Subdivider agrees to maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period, in a manner satisfactory to the Central Lake Ontario Conservation Authority.
 - c) The Subdivider agrees to advise the Central Lake Ontario Conservation Authority 48 hours prior to commencement of grading or the initiation of any on-site works.
26. That prior to final approval, the Subdivider shall have made an Agreement satisfactory to the Durham Catholic District School Board for the transfer of a

Catholic elementary school site as shown in the plan submission. The Catholic elementary school site, Block 819, shall contain not less than 2.42 hectares.

27. That the Subdivider shall agree in the Town of Whitby's Subdivision Agreement in wording satisfactory to the Durham Catholic District School Board
- a) To grade Block 819 and in doing so compact, fill with clean material, replace any topsoil disturbed in the grading process and at the same time sod/seed the same lands to specifications determined by the Board;
 - b) To remove any buildings on Block 819;
 - c) To remove trees, as required to accommodate school layout;
 - d) To provide a letter of credit pertaining to stockpiling and removal of top soil, by taking the volume of topsoil to be stored upon the school site and multiplying such volume by 125% of the current market prices for waste material disposal, as set forth in the latest version of Hanscomb's Yardsticks for costing, cost data for the Canadian Construction Industry, to the satisfaction of the Durham Catholic District School Board;
 - e) To remove stockpiled topsoil within 30 days of written notice by the Board and in doing so compact, fill with clean material, replace any topsoil disturbed in the grading process and at the same time sod/seed the same lands to specifications determined by the Board;
 - f) To construct a temporary/permanent galvanized chain link fence, Type II 1 1/2" mesh, 1.8 m high along all boundaries of the school block, including road frontage(s) at the discretion of the Board;
 - g) To construct the fences prior to the issuance of building permits in an appropriate phase to the satisfaction of the Board;
 - h) To erect and maintain a sign on the Catholic school site at such time as the relevant access roads are constructed, indicating that the date has not been set for the construction of the school;
 - i) To provide a geotechnical investigation and Phase 1 and Phase 2 environmental site assessment conducted by a qualified engineer. For an elementary school site a minimum of eight boreholes shall be required;
 - j) To provide the foregoing at no cost to the Board;
 - k) To assume any upstream and downstream charges for hydro, natural gas, sanitary and storm drainage, and water supply.
28. That the Subdivider shall submit to the Durham Catholic District School Board, at no cost to the Board, a letter from a qualified consultant concerning:

- a) The suitability of Block 819 for school construction purposes, relating to soil bearing factors, surface drainage, topography and environmental contaminants;
 - b) The availability of natural gas, electrical, water, storm sewer and sanitary sewer services.
29. That the Subdivider shall agree in the Town of Whitby Subdivision Agreement, in wording acceptable to the Durham Catholic District School Board that the utility services referred to above in (b) shall be installed to the mid-point of the frontage of the elementary school site and positioned as designated by the Board, at no cost to the Board.
30. That prior to final approval, the Subdivider shall submit to the School Board an initial set of engineering plans for review and approval, and subsequently, a copy of the final engineering plans as approved by the Town of Whitby which indicate the storm drainage system, utilities, and the overall grading plans for the complete subdivision area.
31. That prior to final approval, the local hydro authority shall have confirmed in writing to the Board that adequate electrical capacity will be supplied to the school site frontage by the Subdivider at no cost to the Board.
32. That the Durham Catholic District School Board shall advise that the Conditions noted above have been met to its satisfaction. The clearance letter shall include a brief statement detailing how each condition has been satisfied or carried out.
33. That the Town of Whitby Subdivision Agreement include warning clauses advising residents that their children may have to attend an existing school, outside of their immediate neighbourhood, although a site in the area has been reserved for a school building, a school may not be built for several years, if at all, and only then if it can be justified to the satisfaction of the Ministry of Education.
34. That the Town of Whitby Subdivision Agreement provide for the installation of sidewalks throughout the development, thereby allowing for a safe pedestrian walking route to the school site.
35. That the Subdivider agrees to set aside, within the subject plan, Block 818, for public elementary school purposes.
36. That the Subdivider and the Durham District School Board enter into an agreement for the acquisition of Block 818 for public elementary school purposes.
37. That the Subdivider submit plans indicating existing and proposed grades, drainage and servicing for approval by the Durham District School Board for all lots, blocks, easements and roads abutting Block 818.

38. That the Subdivider provide the Durham District School Board with a report detailing the soil bearing capacity and composition of soils within Block 818, prior to the registration of Phase 1 of the development. Specifically, the report will detail the chemical composition of soils and the presence of methane and/or radon gas within Block 818.
39. That any filling conducted within Block 818 meet the Durham District School Board criteria for soil bearing capacity and be approved by the Durham District School Board soils engineer.
40. That the Subdivider rough grade Block 818 to the satisfaction of the Durham District School Board.
41. That the Subdivider agrees to bring all municipal services and connections to the edge of Block 818, along the street and submit drawings to the Durham District and connections to the edge of Block 818, along the street and submit drawings to the Durham District School Board for approval.
42. That the Subdivider agrees to install a 1.8 metre chain link fence of standard school construction (number 9 gauge) along the perimeter of Block 818 where it abuts proposed or existing residential lands (lots or blocks), and/or any other proposed or existing land use, except for active municipal parkland.
43. That the following "Notice to Parents" be inserted in all agreements of purchase and sale between the Subdivider and all prospective homebuyers...

"Students from the development may have to attend existing schools. Although a school site has been reserved within this plan of subdivision, a school may not be constructed for some time, if at all, and then only if the Durham District School Board receives funding for the construction of this required school."
44. That the Subdivider agrees to post the standard Durham District School Board approved "Notice to Parents" in all sales representation centres.
45. Prior to final approval, the Subdivider shall make satisfactory to the Conseil scolaire catholique MonAvenir for the transfer of a French Elementary School site as shown in the plan of submission. The French elementary school site shall contain not less than 1.98 hectares.
46. That the Subdivider shall agree in the Town of Whitby Subdivision Agreement in wording satisfactory to the Conseil scolaire catholique MonAvenir.
 - a) To rough grade Block 820 and in doing so compact, fill with clean material, replace any topsoil disturbed in the grading process;
 - b) To remove any existing buildings on Block 820;
 - c) To construct a temporary galvanized chain link fence along all boundaries of the French Elementary School block;

- d) To provide the foregoing at no cost to the School Board.
47. That the Subdivider shall submit to the Conseil scolaire catholique MonAvenir, at no cost to the Board, a letter from a qualified engineering consultant concerning;
- a) The suitability of Block 820 for school construction, relating to soil bearing factors, surface drainage, topography and environmental contaminants;
 - b) The availability of natural gas, electrical, water, storm sewer and sanitary sewer services to be supplied to the site.
48. That the Conseil scolaire catholique MonAvenir shall advise that the conditions noted above have been met to its satisfaction. The clearance letter shall include a statement detailing how each condition has been satisfied.
49. That the Town of Whitby Subdivision Agreement provide for the installation of the sidewalks along the perimeter of the School Block 820 that is adjacent to a road.
50. The Subdivider shall determine improvements that may be required for:
- a) The Highway 7 and the intersection at Highway 7 / Cochrane Street
 - b) The Highway 7/12 and the intersection at Highway 7/ 12/ Columbus Road
51. Consider any impacts of this development on Highway 7 and any need for widening to 6 lanes, plus 1 centre left lane.
52. Consider any future widening needs of Columbus Road and its impact on the Highway 7 / 12 future widening at 4 lanes, plus 1 centre left turn lane and Highway 7 / 12 / Columbus Road intersection.
53. Enter in to a legal agreement with the MTO to undertake (if required);
- a) Widening to 6 lanes, plus 1 centre left turn lane on Highway 7 in the vicinity of the development.
 - b) Necessary improvements to Highway 7 and the intersection at Highway 7 / Cochrane Street.
 - c) Necessary improvements to Highway 7/ 12/ Columbus Road.
54. Ensure that the drainage from the development does not adversely impact the Highway 7, Highway 407 or Highway 7/12 drainage system.
55. The Subdivider shall provide the MTO with a traffic analysis for the full built-out year of 2026.
56. The MTO requires the existing driveway access from Block 825 to Highway 7 to be removed.

57. Natural Heritage Blocks 830 to 832 be dedicated to the Town as Open Space.
58. The proposed multi-use trail adjacent to Natural Heritage Blocks 830 to 832 trail must be asphalt and a minimum of 2.5 metres wide. The Developer shall undertake approval permissions / applications, design and install the multi-use trail to the Town's standards. The developer shall minimize potential environmental impacts related to construction of the trail and follow environmental protocols provided by the approval process. The Developer shall be responsible for any compensation requirements associated with the trail location approvals and construction. The trail design must also include design solutions for accessibility, seating, signage and grading for road crossings connections into Carnwith Road West and Vipond Road. The multi-use trail design is required to incorporate connection options into various points within the plan including the adjacent proposed plan of subdivision to north, connection to Anjou Court, storm pond blocks 828 and 829, a link to Joyce Marshall Drive through Storm Pond Block 829 and a feasibility report/brief of a future trail to pass underneath the Highway 407 to link the community to future destinations south of Highway 407 including the Sports Complex.
59. The Park Blocks 821, 822, and 823 as revised, pending the approved Park Block Fitment Plans for each park block and shall be dedicated the Town free and clear of all encumbrances.
60. Park Block Fitment Plans are required for each proposed Park Block within the proposed plan and completed by a qualified Landscape Architect, to be approved by the Community Services Parks Division.
61. While the future Parks Master Agreement should address the park dedication of the subject plan and overall Brooklin Development Area it is currently in draft form and needs to be finalized through further discussion and review with the Brooklin Landowners Group. Should the Parks Master Agreement not get finalized then the Town's standard rates for parkland dedication would apply. As a condition of draft approval for the proposed plan, parkland dedication will be required at a rate of 1 hectare per 300 units for parkland dedication and 1 hectare per 500 units for the case in parkland cash-in-lieu calculations and/or 5% of the total land holdings. This is consistent with the Town's Official Plan policy 4.9.4.3, the recent Planning Act changes and the Department's standard practice.
62. The Department will require the developer to install 1.2 metre black vinyl standard park fencing or a greater standard if determined through further study or where other agency requirements dictates a different standard to be installed where open space and park blocks abut residential lots.

63. The Subdivider shall convey the following to the Town:
- a) Block 821 for District Park and Blocks 822 and 823 for Local Parks;
 - b) Blocks 828 and 829 for Stormwater Management facilities;
 - c) Blocks 830 to 832 (inclusive) for Open Space lands;
 - d) Blocks 834 to 836 for Road Widening on the east side of Cochrane Street; and,
 - e) Block 837 for Road Widening on the west side of Ashburn Road.
64. The Subdivider shall be responsible for concrete sidewalks and/or multi-use paths installation in the following locations:
- a) 3.0m wide multi-use path on the west side of Ashburn Road along the frontage of the proposed development;
 - b) 3.0m wide multi-use path on the east side of Cochrane Street along the frontage of the proposed development;
 - c) 3.0m wide multi-use path on the north side and 1.5m/2.0m sidewalk on the south side of Carnwith Road West between Ashburn Road and Cochrane Street;
 - d) 3.0m wide multi-use path on the north side and 1.5m/2.0m sidewalk on the south side of Vipond Road between Ashburn Road and Cochrane Street;
 - e) 3.0m wide multi-use path on the east side and 1.5m/2.0m sidewalk on the west side of Doctor Grant Street / Randy Tureski Drive (Vipond to Charters);
 - f) Subject to confirmation from Ministry of Transportation (MTO), a 3.0m wide multi-use trail within the MTO setback adjacent to the north side of Highway 407, to provide a connection between the NHS and Ashburn Road;
 - g) 2.0m wide sidewalk adjacent to all School and Park blocks;
 - h) 1.5m wide sidewalk on both sides of collector, arterial roads and Terranova Street, Champion Street, Aldwick Street, Joyce Marshall Drive, Pat Perkins Drive and Cristiano Street between Pat Perkins Dive to Federica Street. Sidewalk width shall be increased to 2.0m adjacent to schools and parks per the above; and;
 - i) 1.5m wide sidewalk on one side of all other streets. Sidewalk width shall be increased to 2.0m adjacent to schools and parks per the above.

Further review and consideration of sidewalk placement is required, and will be addressed through detail design / engineering.

65. The Subdivider shall implement all changes to the plan resulting from recommendations and findings of the ongoing Brooklin North Major Roads Environmental Assessment (BNMREA) prior to registration, including but not limited to:
- a) The final right-of-way width, alignment and horizontal and vertical design of Carnwith Road West, Vipond Road and Doctor Grant Street between Vipond Road and the north limit of the plan.
 - b) Any changes to lots and/or road allowances adjacent to trail crossings, especially on Carnwith Road West and Vipond Road, to accommodate recommended crossing structures and trail connections up to the roadway.
66. The Subdivider shall provide a plan showing all road allowance widths, centreline radii, streetline radii, curb lines (at bends, cul-de-sacs and intersections with angles less than 90 degrees), tangents, intersection angles/skew, visibility triangles and driveway locations (at bends and intersections) to ensure conformance to street classifications, Transportation Association of Canada (TAC) and Town of Whitby. This should be provided prior to or with the submissions of the detailed engineering drawings.

The Subdivider shall be responsible for implementing any design elements and/or changes to the plan for registration required to address any sightline and/or alignment concerns.

67. The Subdivider shall be responsible for the reconstruction and urbanization of existing Ashburn Road and Cochrane Street along the development frontages to a Type 'B' Arterial Road Town standard, all to the satisfaction of the Public Works Department. Ultimate road cross-sections, turning lanes, active transportation infrastructure and pedestrian crossing requirements at proposed intersections along both Ashburn Road and Cochrane Street to be determined through completion and acceptance of the on-going Environmental Assessment study.

Grading match along the right-of-way limit to be based on the ultimate cross-section and boulevard grading. If required to address construction staging and timing, interim grading and drainage requirements that match existing conditions along the external road frontages are to be accommodated. Development Charge recoveries, in accordance with the Town of Whitby's Development Charges Background Study, will apply.

68. The Subdivider shall be responsible for maintaining the existing Town roads in an acceptable condition throughout the duration of construction and/or until such time as the Town roads are reconstructed. The Subdivider may be required to provide the Town with securities to ensure roads are maintained to the Town's satisfaction. This is to be reviewed further when information regarding the timing of construction of both the subdivision development and the reconstruction of the Town owned road(s) is known.

69. Subject to Ministry of Transportation approval, the Subdivider shall be responsible for a 3.0m Multi-Use Trail within the MTO setback adjacent to Hwy 407 through Blocks 827, 832, 829 and 825. The trail should be routed to avoid the SWM Pond, but should reconnect at the setback at Ashburn Road. The Town has been successful in providing a trail adjacent to a provincial highway corridor and the potential should be explored.
70. The Subdivider shall provide an updated Traffic Impact Study (TIS) to address the following comments and those provided under attached separate memo from Transportation Services prior to or with the submission of detailed engineering drawings:
- a) The Subdivider shall, through working with the Town staff, identify traffic calming measures on Vipond Road and Carnwith Road West, at creek crossings/valley trail locations and on all roads adjacent to Park and School Blocks to support safe travel speeds and a comfortable environment for all users.
 - b) The Subdivider shall, through detailed design, identify traffic calming needs and measures, if required, for streets leading to or adjacent to Town-owned lands, industrial and commercial blocks. All traffic calming measures identified shall consider potential impacts to traffic operations, winter maintenance and storm drainage.
 - c) The Subdivider will be responsible for speed hump installations along Pat Perkins Drive, between Vipond Road and Allegra Drive, and Champion Street. Speed hump type and design to be reviewed and approved by the Town at the detailed design stage.
 - d) Pedestrian Crossovers (PXO) are expected at key locations (i.e. pedestrian destinations, where trails/paths cross the roadway, etc.) and shall be supported by the appropriate infrastructure. The type and level of PXO is to be identified as part of the TIS.
71. The Subdivider shall provide a Traffic Management Implementation Plan and shall be responsible for providing both temporary and permanent signage and pavement markings for the development.
72. The Subdivider shall provide at least two (2) non-garage parking spaces at all corner lots. Driveways shall have constant width from the garage to the curb line. This will be addressed in the Brooklin Zoning By-law.
73. Interim turning provisions shall be provided for the temporary terminus of any partial street and any other streets as required through construction phasing to the satisfaction of the Public Works Department. This may require placing affected development lands on hold with details to be evaluated at the detail design stage when construction phasing is known.

74. The following Lots/Blocks shall be placed on hold:
- a) Lots 1 to 8 inclusive, until such time as the land to the north is developed;
 - b) Blocks 810 to 812 inclusive – Future Residential, until such time as they can be merged with land to the north;
 - c) Blocks 813 and 814– Future Residential, until such time as they can be merged with the land to the south and north respectively; and
 - d) Blocks 815, 816 and 817 inclusive – Future Residential, until such time as they can be merged with the land to the south, west and north respectively. The Subdivider shall provide an updated FSSR to address all comments provided in Section B Informational Comments prior to submission of detailed engineering drawings.
75. The Subdivider shall provide a detailed engineering submission in accordance with the Town of Whitby's Engineering Design Criteria. The engineering drawings must be set up as per the Town's CAD layering standards and object data requirements set out in Appendix A of the Design Criteria. The first engineering submission will not be reviewed until it is confirmed that the drawing set-up conforms to this requirement.
76. SWM Blocks 828 and 829 shall be sized to accommodate all Town of Whitby, Central Lake Ontario Conservation Authority (CLOCA) and Ministry of the Environment, Conservation, and Parks (MECP) design elements/features, including but not limited to, emergency spillway, sediment drying area, maintenance roads, access and turn around provision, forebay length, length to width ratios, maximum side slopes and cooling trenches and / or wetland pockets at the outfall.
- Pond sizing shall also include drainage areas for the ultimate improvements and urbanization of external roads that are tributary to the site. At the time of detailed engineering design, should review of the SWM Facility show that the block has been undersized, the Subdivider shall revise the plan to increase the block size accordingly.
77. The Subdivider shall provide confirmation from the Geotechnical Consultant that retention of the existing pond within Block 832 does / will not negatively impact the long term function and stability of the proposed SWM pond.
78. The Subdivider shall provide confirmation from Central Lake Ontario Conservation Authority (CLOCA) for the acceptance of:
- a) The limits of the Natural Heritage System (NHS), including appropriate setbacks, as well as the location and grading of the proposed Multi-use Trail beyond environmental setbacks;
 - b) Design recommendations from the Brooklin North Major Roads Environmental Assessment that will impact the proposed subdivision regarding watercourse crossings and regulatory floodplain spill locations;

- c) Water balance evaluation;
 - d) Proposed strategy to mitigate the post-development infiltration deficit; and,
 - e) Location and design of Low Impact Development (LID) measures.
79. The Subdivider shall implement the recommendations of the Environmental Noise Assessment for the proposed development and revise the plan; if required, to accommodate recommended noise control measures prior to registration.
80. All non-regulatory fencing and acoustic barriers shall be installed wholly on private property and all operation and maintenance of said fencing shall be the responsibility of the private property owners.
81. All black vinyl chain link fences to delineate Town blocks and open spaces from private property shall be designed and constructed in accordance with the relevant engineering standards. Fencing for school blocks to be as per the appropriate school board requirements.
82. The Subdivider shall ensure all private properties are protected from flooding limits at low points and points of major system flow convergence along the municipal road system. If required, the plan shall be revised accordingly to provide said flood protection prior to registration.
83. The Subdivider shall be responsible for providing service connections and a suitable storm drainage outlet for flows associated with Park Blocks 821, 822 and 823, to the satisfaction of the Public Works Department and the Community Services Department.
84. All window streets shall be designed such that they provide for positive boulevard drainage to their respective roadways, while complying with minimum and maximum boulevard grade criteria. Any grade difference between window streets and adjacent roads shall be addressed through the use of maximum 3:1 sloping within a buffer block between the two right-of-ways. Buffer blocks shall also be sized to accommodate any grading requirements to facilitate sidewalk connections to the adjacent street. If required to accommodate grading, the Subdivider shall revise the plan prior to registration.
85. The Subdivider shall place all community mailboxes within the public right-of-way adjacent to sidewalk, unless otherwise specifically approved by the Public Works Department. All community mailboxes for the private developments shall be located within private properties.
86. Construction phasing of the development shall be to the satisfaction of the Public Works Department, and shall consider adjoining developments and provide for upstream and downstream road and servicing connectivity. Construction staging details will be required for the proposed servicing and road work on Ashburn Road and Cochrane Street, including coordination with the proposed adjacent developments.

87. The Subdivider shall provide an assessment of dead, dying, diseased and over mature trees for pruning or topping purposes along the edge of the NHS as well as all hazards and debris for removal to address safety and liability concerns.

Provide details for the protection, enhancement and edge management of the retained vegetated areas. All hazards, debris, or garbage shall be removed prior to the registration of the plan.

88. The Subdivider shall provide the Town with a deposit for any necessary peer review costs with the amount to be determined at the time of first peer review. The Town will administer payments to any Peer Review Consultant(s), and provide milestone billings back to the Subdivider. The Town may request additional deposits for the Peer Review funds if required. At the time of issuance of full engineering approvals, any remaining deposit will be returned to the Subdivider. This condition will be superseded at such time as the Town has a Peer Review By-law in place.
89. The Subdivider shall provide a copy of the approved lot grading siting to each lot purchaser prior to closing.
90. Any concerns raised through future re-submissions of the Geotechnical and Hydrogeotechnical Reports for the site shall be addressed by the Subdivider to the satisfaction of the Public Works Department. This includes, but is not limited to, long term slope stability, confirmation of design parameters and preliminary layout for LID measures (proposed infiltration trenches), proposed stormwater management pond elevations relative to groundwater levels and the need / thickness of the impervious membrane or synthetic clay lining, foundation construction requirements and recommended measures for Best Management Practices for municipal servicing construction. The plan for registration must reflect changes required in this regard.
91. The Subdivider shall be responsible to enter into a separate agreement(s) with benefitting parties, to which the Town is not a party, to address cost sharing for external services and / or the oversizing of services if required.
92. The Subdivider shall be responsible for all hydro poles, luminaries and hydro requirements for this proposed subdivision and shall enter into a separate agreement with Elexicon accordingly.
93. The Subdivider shall provide the Town with a full electrical design (i.e. primary, secondary and streetlight design) for this development. All aspects of the secondary electrical design and street light design will be peer reviewed by the Town. The Subdivider will be financially responsible for the peer review cost including a 15 percent administrative fee. The street lighting design shall comply with the latest version of the RP-8 Roadway Lighting Design standard and shall utilize LED technology.
94. The Subdivider shall agree to implement the recommendations of all reports submitted in support of the application.
95. The Subdivider shall be responsible for satisfying any additional requirements identified by the Public Works Department not specifically listed above.

96. The Subdivider shall prepare and implement the following reports and plans in accordance with the applicable guidelines to the satisfaction of the agencies noted:

Report	Town	Region	CLOCA
Environmental Impact Study	Yes	Yes	Yes
Functional Servicing Report	Yes	Yes	Yes
Geotechnical Investigation	Yes	Yes	Yes
Hydrogeological Study	Yes	Yes	Yes
Noise Study	Yes	Yes	-
Phase One & Two Environmental Site Assessment(s)	Yes	Yes	-
Archaeological Assessment	Yes	Yes	-
Transportation Impact Study	Yes	Yes	-
Sub Area Study	Yes	-	Yes

97. The Subdivider shall provide a Firebreak Lot/Block Plan to the satisfaction of the Whitby Fire and Emergency Services Department.
98. The Subdivider is required to implement the architectural guidelines for the Brooklin Secondary Plan.
99. That the following Lots / Blocks shall be placed on hold and not offered for sale until such time as it can be determined that a trail can be accommodated within the Natural Heritage System, being Lots (103-105, 110-111, 127-128, 132-143, 451, 459-460, 481-482, 499, 504-507, 731-734) and Blocks (773-774). If it is identified through the trail design process that more land is required to meet the Town trail design requirements, then the adjacent Lots / Blocks shall be adjusted into the developable area to accommodate the trail.
100. That the Subdivider shall update the Sustainability Rationale as a standalone document in an acceptable format in accordance with the comments provided.
101. That the Subdivider covenants and agrees to enter into the cost sharing agreement amongst the benefitting landowners in accordance with Section 11.5.31.5 e) and f) as set out in the Town of Whitby Official Plan and that the Town will clear Condition No. 101 upon receipt of a letter of clearance from the "Trustee" representing the Brooklin Cost Sharing Agreement.

102. That the new home construction be designed to meet the Energy Star standards or equivalent.
103. Any financial securities required of the development shall be provided as specified by the Town's Corporate Services Department and shall not include bonds.
104. The Subdivider shall satisfy all requirements, financial and otherwise, of the Town of Whitby, including among other matters, the execution of a subdivision agreement between the Subdivider and the Town of Whitby concerning the provision and installation of services, drainage and other local services.
105. Prior to final approval of this plan for registration, the Town of Whitby shall be advised in writing by:
 - i) The Regional Municipality of Durham, how conditions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 have been satisfied;
 - ii) The Central Lake Ontario Conservation Authority, how conditions 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25 have been satisfied;
 - iii) The Durham Catholic District School Board, how conditions 26, 27, 28, 29, 30, 31, 32, 33 and 34 have been satisfied;
 - iv) The Durham District School Board, how conditions 35, 36, 37, 38, 39, 40, 41, 42, 43 and 44 have been satisfied;
 - v) Mon Avenir Conseil Scolaire Catholique, how conditions 45, 46, 47, 48 and 49 have been satisfied
 - vi) The Ministry of Transportation Ontario, how conditions 50, 51, 52, 53, 54, 55 and 56 have been satisfied.

Note

Please be advised that the approval of this draft plan will lapse three (3) years after the date the plan is draft approved. The approval may be extended pursuant to Section 51(33) of the Planning Act, but no extension can be granted once the approval has lapsed.

If final approval is not given to this plan within three (3) years of the draft approval date, and no extensions have been granted, draft approval will lapse under 51 (32) of the Planning Act, RSO, 1990, as amended. If the owner wishes to request an extension to the draft approval, a written request and explanation must be received by the Commissioner of Planning and Development 120 days prior to the lapsing date. A processing fee in effect at the time of request, shall apply.

Town of Whitby Staff Report

whitby.ca/CouncilCalendar



Report Title: DEV-06-24: Zoning By-law Amendment Application (Z-01-24), 1000091294 Ontario Ltd. and Fortress Management and Financial Corp., 700 Rossland Road East and 3115 & 3125 Garden Street

Report to: Committee of the Whole

Date of meeting: May 6, 2024

Report Number: PDP 22-24

Department(s) Responsible:
Planning and Development Department
(Planning Services)

Submitted by:

R. Saunders, Commissioner of Planning
and Development

**Acknowledged by M. Gaskell,
Chief Administrative Officer**

For additional information, contact:

L. Taylor, Planner II, x2902

1. Recommendation:

1. That Council approve the amendment to Zoning By-law #1784, (File No. Z-10-23), as outlined in Planning Report No. PDP 22-24; and,
2. That a by-law to amend Zoning By-law #1784 be brought forward for consideration by Council at such time as OPA 133 becomes final and binding and Site Plan Approval is issued by the Commissioner of Planning and Development.

2. Highlights:

- A Zoning By-law Amendment Application has been submitted to change the zoning from R2 – Second Density Residential to an appropriate zone category to permit an 18-storey mixed use building with 224 residential units and 1,085 square metres (11,679 square feet) of non-residential uses at grade, and a separate 4-storey building with 26 residential units, for a total of 250 residential units.
- The proponent will be required to submit a Site Plan Application and Draft Plan of Condominium at a later date.
- All of the commenting departments and external agencies have indicated support for the proposed development, subject to their comments being addressed.

3. Background:

3.1. Site and Area Description

The subject land is located at the northeast corner of Rossland Road East and Garden Street, municipally known as 700 Rossland Road East, 3115 Garden Street and 3125 Garden Street (refer to Attachment #1). Single detached dwellings that were located at 700 Rossland Road East and 3115 Garden Street have been removed. A remaining single detached dwelling at 3125 Garden Street is proposed to be removed to accommodate the proposed development. The subject land is approximately 0.92 hectares (2.27 acres) in size.

Surrounding land uses include:

- single detached dwellings to the north;
- a 12-storey apartment building and 1-storey commercial building (bank) to the east;
- a 12-storey apartment building and commercial plaza to the south;
- the Region of Durham headquarters to the southwest; and,
- a commercial plaza to the west.

3.2. Application and Proposed Development

A Zoning By-law Amendment Application has been submitted by Evans Planning on behalf of 1000091294 Ontario Ltd. and Fortress Management and Financial Corp. to change the zoning from R2 in By-law 1784 to an appropriate zone category to construct a mixed-use development with two buildings of 18-storeys and 4-storeys respectively.

The original proposal was for 184 residential dwelling units within the 18-storey building and 26 residential units in the 4-storey building for a total of 210 residential units.

The proponent has revised the proposal to include smaller units within the original building form. The new proposal is for 224 units in the 18-storey building and 26 units in the 4-storey building for a total of 250 residential units.

A Site Plan Application will be required and will be approved through the Commissioner of Planning and Development.

A Plan of Condominium Application will also be brought forward to Council for consideration at a later date.

3.3. Documents Submitted in Support

A number of documents were submitted in support of the application, including the following:

- A Concept Plan prepared by KLMA, dated February 21, 2024 (refer to Attachment #3);
- Conceptual Renderings prepared by KLMA, dated February 21, 2024 (refer to Attachment #4);
- An Arborist Report prepared by Landscape Planning Landscape Architects, dated June 6, 2022, provides a tree inventory and preservation plan, a summary of tree removals and recommendations for pre-construction, construction, and post-construction;
- An Aviation Study prepared by Cormier Aviation Consultation dated May 4, 2023, provides an analysis of aviation aspects related to the Oshawa Airport, which concludes that the buildings will be vertically clear of the Outer Surface established by the Airport Zoning Regulations, but that the use of cranes during construction will require careful planning;
- A Functional Servicing and Stormwater Report prepared by GKD Designs Consulting Inc. dated October 28, 2023, provides an analysis of municipal water and sanitary servicing and stormwater management, and concludes that the subject development can be serviced by the existing municipal services;
- A Geotechnical Investigation prepared by SOLA Engineering dated September 29, 2023, provides an analysis of the soil and groundwater, and provides recommendations for construction;
- A Hydrogeological Assessment prepared by Harden Environmental Services Limited dated March 1, 2023, provides a summary of the groundwater and water balance, and makes recommendations for construction;
- A Noise Impact Study prepared by J.E. Coulter Associates Limited dated February 21, 2024, provides an analysis of noise generated by the adjacent road network and stationary noise sources and includes recommendations for air conditioning for all residential units and noise warning clauses to be registered on title;
- A Phase 1 Environmental Site Assessment (ESA) prepared by Fortis Environmental dated January 10, 2023, concludes that there are no areas of potential concern on the subject land and that a Phase 2 ESA is not required.
- A Planning Justification Report prepared by Evans Planning dated November 2023, provides an analysis of the provincial, regional, and local planning policies and concludes that the proposed development is appropriate and reflects good planning principles;
- A Stage 1-2 Archaeological Assessment prepared by ASI dated November 5, 2021 and May 26, 2022, notes that no archaeological resources were encountered during test pit surveys and that no further archaeological assessment is required; and,

- A Transportation Study prepared by CGE Transportation Consulting dated October 4, 2023, which concludes that the incremental traffic generated by the development can be accommodated by the existing transportation network and the proposed parking supply is adequate to support the development.

The above documents have been distributed to relevant internal departments and external agencies for review and comment.

4. Discussion:

4.1. Region of Durham Official Plan

The subject land is designated Living Areas on Schedule 'A' Map 'A4' of the Regional Official Plan (ROP). Living Areas are intended to be used predominantly for housing purposes, however commercial/retail uses may also be permitted in accordance with area municipal official plans.

The subject land is designated as Community Areas in the new Regional Official Plan adopted by Regional Council in May 2023. Community Areas are intended to develop as complete communities, providing a range of housing, transportation, and lifestyle choices, and creating opportunities for residents to live, shop, work and access services and amenities within their community.

4.2. Whitby Official Plan

The subject land is designated Mixed Use on Schedule 'A' – Land Use (refer to Attachment #5). The subject land is within the Rossland/Garden Urban Central Area Secondary Plan, however through Council-approved Official Plan Amendment 133, the secondary plan has been deleted and the parent Official Plan policies apply.

The Mixed Use designation is intended to provide an integrated mixture of land use activities, including residential, offices, retail, restaurants, and personal service uses (4.6.3.1).

Building height within the Rossland/Garden Urban Central Area are required to be a minimum of 2-storeys and a maximum of 18-storeys (4.3.3.4.4.2b).

High Density Residential development within a mixed-use building within an Intensification Area such as the Rossland/Garden Urban Central Area, are permitted to have a density range of 135 to 300 units per net hectare (4.4.3.6.1c).

The proposed development of an 18-storey mixed use building and 4-storey residential building with a maximum density of 300 units per net hectare conforms to the policies of the Whitby Official Plan.

4.3. Zoning By-law

The subject land is zoned R2 – Second Density Residential Zone in By-law 1784 (refer to Attachment #6). The R2 zone permits single detached dwellings, reflecting the current and former uses of the properties.

An amendment to the Zoning By-law is required to permit the proposed mixed-use development.

4.4. Urban Design Plan

Evans Planning Inc. and John G. Williams Limited were retained by the proponent to prepare an Urban Design Plan (UDP) for the land at the northeast corner of Rossland Road East and Garden Street, including the subject land (refer to Attachment #7). This conceptual and aspirational document was prepared in accordance with policies in the Whitby Official Plan and was endorsed by Whitby Council on June 24, 2019.

The Urban Design Plan area, if fully built out as proposed, could provide for approximately 882 residential units and 2,414 square metres (26,000 square feet) of commercial/office floor space within the Mixed Use land at the northeast corner of Rossland Road East and Garden Street. The proposed concept also includes a privately owned / publicly accessible gateway to the area, and private open space land including rooftop amenity space.

The proposed Zoning By-law Amendment application is consistent with the Council-endorsed Urban Design Plan.

4.5. Access Easement

A vehicular and pedestrian easement in favour of the Town of Whitby will be required over the driveway and main drive aisle from the Garden Street property line to the east property line and connecting to the south and north property lines. The easement shall provide vehicular and pedestrian access to Garden Street for the future development on land to the north of the subject property at 3145 Garden Street and south/east of the subject property at 708 Rossland Road East.

4.6. Conclusion

The subject land is designated for mixed use. Mixed Use areas are intended to support a variety of residential and non-residential uses.

The proposed development will serve to increase the range of dwelling types and businesses available within the community. The proposed development represents an urban form that is efficient and cost effective for servicing, storm water, transportation, and public transit systems.

The site details will be reviewed and approved through the Site Plan Approval process.

The proposed development represents an intensification opportunity within the built-up area of the Town of Whitby located within the 'Built Boundary', as defined by the Province. It provides an appropriate range and mix of housing types and densities to meet the needs of current and future residents. Development of the subject land for an 18-storey mixed use building and 4-storey residential building is appropriate as it is situated within the built-up area, along arterial roads with access to transit facilities.

The proposed development of 4-storey residential building along the north portion of the property provides transition to the existing low density residential neighbourhood.

All of the commenting departments and external agencies have indicated support for, or no objection to, the proposed development subject to their comments and conditions, as outlined in Section 7.

Based on the detailed review of the application and consideration of public and agency comments and requirements (refer to Section 6), it is concluded that the proposed development is consistent with the Provincial Policy Statement, and is in conformity with the Growth Plan, the Region's Official Plan, and the Town's Official Plan. The proposed development will also assist the Town to achieve its Municipal Housing Target of 18,000 new homes in Whitby by 2031. Therefore, it is recommended that Council approve the proposed Zoning By-law Amendment Application.

5. Financial Considerations:

Not applicable.

6. Communication and Public Engagement:

A Public Meeting was held on March 25, 2024, in accordance with the Town of Whitby Official Plan and the Planning Act. This meeting provided the public and interested persons and agencies the opportunity to make representation in respect of the Zoning By-law Amendment Application. The meeting minutes are included in Attachment #8a. Members of the public were in attendance to speak at the public meeting. Concerns raised included:

- increased traffic;
- disruptions and damage caused by construction;
- the density is too high;
- the tower should be reduced in height;
- overcrowding in schools;
- shadow impacts on the existing buildings;
- pedestrian safety; and
- building separation impacts that might affect future development at 708 & 714 Rossland Rd E.

Written correspondence is included in Attachment #8b which includes concerns regarding:

- noise, dust, and air quality during construction;
- increased traffic;
- damage to adjacent properties during construction;
- construction issues including access, material storage, contractor parking, schedule, site security and pedestrian safety;
- parking for future occupants and commercial staff and visitors;
- capacity of existing services and schools;
- noise from the future residents and vehicles;
- tower separation and impact on adjacent property's future development opportunities;
- loss of existing trees and green space;
- building height and density;
- loss of sun exposure; and,
- increase in crime.

The oral and written submissions by the public have been considered in determining the recommendation for approval of the Zoning By-law Amendment Application. As previously noted, the proposed development conforms to the Official Plan policies of the Region's and Town's OP. The following concerns raised above have been considered as follows:

- the proponent will be required to provide a construction management plan for approval that will consider pedestrian safety, contractor parking, material storage and dust control;
- the density and height meet the requirements of the Mixed Use designation;
- the school boards have advised that the existing schools will accommodate students generated by this development;
- the submitted shadow study shows that shadows from the development will not reach adjacent buildings in the April and September and in December will reach the low density dwellings to the north but will be exposed to sunlight at least two times at 10am, 12pm or 2pm, in accordance with the Shadow Study Guideline requirements;
- site landscaping will be reviewed and approved through the future Site Plan Application; and,
- transition of height is provided with the 4-storey stacked dwellings proposed on the north portion of the site.

All individuals who registered as an interested party at the statutory public meeting and any individual who provided written correspondence to the Town have been provided notice of the May 6, 2024, Committee of the Whole Meeting.

7. Input from Departments/Sources:

The following agencies have reviewed the application and have no objection:

- Durham Catholic District School Board;
- Durham District School Board;
- Engineering Services; and,
- Financial Services.

Refer to Attachment #9 for additional detailed comments.

Internal Departments

Fire and Emergency Services

Comments provided by Fire staff include requirements to be addressed through the future Site Plan application, including revising the plan to show fire hydrants, fire routes, signage and fire alarm systems and sprinklers in accordance with the Ontario Building Code.

Refer to Attachment #9 for additional detailed comments.

External Agencies

Durham Regional Police Services

The proponent has worked with Durham Regional Police Services and the Region of Durham to relocate the existing microwave link on the Region of Durham Headquarters at 605 Rossland Road East.

Refer to Attachment #9 for additional detailed comments.

Oshawa Airport

Comments provided by Oshawa Airport outlines their requirements, including applications to Transport Canada, NAV Canada and Oshawa Airport for land use, lighting, and construction. The noise warning clauses and mitigation measures identified in the Noise Study will be registered on title through the future Site Plan Agreement.

Refer to Attachment #9 for additional detailed comments.

Region of Durham

Comments provided by the Region of Durham state that the proposed development would increase the range of housing types in the community and conforms with the Regional Official Plan and Provincial policies. The Region has no objection to the Zoning By-law Amendment Application and that the following can be addressed through a future Site Plan Application:

- Noise warning clauses and mandatory air conditioning is required for all new residential units;
- A 6.0m servicing easement is required in the driveway for the future servicing of 3145 Garden Street;
- Revisions are required to the Functional Servicing and Stormwater Management Report, Traffic Impact Study, and specified drawings; and,
- The existing bus shelter and pad shall be protected.

Refer to Attachment #9 for additional detailed comments.

8. Strategic Priorities:

The development of a mixed-use condominium development including an 18-storey mixed use building and 4-storey residential dwellings contributes to meeting the priorities of the Community Strategic Plan, specifically Action Item 1.3.4 under Pillar 1: Whitby's Neighbourhoods by providing a variety of housing options.

This report is in a fully accessible format, which addresses the Town's strategic priority of accessibility. The future Site Plan Application will be circulated to Accessibility staff for review.

The proposed mixed development increases the density on the subject land which provides a better use of existing infrastructure, which implements the Town's strategic priority of sustainability.

9. Attachments:

Attachment #1: Location Sketch

Attachment #2: Aerial Context Map

Attachment #3: Proponent's Concept Plan

Attachment #4: Proponent's Conceptual Renderings

Attachment #5: Excerpt from Official Plan Schedule A

Attachment #6: Excerpt from Zoning By-law 1784

Attachment #7: Rossland Road East and Garden Street Urban Design Plan

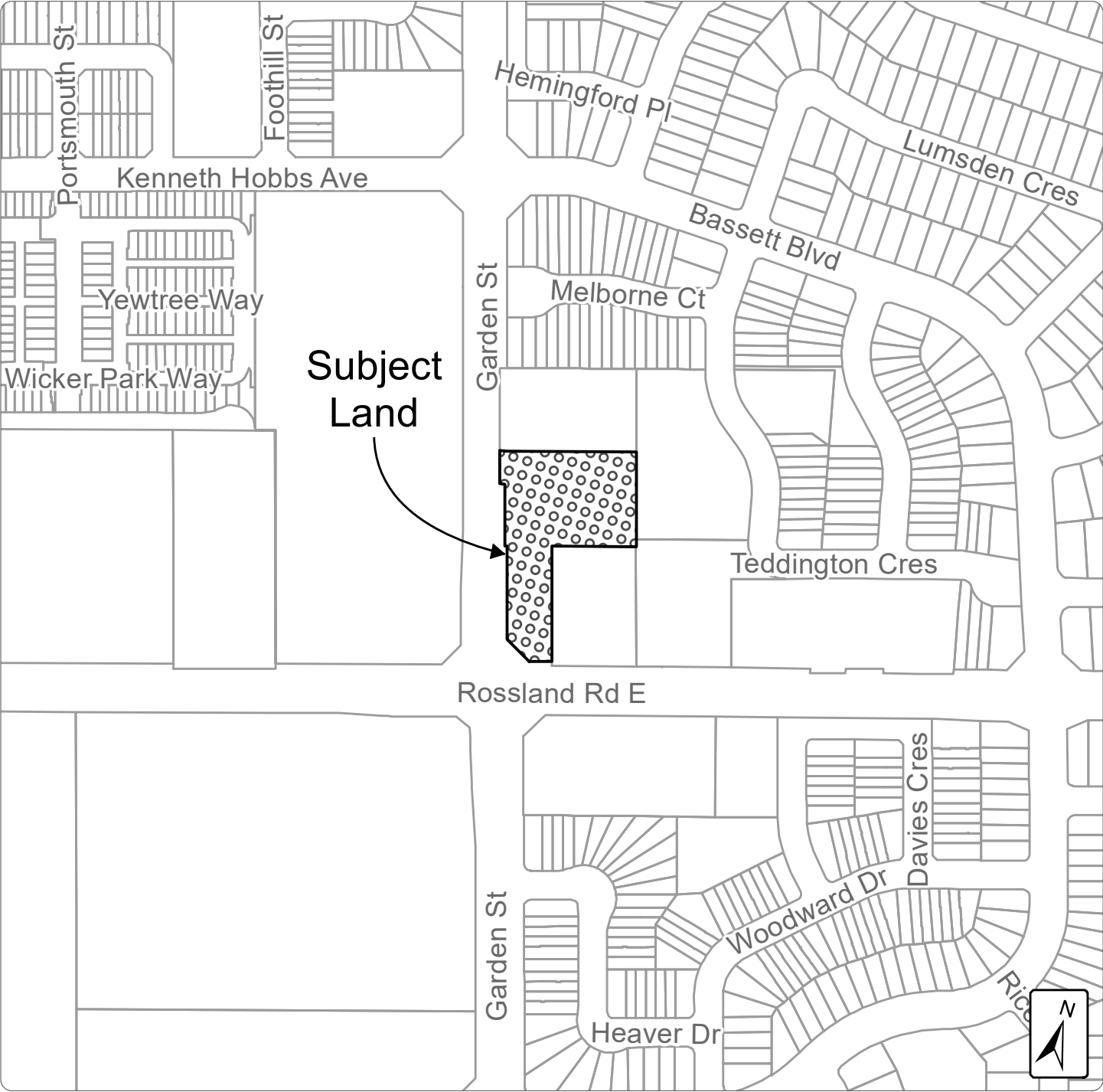
Attachment #8a: Public Meeting Minutes

Attachment #8b: Summary of Written Public Comments

Attachment #9: Agency & Stakeholder Detailed Comments

Attachment #1
Location Sketch

PDP 22-24



Town of Whitby Planning and Development Department

Proponent:
1000091294 Ontario Ltd.

File Number:
DEV-06-24 (Z-01-24)

Date:
May 2024

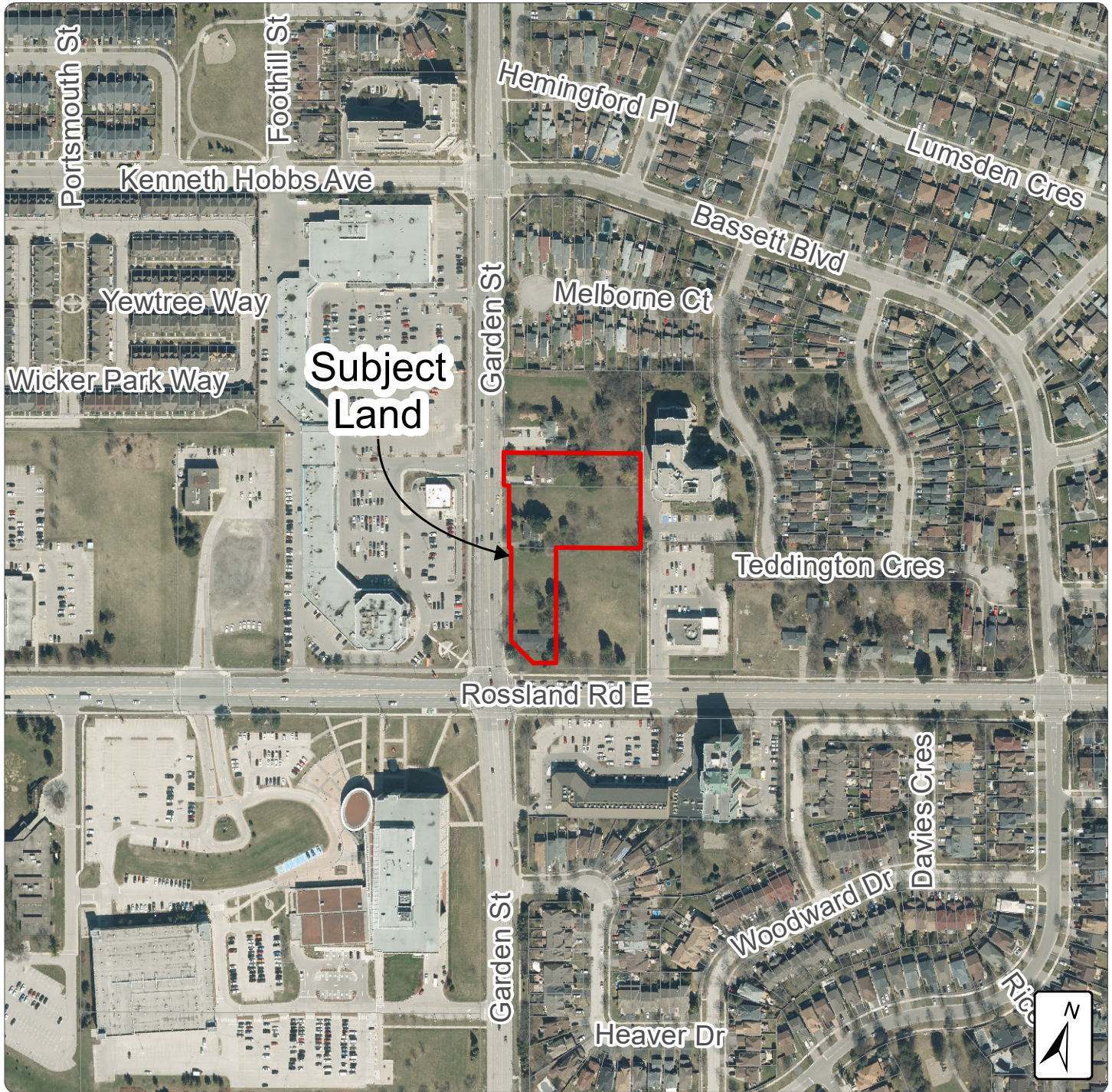
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Attachment #2 Aerial Context Map

PDP 22-24



Town of Whitby Planning and Development Department

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1000091294 Ontario Ltd.

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May 2024

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Proponent's Conceptual Renderings

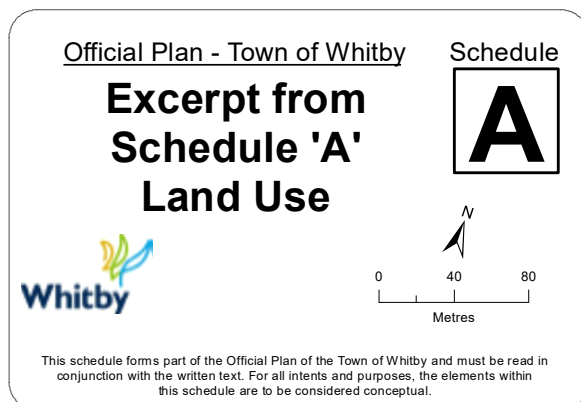
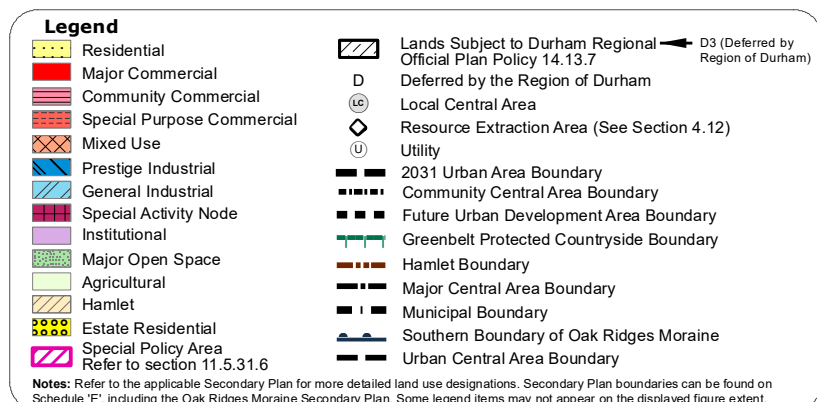
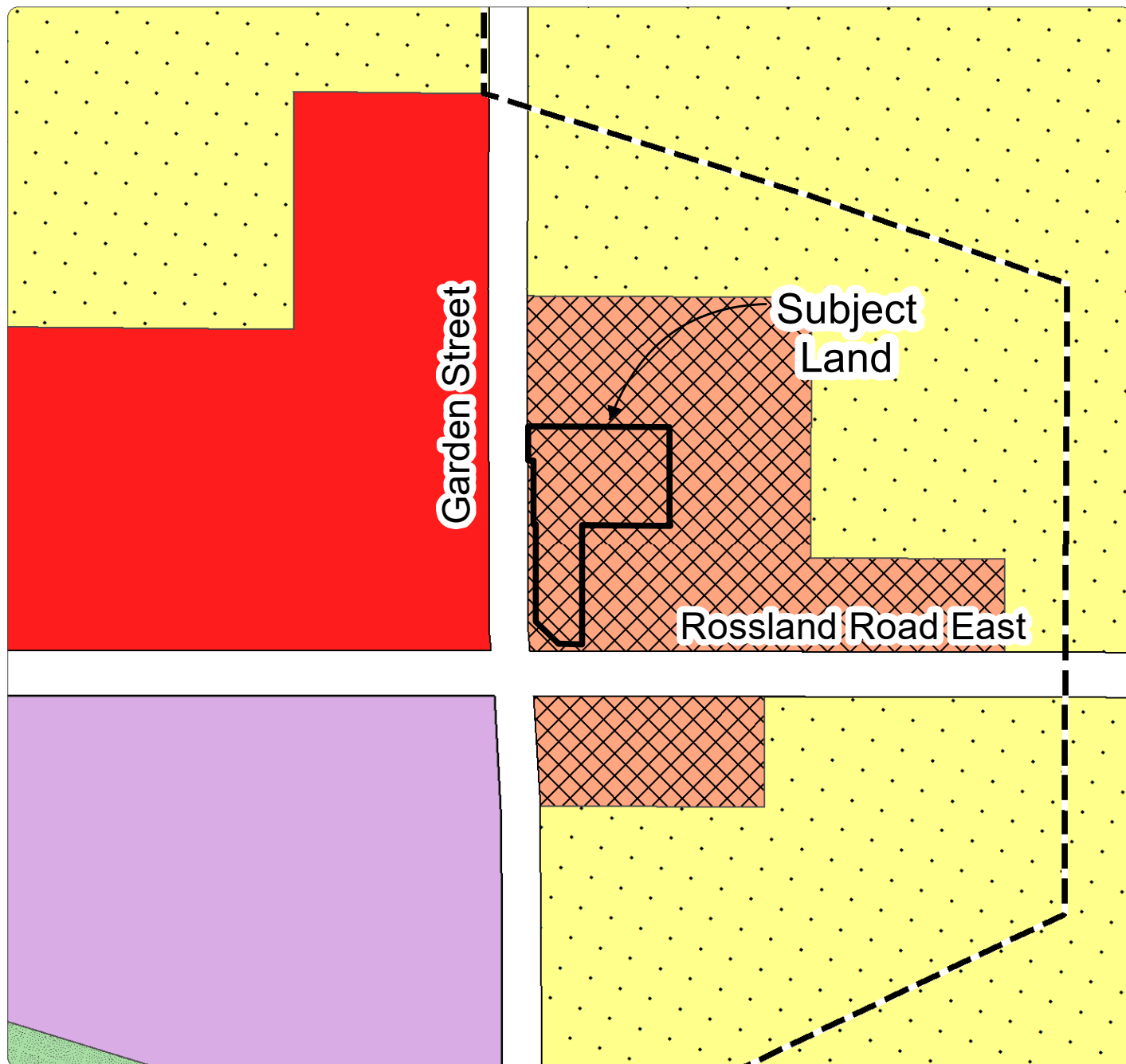
PROPOSED MIXED-USE DEVELOPMENT
BY FORTRESS FINANCIAL CORP.
ROSSLAND ROAD & GARDEN STREET WHITBY ON.

KEY MAP

SUBJECT LANDS

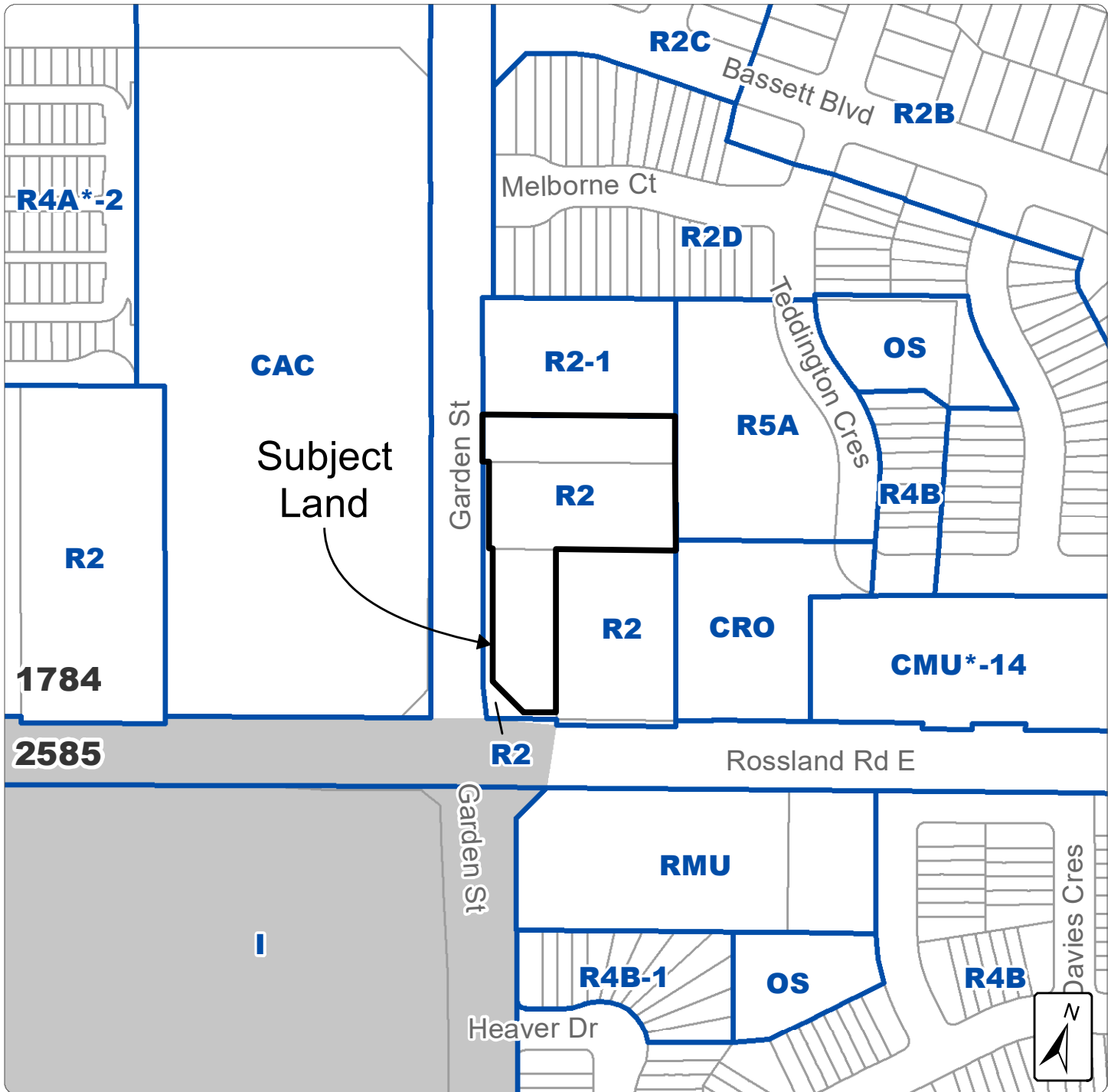
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Excerpt from the Town of Whitby Official Plan Schedule 'A'



Attachment #6
Excerpt from Zoning By-Law 1784

PDP 22-24



Town of Whitby Planning and Development Department

Proponent:
1000091294 Ontario Ltd.

File Number:
DEV-06-24 (Z-01-24)

Date:
May 2024

External Data Sources:
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Rossland Road East and Garden Street Urban Design Plan

Town Of Whitby

Garden / Rossland Urban Design Plan



Page 66

Fig. 4.2a - Preferred Urban Design Concept

John G. Williams Limited, Architect / Evans Planning Inc.

- 1 - Gateway Plaza
- 2 - 18-Storey Apartment Tower
- 3 - 3-Storey Podium with Non-Residential Space
- 4 - 4-Storey Stacked Townhouses
- 5 - 6-Storey Mid-Rise Apartment
- 6 - 8-10 Storey Apartment
- 7 - 15-Storey Apartment
- 8 - 4-Storey Back-To-Back / Stacked Townhouses
- 9 - 10-Storey Apartment
- 10 - Existing 12-Storey Apartment
- 11 - Outdoor Amenity Space
- 12 - Multi-Use Path
- 13 - Existing Transit Stop
- 14 - Potential Future Transit Stop
- 15 - Potential East-West Vehicular Connection
- 16 - Green Roof / Outdoor Amenity Space

Attachment #8a

Public Meeting Minutes from March 25, 2024

File DEV-06-24 (Z-01-24)

Lauren Taylor, Planner II, provided a PowerPoint presentation which included an overview of the application.

Adam Layton, representing 1000091294 Ontario Ltd. provided a PowerPoint presentation which included a detailed overview of the application.

The Chair indicated that comments would now be received by members of the public.

Maureen Moloney, Resident, raised concerns regarding an increase in traffic along Rossland Road and Garden Street resulting from the proposed development. Ms. Moloney raised additional concerns regarding the density of the proposed development and disruptions during the construction phase to surrounding property owners. She stated that the residential density of the proposed development was 208 units per hectare and that the Rossland Road/Garden Street Urban Central Area Secondary Plan permitted a maximum of 110 units per hectare. Ms. Moloney proposed that a new entranceway onto Teddington Crescent for the residents of 712 Rossland Road East be established. She further suggested reducing the height of the proposed tower. Ms. Moloney sought clarification regarding whether the developer has gathered feedback from residents of 712 Rossland Road East.

Alan D'Cunha, Resident, raised concerns regarding an increase in traffic along Bassett Boulevard. Mr. D'Cunha raised concerns regarding the risk of overcrowding to nearby schools and provided a summary of the impacts of overcrowding to students. He raised additional concerns regarding the height of the proposed tower within the proposed development. Mr. D'Cunha suggested that speed bumps be installed along Bassett Boulevard for traffic calming. He further suggested that a dedicated right hand turn lane with a yield sign be installed on Rossland Road, turning north onto Garden Street. He recommended that an assessment be undertaken with the school boards to assess the capacity of local schools. He further recommended that the proposed tower be limited to 12 storeys to be in keeping with neighbouring buildings while allowing for growth.

Kenwyn Richards, Resident, raised concerns regarding the number of units in the proposed development and whether future studies related to the development may impact the number of units. Mr. Richards sought clarification regarding studies conducted that support the proposed development and who would be held accountable should the studies not accurately consider the final impacts of the proposed

development. He raised concerns about the Shadow Study and the impacts of shadows cast by the proposed development on 712 Rossland Road East.

Robert Weindorfer, Resident, raised concerns regarding an increase in traffic and disruptions due to construction to local residents. Mr. Weindorfer sought clarification regarding the timeline for completion of the Garden Street/Rossland Road intersection improvements. Mr. Weindorfer suggested that the applicant engage with the residents at 712 Rossland Road East by way of a dedicated phone number or email address to discuss their concerns. He raised additional concerns regarding potential damage to property at 712 Rossland Road East during the construction phase of the proposed development.

James Black, Resident, raised concerns regarding the quality of life for local residents as a result of the proposed development. Mr. Black raised additional concerns regarding an increase in traffic and pedestrian safety. He recommended that the proposed development be downsized.

Adam Layton and Staff answered questions regarding:

- details about the Official Plan Amendment 133 and density;
- an entranceway to Teddington Crescent for the residents of 712 Rossland Road East;
- minimizing shadows and protecting views for residents at 712 Rossland Road East;
- the timing of the intersection improvements at Rossland Road and Garden Street;
- the process for assessing school expansions and capacities by the Durham District School Board and Durham Catholic District School Board;
- reviewing access to Garden Street;
- reviewing the Traffic Impact Study to determine whether traffic calming measures were required along Bassett Boulevard;
- requiring addendums to studies should unit counts change;
- requiring a Construction Management Plan that addresses dust and noise suppression;
- completing preconstruction surveys to assess conditions of the area and adjacent properties pre and post construction, and compensating local property owners for repairs in case of property damage;
- encouraging direct dialogue between the residents at 712 Rossland Road East and the applicant;
- requirements for insurance and liability for developers; and,
- information about reviewing and approving services such as water, sewer, and storm water management for developments.

Chris Pereira, representing 708 and 714 Rossland Road East, raised concerns regarding the placement of the proposed buildings and separation between the proposed tower and future development on his property. Mr. Pereira stated that the Town of Whitby's Official Plan did not include separation guidelines for towers. He requested that the proposed applications for 3115 and 3125 Garden Street not impact the future development of 708 and 714 Rossland Road East.

There were no further submissions from the public.

Attachment #8b Summary of Written Public Comments File DEV-06-24 (Z-01-24)

Marion Moreau, resident, provided written correspondence which raised concerns about noise and cleanliness during construction.

Theresa Cughan, resident, provided written correspondence which raised concerns about traffic and requested that a vehicular access to Teddington Crescent and a right turn exit lane to the existing Rossland Rd E driveway be provided for the residents of 712 Rossland Rd E.

Susan Derbyshire, resident, provided written correspondence which raised concerns about dust during construction.

Marion Blair, resident, provided written correspondence which raised concerns about noise and air quality during construction.

Robert Weindorfer, resident, provided written correspondence which raised concerns about construction issues and damage to the adjacent parking garage during construction. The correspondence noted that the proposed reconfiguration of the Garden and Rossland intersection to add a right turn lane in each direction will be positive and requested the timeline for completion.

Diane Cavalli, resident, provided written correspondence which raised concerns about:

- conflict between the proposed access on Garden Street and existing access to the plaza on the west side;
- construction access, material storage and contractor parking;
- construction schedule;
- site security and pedestrian safety during construction;
- noise and pollution during construction – request the developer be responsible for cleaning windows at 712 Rossland Rd E during construction;
- parking for future occupants and commercial staff and visitors;
- tenure of the proposed development (rental or condominium);
- capacity of existing services;
- traffic – request that a vehicular access to Teddington Crescent and a left turn exit lane to the existing Rossland Rd E driveway be provided for the residents of 712 Rossland Rd E; and,
- noise from vehicles and residents – request an 8' tall stone wall be erected along the east property line.

Jill Barnard, resident, provided written correspondence which raised concerns about traffic and contractor parking.

Ronalee D. Murphy, resident, provided written correspondence which raised concerns about traffic.

Chris Pereira and Courtney Mark, representatives of the owners of 708 & 714 Rossland Road East, provided written correspondence which raised concerns about tower separation and wishes to ensure that the placement of the buildings will not impact the future development opportunities on their client's property.

Grace Insang, resident, provided written correspondence which raised concerns about the removal of the existing trees.

Alan D/Cunha, resident, provided written correspondence which raised concerns about traffic, school capacity and building height.

Jenna McMahon, resident, provided written correspondence which outlined support for the proposed development.

John Kennedy, resident, provided written correspondence which raised concerns about the density of the proposed development and traffic.

Maureen Moloney and Robert Weindorfer, residents, provided written correspondence outlining opposition to the proposed development and concerns about the ability of residents to provide their individual comments.

Maureen Moloney, resident, provided additional written correspondence which raised concerns about:

- traffic;
- noise, dirt, and debris from construction; and,
- that the density is too high.

Beth and Steve Smith, residents, provided written correspondence which asked for clarification on the proposed commercial uses and on the tenure (condominium or rental). The correspondence also raised concerns about:

- traffic;
- loss of existing trees and sun exposure;
- loss of green space; and
- increase in crime.

Attachment #9 Agency & Stakeholder Detailed Comments File DEV-06-24 (Z-01-24)

Internal Departments

Engineering Services

Engineering Services does not object to the proposed Zoning By-law Amendment.

Detailed Engineering comments will be provided at the Site Plan application stage.

Financial Services

The following pertains to Town of Whitby Development Charges only, based on current Provincial legislation and Town of Whitby by-laws (subject to change). Additional information can be found at https://www.whitby.ca/en/work/development-charges.aspx?_mid_=3457. This development will also be subject to Region of Durham development charges and DDSB/DCDSB education development charges, please reach out to them directly with any questions.

Development Charges

- Will be owing for both the residential and non-residential development.
- Under Section 26.2 of the Development Charges Act.
 - The base DC rate(s) will be set as of the Zoning By-law Amendment application submission date.
 - Interest will accrue on the base DC rate(s), from the date of site plan application submission until the date of building permit issuance. Per the DC Act, the interest is set at Prime +1% adjusted quarterly.
 - The applicant has 2 years from the date of Zoning By-law application approval to obtain a building permit. Otherwise, Section 26.2 no longer applies, and instead the applicable DC rate(s) are the current posted rates in effect as of the building permit issuance date.
- If this development is a condo, development charges are payable prior to the issuance of the 1st building permit. If this development is entirely rental housing development charges shall be payable as per Section 26.1 of the DC Act.
- If this development includes affordable or attainable units (as defined in Section 4.1 of the DC Act), those units are eligible for DC exemptions.

- If this development includes rental housing or institutional development, Section 26.3 of the DC Act allows for development charges to be paid in equal annual installments beginning upon occupancy.
- If this development includes rental housing, Section 26.2 (1.1) of the DC Act allows for additional development charge reductions based on number of bedrooms per unit.
- If a building is being demolished to make way for this redevelopment, the applicant has 5 years from the date that the demolition permit was issued to obtain the new building permit to qualify for a redevelopment credit.

Parkland Dedication / Cash-in-Lieu

Shall be applicable as per the Planning Act and Town of Whitby By-Law for both the residential and non-residential development.

- If utilizing a CIL, a land appraisal is required at the cost of the developer and will remain current for a maximum period of one (1) year.
- If CIL has previously been applied, a reduction in the amount owing will be applied.
- If CIL has not previously been applied, only the incremental residential units are used for the calculation of the CIL value.

Fire and Emergency Services

1. Water supply shall be provided as per OBC 3.2.5.7
2. A fire access route that meets OBC 3.2.5.6 requirements shall be provided to each building as required.
3. Provide distance from designed fire access route to northern 4 story townhouse.
4. Fire access route sign locations shall be indicated on site plan as per TOW Bylaw 4084-97
5. Provide separate fire alarm monitoring points for each building on site.
6. Provide separate municipal addresses for each building on site.
7. Structural engineer shall provide letter confirming that parking garage is capable of supporting the weight of fire apparatus.
8. Standpipe System to be provided as per OBC 3.2.9.1. (Be aware WFES would be open too accepting a proposal for standpipe connections to be installed in the stairwell without hose).

9. Smoke Control Systems designed to meet the Ontario Building Code shall be provided with procedures to be carried out for the inspection and testing of related equipment established by the designer prior to occupancy.
10. Fire alarm system required in 4 storey townhouses conforming to OBC
11. Sprinkler system required in 4 storey townhouses conforming to OBC.
12. Fire department connection for 4 storey townhouses to be indicated on drawing.
13. Advise if backflow preventers will be provided for each 4 storey townhouse or one common for site.

External Agencies

Durham Catholic District School Board

Planning staff at the Durham Catholic District School Board have reviewed the above-mentioned development and zoning bylaw applications and have no objections to the proposed development of a total of 210 residential units.

This development is located within the boundary of St. Bernard C.S. located at 1000 Dryden Boulevard, Whitby.

The DCDSB does not foresee any concerning over capacity issues within the surrounding Catholic schools as a result of this specific development.

Durham District School Board

Staff has reviewed the information on the above noted and has the following comments:

1. Approximately 42 elementary pupils and 42 secondary pupils could be generated by the above noted application.
2. Students generated by this development will attend existing neighbourhood schools.

Under the mandate of the Durham District School Board, at this time, staff has no objection.

Durham Regional Police Services

The proponent has provided a Microwave Path Survey Report for the relocation of the existing microwave link.

Oshawa Airport

Comments from the airport related to this development found below:

1. The location appears to be within the Transport Canada Oshawa Executive outer surface airport zoning as confirmed by their consultant report. The proponent must ensure the maximum height of the development, all of its associated features and any cranes used do not exceed the maximum zoning as outlined in the Transport Canada Zoning Regulations for the Oshawa Executive Airport (180.0m ASL).
2. The proponent will be required to submit an application to the NAV Canada land use process. No impact on the instrument approaches at the airport will be accepted. This would be for both the development and any cranes used to construct the development. We would want to see the response letter from NAV Canada illustrating no impacts prior to construction.
3. The proponent must submit an application to Transport Canada to determine the need for obstacle lighting through Transport Canada's Aeronautical Assessment Form. We would want to see the response letter from Transport Canada prior to construction.
4. If the proponent requires a temporary obstacle (i.e., crane) to be above the maximum height as permitted in item 1 of this list at any time during the construction project they must complete a Transport Canada – Temporary Zoning exemption request prior to construction.
5. The proponent shall complete an Oshawa Airport Crane Permit application prior to erecting any obstacle into the airspace.
6. The proponent shall ensure the new structure and associated refuge does not become a wildlife attractant due to its location in proximity to the airport.
7. The proponent must undertake a noise impact study which determines that the location is suitable for the intended use given the proximity to the airport and its associated aircraft noise. The study must identify noise mitigation measures which should be included in the building design and same must be included in the final building design.
8. The applicant shall ensure that the storm water management pond (if applicable) cannot be used as habitat for waterfowl.
9. If a storm water management pond is proposed, the applicant shall retain a wildlife expert to complete a wildlife risk assessment to ensure the risk of wildlife strikes is mitigated due to the proximity of the airport.

Region of Durham

Regional Official Plan Conformity

The subject site is designated as “Living Areas” in the current Regional Official Plan. Living Areas are primarily intended for housing purposes. The proposed development would increase the residential density in the community and conform to the policies of the ROP.

Policy 2.1.5 of the current ROP states that a goal of the ROP is to promote good community planning and design that enhances public health and safety. Previously, a concern was raised by the Durham Region Police Services (DRPS) regarding the proposed development and its impact on existing 911 telecommunications facilities located at 605 Rossland Road East. The Region has agreed to work with the applicant to find a solution that mitigates the impact of the development proposal on the telecommunication system. This can be addressed through a future site plan application.

New Region of Durham Official Plan

A new ROP was adopted by the Regional Council in May 2023 and forwarded to the Ministry of Municipal Affairs and Housing for approval. The subject site is designated “Community Areas” in the new ROP. Community Areas are intended to develop as complete communities, providing a range of housing, transportation, and lifestyle choices, and creating opportunities for residents to live, shop, work and access services and amenities within their community. The proposed mixed-use development conforms to the policies of the new ROP.

Provincial Policy Statement

Policy 1.1.3.2 a) of the Provincial Policy Statement (PPS) encourages development within settlement areas that support densities and a mix of land uses that efficiently use land, resources, and planned infrastructure. Policy 1.4.3 states that planning authorities shall provide an appropriate range and mix of housing options and densities to meet projected market-based and affordable needs of current and future residents. The proposed mixed-use development would increase the residential density of the neighbourhood, using existing infrastructure and is consistent with the policies of the PPS.

Growth Plan

The Growth Plan contains policies to guide land use planning and development. Policy 1.2.1 of the Growth Plan, in part, includes a policy related to housing, which emphasizes, “to support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.” The proposed mixed-use development contributes to providing greater housing options for the community and maintains the objectives of the Growth Plan.

Moreover, the subject site is also located within the Province's built boundary for the Growth Plan. As such, the proposed development will assist the Town of Whitby in achieving its minimum intensification allocation as per Schedule 'E' – Table 'E9' of the ROP. The proposed mixed-use development conforms to the policies of the Growth Plan.

Provincial Plan Review Responsibilities

Noise

The Noise Impact Study prepared by J.E. Coulter (February 2024) identified traffic noise sources from Rossland Road and Garden Street, Type B and Type C arterial roads respectively in the ROP. Stationary noise sources include existing commercial plazas to the west and south, Durham Region Headquarters to the south-west, and various nearby residential condo and apartment buildings. The appropriate road traffic figures supplied by the Region were used for calculating sound levels.

Outdoor Living Areas (OLA's) were identified for this development as: 1) 4th level rooftop common amenity space located at the south end of the residential tower and, 2) the patios at the westernmost 4-storey "live-work" townhouse units. An acoustic screen of 1.5 metres in height would be required at these townhouse units (including Warning Clause B) to reduce sound levels from 62 to 58 dBA Leq. Rooftop barriers at a standard height of 1.1 meters are recommended for the 4th floor common amenity space for the residential tower.

Sound levels from all of the external stationary noise sources are expected to be considerably below the existing ambient sound levels as generated by traffic noise in this area and would not impact this proposed development. Although not known at this time, the mechanical equipment (generators, HVAC equipment, etc.) for this development is not expected to require any special measures to satisfy the Ministry's criteria.

All residential units in this development will require Mandatory Central Air Conditioning. Warning Clauses A and D are recommended with respect to Indoor Sound levels for all of the units in the residential tower as well as all of the townhouse units.

This Noise Impact Study uses both the Stamson 5.0 model and the CadnaA algorithm and provides the appropriate outputs. The recommendations of the Study are acceptable to the Region and the recommended warning clauses are to be included in the Town's Servicing/Development Agreement.

Archaeology

A Stage 1 and 2 Archaeological Assessment of 700 Rossland Road East and 3115 Garden Street was prepared by ASI (November 2021). No archaeological resources were encountered, and no further archaeological assessments are required.

A Stage 1 and 2 Archaeological Assessment of 3125 Garden Street was prepared by ASI (May 2022). No archaeological resources were encountered, and no further archaeological assessments are required.

Both studies were submitted to the Ministry of Heritage, Sport, Tourism, and Culture Industries who provided their clearance letters. There are no further matters of archaeological concern.

Potential Site Contamination

A Phase One Environmental Site Assessment (ESA) Report was prepared by Fortis Environmental (January 2023). The Phase One ESA Report concludes that the properties have always been used for residential purposes and that there are no areas of potential environmental concern. As such, a Phase Two ESA Report is not required. The Phase One ESA Report is generally acceptable to the Region.

Based on the Phase One ESA Report, Records of Site Condition (RSC) were filed for the 3115 Garden Street & 700 Rossland Road and 3125 Garden Street. The RSCs are dated March 30, 2023. This is acceptable to the Region.

Please note that should 18 months pass from the time of filing the RSC to submitting subsequent Planning applications (e.g., Plan of Condominium), a Phase One ESA Update Report would be necessary for the Region. This requirement is in accordance with our Soil and Groundwater Assessment Protocol.

Municipal Servicing

General

A 6.0m wide servicing easement within the driveway of the proposed development is required for the future sanitary servicing of 3145 Garden Street. The Applicant shall extend the existing 200mm sanitary sewer within this easement and connect to sewer via an inspection maintenance hole offset 1.5m from the easement.

The Applicant shall confirm that the proposed development is one parcel, under one ownership.

Access to the mains within the existing service easement, east of the subject site, shall remain free and clear of any permanent obstacles.

The Applicant shall abandon unused existing services and plug them at the mains. Only 1 water service connection off the existing 300mm watermain on Garden Street is preferred. Revise design to have the fire line and domestic water service off the 1 service connection.

Confirm the size of the proposed fire line. Note the 250mm size watermain is no longer in production and shall not be used. Specify another size of watermain.

In accordance with the Region of Durham Sewer Use By-Law, the Region will not permit foundation drains to connect to the sanitary sewer system. The applicant shall note that sanitary drainage capacity is allocated on a first come first serve basis at the time of signing a development agreement.

Density

As seen in the table below a theoretical design population of 467 people has been calculated using the Region's medium density and high density criteria. The Applicant shall recalculate the proposed water demand and sanitary drainage. The Applicant shall revise section 2.2.3 Proposed Water Demand, section 2.3.5 Proposed and Appendix A – Water and Sanitary Demand, accordingly.

Medium Density	Unit	PPU	Pop
Townhouse	26	3	78
High Density			
1bdrm	130	1.5	195
2bdrm	55	2.5	138
3bdrm	16	3.5	56
*Dens are counted as an additional bedroom			
Totals	227		467

Residential drainage Flow	= 7.48 l/s
Infiltration drainage flow from 0.92 ha	= 0.24 l/s
Commercial/Industrial drainage flow from 0.11 ha	= 0.23 l/s
Theoretical Design Flow of	= 7.94 l/s

Functional Servicing and Stormwater Management Report

The Functional Servicing and Stormwater Management Report was reviewed, and the following comments are provided:

2.22 Water Design Criteria

The Applicant shall refer to the mechanical engineering consultant to confirm the water demand of proposed commercial spaces. The 86 person/ha criteria is not applicable. It is intended to estimate the water consumption for large commercial areas when specific data is not available.

2.2.4 Proposed Water Demand

Confirm the size of the proposed 300mm fire line, the site servicing plans shows a 250mm pipe size. Note the 250mm pipe is no longer in production and shall not be used for water servicing.

2.3.4 Proposed Sanitary Flows

Proposed Sanitary Design Sheet

Revise these sections as per the theoretical design population of 467 people and proposed commercial area.

Describe the external sanitary drainage of 2.55l/s in the sanitary design sheet.

Functional Servicing Plan

A 6.0m wide servicing easement is required for the future sanitary servicing of 3145 Garden Street E.

Extend the existing 200mm sanitary sewer within this easement and connect to sewer extension via an inspection maintenance hole offset 1.5m from the easement. Confirm the location of the meter room and show the proposed water services. Water service connections to extend to the meter room prior to distribution throughout the site.

Update the drawing to show the existing 12m wide easement. Draft the 300mm watermain within the existing 6.0m wide easement.

Include a note that the Applicant shall abandon the existing water service and plug it at the main.

Transportation

Traffic Impact Study

The Traffic Impact Study was reviewed, and the following comments are provided:

- The site plan includes the agreed-upon Right-of-Way (ROW) dedications, featuring a 30-metre ROW on Garden Street, and a total of 21.2m from the centreline on Rossland Road East, which incorporates an additional 3.2m to facilitate a Multi-Use Path (MUP) and bus stop infrastructure.
- The commencement of intersection upgrades at Garden Street & Rossland Road East is now scheduled for Spring 2025. This update does not necessitate any changes to the current plans, as it is consistent with the anticipated full build-out of the development. • The Traffic Impact Study (TIS) must be revised to utilize the 11th edition of the ITE Trip Generation Manual instead of the 10th edition currently used, as initially indicated in the approved terms of reference dated May 2022.

- PM Peak Synchro output sheets are missing in the appendices.
- The site plan dated September 27, 2023, indicates sight triangles of 15m x 15m, which aligns with the Region's requirements.
- The terms of reference approved in May 2022 mentioned that a site visit would be conducted; however, the report does not indicate that such a visit has taken place. The study is to include a site visit to observe existing infrastructure and operations for all travel modes. Key observations are to be included in the report, including any observed operational or safety issues. Observations of existing traffic operations (e.g., queue lengths) should be used to validate the existing conditions Synchro analysis results.
- In the analysis of the Garden Street & Rossland Road East intersection for the Future Total (2033) – AM Peak Hour, a -3 second lost time adjustment was applied to the Eastbound Through (EBT) and Southbound Left (SBL) movements. This approach deviates from the Region's guidelines, which stipulate that a zero-second lost time adjustment should be applied, unless otherwise authorized by the Region. The study must comply with the Region's Traffic Impact Study Guidelines, including the requirements for Synchro analysis (Chapter 9 in the Design Specifications for Traffic Control Devices, Pavement Marking, Signage and Roadside Protection).
- Growth rates should be applied to turning movements as well as through movements at arterial/arterial junctions. The Region consents to applying growth to through movements only at collector/arterial and local/arterial junctions where appropriate. A revision is needed to reflect this. Please use a 1% compound growth rate.
- The TIS should utilize LUC codes that accurately represent the proposed development. Please revise the document to include LUC 222 for High-Rise and LUC 822 for the retail plaza.
- Adjust TTS data queries to use PM peak period data (3:00-5:59 PM) for PM traffic distribution and 6:00-8:59 AM for the AM peak period, to accurately reflect actual travel patterns.
- Modify TTS data queries to differentiate between AM peak outbound traffic and PM peak inbound traffic for Zone 1124. The present analysis uses AM peak outbound flows for the analysis of PM peak conditions.
- Ensure TTS queries for distribution are filtered for Auto mode of travel.
- The methodology for distributing internal trips within the Planning District of Whitby requires clarification. It is recommended to utilize TTS zones for a finer-grained analysis.
- The TIS should identify critical movements based on delay as well as volume-to-capacity (v/c) ratios. A v/c greater than 0.90 can be used to identify critical movements and potential mitigation measures for these movements should be identified.

- The Region suggests incorporating into the site plan a clear connection between the internal and municipal sidewalk networks. It would be beneficial for pedestrian awareness if the continuity of the municipal concrete sidewalk across the driveway is considered.
- The Region notes that the distance between the proposed site access and the signalized intersection at Rossland Road may not meet the ideal spacing criteria for future consideration of traffic control signals. We recommend further evaluation to ensure future signalization would not be required.
- The Region recommends engaging in discussions with the Town of Whitby to determine the most suitable location for the proposed full movement unsignalized access on Garden Street. The current placement may lead to operational conflicts, particularly concerning the safety of northbound and southbound left-turn movements in proximity to the existing plaza entrance on the west side.
- The Region recommends undertaking a traffic safety assessment focused on the new access point being introduced. This assessment should include an evaluation of potential conflicts between entering and exiting traffic, the impact of traffic queues on left-turn movements, and the risk of collisions for all road users. Specifically, the assessment should analyze vehicle paths and how they conflict with existing accesses, sight distances, and the interaction between pedestrians and vehicles. It should also propose measures to mitigate identified risks, such as adjustments to access point design, signage, and signal timing adjustments to ensure safe ingress and egress for all road users.
- As per TAC guidelines, Table 8.9.3, we suggest re-evaluating the site layout to have a minimum clear throat length of 40m. Adjusting parking space allocation could prevent queuing issues for inbound vehicles thereby improving access to the site.
- The Region proposes a review of the need for right-turn lanes into the site, given the observed turning volumes. A balanced discussion on the advantages and disadvantages of such a lane would be valuable in determining its suitability for the site.
- Please provide a copy of the agreed-upon terms of reference as an appendix within the TIS report.

Stormwater Management

- Upon review of the Functional Servicing and Stormwater Management report dated October 28, 2023, pertaining to the referenced development, it has been noted that a discrepancy exists concerning the stormwater drainage proposal.
- The report identifies a 600mm storm sewer within the easement off Teddington Crescent, initially constructed to service future development west of the storm sewer, including the subject properties. The current proposal, however, suggests that the south portion of the development is intended to drain to the Rossland Road storm sewer. The Region does not possess records confirming the

proposed release rate has been incorporated into the Rossland Road storm sewer's design.

- Given that the subject site's drainage has already been considered in the design of the existing 600mm storm sewer, the Region requests a revision of the stormwater management strategy. The revised proposal should ensure the entire development's drainage is directed to the existing 600mm sewer.
- The Region may consider accepting minimal drainage from landscaping areas along Rossland Road, which cannot be feasibly directed to the 600mm storm sewer due to grading constraints.

Transportation Planning:

The Traffic Impact Study was reviewed by Transportation Planning Staff who provided the following comments:

- Section 6.2 – Communication Strategy (pg.30), references that a communication strategy will be developed by the developer and will include information packages including community maps, transit route maps, GO Transit route maps and schedules, information on Smart Commute Durham and pre-loaded presto cards and events for Regional staff to be on site to provide details on existing and future active transportation facilities. It also references that the Regional and Town staff are to distribute/deliver these materials. This should be revised to indicate that the developer will provide/distribute these packages. While the Region can help provide or direct the developer on where to find the information to include in the packages, it is the developer's responsibility to obtain and deliver these details.
- Section 6.5 – Cyclist Accommodation (pg. 30) should be updated to reference the 2021 Regional Cycling Plan that proposes a Multi-Use Pathway on Rossland Road from Garden Street to Thornton Road. This section should be updated to reflect reference to the recently completed Regional Cycling Plan (RPC) and proposed cycling connections identified. • Table 11 – TDM Strategies (pg. 31) proposed that an Outreach Program will be delivered. It is unclear if this is referencing the Communications Strategy or is a different exercise. It is suggested that the table be updated to be consistent with any previously mentioned activities or tactics or that more information be provided to describe any newly proposed activities/tactics. Furthermore, it should be noted that the Region will not pay for costs for outreach strategy and that this will be incurred by the developer.
- Table 11 – TDM Strategies (pg. 31) references YRT maps be provided in the information packages, however Durham Region Transit (DRT) is the transit service operator for Durham. This should be updated to DRT maps.

- It should be noted that Smart Commute Durham is a program for business members and their employees, and the program does not provide services at the residential or community level at this time. It is recommended that reference to Smart Commute Durham be updated to reflect this.

Waste Management

The Region of Durham may provide recycling and waste collection service to residential units on private property in the Town of Ajax, City of Pickering, Townships of Scugog, Brock and Uxbridge and the Municipality of Clarington. Only Blue Box recycling collection may be provided by the Region in the City of Oshawa and Town of Whitby in cases where Oshawa or Whitby have decided to provide municipal waste collection services.

On June 3, 2021, Ontario filed O.Reg. 391/21 under the Resource Recovery and Circular Economy Act that will make product producers responsible for the Blue Box program including collection. Once transition occurs, The Regional Municipality of Durham will no longer be the service provider for the Blue Box program. The transition of responsibility of the Blue Box program to product producers in Durham Region is expected to occur in 2024. Please see ON Reg. 391/21 for full details.

In all cases, the lands must be designed in accordance with the Guidelines for municipal front-end waste collection service on Private Property which are outlined in Schedule “P” of the Regional Waste Bylaw 46-2011, In order to receive Regional waste services.

A Waste Management Plan must be submitted to the Region with the Site Plan application if the proponent wishes to receive Municipal collection. The plan must present in detail how the site meets Regional guidelines.

The Waste Management Plan for multi-residential buildings must indicate how residents will dispose of their source separated waste material from their units, and how the property maintenance staff will manage residential waste material prior to collection. This should include dimensions of waste storage rooms in the proposed site, sufficiently sized in a manner that addresses Durham Region’s dual stream recycling and waste diversion programs and ensures sufficient space and movement for all waste bins.

A Tri-sorter is acceptable and recommended for all multi-storey buildings in Durham Region. The tri-sorter’s on-floor front-facing chute panels must reflect waste/recycling (fiber)/recycling (containers) only – no source separation of organics can be reflected. Those sites with greater than 30 units must install compactors to properly manage residential waste. If the proposed site has a retail/commercial component, residential waste must be managed in a separate area and not be comingled. Refer to ON Reg 103/94.

For multi-residential buildings where internal collection by waste vehicles is proposed, overhead clearance to enable tip of front-end bins must be shown on all drawings. Private roadways and driveways must be designed to allow the truck to move into and out of the site without exiting onto a public roadway in a reverse motion. Where trucks

travel over underground parking, the load weight of a waste vehicle must be confirmed and engineered.

Site Servicing Drawing (S-1)

- Retaining wall and steps to be located on private property outside of the Regions right-of way and sight triangle
- Rename existing sanitary maintenance hole to MH-K21-0005
- Show limits of regional easement
- Easement to remain free and clear. Culvert is not permitted over easement.
- Show and label meter room as per Regions standards S-240.XXX

Landscape Drawing (L-100)

Remove the proposed precast concrete seat wall, concrete benches, plantings, from the sight triangle and right-of-way. Sight triangle and right-of-way to be free and clear.

Additional Comments

The intersection improvement at Garden St/Rossland Rd is under the Region's capital project. Construction will commence in spring 2025 if there are no delays. Coordination between the application and the Region will be required and we will provide additional comments during the detail design stage.

Durham Region Transit

The application was reviewed by Durham Region Transit who advised that there is a bus stop and shelter located on the subject site, therefore the bus shelter and stop pad shall be protected, and the pad and shelter shown on the site plan.

Conclusion

The proposed mixed-use development would increase the range of housing types in the community and conforms with the ROP and Provincial policies. As such the Region has no objection to the approval the Zoning By-law Amendment application. Comments from Regional Works and Durham Region Transit can be addressed through a future site plan application. Additionally, any approval of the future site plan application will be subject to satisfying any concerns or comments from the Durham Region Police Services regarding the telecommunication services.

Town of Whitby Staff Report

whitby.ca/CouncilCalendar



Report Title: DEV-05-24: Draft Plan of Condominium Application CW-2024-01, 1606-1614 Charles Street East GP Inc., 1604 Charles Street

Report to: Committee of the Whole

Date of meeting: May 6, 2024

Report Number: PDP 23-24

Department(s) Responsible:
Planning and Development Department
(Planning Services)

Submitted by:

R. Saunders, Commissioner of Planning
and Development

**Acknowledged by M. Gaskell,
Chief Administrative Officer**

For additional information, contact:

L. England, Planner I, x. 2822

1. Recommendation:

1. That Council approve the Draft Plan of Condominium (File No. CW-2024-01) subject to the comments included in Planning Report PDP 23-24 and the Conditions of Approval, included in Attachment #4;
2. That the Mayor and Clerk be authorized to execute the Condominium Agreement and any other necessary documents; and,
3. That the Clerk advise the Commissioner of Planning and Economic Development at the Region of Durham, of Council's decision.

2. Highlights:

- A Condominium Application has been submitted by 1606-1614 Charles Street East GP Inc. for the land located at 1604-1614 Charles Street.
- The Draft Plan of Condominium is required to enable the transfer of title to the future property owners and create a Condominium Corporation to adhere to the conditions of Site Plan Approval (SP-13-18).
- All commenting departments and external agencies have indicated support for the proposed development, subject to their comments and requested conditions being addressed.

3. Background:

3.1 Site and Area

The subject land is located at 1604 Charles Street (refer to Attachment #1). The subject land is approximately 1.17 hectares (2.88 acres) in size.

Surrounding land uses to the Draft Plan of Condominium, include residential uses to the west, north, and east, and businesses (future mixed-use development) to the south (refer to Attachment #2).

3.2 Application and Proposed Development

A Condominium Application (CW-2024-01) was submitted for three-hundred-forty-seven (347) apartment residential dwelling units (refer to Attachment #3).

4. Discussion:

Planning Conformity

The Subject Land has previously been considered through Site Plan Application (SP-13-18). This application was circulated to the appropriate internal departments and external agencies and all comments and concerns have since been addressed through the relevant Site Plan Agreement.

The proposed development conforms to the Region of Durham Official Plan, Zoning By-law # 2585, as amended, and the Town's policies for Site Plan Approval.

Therefore, it is recommended that the proposed Draft Plan of Condominium be approved, subject to the comments included in this report and the Conditions of Draft Plan of Condominium Approval included in Attachment #4.

5. Financial Considerations:

Not Applicable.

6. Communication and Public Engagement:

Not Applicable.

7. Input from Departments/Sources:

External Agencies:

Region of Durham:

The subject site is designated as "Living Areas" in the current Regional Official Plan. Living Areas are primarily intended for housing purposes. The proposed standard plan of condominium conforms to the policies of the ROP.

The proposed standard plan of condominium, which would facilitate the development of high-density residential units, conforms to the policies of the new ROP.

The proposed development is consistent with the housing policies of the Provincial Policy Statement (PPS).

The proposed residential development contributes to providing greater housing options for the community and maintains the objectives of the Growth Plan.

As a condition of draft approval, and in keeping with the Region's Council-adopted Soil and Groundwater Assessment Protocol, the Region will require a letter from a Qualified Person, stating that the site conditions have not changed and are acceptable for the proposed use. The Regional Reliance Letter and Certificate of Insurance are also required.

As a condition of draft approval, an Environmental Noise Report should be submitted to the Region, and the recommendations of the Environmental Noise Report should be included in the appropriate development agreement with the Town of Whitby.

Regional Works has advised that municipal water and sanitary sewer services were approved and installed through a Regional Servicing Agreement as part of the associated Site Plan Application (SP-13-18).

The application was reviewed from a Transportation Planning perspective and there are no comments.

Durham Region Transit reviewed the application and advised that a sidewalk should be constructed along Charles Street to Victoria Street.

Based on the foregoing, the Region has no objection to the draft approval of this condominium application subject to the inclusion of our requested conditions of approval. The attached conditions of draft approval must be complied with prior to clearance by the Region for registration of this plan.

The Proponent must also provide a land use table prepared by an Ontario Land Surveyor to the Region's satisfaction. The land use table must provide lot area calculations for the proposed land use(s) allocated within the draft plan of condominium.

8. Strategic Priorities:

The development review process has provided opportunity for agency input. The recommendations contained in this report align with the priorities of the Community Strategic Plan, specifically Section 1.3.4 under Pillar 1: Whitby's Neighbourhoods by providing a variety of housing options.

This report is in a fully accessible format, which addresses the Town's strategic priority of accessibility.

The proposed residential development increases the density on the subject land which provides a better use of existing infrastructure, which implements the Town's strategic priority of sustainability.

9. Attachments:

Attachment #1: Location Sketch

Attachment #2: Aerial Context Map

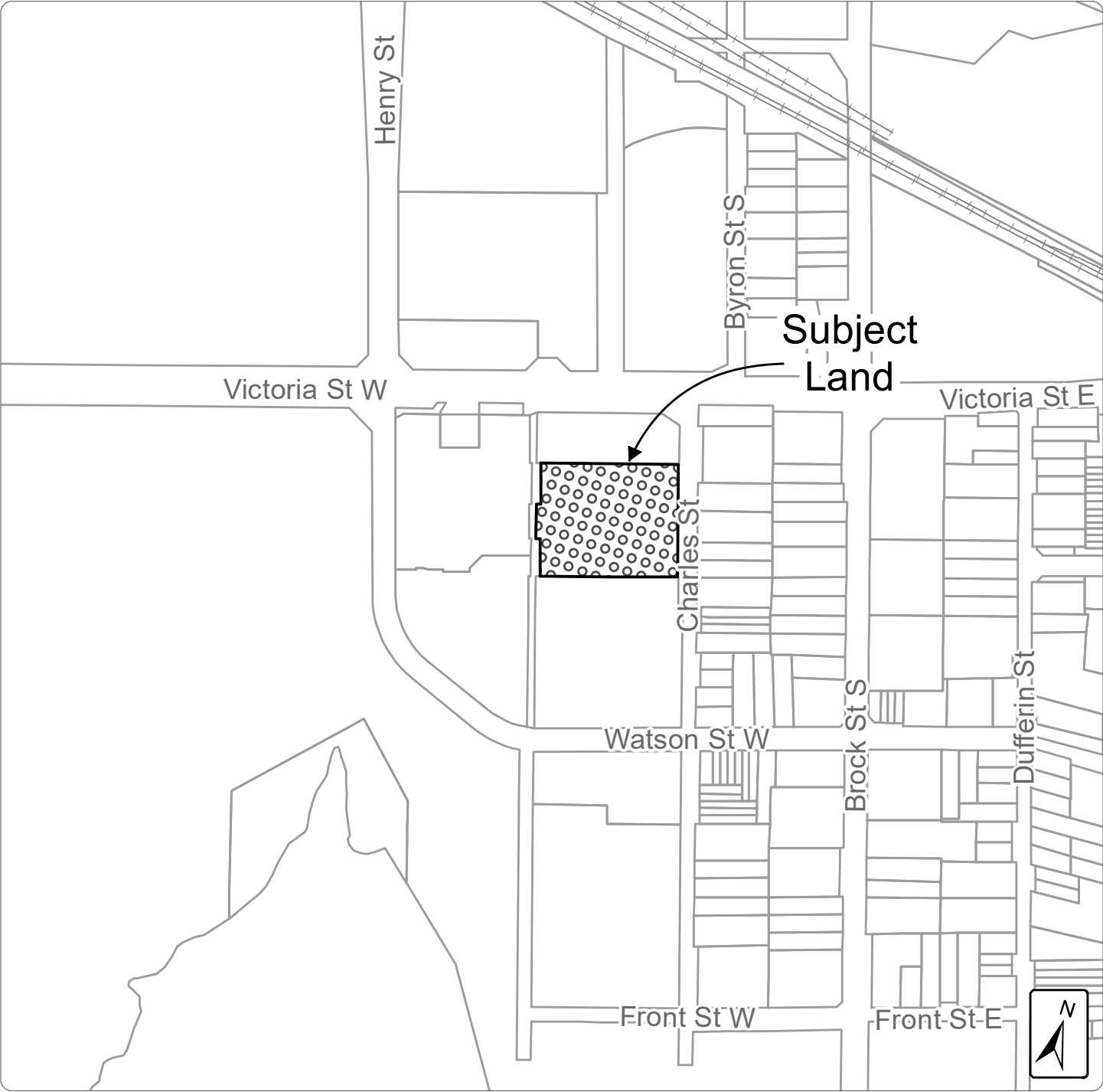
Attachment #3: Proponents Proposed Common Element Condominium Plan


Attachment #4: Conditions of Draft Plan of Condominium Approval

Attachment #5: Agency and Stakeholder Detailed Comments

Attachment #1
Location Sketch

PDP 23-24



 **Town of Whitby Planning and Development Department**

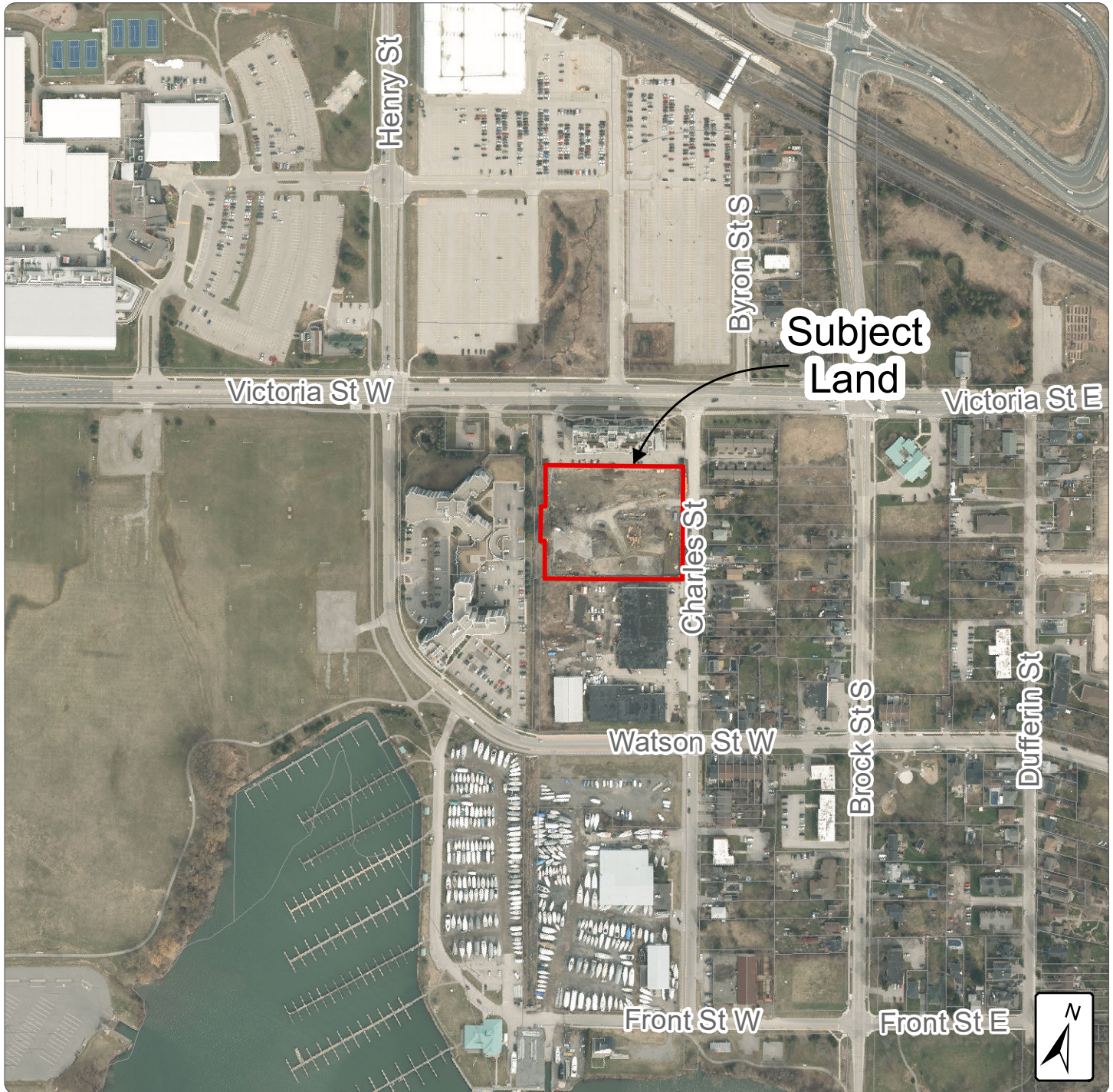
Proponent: 1606-1614 Charles Street East GP Inc.	File Number: DEV-05-24 (CW-2024-01)	Date: May 2024
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External Data Sources:
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Attachment #2 Aerial Context Map

PDP 23-24



Town of Whitby Planning and Development Department

Proponent:
1606-1614 Charles Street East GP Inc.

File Number:
DEV-05-24 (CW-2024-01)

Date:
May 2024

External Data Sources:
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Attachment #4

Draft Plan of Condominium Conditions

1. The Proponent shall prepare the final plan and shall include a land use table on the basis of the approved draft plan of Condominium, prepared by KRCMAR Surveyors Ltd., identified as job number 18-063, dated December 22, 2024, which illustrates 347 residential units and 381 parking spaces.
2. Prior to the finalization of this plan of Condominium, the Owner must provide satisfactory evidence to the Regional Municipality of Durham in accordance with the Region's Soil and Groundwater Assessment Protocol to address site contamination matters. Such evidence may include the completion of an Update Letter, Regional Reliance Letter and Certificate of Insurance.
3. The Proponent shall submit to the Region of Durham, for review and approval, an acoustic report prepared by an acoustic engineer based on projected traffic volumes provided by the Region of Durham Planning and Economic Development Department and recommending noise attenuation measures for the draft plan in accordance with the Ministry of the Environment, Conservation and Parks guidelines. The Proponent shall agree in the Condominium Agreement to implement the recommended noise control measures. The agreement shall contain a full and complete reference to the noise report (i.e. author, title, date, and any revisions/addenda thereto) and shall include any required warning clauses identified in the acoustic report. The Proponent shall provide the Region with a copy of the Condominium Agreement containing such provisions prior to final approval of the plan.
4. The Proponent shall provide the Town with the fees and legal costs incurred for the preparation and registration of the Condominium Agreement including the Release Fee in the amount of \$3,752.97.
5. The Proponent covenants and agrees to implement the provisions of Site Plan Agreement (SP-13-18) and to confirm the same through the Condominium Agreement.
6. Prior to final approval, the proponent shall provide the Commissioner of Planning and Development for the Town of Whitby with a copy of the Condominium Corporation documents, demonstrating that all relevant Site Plan conditions of approval have been included in said documents. This shall include all clauses in all offers of purchase and sale or lease and registered upon the title of the dwellings within the block, to advise potential purchasers of the following:
 - a. The proponent covenants and agrees to implement the provisions of the Site Plan Agreement (SP-13-18) and to confirm the same through the Condominium Agreement;

- b. The maintenance of all common elements such as, but not limited to, the internal roads, water meter room, hydro transformer, internal sidewalks, lighting, fencing, landscaping, driveway, and visitor parking area;
 - c. The collection and disposal of residual garbage, recycling, yard waste and organic materials shall be the responsibility of the Condominium Corporation;
 - d. The allocation of visitor/accessible parking spaces of the condominium are to be owned and maintained by the Condominium Corporation, shall contain a clause in the condominium documents clearly specifying that the visitor/accessible parking spaces shall be properly signed and be solely for the use of visitors to the proposed condominium; and
 - e. Any changes or alterations to the building elevations, roof shingles, colours or materials require the approval of the condominium board.
7. Prior to final approval of the plan of condominium, the Commissioner of Planning and Development for the Town of Whitby shall be advised in writing by:
- a. The Regional Municipality of Durham how conditions 1, 2, and 3 have been satisfied.

Attachment #5 Agency & Stakeholder Detailed Comments File CW-2024-01

External Agencies

Region of Durham

We have completed our review of the above-noted application and offer the following comments regarding conformity with the Regional Official Plan and Provincial Plans and Policies, the Region's delegated Provincial Plan Review responsibilities, Regional servicing, transportation, and Transit.

The intent of the Standard Condominium Application is to enable the transfer of title to the condominium apartment owners and create a Condominium Corporation for the Standard Condominium and to require the Condominium Corporation to adhere to the conditions of site plan approval (SP-13-18).

This will facilitate the following development:

- 347 apartment units; and
- 381 parking spaces.

Regional Official Plan Conformity

The subject site is designated as "Living Areas" in the current Regional Official Plan. Living Areas are primarily intended for housing purposes.

The site is also located within a Protected Major Transit Station Area (PMTSA) as per Amendment No. 186 to the ROP. Please note this Amendment has been adopted by Regional Council and forwarded to the Ministry of Municipal Affairs and Housing for approval. PMTSAs are transit-oriented communities, intended to have a minimum 150 people and jobs per hectare density target.

The proposed standard plan of condominium conforms to the policies of the ROP.

New Region of Durham Official Plan

On May 17, 2023, Regional Council adopted the new Region of Durham Official Plan. The newly adopted ROP is currently with the Ministry of Municipal Affairs and Housing for approval.

A new ROP was adopted by Regional Council in May 2023 and forwarded to the Ministry of Municipal Affairs and Housing for approval. The subject site is designated as a "Protected Major Transit Station Area" in the new ROP. As a Strategic Growth Area, PMTSAs are planned to have a minimum of 150 people and jobs per hectare density target. Protected Major Transit Station Areas are intended to develop as communities centered around higher order transit services. Permitted uses include medium and high

density residential and mixed-use development. The proposed standard plan of condominium, which would facilitate the development of high-density residential units, conforms to the policies of the new ROP.

Provincial Policy Statement

Policy 1.1.3.2 a) of the Provincial Policy Statement (PPS) encourages development within settlement areas that support densities and a mix of land uses that efficiently use land, resources, and planned infrastructure. Policy 1.4.3 states that planning authorities shall provide an appropriate range and mix of housing options and densities to meet projected market-based and affordable needs of current and future residents. The proposed development would result in the construction of approximately 347 residential units. The proposed development is consistent with the housing policies of the PPS.

Growth Plan

The Growth Plan contains policies to guide land use planning and development. Policy 1.2.1 of the Growth Plan, in part, includes a policy related to housing, which emphasizes, “to support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.” The proposed residential development contributes to providing greater housing options for the community and maintains the objectives of the Growth Plan.

Provincial Plan Review Responsibilities

Potential Soil Contamination

The subject site was previously used for industrial purposes. As such, a Record of Site Condition (RSC) was filed with the Ministry of Environment, Conservation and Parks in September 2021. As a condition of draft approval, and in keeping with the Region’s Council-adopted Soil and Groundwater Assessment Protocol, the Region will require a letter from a Qualified Person, stating that the site conditions have not changed and are acceptable for the proposed use. The Regional Reliance Letter and Certificate of Insurance are also required.

Noise

The subject site is less than 300 metres from Victoria Street, which is a Type A Arterial Road in the ROP. As such, as a condition of draft approval, an Environmental Noise Report should be submitted to the Region, and the recommendations of the Environmental Noise Report should be included in the appropriate development agreement with the Town of Whitby.

Regional Servicing

Regional Works has advised that municipal water and sanitary sewer services were approved and installed through a Regional Servicing Agreement as part of the associated Site Plan Application (SP-13-18).

Transportation Planning

The application was reviewed from a Transportation Planning perspective and there are no comments.

Durham Region Transit

Durham Region Transit reviewed the application and advised that a sidewalk should be constructed along Charles Street to Victoria Street.

Conclusion

The proposed condominium application conforms with the current ROP and the newly adopted ROP as it will result in the development of 347 high-density residential units.

Based on the foregoing, the Region has no objection to the draft approval of this condominium application subject to the inclusion of our requested conditions of approval. The attached conditions of draft approval must be complied with prior to clearance by the Region for registration of this plan.

The Owner must also provide a land use table prepared by an Ontario Land Surveyor to the Region's satisfaction. The land use table must provide lot area calculations for the proposed land use(s) allocated within the draft plan of condominium.

In addition to providing the Region with copies of the draft approved plan and conditions of approval, at such a time as the draft approval is in effect, we would appreciate if digital copies (both PDF and Word documents) of the City's conditions of draft approval could be provided.

Town of Whitby

Staff Report

whitby.ca/CouncilCalendar



Report Title: Draft Plan of Subdivision and Zoning By-law Amendment Applications – 1631057 Ontario Inc. – Northwest and Southwest corners of Conlin Road at Anderson Street, File Nos. DEV-17-21 (SW-2021-06, Z-11-21)

Report to: Committee of the Whole

Date of meeting: May 6, 2024

Report Number: PDP 24-24

Department(s) Responsible:
Planning and Development Department
(Planning Services)

Submitted by:

R. Saunders, Commissioner of Planning and Development

**Acknowledged by M. Gaskell,
Chief Administrative Officer**

For additional information, contact:

J. Malfara, MCIP RPP

(Acting) Supervisor, Zoning and
Regulation, Principal Planner

1. Recommendation:

1. That Council approve the Draft Plan of Subdivision (File No. SW-2021-06) and approve an amendment to Zoning By-law #1784 (Z-11-21) subject to the comments included in Planning Report PDP 24-24 and the conditions of draft plan approval included in Attachment #9;
2. That Staff be authorized to prepare a Subdivision Agreement;
3. That the Clerk forward a Notice to those parties and agencies who requested to be notified of Council's decision, including the Region of Durham's Commissioner of Planning and Economic Development;
4. That a by-law to amend Zoning By-law # 1784 be brought forward for consideration by Council at such time as the subdivision receives Draft Approval; and,
5. That Williams and Stewart Associates Ltd. be appointed as the Control Architect for the Draft Plan of Subdivision.

2. Highlights:

- Applications have been received by 1631057 Ontario Inc. o/a Highmark Homes for a Draft Plan of Subdivision and a Zoning By-law Amendment on the lands located within the Brooklin Community Secondary Plan at the northwest and southwest corner of Conlin Road at Anderson Street (Refer to Attachment #1).
- The development proposal is comprised of 941 residential units, including 252 lots for single detached dwellings, 44 lots for semi-detached dwellings, two blocks of block townhouses (10 units), three blocks of medium density residential (382 units), two mixed-use blocks (253 units), two stormwater management blocks, four natural heritage system blocks, a district park, trail/walkway blocks and roads.
- The subject concept was included as part of the Comprehensive Block Plan by the Conlin Anderson Landowners Group, endorsed by Council in June of 2019.
- The existing zoning on the property is Agricultural (A) in Zoning By-law 1784. An amendment to the Zoning By-law is required to permit the proposed Draft Plan of Subdivision.
- All commenting departments and external agencies have indicated support for the proposed development, subject to their comments and requested conditions of Draft Plan Approval.

3. Background:

3.1. Site and Area Description

The subject land is located at the northwest and southwest corners of Conlin Road at Anderson Street in the Brooklin Community Secondary Plan. The parcel is 55.92 hectares in size and is predominately vacant, while formerly used for agricultural purposes (refer to Attachment #2).

Surrounding land uses include vacant land (future residential and mixed use) to the east, existing utility corridors to the north and south and predominantly major open space to the west. Three existing residential lots abut the development proposal at the western terminus of Conlin Road, while a fourth existing dwelling is located at the southwest corner of the Conlin Road at Anderson Street intersection.

3.2. Application and Proposed Development

Applications have been received for a Draft Plan of Subdivision and a Zoning By-law Amendment for the subject land. The draft plan consists of the following elements (refer to Attachment #3):

- 252 lots for single detached dwellings;
- 44 lots for semi-detached dwellings;

- two townhouse blocks (10 units);
- three medium density residential blocks (382 units);
- two mixed-use blocks (253 units);
- two stormwater management blocks;
- four natural heritage system blocks;
- one district park block;
- trail/walkway blocks; and
- public street and road widenings.

The proponent is seeking to rezone the land from Agricultural (A) to Low Density (LD-B), Medium Density (MD-B), and Mixed Use (MX3-B) in accordance with the Brooklin Secondary Plan Expansion Area Zoning By-law (9759-23).

3.3. Documents Submitted in Support

A number of materials have been submitted for staff and agency review in support of the applications, as follows:

- Draft plan of subdivision, prepared by The Biglieri Group Ltd., dated April 10, 2024 (refer to Attachment #3);
- Planning Rationale Report, prepared by The Biglieri Group Ltd., dated April 2021;
- Urban Design Brief, prepared by The Biglieri Group Ltd., dated April 2021;
- Active Transportation Plan, prepared by The Biglieri Group Ltd., dated October 11, 2023;
- Functional Servicing and Stormwater Management Report, prepared by Sabourin Kimble and Associates Ltd., dated March 2021;
- Site Grading Plan (North and South), prepared by Sabourin Kimble and Associates Ltd., dated February 28, 2024;
- Site Servicing Plan (North and South), prepared by Sabourin Kimble and Associates Ltd., dated October 2023;
- Hydrogeological Assessment and Water Balance Report, prepared by RJ Burnside and Associates Ltd., dated September 2023;
- Noise Impact Study by Sonair Environmental Ltd., dated April 20, 2021;
- Environmental Impact Study, prepared by Beacon Environmental Ltd., dated April 2021;
- Environmental Impact Study (Addendum), prepared by Palmer TM., dated September 30, 2023 ;
- Master Transportation Study, prepared by BA Group, dated March 2021;

- Sub-Area Study prepared by Candevcon East Ltd., dated November 2022;
- Geotechnical Report by Haddad Geotechnical Inc., dated April 19, 2016 (South), dated April 1, 2016 (North);
- Phase I Environmental Site Assessments, prepared by Haddad Geotechnical Inc., dated April 20, 2016 (North), April 22, 2016 (South);
- Phase II Environmental Site Assessments, prepared by Haddad Geotechnical Inc., dated November 15, 2016;
- Archaeological Assessment - Stage 2, prepared by Archeoworks Inc., dated. January 8, 2016;
- Archaeological Assessment - Stage 3, prepared by AECOM Canada Ltd., dated. September 22, 2017; and,
- Whitby Green Standard Checklist and Sustainability Rationale, prepared by the Biglieri Group, dated March 15, 2023.

4. Discussion:

4.1. Region of Durham Official Plan

On May 17, 2023, Regional Council adopted the new Regional Official Plan (Envision Durham). The new ROP is currently with the Ministry of Municipal Affairs and Housing for approval.

The subject land is designated as Community Areas and Major Open Space Areas on Map 1 – Regional Structure in the new ROP. Community Areas are intended for a variety of housing types, sizes and tenures within connected neighbourhoods that include population-serving uses such as commercial, retail (including major retail), personal service uses, home businesses, recreational uses, public service facilities, institutional uses and office uses, provided such uses are appropriately located and compatible with their surroundings.

The westerly portion of the subject land is designated as Regional Natural Heritage System on Map 2a – Regional Natural Heritage System. Regional Natural Heritage System is a system made up of natural heritage features and areas, and linkages intended to provide connectivity which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems.

4.2. Whitby Official Plan

The subject land is comprised of a number of land use designations in accordance with Schedule 'K' of the Brooklin Community Secondary Plan, including Low Density Residential, Medium Density Residential, Mixed Use 3, Natural Heritage System with Natural Hazards, and a District Park (refer to Attachment #4).

Low Density Residential

Lands designated Low Density Residential are primarily intended for single, semi-detached, duplex dwellings and other ground related built forms not exceeding 3 storeys in height and at a density of 25 to 35 units per net hectare (upnh).

Medium Density Residential

Medium Density Residential areas permit a variety of townhouses, small apartments and other forms of multiple residential dwellings not exceeding 4 storeys in height and maintain a residential density between 30 to 65 upnh.

Mixed Use 3

Lands designated Mixed Use 3 are intended as a mix of two or more land uses on a site either within the same building or on the same site and permit a range of commercial uses including those permitted in the Local Commercial designation.

The residential density within a Mixed Use 3 designation is between 60-85 upnh, with building heights of 2 to 4 storeys.

Natural Heritage System & Natural Hazards

The Natural Heritage System designation is comprised of an interconnected system of key natural heritage and hydrologic features. The extent and exact location of the component natural heritage and hydrologic features of the Natural Heritage System are to be determined through appropriate environmental studies.

Lands designated Natural Hazard include areas that are unstable or prone to flooding conditions, poor soils, steep slopes, and erosion hazards.

Park Symbol

Within the subject land, Schedule K includes a symbol identifying the general location of a district park. This symbol is to be implemented within the draft plan in accordance with the prescribed policies regarding the size and location.

Roads

The subject land abuts Anderson Street along the eastern limit of the site. Anderson is identified as a Type 'B' arterial road within the Brooklin Community Secondary Plan with a right-of-way width of 30-36 metres. The subject land also abuts Conlin Road. Road widenings are proposed along Anderson Street and it's expected that the existing Conlin Road right-of-way segment west of Anderson Road will be urbanized to a local road standard. This will be reviewed as part of the future detailed engineering design phase.

With respect to the above listed land uses, the proposed development conforms to the policy directions of the Brooklin Community Secondary Plan.

4.3 Zoning By-law

The subject land is zoned Agricultural (A) in Zoning By-law 1784. The Agricultural (A) zone does not permit residential uses (refer to Attachment #5).

The proponent is seeking to rezone the land from Agricultural (A) to Low Density (LD-B), Medium Density (MD-B), and Mixed Use (MX3-B).

A Zoning By-law will be brought forward for Council consideration at a future meeting following the approval of the draft plan of subdivision.

4.4 Other Applications

Site Plan applications will be required to be submitted at a later date for the proposed medium density and mixed-use blocks.

A Draft Plan of Condominium application will also be required at a later date to establish any necessary parcels of tied land for these blocks (if applicable).

4.5 Control Architect

A Control Architect will be required to oversee the design of the subdivision's built form, in accordance with the Urban Design policies of the Official Plan and the Brooklin Architectural Control Guidelines. It is recommended that Williams and Stewart be appointed as the Control Architect for the proposed Draft Plan of Subdivision and future Site Plan applications.

4.6 Fire Break Lots

The proponent must submit a Firebreak Lot Plan for review and approval by the Town of Whitby Fire and Emergency Services Department. The plan must demonstrate which blocks will remain unbuilt to serve as firebreaks within the development during the construction period.

4.7 Composite Transportation Component Plan

The Engineering Services Division has provided a Composite Transportation Component Plan to identify the anticipated locations of traffic infrastructure, including sidewalks, multi-use paths and road right-of-way dimensions (refer to Attachment #6). These elements will be further refined and implemented through the future detailed engineering design process.

5. Financial Considerations:

Whitby assumes assets requiring regular operational maintenance and eventually capital replacement. The following assets will be generated as a result of the subdivision and included in the Town's Asset Management Plan. The Capital replacement and annual operating costs would be included in future budgets. Further details regarding infrastructure costs would also be identified in the Engineering Services Asset Management annual report.

Asset	Quantity
Roads	0.52 lane-km
Sidewalks/Multi-Use paths	6.4 km
Storm Sewers	4.1 km
Ponds	2.8 ha
Park	1.6 ha

6. Communication and Public Engagement:

A Public Meeting was held on September 13, 2021 in accordance with the Town of Whitby Official Plan and the Planning Act. This meeting provided the public and interested persons and agencies the opportunity to make representation in respect of the Plan of Subdivision and Zoning By-law Amendment Applications. Refer to Attachment #7 for the Minutes of the Public Meeting.

There were two interested parties pertaining to the subject applications.

Correspondence was received from Vicki and George Pettigrew (4680 Anderson Street), who questioned the potential area of development, and also raised concerns about impacts on a pond situated at the southeast corner of the subject land as well as potential flooding and impacts to their well system.

Richard Klingler of 4835 Garden Street attended the public meeting and raised concerns regarding the storm management ponds and water run off being redirected into Lynde Creek. Mr. Klingler stated that previous developments and rerouting of water have caused erosion and embankment damage to Lynde Creek. He requested further information regarding how drainage from the eaves troughs of housing would be routed, whether there would be future infringement on the Natural Heritage Lands, and whether the heritage of the property would be honoured by naming a street after the Arksey family.

In response to comments and concerns raised by the interested parties, the proposed development limits have been reviewed by the Town, Region, as well as the Conservation Authority (CLOCA). Through this review, environmental features were identified and appropriate setbacks to such features have been incorporated into the proposed plan.

With regards to stormwater management, stormwater management ponds are proposed on the subject land. Further review of stormwater management practices (including erosion control and roof leader locations) will be reviewed at the detailed engineering design stage of this project.

Lastly, street names can be chosen from the Town's approved street name reserve list. Incorporating a street name associated with "Arksey" may not be permitted and may conflict with Durham Region Police and Paramedic Services as there currently exists an Arksey Street in Ajax.

All individuals who registered as an interested party at the statutory public meeting and any individuals who provided written correspondence to the Town have been provided notice of the May 6, 2024 Committee of the Whole Meeting.

7. Input from Departments/Sources:

The following agencies have reviewed the application and have no comment/objection:

- Town of Whitby Building Services;
- Town of Whitby Financial Services – Development Charges;
- Town of Whitby Financial Services – Taxes;
- CS Viamonde (French Public School Board);
- Durham Catholic District School Board;
- Durham District School Board;
- Canada Post;
- Elexicon;
- Bell; and,
- Rogers.

The following section provides a summary of key comments provided by Town of Whitby departments/divisions, as well as external agencies. Refer to Attachment #8 for a summary of all detailed comments and Attachment #9 for Conditions of Draft Plan of Subdivision Approval.

7.1 Internal Departments

Community Services – Parks Planning and Development Division

The Parks Division of the Community Services Department has reviewed the application for draft plan of subdivision and has no objection, subject to the conditions of draft plan approval included within Attachment #9

Strategic Initiatives

Based on our review of the checklist and the Sustainability Rationale Report it is Staff's understanding that the Applicant is aiming to achieve Tier 1 of the WGS. It is encouraged that consideration be given for advanced sustainability criteria through the uptake of voluntary Tiers 2-4. These standards support sustainable site design for development and redevelopment on public and private property,

enhancing the Municipality's natural heritage, economic vitality, cultural heritage, and social aspects.

Sustainability Staff appreciate that the WGS Checklist has been provided indicating that the applicant will achieve Tier 1 with the potential to explore and implement a few Tier 2 criteria.

As a condition of Draft Plan Approval, the applicant shall prepare an updated Sustainability Rationale Report and WGS Checklist.

Fire and Emergency Services

A firebreak layout and all fire hydrants shall be indicated on applicable plans as part of detailed design.

Planning Services – Landscape Section

The developer shall provide an Existing Tree Inventory, Arborist Report and Tree Preservation and Protection Plan, as well as a landscape plan and cost estimates as part of the detailed design phase of this development.

Engineering Services

Engineering Services supports a favourable decision to the applications based on the following comments and conditions as outlined in Attachment #8 and Attachment #9.

To address the Town's Community Strategic Plan 2023 to 2026 and assist in providing a complete picture of the proposed subdivision's mobility provisions, Engineering Services has prepared a Composite Transportation Component Plan (CTCP) highlighting the anticipated locations of sidewalks, multi-use paths and dedicated biking facilities for reference (refer to Attachment #6). Engineering Services expects that the components of this plan will be further refined and implemented through the future detailed engineering design processes following draft approval.

Prior to final acceptance of the Draft Plan of Subdivision, the following shall be addressed to the satisfaction of Engineering Services'.

Revise the Draft Plan (DP) as follows:

- a. Provide 8 m x 13 m visibility triangles at the Street 'B', Street 'J' and Conlin Road intersections with Anderson Street to accommodate future signalization.
- b. The Right-of-Way (ROW) width of the north leg of Street 'H' is to be increased to 20 m to accommodate a 2.5 m wide sidewalk adjacent to the Park. Transition width from 20 m to 18 m around the northern 90⁰ bend.

- c. The Right-of-Way width of Street 'A' is to be transitioned from 20 m to 18 m south of the Street 'J' ROW between the intersections of Street 'A'/Street 'I' and Street 'A'/Street 'J'.
- d. The Street 'K' bulb is to be revised to an 18 m radius per Town Standard 408.
- e. Provide a minimum centreline radius of 115 m on Street 'A' to the south of Conlin Road.

7.2 External Agencies

Region of Durham – Planning

The proposed subdivision development to permit low and medium residential densities contributes to providing a full range of housing options for the residents of Durham Region. The subdivision proposal also supports mixed-use developments along arterial roadways and promotes compact built form and pedestrian-friendly urban environment. The proposed draft plan provides protection for the natural heritage system located along the north-westerly portion of the property from urban development, thereby minimizes any negative impact to the key natural features and key hydrologic features. The proposed application conforms with the current ROP and the new ROP.

Region of Durham – Works

Based on the current proposal with the total of 941 residential units, an estimated population of 2,971 persons could be expected from the proposed low and medium density development.

The timing of this development will depend on the completion of the 600 mm zone 3 feedermain along Anderson Street currently proposed by Brooklin South (C&A) Landowners Group Inc.

The proposed 200 mm watermain within the trunk sanitary sewer easement connecting Street 'K' and Street 'B' is not required and the proposed watermain on Street 'K' will be dead ended.

The proposed development will require a new local watermain along Anderson Street South of Conlin Road to provide additional feeds on Street 'J' and Street 'I'.

A 9.0-meter storm and watermain servicing easement will be required on Street 'I' between proposed Lot 213 and 214. This will allow watermain looping from Street 'I' to Anderson Street.

The developer shall provide a new local sanitary sewer on Street 'A' north of Conlin Road, adjacent to the existing sanitary trunk sewer, to avoid having multiple new service connections into our existing 1200 mm deep trunk sanitary sewer. The new local sanitary sewer will have a single outlet to the existing 1200 mm trunk sewer.

Durham Region Transit

Bus Stop Locations should be protected at the following and constructed in accordance with DRT design detail S-12:

- a. Intersection of Conlin Road and the west side of Anderson Street both nearside and farside.
- b. Street 'B' and Anderson Street nearside and farside.
- c. Street 'J' and Anderson Street nearside and farside.
- d. Mid-Block Arterial at St. Thomas Street and Anderson Street nearside and farside.

The developer shall ensure the multi-use path and sidewalk infrastructure be built in tandem with the development to ensure immediate access to area transit stops. Furthermore, pedestrian crossings should be built at Conlin Road and Anderson Street, Street 'B' and Anderson Street, and Street 'J' and Anderson Street.

Central Lake Ontario Conservation Authority

CLOCA staff recommend that all blocks containing hazard lands, associated features, and their development setbacks be zoned Natural Heritage System and/or Hazards Land as per Zoning By-law Amendment no. 7959 to Zoning By-law 1784 or the equivalent. No lot lines or associated development should occur within these lands.

CLOCA staff recommend that any approval of the proposed plan of subdivision be subject to the conditions of draft plan approval issued on behalf of the Central Lake Ontario Conservation Authority.

CLOCA Natural Heritage staff have reviewed the submission, along with previous submissions, and have provided comments (refer to Attachment #8). These comments may be addressed as part of the future detailed design for the proposed development.

Enbridge Pipelines

To ensure there is access to the pipeline for maintenance purposes no roads shall not be constructed over the pipeline right-of-way, including any curbs and gutters.

As Street "K" (and the adjacent residential development) is proposed within the 30m prescribed area, written consent will be required from Enbridge. Please see Enbridge Pipeline Crossing Guidelines.

The pipeline right-of-way should be fenced during construction to prevent unauthorized crossings with heavy equipment. As a result of these concerns, the following requirements and those detailed within the Enbridge Development Requirements must be adhered to for all future development. The

landowner/developer shall ensure that all contractors and subcontractors are aware of and comply with the terms and conditions.

Trans Northern Pipelines Inc. (TNPI)

TNPI currently operates a high-pressure petroleum products transmission pipeline within a 60 foot right of way on the southerly limit of the development, crossing the lands in one section of the parcel and additionally on the adjacent lands to the proposed Subdivision at the mentioned property.

After review TNPI has discovered the proposed development may be within the Prescribed Area (30m on either side of the pipeline as defined by the CER) and/or within the Right of Way. There is one section of the pipeline that travels through the mentioned parcel. A locate will need to be completed to determine the precise location of the pipeline.

Please note the following restrictions (not inclusive):

- Permanent above ground structures are not allowed.
- No vehicles, equipment or storage are allowed within the right-of-way.
- Permits are required for any activities with the Prescribed Area (30m on either side of the pipeline)
- TNPI requests a 10 m setback from the right-of-way for all permanent structures

Any development plans within the right-of-way will require a permit which can be requested by contacting TNPI.

Hydro One

Please be advised that Hydro One Networks Inc. ("HONI") has completed a preliminary review of the proposed plan of the above noted site plan application. The subject property is abutting and/or encroaching onto a HONI high voltage transmission corridor (the "transmission corridor").

Prior to HONI providing its final approval, the developer must make arrangements satisfactory to HONI for lot grading and drainage. Any development in conjunction with the subdivision must not block vehicular access to any HONI facilities located on the transmission corridor or interfere with any easements in favor of HONI. During construction, there must be no storage of materials or mounding of earth, snow, or other debris on the transmission corridor.

At the developer's expense, temporary fencing must be placed along the transmission corridor prior to construction, and permanent fencing must be erected along the common property line after construction is completed.

8. Strategic Priorities:

The development review process has provided opportunity for public and agency input. The recommendations contained in this report align with the objectives of the Organization Priority of the Corporate Strategic Plan.

This report is in a fully accessible format, which addresses the Town's strategic priority of accessibility.

The proposal is to construct a compact, active/transit-supportive development within an area of the Town designated for residential and mixed use development, while also preserving existing natural heritage features.

9. Attachments:

Attachment #1: Location Sketch

Attachment #2: Aerial Context Map

Attachment #3: Proponent's Draft Plan of Subdivision

Attachment #4: Excerpt from the Brooklin Community Secondary Plan Schedule 'K'

Attachment #5: Excerpt from Zoning By-law # 1784

Attachment #6: Composite Transportation Component Plan

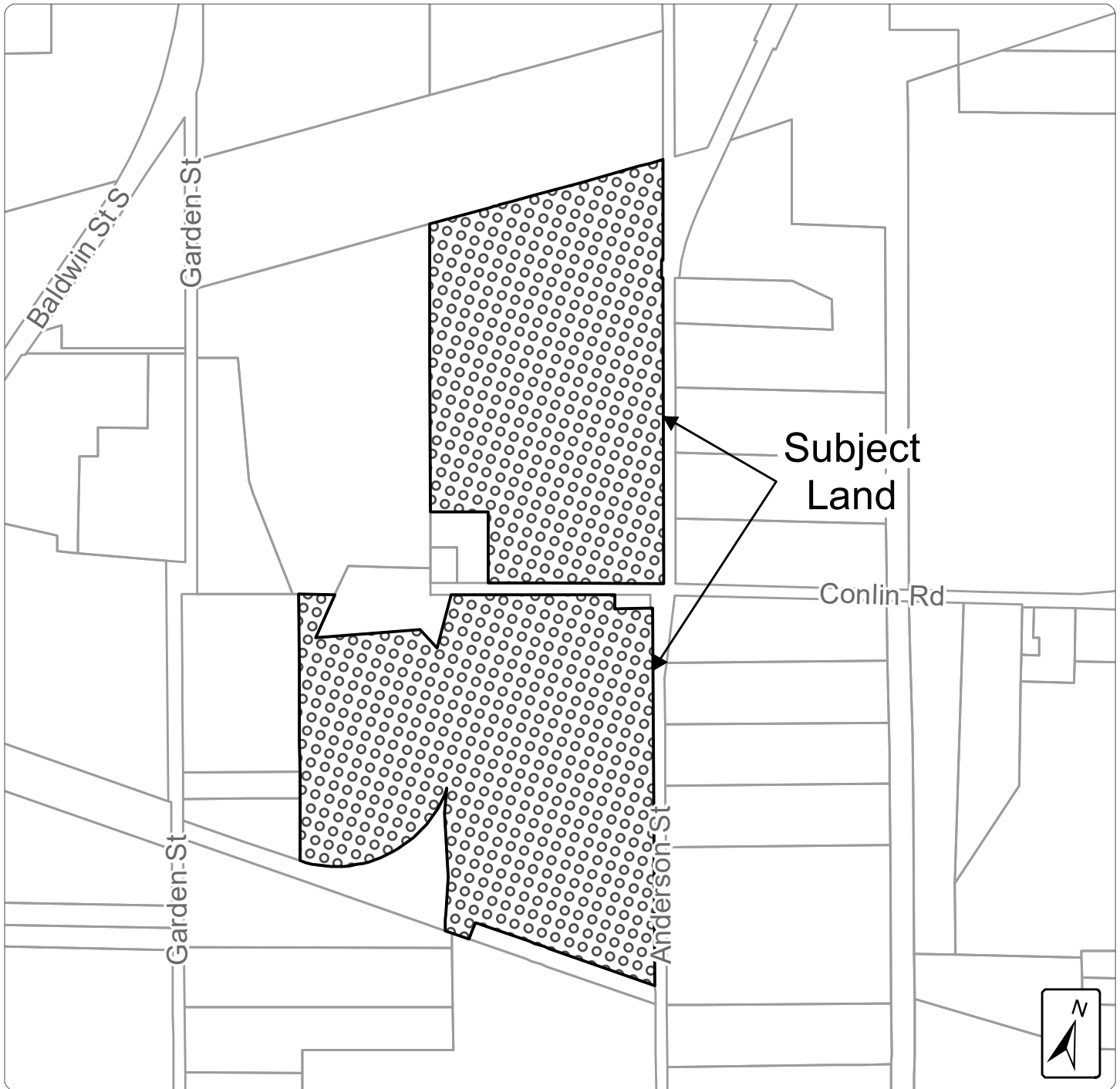
Attachment #7: Public Meeting Minutes

Attachment #8: Agency & Stakeholder Detailed Comments

Attachment #9: Conditions of Draft Plan of Subdivision Approval.

Attachment #1 Location Sketch

PDP 24-24



Town of Whitby Planning and Development Department

Proponent:
1631057 Ontario Inc. o/a Highmark Homes

File Number:
DEV-17-21
(SW-2021-06, Z-11-21)

Date:
May 2024

External Data Sources:
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Attachment #2
Aerial Context Map

PDP 24-24



Town of Whitby Planning and Development Department

Proponent:
1631057 Ontario Inc. o/a Highmark Homes

File Number:
DEV-17-21
(SW-2021-06, Z-11-21)

Date:
May 2024

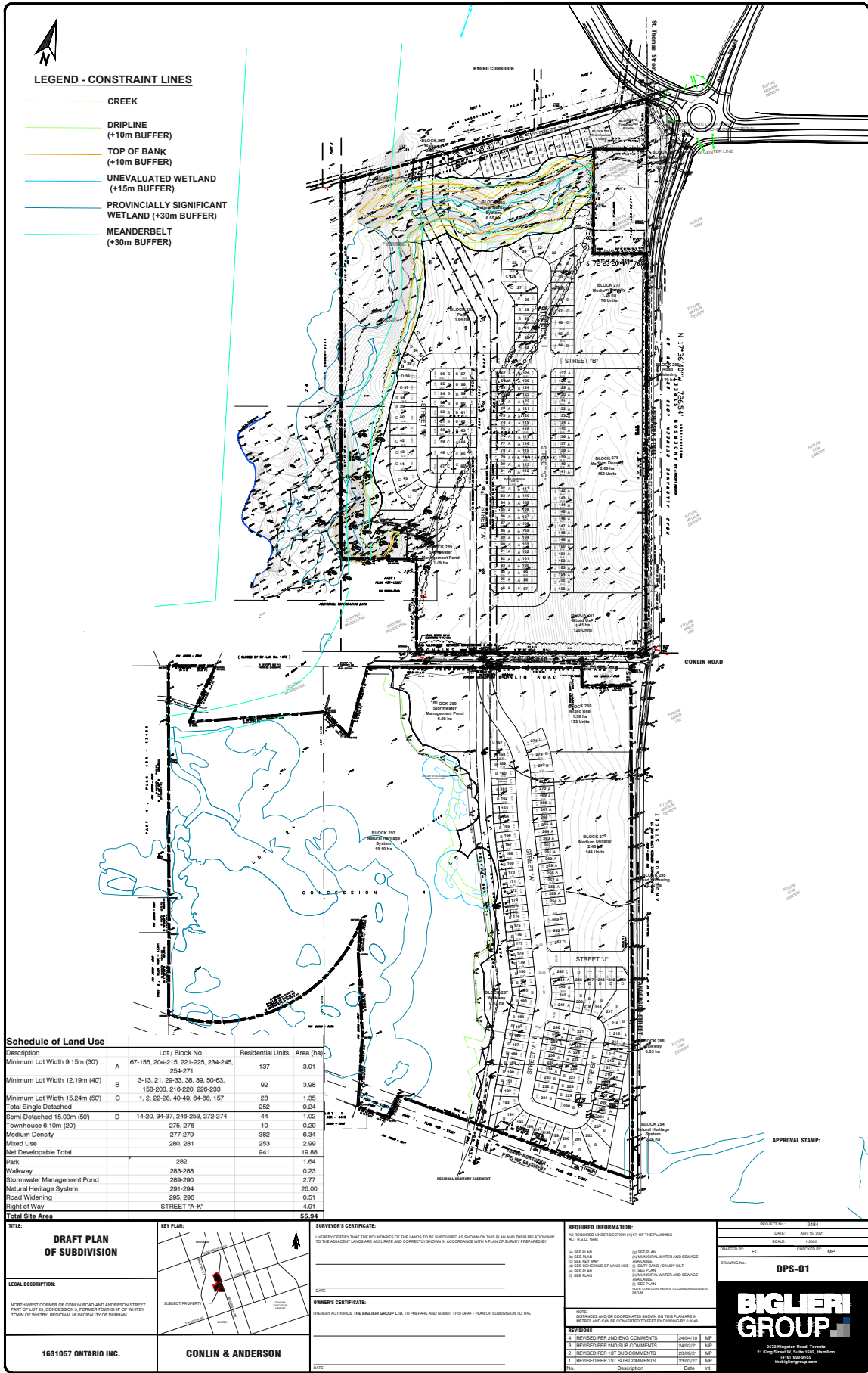
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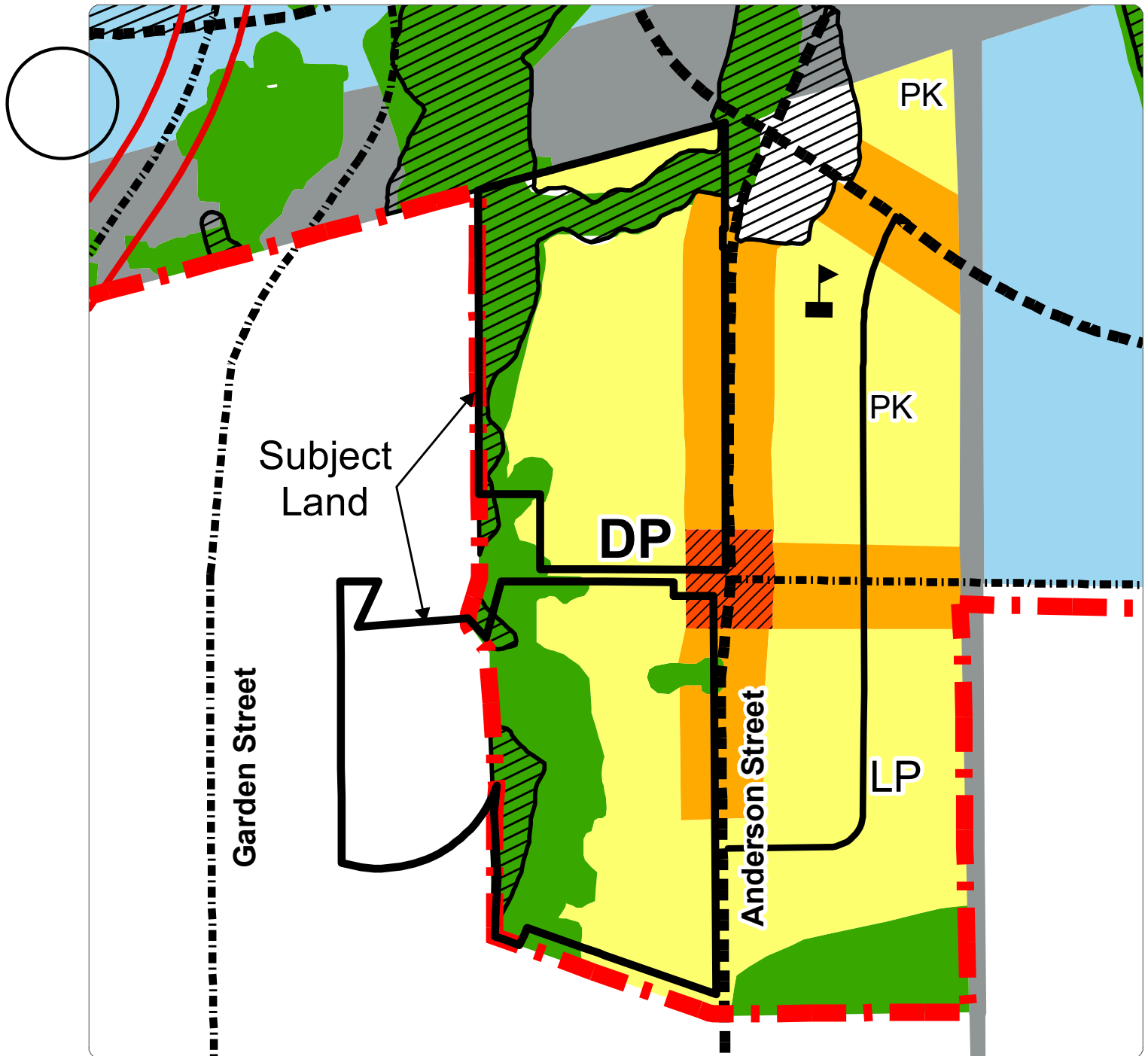
Attachment #3

Proponent's Draft Plan of Subdivision

PDP 24-24



Excerpt from the Brooklin Community Secondary Plan Schedule 'K'



LEGEND

Low Density Residential	Major Open Space	Natural Hazards	Grade Separation
Medium Density Residential	DP District Park	Utility	Potential Grade Separation
High Density Residential	LP Local Park	Health Precinct Special Policy Area (HP)	Future Transitway Station
Local Commercial	PK Parkette	Community Central Area	Controlled Access Highway (Freeway)
Special Purpose Commercial	TP Town Park	Major Central Area	Type A Arterial
Heritage Commercial	Institutional	Heritage Conservation District Boundary	Type B Arterial
Major Commercial	Secondary Schools	Secondary Plan Boundary	Type C Arterial
Mixed-Use 1 - Community Central Area	Elementary Schools	Special Policy Area - Refer to Section 11.5.31.6	Collector Road
Mixed-Use 2 - HCD	Natural Heritage System	Full Interchange	Greenbelt Plan Boundary
Mixed-Use 3	L Linkage in NHS	Potential Interchange (Subject to Further Study)	
Prestige Industrial	D1 Deferred by the Region of Durham		
Business Park	Lands subject to Durham Regional Official Plan Policy 14.13.7 - D2		
General Industrial			

Excerpt from: Schedule
Brooklin Community Secondary Plan
 Town of Whitby

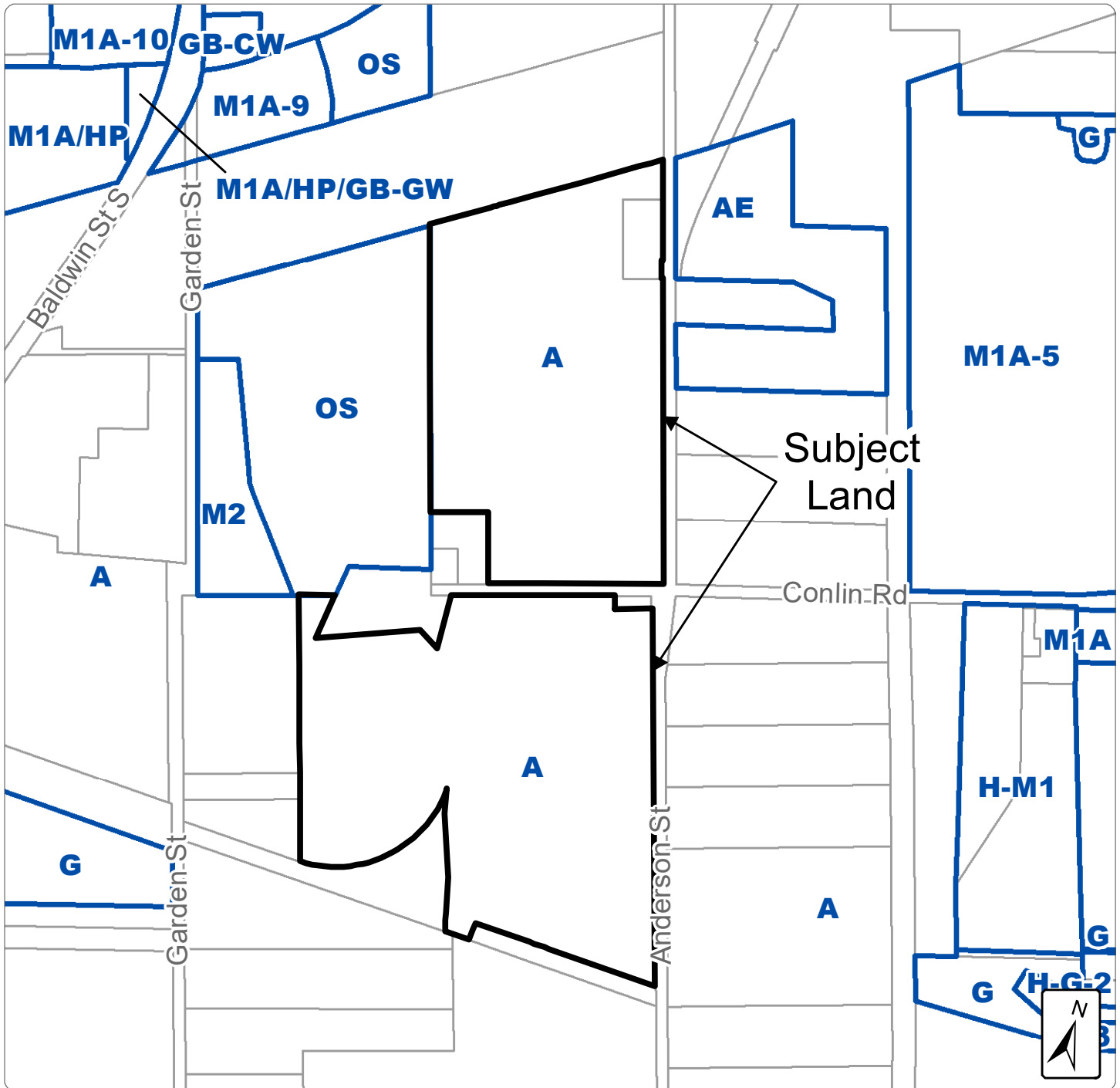
Schedule
K



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 Metres

Attachment #5 Excerpt from Zoning By-Law 1784

PDP 24-24



Town of Whitby Planning and Development Department

Proponent:
1631057 Ontario Inc. o/a Highmark Homes

File Number:
DEV-17-21
(SW-2021-06, Z-11-21)

Date:
May 2024

External Data Sources:
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Legend:

- Roundabout as per EA
- Potential Roundabout
- Traffic Calming Required
- 3.0m-wide Multi-use Path
- 2.5m-wide Multi-use Trail
- 2.5m-wide Concrete Sidewalk
- 1.8m-wide Concrete Sidewalk
- On-Road Cycling Facilities

Key Plan:

ATTACHMENT 1.0

COMPOSITE TRANSPORTATION COMPONENT PLAN (CTCP)

SW-2021-06 1631057 ONTARIO INC.

Attachment #7

Public Meeting Minutes

PDP 24-24

Public Meetings Minutes
September 13, 2021 - 7:00 PM

2. Planning and Development Department Report, PL 41-21
Re: Draft Plan of Subdivision and Zoning By-law Amendment
Applications, 1631057 Ontario Inc., Northwest and Southwest Corners of
Conlin Road at Anderson Street, File Numbers: DEV-17-21 (SW-2021-
06, Z-11-21)

Carl Geiger, Principal Planner, provided a PowerPoint presentation which included an overview of application.

Mike Pettigrew, Manny Zanders, and Anthony Biglieri, representing Winchcoron Holdings Ltd., provided a PowerPoint presentation which included a detailed overview of the application.

The Chair indicated that comments would now be received from members of the public who registered to speak.

Richard Klingler, 4835 Garden Street, stated that he had concerns regarding the storm management ponds and water run off being redirected into Lynde Creek. Mr. Klingler stated that previous developments and rerouting of water have caused erosion and embankment damage to Lynde Creek. He requested further information regarding how drainage from the eaves troughs of housing would be routed, whether there would be future infringement on the Natural Heritage Lands, and whether the heritage of the property would be honoured by naming a street after the Arksey family.

Mike Pettigrew answered questions regarding:

- the concerns raised by Richard Klingler about storm water management and water run off from the houses;
- ensuring the protection of the natural environment and avoiding negative impacts to the environment; and,
- honouring the heritage of the property.

There were no further submissions from the public.

K. Narraway, Manager of Legislative Services/Deputy Clerk, indicated how members of the public could submit comments and be placed on the Interested Party List regarding this matter.

PDP 24-24

Attachment #8
Agency & Stakeholder Detailed Comments

Attachment #8
Agency Comments
File No. DEV-17-21 (SW-2021-06)

Conseil Scolaire Viamonde

The Conseil Scolaire Viamonde has no comment regarding Draft Plan of Subdivision and Zoning By-law Amendment.

Durham Catholic District School Board

The Durham Catholic District School Board has no objections to the proposed development regarding Draft Plan of Subdivision and Zoning By-law Amendment. This development is located within the boundary of St. Bernard C.S. located at 1000 Dryden Boulevard.

Durham District School Board

Staff has reviewed the information on the above noted revised application and have the following comments:

1. Approximately 252 elementary students could be generated by the development proposed in the above noted application.
2. It is intended that any students generated by the development proposed in the above noted application be accommodated at an existing school facility.
3. That the Owner agrees to post the standard Durham District School Board approved "Notice to Parents" in all sales representation centres, or provide through the purchase process.
4. Under the mandate of the Durham District School Board, staff have no objections.

Canada Post

Canada Post has no objections for the proposed development.

Canada Post will provide mail delivery service to this development through Community Mailboxes and centralized mailroom (if applicable).

Residential Units: Will be serviced through Community Mailbox. The location of these sites is to be determined between my department (Canada Post Delivery Planning) and the Developers appointed Architect and/or Engineering firm. Given an anticipated 702 units in the subdivision, we have estimated 16 sites are required.

Mixed Use: If the buildings in this project consist of more than two adjoining units, sharing a common indoor entrance, the developer/owner must supply, install and maintain a centralized mail room facility to Canada Post's specifications. Buildings that do not have a shared common indoor entrance will require an external community mailbox location. The location of these sites is to be determined between my department (Canada Post Delivery Planning) and the Developers appointed Architect and/or Engineering firm.

Buildings with more than 99 self-contained units, require mandatory rear loading lockboxes.

Please see attached linked for delivery standards:

http://www.canadapost.ca/cpo/mr/assets/pdf/business/standardsmanual_en.pdf

Municipal requirements:

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this subdivision application be approved, please provide notification of the new civic addresses as soon as possible.

Developer timeline, obligations and installation:

1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin.
2. If applicable please ensure that any street facing installs have a depressed curb or curb cut. Contact Canada Post Corporation – Delivery Planning for further details.
3. If applicable please ensure that any condominiums apartments with more than 100 units, incorporates a mailroom with rear loading lock box assemblies (mailboxes).

4. Finally, please provide the expected first occupancy date and ensure the future site is accessible to Canada Post 24 hours a day.
5. It is recommended that the owners contact Canada Post as completion draws near so as to finalize the location and compartment they will be assigned to.

Bell Canada

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

“The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.”

The Owner is advised to contact Bell Canada at planninganddevelopment@bell.ca during the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada’s existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development. To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.

Please note that WSP operates Bell’s development tracking system, which includes the intake of municipal circulations. WSP is mandated to notify Bell when a municipal request for comments or for information, such as a request for clearance, has been received. All responses to these municipal circulations are generated by Bell, but submitted by WSP on Bell’s behalf. WSP is not responsible for Bell’s responses and for any of the content herein.

Rogers Communications Canada Inc.

Rogers Communications Canada Inc. ("**Rogers**") has reviewed the application for the above Subdivision and has determined that it intends to offer its communications services to residents of the Subdivision. Accordingly, we request that municipal approval for the Subdivision be granted subject to the following conditions:

1. The Owner shall agree in the Subdivision Agreement to (a) permit all CRTC-licensed telecommunications companies intending to serve the Subdivision (the "**Communications Service Providers**") to install their facilities within the Subdivision, and (b) provide joint trenches for such purpose.
2. The Owner shall agree in the Subdivision Agreement to grant, at its own cost, all easements required by the Communications Service Providers to serve the Subdivision, and will cause the registration of all such easements on title to the property.
3. The Owner shall agree in the Subdivision Agreement to coordinate construction activities with the Communications Service Providers and other utilities, and prepare an overall composite utility plan that shows the locations of all utility infrastructure for the Subdivision, as well as the timing and phasing of installation.
4. The Owner shall agree in the Subdivision Agreement that, if the Owner requires any existing Rogers facilities to be relocated, the Owner shall be responsible for the relocation of such facilities and provide where applicable, an easement to Rogers to accommodate the relocated facilities.

In addition, we kindly request to, where possible, receive copies of the following documents:

1. the comments received from any of the Communications Service Providers during circulation;
2. the proposed conditions of draft approval as prepared by municipal planners prior to their consideration by Council or any of its committees; and
3. the municipal planners' report recommending draft approval before it goes to Council or any of its committees.

Central Lake Ontario Conservation Authority

Zoning By-law Amendment (Z-11-21)

CLOCA staff recommend that all blocks containing hazard lands, associated features, and their development setbacks be zoned Natural Heritage System and/or Hazards

Land as per Zoning By-law Amendment no. 7959 to Zoning By-law 1784 or the equivalent. No lot lines or associated development should occur within these lands.

Draft Plan of Subdivision (SW-2021-06)

CLOCA staff recommend that any approval of the proposed plan of subdivision be subject to the following conditions of draft plan approval on behalf of the Central Lake Ontario Conservation Authority:

1. That prior to any on-site grading, construction or final approval of the plan, the Subdivider shall submit to and obtain approval from Central Lake Ontario Conservation Authority for reports and plans describing the following:
 - a. The intended means of conveying stormwater from the site, consisting of stormwater techniques which are appropriate and in accordance with provincial guidelines as well as in conformity with the recommendations found within the Lynde Creek Master Drainage Plan and Brooklin Secondary Plan Sub-Area Study 5. The Subdivider agrees that the draft plan of subdivision will be subject to red-line revisions for any necessary changes to meet the appropriate stormwater management criteria.
 - a) The intended means to maintain appropriate water balance for the subject lands and to the adjacent hydrologic features (eg. wetlands, headwaters, watercourses) as part of this development.
 - b) The intended means to mitigate and compensate for any negative impacts to features regulated through Ontario Regulation 41/24 of the *Conservation Authorities Act*.
 - c) The intended means to design, install, access, maintain and monitor any proposed Low Impact Development (LID) measures as part of this development.
 - d) The intended means whereby erosion and sedimentation and their effects will be minimized on the site during and after construction, in accordance with provincial guidelines. The report must outline all actions to be taken to prevent an increase in the concentration of suspended solids in any water body because of on-site, or other related works.
2. No site alteration, sale of lots, or building permits shall be issued for Lots 1-13, Block 275, Block 276, and/or any other development requiring access by Street K from either St. Thomas Street or the future Mid-Block Arterial Road, until the following items have been addressed to the satisfaction of the Central Lake Ontario Conservation Authority. If the following conditions cannot be addressed, the draft plan of subdivision may require refinement:
 - a) Completion and implementation of detailed design of the Mid-Block Arterial Road adjacent to this development, including the reconfiguration of the intersections of St. Thomas Street and Anderson Road;

- b) Completion and implementation of the detailed design of all necessary watercourse crossings north of this development associated with the reconfiguration of St. Thomas Street and Anderson Road and construction of the Mid-Block Arterial Road;
 - c) Completion of a floodplain analysis that demonstrates that (1) all development blocks are a minimum 0.3 m above the regulatory floodplain elevation, and (2) safe access and egress can be provided to all development blocks via Street K and the Mid-Block Arterial Road; and,
 - d) Provision of an As-Built Survey stamped by a qualified engineer that verifies that all grading within and adjacent to the regulatory floodplain has been completed as designed to fulfill the above-noted design requirements.
- 3. The Subdivider shall agree to complete a Trail Impact Study and design for any off-road trails and associated watercourse crossings proposed within the vicinity of natural hazards and/or features regulated through the *Conservation Authorities Act* to the satisfaction of the Town and Central Lake Ontario Conservation Authority. All off-road trail locations and their impacts must demonstrate that they will not create any new hazards or aggravate existing hazard lands.
 - 4. That the Subdivider shall agree within the Subdivision Agreement to erect a permanent fence between the boundary of any Natural Hazard Blocks and any residential lands, to prevent any direct entry of landowners/occupants from private lands onto these lands. Any associated development agreement shall include provisions to prohibit private gates being installed through this fence.
 - 5. That the Subdivider shall agree to dedicate all Blocks containing Natural Hazard Land to an appropriate public body.
 - 6. The Subdivider shall obtain all necessary permits from Central Lake Ontario Conservation Authority required through Ontario Regulation 41/24, or any successor regulations made under the *Conservation Authorities Act*.
 - 7. The Subdivider shall satisfy all financial requirements of the Central Lake Ontario Conservation Authority. This shall include Application Processing Fees and Technical Review Fees owing as per the approved Authority Fee Schedule.
 - 8. The subdivision agreement between the Subdivider and the Town of Whitby shall contain, among other matters, the following provisions: a. The Subdivider agrees to carry out the works referred to in Condition 1 to the satisfaction of the Central Lake Ontario Conservation Authority.
 - 9. The Subdivider agrees to maintain all stormwater management and erosion and sedimentation control measures operating and in good repair during the construction period, in a manner satisfactory to the Central Lake Ontario Conservation Authority.

10. The Subdivider agrees to advise the Central Lake Ontario Conservation Authority 48 hours prior to commencement of grading or the initiation of any on-site works.

CLOCA natural Heritage staff have reviewed the submission, along with previous submissions, and have the following comments. These comments may be addressed as part of the future detailed design for the proposed development.

Based on the additional information provided in the form of the written comment and the attached field sheets, while the northern portion of the polygon contains drier soils and more upland vegetation, the southern portion of the polygon contains “moist soils” and has allowed for the growth of both wetland indicator and facultative wetland species. This southern portion of the wetland will require a site visit with CLOCA staff to confirm that the wetland indicators discussed within the report do not constitute a wetland. As mentioned in previous comments, please ensure that the community is not impacted prior to these field investigations by CLOCA staff.

The proposed trail through the northern property is acceptable, however CLOCA NH staff cannot accept the location through the southern property without further information. This information includes what work (if any) is required within the natural heritage system to ensure that the proposed trails are sufficient for the Town of Whitby, as well as what impacts the work will cause. CLOCA NH staff would prefer the trail be constructed within the service corridor as was previously proposed.

Stormwater Management:

1. Existing Storm Drainage Plan:

- Please include all of the hatchings/linework in the legend.
- Please remove the proposed draft plan linework from this figure
- Please show all existing infrastructure on this Figure (ie. Culverts C-1 & C-2 crossing Anderson St. and St. Thomas St, as per the Sub Area Study report (see Fig.2) and any Region of Durham infrastructure (ie. sanitary sewers) traversing the subject site

2. Overall proposed Storm Drainage Plan:

- Please include all of the hatchings/linework in the legend.
- Please include model catchments in this figure or provide a separate post-development figure as reference. Please refer to CLOCA’s SWM submission guideline on the submission checklist.

3. Given that both the north and south cells of the SWM facility are adjacent to the Conlin Rd ROW, please discuss if the Town has any future plans for improvements to Conlin Rd. that may impact or be impacted by this draft plan (ie. plan/profile modifications, existing infrastructure/utility relocates, ROW adjustment, urbanization

of rural road cross section etc.) o Please also discuss if any future plans for Anderson St., and/or the proposed Mid-Block arterial road (<https://www.midblockea.ca/>) may impact the proposed draft plan. Please ensure that up-to-date information/discussion from ongoing studies related to public infrastructure has been included in this document.

4. Section 3.3 Rooftop Drainage Collector System: this section states that on an interim basis the RDC will be utilized to collect and convey pre development drainage from these lands maintaining this pre development drainage. What is meant by 'interim'? What is the ultimate plan?
5. Section 4.2.2 SWM Pond Requirements: Please summarize the pre-development peak flow rates, the uncontrolled post development peak flow rates and the controlled post-development peak flow rates for the overall subject site in Table format. o Please ensure that a clear figure is provided for all post-development discharge locations both controlled and uncontrolled portions and cross-reference the model/schematic.
 - Please provide digital modelling files to support our review.
6. Please ensure that all RDC discharge outlets on the southern lands have appropriate erosion and sediment control to prevent impact of point discharge. Will further grading be required in the form of plunge pools? What will the outfalls look like?
7. Please show SWM pond emergency overflow weir in the FSSR grading plans and include capacity of overflow weir in the calculations.
8. Please show full extent of grading to accommodate SWM pond outlet.

Water Balance:

9. Please confirm that no further mitigation is required to offset any infiltration losses as a result of the proposed development works.

Natural Heritage:

10. As noted in the FSSR, Anderson tributary is a redbreasted sunfish habitat and as a result, the correct buffer offset should be applied to the development limit. Please refer to our Natural Heritage comments and ensure that the limits are labeled in the FSSR grading limit figures/drawings and consistent with the supporting documentation contained in the EIS.
11. Please refer to our Ecologist/Wetland biologist comments on the impact to the existing wetlands on site. If it is determined that the mitigation strategy to offset the impact to these features is insufficient, please update the grading/servicing plans accordingly.

Trans-Northern Pipelines Inc.

TNPI currently operates a high-pressure petroleum products transmission pipeline within a 60 foot right of way on the southerly limit of the development, crossing the lands in one section of the parcel and additionally on the adjacent lands to the proposed Subdivision at the mentioned property.

After review TNPI has discovered the proposed development may be within the Prescribed Area (30m on either side of the pipeline as defined by the CER) and/or within the Right of Way. There is one section of the pipeline that travels through the mentioned parcel. A locate will need to be completed to determine the precise location of the pipeline. This can be requested through Ontario One Call.

Please note the following restrictions (not inclusive):

- Permanent above ground structures are not allowed.
- No vehicles, equipment or storage are allowed within the right-of-way.
- Permits are required for any activities with the Prescribed Area (30m on either side of the pipeline)
- TNPI requests a 10 m setback from the right-of-way for all permanent structures

As well, any development plans within the right-of-way will require a permit which can be requested by following the steps described near the end of this response.

Please note that, Trans-Northern is regulated by the Canada Energy Regulator. Section 335 (1) and (2) of the Canadian Energy Regulator Act, provides that:

It is prohibited for any person to construct a facility across, on, along or under a pipeline or engage in an activity that causes a ground disturbance within the prescribed area unless the construction or activity is authorized or required by the orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them.

Prohibition — vehicles and mobile equipment

It is prohibited for any person to operate a vehicle or mobile equipment across a pipeline unless

(a) that operation is authorized or required by orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them; or

(b) the vehicle or equipment is operated within the travelled portion of a highway or public road.

Should the applicant propose to cross the pipeline or right-of-way with a vehicle or construct a facility across, on, along or under the pipeline, the applicant would be required to contact TNPI prior to commencement of their work to receive the required authorization. This process can be initiated through Ontario One Call (1-800-400-2255). A representative from TNPI will attend on site mark the pipeline location, confirm safe work practices, and advise of any permit requirements.

Should the applicant require further information on the technical requirements related to ground disturbance or crossing of the pipeline, they may contact Michelle Gruszecki, Property and Right-of-Way Administrator via email at : mgruszecki@tnpi.ca

Elexicon Energy Inc.

Elexicon Energy Inc. has no objection to permit the development.

The applicant or its authorized representative shall consult with Elexicon Energy Inc. concerning the availability of supply voltage, service location, metering, costs and any other details. These requirements are separate from and in addition to those of the ESA. Elexicon Energy Inc. will confirm the characteristics of the available electrical supply and will designate the location of the supply point to the applicant. Elexicon Energy Inc. will also identify the costs that the applicant will be responsible for.

The applicant or its authorized representative shall apply for new or upgraded electric services and temporary power service in writing. The applicant is required to provide Elexicon Energy Inc. with sufficient lead-time in order to ensure:

- a) The timely provision of supply to new and upgraded premises; and/or
- b) The availability of adequate capacity for additional loads to be connected in the existing premises

Please ensure that a minimum of 4.8m clearance is maintained from existing overhead conductors, which applies to all structures, equipment, and people.

Hydro One Networks Inc.

Please be advised that Hydro One Networks Inc. ("HONI") has completed a preliminary review of the proposed plan of the above noted site plan application. As the subject property is abutting and/or encroaching onto a HONI high voltage transmission corridor (the "transmission corridor"), HONI does not approve of the proposed site plan application at this time, pending review and approval of the required information.

Please be advised that the transmission corridor lands affected by the proposed development and identified as such herein are subject to a statutory right in favour of

HONI pursuant to Section 114.5(1) of *The Electricity Act, 1998*, as amended. The owner of these lands is Her Majesty, The Queen In Right of Ontario, as represented by The Minister of Infrastructure ("MOI"). Ontario Infrastructure & Lands Corporation ("OILC") as agent for the Province, must review and approve all secondary land uses such as roads that are proposed on these lands. HONI is currently acting as a service provider to OILC, and undertakes this review on their behalf.

The comments detailed herein do not constitute an endorsement of any element of the site plan design or road layout, nor do they grant any permission to access, use, proceed with works on, or in any way alter the transmission corridor lands, without the express written permission of HONI.

Should the developer require any use of and/or access to the transmission corridor at any time, the developer must contact Meghan Di Cosimo at meghan.dicosimo@hydroone.com in order to ensure all of HONI's technical requirements are met to its satisfaction, and acquire any applicable agreements.

The following should be included as conditions of approval:

1. Prior to HONI providing its final approval, the developer must make arrangements satisfactory to HONI for lot grading and drainage. Digital PDF copies of the lot grading and drainage plans (true scale), showing existing and proposed final grades, must be submitted to HONI for review and approval. The drawings must identify the transmission corridor, location of towers within the corridor and any proposed uses within the transmission corridor. Drainage must be controlled and directed away from the transmission corridor.
2. Any development in conjunction with the site plan must not block vehicular access to any HONI facilities including any easement located on the corridor or abutting lands in favor of HONI. During construction, there must be no storage of materials or mounding of earth, snow or other debris on the transmission corridor.
3. At the developer's expense, temporary fencing must be placed along the transmission corridor prior to construction, and permanent fencing must be erected along the common property line after construction is completed.
4. The costs of any relocations or revisions to HONI facilities which are necessary to accommodate this site plan will be borne by the developer. The developer will be responsible for restoration of any damage to the transmission corridor or HONI facilities thereon resulting from construction of the site plan.

In addition, HONI requires the following be conveyed to the developer as a precaution:

The transmission lines abutting the subject lands operate at either 500,000, 230,000 or 115,000 volts. Section 188 of Regulation 213/91 pursuant to 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 developer'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.

Our preliminary review only considers issues affecting HONI's transmission facilities and transmission corridor lands. For any proposals affecting distribution facilities (low voltage), the developer should consult the local distribution supplier.

If you have any questions, please contact me at dennis.derango@hydroone.com or at 905-946-6237.

Enbridge Pipelines Inc.

Based on a review of the application materials provided Enbridge has identified some concerns with the proposed development plan. These concerns include:

Street "K" is proposed at the north end of the plan area and it is unclear from the provided plan how close this road is to the Enbridge right-of-way and if any of the road is proposed over the right-of-way.

To ensure there is access to the pipeline for maintenance purposes the road shall not be constructed over the pipeline right-of-way, including any curbs and gutters.

As Street "K" (and the adjacent residential development) is proposed within the 30m prescribed area, written consent will be required from Enbridge. Please see Enbridge Pipeline Crossing Guidelines.

The pipeline right-of-way should be fenced during construction to prevent unauthorized crossings with heavy equipment. As a result of these concerns, the following requirements and those detailed within Enbridge Development Requirements must be adhered to for all future development. The landowner/developer shall ensure that all contractors and subcontractors are aware of and comply with the terms and conditions set out below.

Requirements

1. Obtain a Locate Request: To identify the precise alignment of the pipeline on the subject lands, a Locate Request must be made prior to any ground disturbance taking place.
2. No development is permitted within the Enbridge right-of-way without Enbridge's written consent and without the presence of an Enbridge representative on site.

3. Written Consent from Enbridge is required for ground disturbance within 30m perpendicularly on each side from the centreline of the pipeline known as the “Prescribed Area”. For more information about when written consent is required and how to submit an application, please see Attachment 03 | Enbridge Pipeline Crossing Guidelines.
4. Written Consent from Enbridge is required for all above and below ground crossings of the pipeline. For more information about when written consent is required and how to submit an application, please see Attachment 03 | Enbridge Pipeline Crossing Guidelines.

The written authorization request must include:

- a. Drawings with cross sections of the proposed roads and verification of the depth of cover from both sides of the road.
 - b. Drawings should include any new utilities that will cross the right-of-way.
5. Road Crossings: Where future development such as a roadway or a parking area is proposed over the pipeline right-of-way, Enbridge may be required to carry out pipeline inspection and recoating of the existing pipeline(s) prior to the start of the development. The costs of Enbridge’s design, inspection, recoating work and any other pipeline alteration as a result of the crossing will be borne by the Developer.
6. Subdivision lot lines should not divide the pipeline right-of-way. Wherever possible, subdivision boundaries should follow the right-of-way. If this is not possible specific language must be included in the offers of sale or lease.
7. Development setbacks from pipelines and rights-of-way are recommended in support of damage prevention and to allow both pipeline operators and developers buffer lands for operations and maintenance purposes.
8. Landscaping shall not take place on Enbridge’s pipeline right-of-way without Enbridge’s prior written consent and where consent is granted such landscaping must be performed in accordance with Enbridge’s Pipeline Crossing Guidelines.
9. Pathways shall not be installed on Enbridge’s pipeline right-of-way without Enbridge’s prior written consent and where consent is granted pathways must be designed in accordance with Enbridge’s requirements. Please see Attachment 02 for details.
10. Fencing should be installed along the identified open space easement and comply with Enbridge’s requirements. Please see Attachment 02 for details.
11. Written consent must be obtained from Enbridge for ongoing activities such as mowing or maintenance of the pipeline right-of-way on public lands.

12. Notifications of additional development for Class monitoring: As per Federal and Provincial Regulatory Requirements and Standards, pipeline operators are required to monitor all new development in the vicinity of their pipelines that results in an increase in population or employment. Therefore, please keep us informed of any additional development being proposed within the Pipeline Assessment Area

The above requirements are those identified as relevant based on the application materials provided. Additional detail on these requirements and other general development requirements are included in the Enbridge Development Requirements. For additional resources on safe development in proximity of Enbridge's pipeline network please visit <https://www.enbridge.com/projects-and-infrastructure/public-awareness/brochures>.

Please continue to keep us informed about the outcome of the project and any future policy, land use, subdivision, and development activities in proximity to Enbridge's pipelines and facilities.

Application referrals, project notifications and any questions regarding land use planning and development around pipelines should be sent to notifications@Enbridge.com.

Region of Durham – Planning and Works

Background

The Central Lake Ontario Conservation Authority (CLOCA) had previously expressed concerns with the proposed development and the potential adverse impact to the Lynde Creek tributary and its associated natural hazard lands. CLOCA had requested that additional supporting studies be provided to support the subdivision proposal.

CLOCA has since reviewed the requested materials and has provided updated supporting comments dated March 27, 2024.

The Region's previous comments regarding conformity with the current Regional Official Plan (ROP), Provincial Plans and Policies, and the Region's delegated Provincial Plan Review responsibilities (i.e., site contamination, archaeology and noise) remain applicable to the subdivision development. However, we offer updated comments on conformity with respect to the newly adopted ROP (Envision Durham), CLOCA's comments, Regional servicing, and Durham Region Transit .

Council Adopted Regional Official Plan, Envision Durham (May 2023)

On May 17, 2023, Regional Council adopted the new Regional Official Plan (Envision Durham). The new ROP is currently with the Ministry of Municipal Affairs and Housing for approval. We have reviewed the proposed development for conformity with the new ROP.

The subject lands are designated as Community Areas and Major Open Space Areas on Map 1 – Regional Structure in the new ROP.

Community Areas are intended for a variety of housing types, sizes and tenures within connected neighbourhoods that include population-serving uses such as commercial, retail (including major retail), personal service uses, home businesses, recreational uses, public service facilities, institutional uses and office uses, provided such uses are appropriately located and compatible with their surroundings.

Major Open Space Areas are a component of the Region's Greenlands System that generally follow major permanent and/or intermittent stream and valleys and contain high concentrations of key natural heritage features and key hydrologic features. The predominant use land within Major Open Space Areas is environmental protection and conversation.

The westerly portion of the subject lands are designated as Regional Natural Heritage System on Map 2a – Regional Natural Heritage System. Regional Natural Heritage System is a system made up of natural heritage features and areas, and linkages intended to provide connectivity which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems.

The site is also located within the following designations in the Greenlands Systems maps:

- Significant Groundwater Recharge Areas on Map 2d – Significant
- Groundwater Recharge Areas;
- Ecologically Significant Groundwater Recharge Areas and
- Significant Surface Water Distribution Areas on Map 2e –
- Significant Surface Water Contribution Areas and Ecologically
- Significant Groundwater Recharge Areas; and
- Source Protection Regions on Map 2f – Source Water Protection

Conclusion

The proposed subdivision development to permit low and medium residential densities contributes to providing a full range of housing options for the residents of Durham Region. The subdivision proposal also supports mixed-use developments along arterial roadways and promotes compact built form and pedestrian-friendly urban environment. The proposed draft plan provides protection for the natural heritage system located along the north-westerly portion of the property from urban development, thereby

minimizes any negative impact to the key natural features and key hydrologic features. The proposed application conforms with the current ROP and the new ROP.

Central Lake Ontario Conservation Authority

CLOCA has provided updated supporting comments for the proposed revised draft plan of subdivision dated March 27, 2024. CLOCA's comments have indicated that any remaining concerns such as stormwater management and the Environmental Impact Study requires further review and can be addressed through detailed design and fulfillment of the CLOCA's conditions of draft plan approval for the subdivision application.

Regional Servicing

Water Supply

- The timing of this development will depend on the completion of the 600 mm zone 3 feedermain along Anderson Street currently proposed by Brooklin South (C&A) Landowners Group Inc.
- The proposed 200 mm watermain within the trunk sanitary sewer easement connecting Street 'K' and Street 'B' is not required. The proposed watermain on Street 'K' will be dead ended.
- Connect the proposed watermain on Street 'B' to the proposed 600 mm feedermain on Anderson Street to provide a second feed for the north side.
- The proposed development will require a new local watermain along Anderson Street South of Conlin Road to provide additional feeds on Street 'J' and Street 'I'.
- A 9.0-meter storm and watermain servicing easement will be required on Street 'I' between proposed Lot 213 and 214. This will allow watermain looping from Street 'I' to Anderson Street.

Sanitary Sewage

Provide a new local sanitary sewer on Street 'A' north of Conlin Road, adjacent to the existing sanitary trunk sewer, to avoid having multiple new service connections into our existing 1200 mm deep trunk sanitary sewer. The new local sanitary sewer will have a single outlet to the existing 1200 mm trunk sewer.

Density

Based on the current proposal with the total of 941 residential units, an estimated population of 2971 persons could be expected from the proposed low and medium density development.

Durham Region Transit

The Region provides the following comments from a transit perspective:

1. Bus Stop Locations should be protected at the following:
 - a. Intersection of Conlin Road and the west side of Anderson Street both nearside and farside.
 - b. Street 'B' and Anderson Street nearside and farside.
 - c. Street 'J' and Anderson Street nearside and farside.
 - d. Mid-Block Arterial at St. Thomas Street and Anderson Street nearside and farside.
2. Ensure the multi-use path and sidewalk infrastructure be built in tandem with the development to ensure immediate access to area transit stops.
3. Pedestrian crossings should be built at Conlin Road and Anderson Street, Street 'B' and Anderson Street, and Street 'J' and Anderson Street.
4. The protected bus stop space should adhere to the DRT detail S-12.

Conclusion

The proposed subdivision development will provide a full range of housing options at various densities, mixed-uses and parkland areas.

The natural heritage areas located along the north-westerly portions of the property will be protected for natural heritage and conservation purposes. The proposed subdivision also supports policies to provide a range of housing options and promotes compact urban built form, and conforms with the current ROP and new ROP.

Based on the foregoing, the Region has no objection to draft approval of the subdivision application. The conditions of draft approval must be complied with prior to clearance by the Region for registration of this plan.

It is requested that the Owner provide a land use table prepared by an Ontario Land Surveyor to the satisfaction of the Region of Durham. The land use table should provide lot area calculations for the proposed land use(s) allocated within the draft plan of subdivision.

Durham Region Draft Plan Conditions

1. The Owner shall prepare the final plan on the basis of the approved draft plan of subdivision, prepared by The Biglieri Group Ltd., identified as Project No. 2484, dated April 15, 2021, as revised dated March 30, 2023, which shows 252 lots for single-detached dwellings, 22 lots for 44 semi-detached dwellings, 10 townhouse

units, 3 medium density blocks for 382 residential units, 2 mixed-use block for 253 units, a park block, 6 walkway blocks, 2 stormwater management pond blocks, 4 natural heritage system blocks, 2 road widening blocks, and roads.

2. The Owner shall submit plans showing the proposed phasing to the Region of Durham and the Town of Whitby for review and approval if this subdivision is to be developed by more than one registration.
3. The Owner shall grant to the Region of Durham, any easements required to provide Regional Services for this development and these easements shall be in locations and of such widths as determined by the Region.
4. Prior to the finalization of this plan of subdivision, the Owner must provide satisfactory evidence to the Region of Durham in accordance with the Region's Soil and Groundwater Assessment Protocol to address site contamination matters. Such evidence may include the completion of a Regional Reliance Letter and Certificate of Insurance.
5. The Owner shall submit to the Region of Durham, for review and approval, a revised acoustic report prepared by an acoustic engineer based on projected traffic volumes provided by the Region of Durham Planning and Economic Development Department, and recommending noise attenuation measures for the draft plan in accordance with the Ministry of the Environment, Conservation and Parks guidelines. The Owner shall agree in the Subdivision Agreement to implement the recommended noise control measures. The agreement shall contain a full and complete reference to the noise report (i.e., author, title, date and any revisions/addenda thereto) and shall include any required warning clauses identified in the acoustic report. The Owner shall provide the Region with a copy of the Subdivision Agreement containing such provisions prior to final approval of the plan.
6. The Owner shall carry out an archaeological assessment of the subject property and mitigation and/or salvage excavation of any significant heritage resources to the satisfaction of the Ministry of Citizenship and Multiculturalism. No grading or other soil disturbance shall take place on the subject property prior to a letter of clearance from the Ministry of Citizenship and Multiculturalism.
7. The Owner shall provide for the extension of such sanitary sewer and water supply facilities which are external to, as well as within, the limits of this plan that are required to service this plan. In addition, the Owner shall provide for the extension of sanitary sewer and water supply facilities within the limits of the plan, which are required to service other developments external to this subdivision. Such sanitary sewer and water supply facilities are to be designed and constructed according to the standards and requirements of the Region of Durham. All arrangements, financial and otherwise for said extensions are to be made to the satisfaction of the Region of Durham, and are to be completed prior to final approval of this plan.

8. Prior to entering into a subdivision agreement, the Region of Durham shall be satisfied that adequate water pollution control plant and water supply plant capacities are available to the proposed subdivision.
9. The Owner shall satisfy all requirements, financial and otherwise, of the Region of Durham. This shall include, among other matters, the execution of a subdivision agreement between the Owner and the Region concerning the provision and installation of sanitary sewers, water supply, roads and other Regional services.

Town of Whitby Engineering Services

The revised Draft Plan of Subdivision proposes to develop 252 single detached residential lots, 44 semi-detached residential units, 10 townhouse units, 382 medium density units, 253 mixed use units, 1 Park block, 2 Stormwater Management Pond blocks, 4 Natural Heritage System blocks, 6 Walkway blocks and 2 Road Widening blocks.

The subject lands are currently zoned Agricultural (A). The purpose of the Zoning By-Law Amendment application is to change the zoning to appropriate categories to implement the Draft Plan of Subdivision.

Engineering Services' has conducted a review of the circulated materials outlined below for the draft plan of subdivision and zoning applications:

- Draft Plan of Subdivision, DP-01, (The Biglieri Group Ltd.) dated September 21, 2023.
- Functional Servicing and Stormwater Report (FSSR), (Sabourin Kimble & Associates Ltd.) dated March 2021.
- Proposed LID and Feature Drainage Plans, Site Grading Plans, Site Servicing Plans, SWM Pond Plan View, SWM Pond Sections (Sabourin Kimble & Associates Ltd.) dated October 11, 2023.
- Anderson Street Right-of-Way memo (BA Group) dated March 9, 2023. Conlin – Anderson Master Transportation Study, Whitby, Ontario, (BA Group) dated March 2021.
- Phase One Environmental Site Assessment (ESA), Northwest Corner of Colin Road and Anderson Street, (Haddad Geotechnical Inc.) (HGI) dated April 20, 2016.
- Phase One Environmental Site Assessment (ESA), Southwest Corner of Colin Road and Anderson Street, (HGI) dated April 22, 2016.

- Phase Two Environmental Site Assessment (ESA), (HGI) dated November 15, 2016.
- Environmental Impact Study (EIS), (Beacon Environmental Limited) dated April 2021.
- Hydrogeological Assessment and Water Balance, (R.J. Burnside & Associates Limited) dated September 2023.
- Geotechnical Investigation, Part Lot 23, Concession 5, (HGI) dated April 1, 2016.
- Geotechnical Investigation, Part Lots 23 and 24, Concession 4, (HGI) dated April 19, 2016.
- Stage 2 Archaeological Assessment for the Southwest parcel, (Archeoworks Inc.) dated January 8, 2016.
- Stage 3 Archaeological Assessment, H1 Site, Part Lot 23, Concession 5, (AECOM) dated September 22, 2017.
- Brooklin Secondary Plan Area, Sub-Area Study (SAS), Sub-Area 5, (Candevcon East Limited) dated March 2021.
- Noise Impact Study, (Sonair Environmental Inc.) dated April 20, 2021.
- Pre-Consultation Form, signed by Applicant, dated May 17, 2021.

We have reviewed the drawings and reports, and they are generally acceptable for a preliminary review. There are revisions, however, that will be required through the detailed design process for the proposed subdivision to conform to our Design Criteria and Engineering Standards.

Conditional Comments

Engineering Services' supports a favourable decision to the applications based on the following comments and conditions.

To address the Town's Community Strategic Plan 2023 to 2026 and assist in providing a complete picture of the proposed subdivision's mobility provisions, Engineering Services has prepared a Composite Transportation Component Plan (CTCP) as highlighting the anticipated locations of sidewalks, multi-use paths and dedicated biking facilities for reference. Engineering Services expects that the components of this plan will be further refined and implemented through the future detailed engineering design processes following draft approval.

Prior to final acceptance of the Draft Plan of Subdivision, the following shall be addressed to the satisfaction of Engineering Services'.

Revise the Draft Plan (DP) as follows:

- a. Provide 8 m x 13 m visibility triangles at the Street 'B', Street 'J' and Conlin Road intersections with Anderson Street to accommodate future signalization.
- b. The Right-of-Way (ROW) width of the north leg of Street 'H' is to be increased to 20 m to accommodate a 2.5 m wide sidewalk adjacent to the Park. Transition width from 20 m to 18 m around the northern 90° bend.
- c. The Right-of-Way width of Street 'A' is to be transitioned from 20 m to 18 m south of the Street 'J' ROW between the intersections of Street 'A'/Street 'I' and Street 'A'/Street 'J'.
- d. The Street 'K' bulb is to be revised to an 18 m radius per Town Standard 408.
- e. Provide a minimum centreline radius of 115 m on Street 'A' to the south of Conlin Road.

Engineering Services requires the following Financial Considerations to be identified within the Council Report:

With each new subdivision development approved by the Municipality, the Town of Whitby assumes assets requiring regular operational maintenance and eventually capital replacement. The following assets will be generated due to the subdivision and included in the Town's Asset Management Plan. The Capital replacement and annual operating costs would be included in future budgets.

Asset	Quantity
Roads	0.52 lane-km
Sidewalks/Multi-Use paths	6.4 km
Storm Sewers	4.1 km
Ponds	2.8 ha
Park	1.6 ha

Engineering Services requires the following Conditions of Draft Approval:

1. The Subdivider shall convey the following to the Town:

- a. Block 282 for Park.
 - b. Blocks 283 to 288 for Walkways.
 - c. Blocks 289 and 290 for Stormwater Management facilities.
 - d. Blocks 291, 292, 293 and 294 for Natural Heritage lands.
 - e. Blocks 295 and 296 for Road Widening of Anderson Street to a minimum 30m ROW width.
2. The Subdivider shall implement all changes to the plan for registration resulting from recommendations and findings of the final Mid-Block Arterial Schedule C Municipal Class Environmental Assessment (MBEA) including but not limited to:
 - a. The final right-of-way width, alignment and horizontal and vertical designs of the Mid-Block Arterial including the intersection with Anderson Street and the realignment of, and intersection with, St. Thomas Street.
 - b. The final right-of-way width, visibility triangle requirements, access restrictions, alignment/configuration and horizontal and vertical designs of the Street 'K' cul-de-sac at the intersection with the Mid-Block Arterial.
 3. The Subdivider shall be responsible for concrete sidewalk and/or asphalt multi-use path installation in the following locations:
 - a. m-wide multi-use path on the west side of Anderson Street along the entire development frontage.
 - b. 2.5 m wide sidewalk on the north side of Street 'B' and Street 'H' adjacent to District Park Block 282.
 - c. 1.8 m-wide sidewalk on both sides of all other streets, including Conlin Road along the entire development frontage.

Further review and consideration of sidewalk placement is required and will be addressed through detail design / engineering.

4. The Subdivider shall provide an up-dated Sub-Area Study (SAS) to address the comments provided in a separate memo from KSGS Engineering. Any Draft Plan changes, necessary to address the major SAS comments, shall be made to the Town's satisfaction prior to initiating detailed design. The Subdivider shall implement any changes to lot lines and/or block sizes as a result of addressing these comments. Any changes are to be reflected on the final plan for registration.
5. The Subdivider shall provide an Environmental Constraints Plan (ECP) showing development limits along Natural Heritage System (NHS) areas. The development limits shall be based on environmental features/constraints, including a floodline and

shall be established using all applicable environmental buffers/setbacks. The ECP shall include a Town's 6.0m-wide access corridor which must be located outside of all environmental features, including the floodline. The corridor shall not contain any new plantings and shall be accessible for Town's service vehicles (e.g. no steeper than 4:1). Any change to the lot lines adjacent to the NHS (i.e. development limit) must be reflected in the final plan for registration.

6. The Street 'K' cul-de-sac exceeds the 230 m maximum length permitted per Town Design Criteria and Engineering Standards. As such the Subdivider shall provide fire suppression to all units on Street 'K' to the satisfaction of Whitby Fire Services.
7. It appears that Street 'K' may be encroaching within a Right-of-Way and/or Prescribed Area associated with the Trans-Northern Pipeline. Notwithstanding other specific comments, approval of Street 'K' will be subject to acceptance by Trans-Northern Pipelines Inc.
8. The Subdivider shall provide sample lot sitings for Lots 34 to 38 to demonstrate conformance to Town lot grading criteria for minimum useable rear yard area. Consideration to be given to eliminating / reducing sloping at the rear lot line by increasing the slope within the building envelope and using a double walkout (i.e. 3.6m basement depth) house design. Also, the estimated foundation levels and ability to provide sanitary sewer servicing to the basement are to be illustrated.
9. The Subdivider shall provide a more detailed grading design for Lots 157 to 194 backing onto the Region of Durham's Trunk Sanitary Sewer (TSS) since the sloping at the back of the lots seems to be in contradiction to the Region's comment to maintain the existing depth of cover over the TSS. Grading within the TSS easement will be subject to approval from the Region of Durham. Lot grading options to maximize grade percentages and absorb as much grade differential as possible within the building envelope, will assist to minimize grading within the sanitary sewer easement.
10. The Subdivider shall review the need for Rooftop Drainage Collector (RDC) System. Preference shall be given to alternative methods of maintaining base flow to the noted drainage features, such as outlets from the mainline storm sewer system, without the need for a RDC pipe throughout the majority of the plan south of Conlin Road. If unavoidable, the Subdivider's Design Consultant is to provide justification for the need and extent of the RDC. Every effort is to be made to minimize both the length of RDC piping required and the number of outlets to the NHS.
11. The Subdivider shall demonstrate that sufficient width has been provided for access to Medium Density Block 279 from Street 'A' to accommodate the number and depth of proposed underground services as illustrated on the FSSR Site Servicing plan. If required, the plan shall be revised to convey additional width, all to Engineering Services satisfaction, prior to registration.

12. The Subdivider shall demonstrate that sufficient lot width has been provided to accommodate servicing easements at all locations where storm drainage pipes are located between lots. Where possible, outlet pipes shall be located at the Walkway Blocks between Street 'A' and Natural Heritage System Block 293. If required to accommodate site servicing, the plan shall be revised to convey additional width, all to Engineering Services satisfaction prior to registration.
13. The Subdivider shall be responsible to enter into a separate agreement(s) with benefitting parties, to which the Town is not a party, to address cost sharing for external services, external road improvements and / or the oversizing of services should such oversizing be required.
14. The Subdivider is fully responsible, financial and otherwise, for the reconstruction and urbanization of existing Conlin Road along the development frontages to a Town local standard to the satisfaction of Engineering Services' as follows: a. From Anderson Street to the west limit of the development: As an integral part of the subdivision development, this will stay as a local 20 m road reconstructed to an urban standard with sidewalks on both sides and a signed Bike Route, including any required turning lanes and entrance works.
15. The Subdivider shall be fully responsible for the reconstruction/widening of Anderson Street to accommodate any of the MTS identified intersection improvement requirements to support the subject development, while maintaining the existing 2-lane rural cross-section and on-road bike lanes.
16. The subdivider shall be responsible for the construction of a 3.0m wide asphalt multi-use path on the west side of Anderson Street. Development Charge recoveries will apply in accordance with the Development Charge By-Law in effect at the time of final approval of the Draft Plan. Priority shall be given to placing these facilities at their ultimate location and elevation where feasible while maintaining the existing road cross-section.
17. Ultimate road cross-section, turning lane, active transportation infrastructure and pedestrian crossing requirements at proposed intersections along Anderson Street to be determined through completion and acceptance of a future Environmental Assessment study.
18. Grading match along the Anderson Street ROW limit to be based on an assumed ultimate 4-lane urban cross-section and boulevard grading. If required to address construction staging and timing, interim grading and drainage requirements that match existing conditions along the external road frontages are to be accommodated.
19. The Subdivider shall be responsible for implementing the traffic control recommendations of the MTS, including but not limited to, the installation of a traffic signal or roundabout at the Anderson Street and Conlin Road intersection, interim pedestrian crossing controls on Anderson Street and Conlin Road and the ultimate

traffic signals on Anderson Street. Development charge recoveries will apply to portions of the above work items in accordance with the Development Charge By-Law in effect at the time of final approval of the Draft Plan.

20. The Subdivider shall provide a Construction Management Report and Plan(s) to the Town's satisfaction that includes, but is not limited to, a neighborhood communication strategy, construction traffic route, schedule and mud and dust control best management practices.
21. The Subdivider shall provide a Water Well Interference Report, separately or as a part of a Hydrogeological Report, to the satisfaction of the Director of Engineering Services. The Report shall review the potential impacts of development activities on existing water wells, within the zone of influence, as determined by the Qualified Person, with a minimum distance of 250m from development limits. The Water Well Interference Report shall include, but is not limited to, a pre-construction survey of the existing water wells, a potential impact analysis through the construction phase and recommendations/remediation plans to address any concerns that may arise as a result of construction stage works.
22. The Subdivider shall implement a pre-construction survey/assessment, including a vibration monitoring program within the vibration zone of Influence (ZOI), on any adjacent buildings/structures/properties that may be affected by the construction activity, prior to commencing construction. The assessment shall be completed by a qualified person (QP) to the satisfaction of the Town and shall be provided to the Town prior to construction. Any waiving of this requirement shall be at the sole discretion of the Director of Engineering of the Town of Whitby.
23. The Subdivider shall be responsible for maintaining the existing Town roads in an acceptable condition throughout the duration of construction and/or until such time as the Town roads are reconstructed. The Subdivider may be required to provide the Town with securities to ensure roads are maintained to the Town's satisfaction. This is to be reviewed further when information regarding the timing of construction of both the subdivision development and the reconstruction of the Town owned road(s) is known.
24. The Subdivider shall provide an updated Master Transportation Study (MTS) to address the following comments and those provided by Paradigm Transportation Solutions Ltd prior to or with the submission of detailed engineering drawings:
 - a. The Subdivider shall, through working with the Town staff, identify traffic calming measures on Street 'A', at Street 'A' intersections with Streets 'B', 'J' and Conlin Road and on all roads adjacent to the Park Block to support safe travel speeds and a comfortable environment for all users.
 - b. The Subdivider shall provide a composite Traffic Calming Plan for all roads in the plan that includes, but not limited to, area specific speed limits, speed

humps, and raised intersections, for review and acceptance by the Director of Engineering Services.

- c. Controlled pedestrian crossing (i.e., Intersection Pedestrian Signal (IPS) or Pedestrian Crossover (PXO) at Anderson Street/Street 'B', Anderson Street /Street 'J' and at Conlin Road / Street 'A'. The IPS or PXO may be an interim solution to facilitate safe active transportation movements until such time that a traffic signal may be warranted.
- d. While the volumes may be low, left turn lanes should be provided on Anderson Street and Conlin Road to facilitate safe movements along the corridor for all road users.

25. The Subdivider shall provide a Traffic Management Implementation Plan and shall be responsible for providing both temporary and permanent signage and pavement markings for the development.

26. The Following Lots/Blocks shall be placed on hold:

- a. The sale and/or development of Lots 1 to 13 and Blocks 275 and 276 inclusive, until such time as the Mid-Block Arterial is constructed between Baldwin Street and Anderson Street including replacement of the crossing of the Anderson Street Tributary, as outlined within the MBEA, and confirmation of the limits of the new regulatory flood line to the satisfaction of the Central Lake Ontario Conservation Authority (CLOCA) and Town of Whitby.
- b. Unless significant changes are made to the Draft Plan, a revised FSSR is not required; however, comments provided in Section Informational Comments are to be considered as part of the detailed engineering design and Stormwater Management(SWM)Report submission following Draft Plan approval.

27. SWM Blocks 289 and 290 shall be sized to accommodate all Town of Whitby, Central Lake Ontario Conservation Authority (CLOCA) and Ministry of the Environment, Conservation and Parks (MECP) design elements/features, including but not limited to, emergency spillway, sediment drying area, maintenance roads, access and turn around provision, fore bay length, length to width ratios, maximum side slopes and cooling trenches and / or wetland pockets at the outfall.

- a. Pond sizing shall also include drainage areas for the ultimate improvements and urbanization of Anderson Street and Conlin Road that are tributary to the site.
- b. The quantity control storage must be stacked above the extended detention storage volume as per CLOCA's Technical Guidelines for Stormwater Management Submissions.
- c. The maximum depth of the active storage is 2 m as per the MECP Stormwater Management Planning and Design Manual.

- d. A sediment drying area is to be provided per MECP Guidelines. This area shall be located immediately adjacent to the sediment forebay area to accommodate future operational needs. Provide calculations (i.e., 10-year sediment volume) to support the size of the sediment drying area.
- e. Provide vehicle turning path for the SWM pond maintenance road to ensure that typical maintenance vehicles (cube van) and a triaxle vehicle can navigate the current layout (with minimal reverse manoeuvring).
- f. Revise the SWM Pond grading to locate the safety platform above the normal water level.

At the time of detailed engineering design, should review of the SWM Facility show that the block has been undersized, the Subdivider shall revise the plan to increase the block size accordingly.

- 28. The Subdivider shall provide confirmation from Central Lake Ontario Conservation Authority (CLOCA) for the acceptance of: a. The limits of the Natural Heritage System (NHS), including appropriate setbacks, and acceptance of grading encroachment beyond the currently shown Limit of Development.
 - a) Quantity control and appropriate water quality treatment measures for the storm sewer outlet, as well as the direct overland flow outlet, to the NHS from the Street 'K' cul-de-sac.
 - b) Proposed outlet locations to the natural drainage features for the portion of the plan to the south of Conlin Road and including external areas to the east of Anderson Street.
- 29. The Subdivider shall implement all recommended noise control measures identified in the Noise Impact Study and revise the plan as required to accommodate recommended noise control measures prior to registration.
- 30. All non-regulatory fencing and acoustic barriers shall be installed wholly on private property and all operation and maintenance of said fencing shall be the responsibility of the private property owners.
- 31. All black vinyl chain link fences to delineate Town blocks, and open spaces from private property shall be designed and constructed in accordance with the relevant engineering standards. Fencing for school blocks to be as per the appropriate school board requirements.
- 32. The Subdivider shall ensure all private properties are protected from flooding limits at low points and points of major system flow convergence along the municipal road system. If required, the plan for registration shall be revised accordingly to provide said flood protection.

33. The Subdivider shall be responsible for providing service connections and a suitable storm drainage outlet for flows associated with Park Block 282, to the satisfaction of Engineering Services' and the Community Services Department.
34. All community mailboxes for the future private developments shall be located within the respective private properties.
35. Construction phasing of the development shall be to the satisfaction of the Engineering Services and shall consider adjoining developments and provide for upstream and downstream road and servicing connectivity. Construction staging details will be required for the proposed servicing and road works on Anderson Street and external sanitary sewer and watermain construction on Conlin Road, including coordination with the proposed adjacent developments and the Region of Durham.
36. The Subdivider shall provide a detailed engineering submission in accordance with Sections A2.00 and A3.00 of the Town of Whitby's Engineering Design Criteria. The engineering drawings must be set up as per the Town's CAD layering standards and object data requirements set out in Appendix A of the Design Criteria. The first engineering submission will not be reviewed until it is confirmed that the drawing set-up conforms to this requirement.
37. The Subdivider shall confirm the details of all existing above and below grade infrastructure relevant to the proposed design. Existing details shall be confirmed in the field by a method determined by the Subdivider's consulting engineer in consultation with the Town. Acceptable methods include, but are not limited to, topographical surveys, locates, measure downs, sub-surface utility engineering (SUE) investigation Quality Level A (QL-A), also referred to as daylighting, to determine horizontal and vertical location. The Subdivider further acknowledges that any as-built information provided by the Town is for informational purposes only.
38. All plan and profile drawings shall indicate the seasonal high water table elevation and the corresponding Minimum Basement Elevation, all to be confirmed by Hydrogeological Consultant and accepted by Central Lake Ontario Conservation (CLOC). The Subdivider shall protect all proposed private dwellings from the seasonal high-water table where applicable.
39. The Subdivider shall be responsible for all hydro poles, luminaries and hydro requirements for this proposed subdivision and shall enter into a separate agreement with Elexicon accordingly.
40. The Subdivider shall provide the Town with a full electrical design (i.e., primary, secondary and streetlight design) for this development. All aspects of the secondary electrical design and street light design will be peer reviewed by the Town. The Subdivider will be financially responsible for the peer review cost including a 15 percent administrative fee. The street lighting design shall comply with the latest

version of the RP-8 Roadway Lighting Design standard and shall utilize LED technology.

41. Any concerns raised through future re-submissions of the geotechnical and hydrogeotechnical reports for the site shall be addressed by the Subdivider to the satisfaction of Engineering Services. This includes, but is not limited to, pavement design specifications based on street classifications, earth berm grading design, long term slope stability, confirmation of design parameters and preliminary layout for LID measures (proposed infiltration trenches), proposed stormwater management pond elevations relative to groundwater levels and the need / thickness of the impervious membrane or synthetic clay lining, foundation construction requirements and recommended measures for Best Management Practices for municipal servicing construction. The plan must reflect changes required in this regard prior to registration.
42. The Subdivider shall provide an assessment of dead, dying, diseased and / or over mature trees along the edge of the natural areas for pruning or topping purposes to address safety and liability concerns. The report must include details for the protection, enhancement and edge management of the retained vegetated areas. All hazards, debris, and/or garbage shall be removed from all Open Space Blocks prior to the registration of the plan.
43. The Subdivider shall provide the Town with a deposit for any necessary peer review costs with the amount to be determined at time of first peer review. The Town will administer payments to any Peer Review Consultant(s) and provide milestone billings back to the Subdivider. The Town may request additional deposits for the Peer Review funds if required. At the time of issuance of full engineering approvals, any remaining deposit will be returned to the Developer. This condition will be superseded at such time as the Town has a Peer Review By-law in place.
44. The Subdivider shall provide a copy of the approved individual lot grading plan (i.e., siting) to each lot purchaser prior to closing.
45. The Subdivider shall agree to implement the recommendations of all reports submitted in support of the application.
46. The Subdivider shall be responsible for satisfying any additional requirements identified by Engineering Services not specifically listed above.

All other items related to the subdivision can be addressed through the subdivision agreement process after Draft Plan Approval.

B. Informational Comments

The following items can be addressed through the Engineering Submission and Subdivision Agreement or future Site Plan Application process:

1. It is noted that the runoff coefficients specified within the Town's Design Criteria and Engineering Standards are minimum values to be utilized for sizing of the storm sewer system. Sample calculations shall be provided for all housing types (not just single detached), and it shall be demonstrated by the consultant that the use of these minimum values is appropriate for the subject development. If required, the values shall be increased to represent the actual development proposal. Ensure that the runoff coefficients in the Functional Servicing and Stormwater Report meet the minimum Town Design Criteria, unless otherwise approved as noted above.
2. All medium density blocks shall comply with the Town Standards for public laneways, alternatively the blocks may be developed as private condominiums. Internal visitor parking will be required for private block development.
3. Functional Servicing and Stormwater Report comments:
 - a. The FSSR must show how the pre-development drainage area of 43.19 ha was determined. A figure showing the pre-development drainage area used to set the target release rates for the SWM facility is required.
 - b. The FSSR must show the post-development drainage areas that are tributary to the SWM facility. A figure clearly showing the drainage areas to the SWM Pond L2 is required. The Sub-Area 5 SAS shows Conlin Road east of Anderson Street tributary to SWM Pond L4; however, the FSSR shows it tributary to SWM Pond L2. Please clarify the extent of external roads and future development and ensure this information is consistent with the Sub-Area 5 SAS.
 - c. Section 4 of the FSSR is to be revised to provide information on the isolated area north of the Anderson Street Tributary. The report should specify the release rate and storage volume required for extended detention and address how the external drainage from the HEPC/Oil Pipeline Lands will be managed.
 - d. The FSSR states that water quantity control for the isolated area north of the Anderson Street Tributary will be provided by overcontrol within SWM Pond L4; however, the hydrologic modelling in the Sub-Area 5 SAS does not include this area as uncontrolled. Additionally, this area will not be able to develop until after SWM Pond L4 is constructed.
 - e. Table 4 in the FSSR is to be revised to show the provided discharge rates from SWM Pond L2.
 - f. The hydrologic modelling does not account for the 0.43 ha area that sheet drains to the valley (rear yards north of SWM Pond L2). As the imperviousness of this area will be greater than existing it needs to be included in the hydrologic modelling.
 - g. The FSSR is to be revised to ensure that the proposed drainage areas in the FSSR and the Sub-Area 5 SAS are consistent.

- h. Revise FSSR base drawing(s) to match the Draft Plan.
- i. The FSSR should include cross-sections for each of the Town's typical road sections to scale. The sections should include underground utilities (STM, SAN, RDC, WM) and the existing deep sanitary trunk sewer and local sanitary sewer combination.
- j. The various FSSR figures should include existing contour labelling and pond contour labelling.
- k. The FSSR should include a preliminary cut and fill drawing to illustrate that proposed LID measures are coordinated with seasonal high ground water elevations reported in the Hydrogeological Study.
- l. A more detailed review of the grading design is to be completed where a retaining wall is shown along the southern limit of the plan. The use of retaining walls is to be minimized and, only if required, placement is to be entirely on private property. Grading design for the lots on the south side of Street 'A' / 'T' to be reviewed to minimize the extent and height of the retaining wall. Consideration is to be given to additional height 3:1 sloping between houses and berming or a French drain system along the south boundary to contain rear yard drainage on the lots and to direct this drainage to a spill point to NHS Blocks 293 and/or 294.
- m. Figure 10A is to be revised to show all of Streets 'K' and 'L' cul-de-sac including grading match adjacent to the Hydro One Corridor / petroleum pipeline, grading detail at the west terminus and at St. Thomas Street.
- n. Subject to future Site Plan Applications, the storm sewer routing within Medium Density Block 278 is to be designed to minimize flow to the north, Page **14** of **18** and therefore, unnecessarily oversizing storm sewers on Street 'B' and Street 'A' which flow to the south to SWM Pond Block 290. An outlet via the access from Street 'G' and through Walkway Block 284 would significantly reduce the extent of oversizing.
- o. Figure 10B should include geometric layout and grading details for Conlin Road to the west of Street 'A', i.e., fronting SWM Blocks 289 and 290 and for the western terminus.
- p. The External drainage area east of Anderson Street and south of Conlin Road is proposed to outlet to the Conlin Road storm sewer west of Anderson Street. A preliminary design of the external storm sewers will be required to ensure that the storm sewer is at an elevation and location to suit the external area.
- q. Based on the high groundwater levels at the site, a SWM pond liner may be required. A geotechnical investigation for the facility shall be completed detailing the need for liners and / or construction related methodologies in the event groundwater is encountered.

- r. The seasonal high groundwater table shall be included on the detailed design drawings for SWM Pond L2 and for low impact development (LID) features. The detailed design shall address separations of less than 1 m from the base of the facilities to the seasonal high groundwater table that may impact their effectiveness for part of the year.
 - s. Provide layout, cross-section and profile details for the SWM facility outlets including erosion control measures along the affected valley lands between the outlet and the watercourse as part of the engineering drawings.
 - t. The grading design does not include any indication that rear lot catchbasins will be utilized in conjunction with the proposed LID's. The grading design does not provide for emergency overland flow to either a piped or surface outlet for most rear yards as is required by the Town's Design Criteria. The use of rear yard catchbasins is to be minimized. Every effort shall be made during the detailed grading design to eliminate the need for rear yard catchbasins (RYCBs) by using mixed lot drainage types. (i.e., pairing rear to fronts or pairing rear to fronts with split draining lots). If required, a minimum 3.0 m wide easement as per Town Standard 107.20 shall be used for all RYCBs.
 - u. Due to the preliminary nature of the proposed grading design for the Park Block 282, the overland flow calculations must consider the worst-case scenario for the determination of flow volumes at each outlet.
4. A current topographic survey of all existing boundary conditions will be required and utilized for detail design. Date and source of survey shall be noted on the proposed lot grading plan for the development.
 5. Provide a detailed design brief and Operations and Maintenance Manual for the proposed SWM facilities.
 6. To address lot level LID recommendations, ensure that lots and areas where roof water leaders are proposed to be disconnected from the storm sewer connection are clearly noted and can accommodate the drainage without creating problems associated with winter ice accumulation. Ensure that storm drainage areas reflect the correct boundary location.
 7. All Plan and Profile Drawings shall indicate the seasonal high water table elevation and the corresponding Minimum Basement Elevation, all to be confirmed by Hydrogeological Consultant and accepted by Central Lake Ontario Conservation (CLOCA). The Subdivider shall protect all proposed private dwellings from the seasonal high-water table where applicable.
 8. The Consultant is to provide the Town with a dual drainage (minor / major system) storm model for the entire development using Personal Computer Stormwater Management Model (PCSWMM) as part of the detail design and confirmation of hydraulic grade level (HGL) elevations.

9. The use of Inlet Control Devices (ICDs) is discouraged and shall be limited to roadway sags, as per Town requirements, to the greatest extent possible. The model shall illustrate the implications of conventional ICD placement at catchbasins (CBs), per Town Standards and documentation regarding the recommended use of ICDs within the proposed subdivision shall be provided.
10. Provide detailed ponding limits at overland flow low points, and any points of overland convergence to ensure that appropriate emergency access can be maintained to the area based on Town of Whitby Design Criteria and that private property has been protected from flooding. Ponding limits are to be shown for 100-year storm events. Low points are to be located at the appropriate block or intersection location.
 - Calculations are to be provided to demonstrate that the overland flow route has sufficient capacity to convey the major system flow.
 - For all overland flow outlet points, the following shall be provided: flow channel profile, cross-sections and erosion protection works at all locations, i.e., across window street boulevard areas, within specific overland flow blocks, across SWM Pond Blocks and any direct outlets to Open Space areas.
11. Provide details and analysis for the routing of overland flow through the stormwater management ponds to ensure stability of the pond under major storm events.
12. Geotechnical Report Comments a. The preliminary geotechnical investigation assumes construction of basements at 1.2 m to 2.0 m below grade and recognizes these depths will intersect the seasonal high groundwater table in some areas. The report Page 16 of 18 recommends sub-basement floor slab drains to a sump that would pump the water to the storm sewer, discharge at grade or an infiltration feature. The use of sump pumps will only be permitted as a last resort and the Design Consultant will be required to investigate and report on other alternatives.
13. The use of underfloor drains to dewater is strongly discouraged. It is recommended that a 0.6 m separation between the base foundation and the seasonal high groundwater table is provided to avoid long-term dewatering strategies and potential issues with seepage into basements and the need for sumps. Where foundation levels are below / within the seasonal high groundwater table, a watertight foundation is to be provided and any approved sump pump outlets will be to ground surface only, i.e., not connected to the storm sewer. Revise the pavement design specifications to reflect the road classifications and minimum material types and thicknesses as per Design Criteria Table C2.02.
14. Noise Impact Study comments.
 - a) A daytime Plane of Window (POW) sound level at receptor R1 is shown as 60.3 dBA in Table 7, while Section 4.1.1 indicates that sound levels at POW at this location are in excess of 65 dBA. Sound levels should be consistent throughout

the report as different mitigation measures apply to sound levels below and above 65 dBA.

- b) Barrier analysis is based on the flat terrain assumption. The analysis should be revised based on the latest grading plan.
 - c) No Outdoor Living Areas (OLA) were assessed for Blocks 279, 280, 281, 278, and 277. Confirmation should be provided that these blocks will have no areas that could be considered OLAs, otherwise they should be included in the report.
 - d) The Noise Impact Study is to be revised to address potential mitigation measures required for those lots located to the south of Street 'J' that are adjacent to and backing onto Anderson Street. The analysis shall also consider the conceptual grading as indicated on the Site Grading South plan by Sabourin Kimble & Associates.
 - e) A figure(s) with a Site Plan summarizing all mitigation measures, e.g., symbols for AC, provision for AC, warning clauses, etc. would be very helpful in addition to the detailed description in Section 4.0. This would eliminate the need to look between the descriptions and the site plan itself.
 - f) Stationary noise sources (if any) at the mixed-use Blocks 280 and 281 should be discussed and included in the assessment if found to be necessary.
15. Noise fence / barrier design may need to accommodate surface drainage outlets depending on the lot type and grading design. At the design stage, once detailed grading information is available, a letter will be required from the noise consultant to confirm that the recommendations of the Noise Report provided for the development remain relevant to the accepted grading. Any transition in height of the noise barrier is to occur at lot lines so that the noise barrier height across individual lots is consistent.
16. In advance of any on-site work, provide recommendations for monitoring of the existing creek/tributary during construction (erosion and sediment controls, stormwater management, vegetation protection, stream protection in area of storm outfall(s), dewatering, access, storage and equipment maintenance requirements) and post-construction (changes to vegetation or wildlife habitats and species).
17. On-road cycling facilities are to be integrated with the Community Services trails network at locations where off-road facilities are provided (e.g., signage, rest stops and / or other enhancements).
18. The Subdivider shall address mail delivery provisions for any proposed phasing of the development as required.
19. The Town will not grant exemptions to half-load restrictions to facilitate construction of the proposed development. The Subdivider shall schedule construction activities

in accordance with typical timing of load restrictions for the surrounding road network.

20. The Subdivider shall provide a Topsoil Management Plan at the detailed design stage and place lots on hold as required to facilitate the topsoil stockpile. Every effort shall be made to minimize stock piling of excess topsoil.
21. Per the recommendation within the Hydrogeological Assessment and Water Balance report, topsoil thickness for landscaped areas within the development is to be increased to 300 mm.
22. The Subdivider shall provide the Town with a cash contribution in accordance with the by-lawed rate in force at the time of payment, for each newly installed streetlight for the relamping and cleaning of streetlights, representing typical maintenance costs prior to assumption.
23. The Subdivider shall provide the Town with a cash contribution in accordance with the by-lawed rate in force at the time of payment towards the installation of vertical control benchmarks.

Community Services – Parks Planning and Development Division

The Parks Division of the Community Services Department has reviewed the application for draft plan of subdivision and provides the following conditions of draft plan approval:

1. The subdivider shall not proceed with the development and sales of lots 28 to 33 until the design and fitment for the Park Block (282) has been completed to the satisfaction of the Senior Manager of Parks Planning and Development.
2. Parkland contribution is required for this development at a rate in accordance with the Planning Act.
3. The subdivider shall convey a minimum 1.01 hectares (representing 5% of the net developable area outside of the Natural Heritage System, road widening blocks for Conlin Road and Anderson Street, and excluding development Blocks 277-281) for the district park block to the Town, free and clear of all costs and encumbrances and to the satisfaction of the Senior Manager of Parks Planning and Development, upon registration of the plan of subdivision. Any additional parkland provided by the subdivider beyond the minimum 1.01 hectares will be credited towards the required parkland calculations future site plan approvals for Blocks 277-281. Any remaining parkland dedication will be satisfied through the payment of cash-in-lieu of parkland. A land appraisal will be required for review and approval by the Town at the site plan approval stage.
4. The parkland credit provided for the area within park block 282 encumbered by the Regional sanitary easement, where no permanent structures are permitted to

be constructed, maybe discounted based on detailed design of the park, to the satisfaction of the Senior Manager of Parks Planning and Development.

5. Prior to approval of grading and servicing drawings for each applicable phase within this plan of subdivision, the subdivider shall submit detailed park design and grading plans, prepared by a qualified landscape architect, to the satisfaction of the Senior Manager of Parks Planning and Development.
6. The subdivider shall provide grading works, topsoil and an as-built grading survey, prepared by a qualified person, for all park blocks, to the satisfaction of the Senior Manager of Parks Planning and Development.
7. The subdivider shall provide all necessary stormwater, sanitary, water and electrical service connections to park block 282, to the satisfaction of the Senior Manager of Parks Planning and Development.
8. The subdivider agrees to install a 1.2 metre black vinyl standard park fence where any open space and park blocks abut residential lots.
9. The subdivider agrees to convey all natural heritage and open space blocks (Blocks 291 to 294) to the Town in a condition to the satisfaction of the Parks Planning and Development Department, upon registration of each phase of the plan of subdivision.
10. Prior to approval of grading and servicing drawings for each phase within this plan of subdivision, the subdivider shall prepare detailed trail design and grading plans, prepared by a qualified landscape architect and/or engineer, for any required off-road trails within Blocks 289, 290, 292, and 293, to the satisfaction of the Senior Manager of Parks Planning and Design.
11. The trail design requirement shall include, but are not limited to the following:
 - a. Trails to be constructed to details and specifications provided by and approved by Town of Whitby Community Services, Parks Development Division.
 - b. All trails shall be planned and designed to meet accessibility standards.
 - c. All trails, trail crossing, bridges, boardwalks, culverts, structures shall be designed and constructed by the developer, in accordance with Community Services Department, Parks Development Division requirements.
 - d. All primary trails shall be planned and designed to a minimum width of 2.5 metres and surfaced in asphalt.
 - e. Trails to be offset a minimum 3 metres from any property line to accommodate grading requirements, a 1.5-metre-wide sod mow strip and a 1.5 metre wide planted privacy buffer.

- f. Trail requires a minimum 1.5 metre sod mow strip on either side of the trail to enable mowing/maintenance. Mow strip to be sloped at a maximum 25%.
 - g. Trail grades are not to exceed 2% cross slope and 5% longitudinal slope unless unavoidable due to existing grades.
 - h. Seating Areas with benches are to be provided at a rate of 3 per kilometer of trail. Rest Areas are to be provided every 150 metres.
12. Should the off-road trail require approval of the trail design from CLOCA and any other applicable approval authorities, the subdivider shall secure approval of the trail design from CLOCA and any other applicable approval authorities at the detailed design stage.
13. The subdivider shall not to proceed with the development and sales of lots 34 to 38 until detailed design of the off-road trail within the abutting Natural Heritage System or an alternative location has been completed to the satisfaction of the Senior Manager of Parks Planning and Development.
14. The subdivider shall construct all off-road trail works in accordance with the future detailed design plans and secure any additional approvals and permits, as required, at no cost to the Town of Whitby.
15. The subdivider shall advise potential purchasers of the location of the proposed park facilities and off-road trails by providing plans, approved by the Senior Manager of Parks Planning and Development, in all sales offices and agreements of purchase and sale for any dwelling units within the draft plan of subdivision.
16. Prior to execution of the Subdivision Agreement, the subdivider shall provide a Letter of Credit, in an amount to be determined by the Senior Manager of Parks Planning, to secure delivery of base park and off-road trail works.

Whitby Fire and Emergency Services

Whitby Fire has reviewed the proposed development at Conlin Rd and Anderson St.

A firebreak layout and all fire hydrants shall be indicated on applicable plans as part of detailed design.

Strategic Initiatives (Sustainability and Climate Change)

Based on our review of the checklist and the Sustainability Rationale Report it is Staff's understanding that the Applicant is aiming to achieve Tier 1 of the WGS. It is

encouraged that consideration be given for advanced sustainability criteria through the uptake of voluntary Tiers 2-4. These standards support sustainable site design for development and redevelopment on public and private property, enhancing the Municipality's natural heritage, economic vitality, cultural heritage, and social aspects.

Sustainability Staff appreciate that the WGS Checklist has been provided indicating that the applicant will achieve Tier 1 with the potential to explore and implement a few Tier 2 criteria. We have reviewed the proposed development and wish to provide the following comments to ensure compliance with the WGS:

- The WGS Checklist is to be updated as further design information and details become available during the detailed design and site plan approval stage.
- Please ensure where applicable, the plan # and drawings that demonstrate the criteria have been included in the appropriate column.
- LUN1.2 – Please provide further information as to how the proposed development meets the environmental management policies of Whitby's Official Plan and the Central Lake Ontario Conservation Authority guidelines (if the project is within their jurisdiction). Additionally, the "see submitted EIS..." should be placed in the Plans and Drawings column.
- SW1.1 – Please provide further information as to how the proposed development meets the Ministry of the Environment, Town Design Criteria and Master Drainage Plans, and Central Lake Ontario Conservation Authority guidelines. As noted above, please put the name of the report in the Plans and Drawings column.
- SW1.3 – Please provide further information as to how the proposed development will use native, drought-tolerant plants for 50% of the landscaped area and put the name of the report in the Plans and Drawings column.
- SW1.5 – Please provide further information as to how the proposed development will use native, drought-tolerant plants for 50% of the landscaped area and put the name of the report in the Plans and Drawings column.
- SW1.6 – Please provide further information as to how the proposed development will meet the Central Lake Ontario Conservation Authority's requirements and guidelines and the Town Design Criteria and Master Drainage Plans. The report should be placed in the Plans and Drawings column.

Based on Sustainability's Staff's review of the Sustainability Rationale Report and comments from February 4, 2022, we would like to see further details on how the Design Guidelines in Section 3 of the Brooklin Urban Design and Sustainable Development Guidelines, as well as sections in the Official Plan that address sustainability, are intended to be applied in the proposed development.

The Sustainability Rationale Report and WGS Checklist shall be competed to the satisfaction of this division as a condition of Draft Approval.

Conditions of Draft Plan of Subdivision Approval

Attachment #9

Draft Plan Conditions

File No. DEV-17-21 (SW-2021-06)

1. The Subdivider shall prepare the final plan on the basis of the approved draft plan of subdivision, prepared by The Biglieri Group Ltd., identified as Project No. 2484, dated April 15, 2021, as revised dated March 30, 2023, which shows 252 lots for single-detached dwellings, 22 lots for 44 semi-detached dwellings, 10 townhouse units, 3 medium density blocks for 382 residential units, 2 mixed-use block for 253 units, a park block, 6 walkway blocks, 2 stormwater management pond blocks, 4 natural heritage system blocks, 2 road widening blocks, and roads.
2. The Subdivider shall submit plans showing the proposed phasing to the Region of Durham and the Town of Whitby for review and approval if this subdivision is to be developed by more than one registration.
3. The Subdivider shall grant to the Region of Durham, any easements required to provide Regional Services for this development and these easements shall be in locations and of such widths as determined by the Region.
4. Prior to the finalization of this plan of subdivision, the Subdivider must provide satisfactory evidence to the Region of Durham in accordance with the Region's Soil and Groundwater Assessment Protocol to address site contamination matters. Such evidence may include the completion of a Regional Reliance Letter and Certificate of Insurance.
5. The Subdivider shall submit to the Region of Durham, for review and approval, a revised acoustic report prepared by an acoustic engineer based on projected traffic volumes provided by the Region of Durham Planning and Economic Development Department, and recommending noise attenuation measures for the draft plan in accordance with the Ministry of the Environment, Conservation and Parks guidelines. The Subdivider shall agree in the Subdivision Agreement to implement the recommended noise control measures. The agreement shall contain a full and complete reference to the noise report (i.e., author, title, date and any revisions/addenda thereto) and shall include any required warning clauses identified in the acoustic report. The Subdivider shall provide the Region with a copy of the Subdivision Agreement containing such provisions prior to final approval of the plan.
6. The Subdivider shall carry out an archaeological assessment of the subject property and mitigation and/or salvage excavation of any significant heritage resources to the satisfaction of the Ministry of Citizenship and Multiculturalism. No grading or other soil disturbance shall take place on the subject property prior to a letter of clearance from the Ministry of Citizenship and Multiculturalism.

7. The Subdivider shall provide for the extension of such sanitary sewer and water supply facilities which are external to, as well as within, the limits of this plan that are required to service this plan. In addition, the Subdivider shall provide for the extension of sanitary sewer and water supply facilities within the limits of the plan, which are required to service other developments external to this subdivision. Such sanitary sewer and water supply facilities are to be designed and constructed according to the standards and requirements of the Region of Durham. All arrangements, financial and otherwise for said extensions are to be made to the satisfaction of the Region of Durham and are to be completed prior to final approval of this plan.
8. Prior to entering into a subdivision agreement, the Region of Durham shall be satisfied that adequate water pollution control plant and water supply plant capacities are available to the proposed subdivision.
9. The Subdivider shall satisfy all requirements, financial and otherwise, of the Region of Durham. This shall include, among other matters, the execution of a subdivision agreement between the Subdivider and the Region concerning the provision and installation of sanitary sewers, water supply, roads and other Regional services.
10. That prior to any on-site grading, construction or final approval of the plan, the Subdivider shall submit to and obtain approval from Central Lake Ontario Conservation Authority for reports and plans describing the following:
 - a. The intended means of conveying stormwater from the site, consisting of stormwater techniques which are appropriate and in accordance with provincial guidelines as well as in conformity with the recommendations found within the Lynde Creek Master Drainage Plan and Brooklin Secondary Plan Sub-Area Study 5. The Subdivider agrees that the draft plan of subdivision will be subject to red-line revisions for any necessary changes to meet the appropriate stormwater management criteria.
 - a) The intended means to maintain appropriate water balance for the subject lands and to the adjacent hydrologic features (eg. wetlands, headwaters, watercourses) as part of this development.
 - b) The intended means to mitigate and compensate for any negative impacts to features regulated through Ontario Regulation 41/24 of the *Conservation Authorities Act*.
 - c) The intended means to design, install, access, maintain and monitor any proposed Low Impact Development (LID) measures as part of this development.
 - d) The intended means whereby erosion and sedimentation and their effects will be minimized on the site during and after construction, in accordance with provincial guidelines. The report must outline all actions to be taken to

prevent an increase in the concentration of suspended solids in any water body because of on-site, or other related works.

11. No site alteration, sale of lots, or building permits shall be issued for Lots 1-13, Block 275, Block 276, and/or any other development requiring access by Street K from either St. Thomas Street or the future Mid-Block Arterial Road, until the following items have been addressed to the satisfaction of the Central Lake Ontario Conservation Authority. If the following conditions cannot be addressed, the draft plan of subdivision may require refinement:
 - a) Completion and implementation of detailed design of the Mid-Block Arterial Road adjacent to this development, including the reconfiguration of the intersections of St. Thomas Street and Anderson Road;
 - b) Completion and implementation of the detailed design of all necessary watercourse crossings north of this development associated with the reconfiguration of St. Thomas Street and Anderson Road and construction of the Mid-Block Arterial Road;
 - c) Completion of a floodplain analysis that demonstrates that (1) all development blocks are a minimum 0.3 m above the regulatory floodplain elevation, and (2) safe access and egress can be provided to all development blocks via Street K and the Mid-Block Arterial Road; and,
 - d) Provision of an As-Built Survey stamped by a qualified engineer that verifies that all grading within and adjacent to the regulatory floodplain has been completed as designed to fulfill the above-noted design requirements.
12. The Subdivider shall agree to complete a Trail Impact Study and design for any off-road trails and associated watercourse crossings proposed within the vicinity of natural hazards and/or features regulated through the *Conservation Authorities Act* to the satisfaction of the Town and Central Lake Ontario Conservation Authority. All off-road trail locations and their impacts must demonstrate that they will not create any new hazards or aggravate existing hazard lands.
13. That the Subdivider shall agree within the Subdivision Agreement to erect a permanent fence between the boundary of any Natural Hazard Blocks and any residential lands, to prevent any direct entry of landSubdividers/occupants from private lands onto these lands. Any associated development agreement shall include provisions to prohibit private gates being installed through this fence.
14. That the Subdivider shall agree to dedicate all Blocks containing Natural Hazard Land to an appropriate public body.
15. The Subdivider shall obtain all necessary permits from Central Lake Ontario Conservation Authority required through Ontario Regulation 41/24, or any successor regulations made under the *Conservation Authorities Act*.

16. The Subdivider shall satisfy all financial requirements of the Central Lake Ontario Conservation Authority. This shall include Application Processing Fees and Technical Review Fees owing as per the approved Authority Fee Schedule.
17. The subdivision agreement between the Subdivider and the Town of Whitby shall contain, among other matters, the following provisions: a. The Subdivider agrees to carry out the works referred to in Condition 1 to the satisfaction of the Central Lake Ontario Conservation Authority.
18. The Subdivider agrees to maintain all stormwater management and erosion and sedimentation control measures operating and in good repair during the construction period, in a manner satisfactory to the Central Lake Ontario Conservation Authority.
19. The Subdivider agrees to advise the Central Lake Ontario Conservation Authority 48 hours prior to commencement of grading or the initiation of any on-site works.
20. The Subdivider shall convey the following to the Town:
 - a. Block 282 for Park.
 - b. Blocks 283 to 288 for Walkways.
 - c. Blocks 289 and 290 for Stormwater Management facilities.
 - d. Blocks 291, 292, 293 and 294 for Natural Heritage lands.
 - e. Blocks 295 and 296 for Road Widening of Anderson Street to a minimum 30m ROW width.
21. The Subdivider shall implement all changes to the plan for registration resulting from recommendations and findings of the final Mid-Block Arterial Schedule C Municipal Class Environmental Assessment (MBEA) including but not limited to:
 - a. The final right-of-way width, alignment and horizontal and vertical designs of the Mid-Block Arterial including the intersection with Anderson Street and the realignment of, and intersection with, St. Thomas Street.
 - b. The final right-of-way width, visibility triangle requirements, access restrictions, alignment/configuration and horizontal and vertical designs of the Street 'K' cul-de-sac at the intersection with the Mid-Block Arterial.
22. The Subdivider shall be responsible for concrete sidewalk and/or asphalt multi-use path installation in the following locations:
 - a. m-wide multi-use path on the west side of Anderson Street along the entire development frontage.

- b. 2.5 m wide sidewalk on the north side of Street 'B' and Street 'H' adjacent to District Park Block 282.
- c. 1.8 m-wide sidewalk on both sides of all other streets, including Conlin Road along the entire development frontage.

Further review and consideration of sidewalk placement is required and will be addressed through detail design / engineering.

- 23. The Subdivider shall provide an up-dated Sub-Area Study (SAS) to address the comments provided in a separate memo from KSGS Engineering. Any Draft Plan changes, necessary to address the major SAS comments, shall be made to the Town's satisfaction prior to initiating detailed design. The Subdivider shall implement any changes to lot lines and/or block sizes as a result of addressing these comments. Any changes are to be reflected on the final plan for registration.
- 24. The Subdivider shall provide an Environmental Constraints Plan (ECP) showing development limits along Natural Heritage System (NHS) areas. The development limits shall be based on environmental features/constraints, including a floodline and shall be established using all applicable environmental buffers/setbacks. The ECP shall include a Town's 6.0m-wide access corridor which must be located outside of all environmental features, including the floodline. The corridor shall not contain any new plantings and shall be accessible for Town's service vehicles (e.g. no steeper than 4:1). Any change to the lot lines adjacent to the NHS (i.e. development limit) must be reflected in the final plan for registration.
- 25. The Street 'K' cul-de-sac exceeds the 230 m maximum length permitted per Town Design Criteria and Engineering Standards. As such the Subdivider shall provide fire suppression to all units on Street 'K' to the satisfaction of Whitby Fire Services.
- 26. It appears that Street 'K' may be encroaching within a Right-of-Way and/or Prescribed Area associated with the Enbridge Pipeline and Hydro One. Notwithstanding other specific comments, approval of Street 'K' will be subject to acceptance by Enbridge and Hydro One.
- 27. The Subdivider shall provide sample lot sitings for Lots 34 to 38 to demonstrate conformance to Town lot grading criteria for minimum useable rear yard area. Consideration to be given to eliminating / reducing sloping at the rear lot line by increasing the slope within the building envelope and using a double walkout (i.e. 3.6m basement depth) house design. Also, the estimated foundation levels and ability to provide sanitary sewer servicing to the basement are to be illustrated.
- 28. The Subdivider shall provide a more detailed grading design for Lots 157 to 194 backing onto the Region of Durham's Trunk Sanitary Sewer (TSS) since the sloping at the back of the lots seems to be in contradiction to the Region's comment to maintain the existing depth of cover over the TSS. Grading within the TSS easement will be subject to approval from the Region of Durham. Lot grading options to maximize grade percentages and absorb as much grade differential as possible

within the building envelope, will assist to minimize grading within the sanitary sewer easement.

29. The Subdivider shall review the need for Rooftop Drainage Collector (RDC) System. Preference shall be given to alternative methods of maintaining base flow to the noted drainage features, such as outlets from the mainline storm sewer system, without the need for a RDC pipe throughout the majority of the plan south of Conlin Road. If unavoidable, the Subdivider's Design Consultant is to provide justification for the need and extent of the RDC. Every effort is to be made to minimize both the length of RDC piping required and the number of outlets to the NHS.
30. The Subdivider shall demonstrate that sufficient width has been provided for access to Medium Density Block 279 from Street 'A' to accommodate the number and depth of proposed underground services as illustrated on the FSSR Site Servicing plan. If required, the plan shall be revised to convey additional width, all to Engineering Services satisfaction, prior to registration.
31. The Subdivider shall demonstrate that sufficient lot width has been provided to accommodate servicing easements at all locations where storm drainage pipes are located between lots. Where possible, outlet pipes shall be located at the Walkway Blocks between Street 'A' and Natural Heritage System Block 293. If required to accommodate site servicing, the plan shall be revised to convey additional width, all to Engineering Services satisfaction prior to registration.
32. The Subdivider shall be responsible to enter into a separate agreement(s) with benefitting parties, to which the Town is not a party, to address cost sharing for external services, external road improvements and / or the oversizing of services should such oversizing be required.
33. The Subdivider is fully responsible, financial and otherwise, for the reconstruction and urbanization of existing Conlin Road along the development frontages to a Town local standard to the satisfaction of Engineering Services' as follows:
 - a. From Anderson Street to the west limit of the development: As an integral part of the subdivision development, this will stay as a local 20 m road reconstructed to an urban standard with sidewalks on both sides and a signed Bike Route, including any required turning lanes and entrance works.
34. The Subdivider shall be fully responsible for the reconstruction/widening of Anderson Street to accommodate any of the MTS identified intersection improvement requirements to support the subject development, while maintaining the existing 2-lane rural cross-section and on-road bike lanes.
35. The subdivider shall be responsible for the construction of a 3.0m wide asphalt multi-use path on the west side of Anderson Street. Development Charge recoveries will apply in accordance with the Development Charge By-Law in effect at the time of final approval of the Draft Plan. Priority shall be given to placing these facilities at

their ultimate location and elevation where feasible while maintaining the existing road cross-section.

36. Ultimate road cross-section, turning lane, active transportation infrastructure and pedestrian crossing requirements at proposed intersections along Anderson Street to be determined through completion and acceptance of a future Environmental Assessment study.
37. Grading match along the Anderson Street ROW limit to be based on an assumed ultimate 4-lane urban cross-section and boulevard grading. If required to address construction staging and timing, interim grading and drainage requirements that match existing conditions along the external road frontages are to be accommodated.
38. The Subdivider shall be responsible for implementing the traffic control recommendations of the MTS, including but not limited to, the installation of a traffic signal or roundabout at the Anderson Street and Conlin Road intersection, interim pedestrian crossing controls on Anderson Street and Conlin Road and the ultimate traffic signals on Anderson Street. Development charge recoveries will apply to portions of the above work items in accordance with the Development Charge By-Law in effect at the time of final approval of the Draft Plan.
39. The Subdivider shall provide a Construction Management Report and Plan(s) to the Town's satisfaction that includes, but is not limited to, a neighborhood communication strategy, construction traffic route, schedule and mud and dust control best management practices.
40. The Subdivider shall provide a Water Well Interference Report, separately or as a part of a Hydrogeological Report, to the satisfaction of the Director of Engineering Services. The Report shall review the potential impacts of development activities on existing water wells, within the zone of influence, as determined by the Qualified Person, with a minimum distance of 250m from development limits. The Water Well Interference Report shall include, but is not limited to, a pre-construction survey of the existing water wells, a potential impact analysis through the construction phase and recommendations/remediation plans to address any concerns that may arise as a result of construction stage works.
41. The Subdivider shall implement a pre-construction survey/assessment, including a vibration monitoring program within the vibration zone of Influence (ZOI), on any adjacent buildings/structures/properties that may be affected by the construction activity, prior to commencing construction. The assessment shall be completed by a qualified person (QP) to the satisfaction of the Town and shall be provided to the Town prior to construction. Any waiving of this requirement shall be at the sole discretion of the Director of Engineering of the Town of Whitby.
42. The Subdivider shall be responsible for maintaining the existing Town roads in an acceptable condition throughout the duration of construction and/or until such time

as the Town roads are reconstructed. The Subdivider may be required to provide the Town with securities to ensure roads are maintained to the Town's satisfaction. This is to be reviewed further when information regarding the timing of construction of both the subdivision development and the reconstruction of the Town owned road(s) is known.

43. The Subdivider shall provide an updated Master Transportation Study (MTS) to address the following comments and those provided by Paradigm Transportation Solutions Ltd prior to or with the submission of detailed engineering drawings:
 - a. The Subdivider shall, through working with the Town staff, identify traffic calming measures on Street 'A', at Street 'A' intersections with Streets 'B', 'J' and Conlin Road and on all roads adjacent to the Park Block to support safe travel speeds and a comfortable environment for all users.
 - b. The Subdivider shall provide a composite Traffic Calming Plan for all roads in the plan that includes, but not limited to, area specific speed limits, speed humps, and raised intersections, for review and acceptance by the Director of Engineering Services.
 - c. Controlled pedestrian crossing (i.e., Intersection Pedestrian Signal (IPS) or Pedestrian Crossover (PXO) at Anderson Street/Street 'B', Anderson Street /Street 'J' and at Conlin Road / Street 'A'. The IPS or PXO may be an interim solution to facilitate safe active transportation movements until such time that a traffic signal maybe warranted.
 - d. While the volumes may be low, left turn lanes should be provided on Anderson Street and Conlin Road to facilitate safe movements along the corridor for all road users.
44. The Subdivider shall provide a Traffic Management Implementation Plan and shall be responsible for providing both temporary and permanent signage and pavement markings for the development.
45. The sale and/or development of Lots 1 to 13 and Blocks 275 and 276 inclusive, until such time as the Mid-Block Arterial is constructed between Baldwin Street and Anderson Street including replacement of the crossing of the Anderson Street Tributary, as outlined within the MBEA, and confirmation of the limits of the new regulatory flood line to the satisfaction of the Central Lake Ontario Conservation Authority (CLOCA) and Town of Whitby.
 - a. Unless significant changes are made to the Draft Plan, a revised FSSR is not required; however, comments provided in Section Informational Comments are to be considered as part of the detailed engineering design and Stormwater Management(SWM)Report submission following Draft Plan approval.
46. SWM Blocks 289 and 290 shall be sized to accommodate all Town of Whitby, Central Lake Ontario Conservation Authority (CLOCA) and Ministry of the

Environment, Conservation and Parks (MECP) design elements/features, including but not limited to, emergency spillway, sediment drying area, maintenance roads, access and turn around provision, fore bay length, length to width ratios, maximum side slopes and cooling trenches and / or wetland pockets at the outfall.

- a. Pond sizing shall also include drainage areas for the ultimate improvements and urbanization of Anderson Street and Conlin Road that are tributary to the site.
- b. The quantity control storage must be stacked above the extended detention storage volume as per CLOCA's Technical Guidelines for Stormwater Management Submissions.
- c. The maximum depth of the active storage is 2 m as per the MECP Stormwater Management Planning and Design Manual.
- d. A sediment drying area is to be provided per MECP Guidelines. This area shall be located immediately adjacent to the sediment forebay area to accommodate future operational needs. Provide calculations (i.e., 10-year sediment volume) to support the size of the sediment drying area.
- e. Provide vehicle turning path for the SWM pond maintenance road to ensure that typical maintenance vehicles (cube van) and a triaxle vehicle can navigate the current layout (with minimal reverse manoeuvring).
- f. Revise the SWM Pond grading to locate the safety platform above the normal water level.

At the time of detailed engineering design, should review of the SWM Facility show that the block has been undersized, the Subdivider shall revise the plan to increase the block size accordingly.

47. The Subdivider shall provide confirmation from Central Lake Ontario Conservation Authority (CLOCA) for the acceptance of:

- a) Quantity control and appropriate water quality treatment measures for the storm sewer outlet, as well as the direct overland flow outlet, to the NHS from the Street 'K' cul-de-sac.
- b) The limits of the Natural Heritage System (NHS), including appropriate setbacks, and acceptance of grading encroachment beyond the currently shown Limit of Development.
- c) Proposed outlet locations to the natural drainage features for the portion of the plan to the south of Conlin Road and including external areas to the east of Anderson Street.

48. The Subdivider shall implement all recommended noise control measures identified in the Noise Impact Study and revise the plan as required to accommodate recommended noise control measures prior to registration.
49. All non-regulatory fencing and acoustic barriers shall be installed wholly on private property and all operation and maintenance of said fencing shall be the responsibility of the private property Subdividers.
50. All black vinyl chain link fences to delineate Town blocks, and open spaces from private property shall be designed and constructed in accordance with the relevant engineering standards. Fencing for school blocks to be as per the appropriate school board requirements.
51. The Subdivider shall ensure all private properties are protected from flooding limits at low points and points of major system flow convergence along the municipal road system. If required, the plan for registration shall be revised accordingly to provide said flood protection.
52. The Subdivider shall be responsible for providing service connections and a suitable storm drainage outlet for flows associated with Park Block 282, to the satisfaction of Engineering Services' and the Community Services Department.
53. All community mailboxes for the future private developments shall be located within the respective private properties.
54. Construction phasing of the development shall be to the satisfaction of the Engineering Services and shall consider adjoining developments and provide for upstream and downstream road and servicing connectivity. Construction staging details will be required for the proposed servicing and road works on Anderson Street and external sanitary sewer and watermain construction on Conlin Road, including coordination with the proposed adjacent developments and the Region of Durham.
55. The Subdivider shall provide a detailed engineering submission in accordance with Sections A2.00 and A3.00 of the Town of Whitby's Engineering Design Criteria. The engineering drawings must be set up as per the Town's CAD layering standards and object data requirements set out in Appendix A of the Design Criteria. The first engineering submission will not be reviewed until it is confirmed that the drawing set-up conforms to this requirement.
56. The Subdivider shall confirm the details of all existing above and below grade infrastructure relevant to the proposed design. Existing details shall be confirmed in the field by a method determined by the Subdivider's consulting engineer in consultation with the Town. Acceptable methods include, but are not limited to, topographical surveys, locates, measure downs, sub-surface utility engineering (SUE) investigation Quality Level A (QL-A), also referred to as daylighting, to determine horizontal and vertical location. The Subdivider further acknowledges that any as-built information provided by the Town is for informational purposes only.

57. All plan and profile drawings shall indicate the seasonal high water table elevation and the corresponding Minimum Basement Elevation, all to be confirmed by Hydrogeological Consultant and accepted by Central Lake Ontario Conservation Authority (CLOCA). The Subdivider shall protect all proposed private dwellings from the seasonal high-water table where applicable.
58. The Subdivider shall be responsible for all hydro poles, luminaries and hydro requirements for this proposed subdivision and shall enter into a separate agreement with Elexicon accordingly.
59. The Subdivider shall provide the Town with a full electrical design (i.e., primary, secondary and streetlight design) for this development. All aspects of the secondary electrical design and street light design will be peer reviewed by the Town. The Subdivider will be financially responsible for the peer review cost including a 15 percent administrative fee. The street lighting design shall comply with the latest version of the RP-8 Roadway Lighting Design standard and shall utilize LED technology.
60. Any concerns raised through future re-submissions of the geotechnical and hydrogeotechnical reports for the site shall be addressed by the Subdivider to the satisfaction of Engineering Services. This includes, but is not limited to, pavement design specifications based on street classifications, earth berm grading design, long term slope stability, confirmation of design parameters and preliminary layout for LID measures (proposed infiltration trenches), proposed stormwater management pond elevations relative to groundwater levels and the need / thickness of the impervious membrane or synthetic clay lining, foundation construction requirements and recommended measures for Best Management Practices for municipal servicing construction. The plan must reflect changes required in this regard prior to registration.
61. The Subdivider shall provide an assessment of dead, dying, diseased and / or over mature trees along the edge of the natural areas for pruning or topping purposes to address safety and liability concerns. The report must include details for the protection, enhancement and edge management of the retained vegetated areas. All hazards, debris, and/or garbage shall be removed from all Open Space Blocks prior to the registration of the plan.
62. The Subdivider shall provide the Town with a deposit for any necessary peer review costs with the amount to be determined at time of first peer review. The Town will administer payments to any Peer Review Consultant(s) and provide milestone billings back to the Subdivider. The Town may request additional deposits for the Peer Review funds if required. At the time of issuance of full engineering approvals, any remaining deposit will be returned to the Subdivider. This condition will be superseded at such time as the Town has a Peer Review By-law in place.
63. The Subdivider shall provide a copy of the approved individual lot grading plan (i.e., siting) to each lot purchaser prior to closing.

64. The Subdivider shall agree to implement the recommendations of all reports submitted in support of the application.
65. The Subdivider shall be responsible for satisfying any additional requirements identified by Engineering Services not specifically listed above.
66. The subdivider shall not proceed with the development and sales of lots 28 to 33 until the design and fitment for the Park Block (282) has been completed to the satisfaction of the Senior Manager of Parks Planning and Development.
67. Parkland contribution is required for this development at a rate in accordance with the Planning Act.
68. The subdivider shall convey a minimum 1.01 hectares (representing 5% of the net developable area outside of the Natural Heritage System, road widening blocks for Conlin Road and Anderson Street, and excluding development Blocks 277-281) for the district park block to the Town, free and clear of all costs and encumbrances and to the satisfaction of the Senior Manager of Parks Planning and Development, upon registration of the plan of subdivision. Any additional parkland provided by the subdivider beyond the minimum 1.01 hectares will be credited towards the required parkland calculations future site plan approvals for Blocks 277-281. Any remaining parkland dedication will be satisfied through the payment of cash-in-lieu of parkland. A land appraisal will be required for review and approval by the Town at the site plan approval stage.
69. The parkland credit provided for the area within park block 282 encumbered by the Regional sanitary easement, where no permanent structures are permitted to be constructed, maybe discounted based on detailed design of the park, to the satisfaction of the Senior Manager of Parks Planning and Development.
70. Prior to approval of grading and servicing drawings for each applicable phase within this plan of subdivision, the subdivider shall submit detailed park design and grading plans, prepared by a qualified landscape architect, to the satisfaction of the Senior Manager of Parks Planning and Development.
71. The subdivider shall provide grading works, topsoil and an as-built grading survey, prepared by a qualified person, for all park blocks, to the satisfaction of the Senior Manager of Parks Planning and Development.
72. The subdivider shall provide all necessary stormwater, sanitary, water and electrical service connections to park block 282, to the satisfaction of the Senior Manager of Parks Planning and Development.
73. The subdivider agrees to install a 1.2 metre black vinyl standard park fence where any open space and park blocks abut residential lots.
74. The subdivider agrees to convey all natural heritage and open space blocks (Blocks 291 to 294) to the Town in a condition to the satisfaction of the Parks Planning and

Development Department, upon registration of each phase of the plan of subdivision.

75. Prior to approval of grading and servicing drawings for each phase within this plan of subdivision, the subdivider shall prepare detailed trail design and grading plans, prepared by a qualified landscape architect and/or engineer, for any required off-road trails within Blocks 289, 290, 292, and 293, to the satisfaction of the Senior Manager of Parks Planning and Design.
76. The trail design requirement shall include, but are not limited to the following:
- a. Trails to be constructed to details and specifications provided by and approved by Town of Whitby Community Services, Parks Development Division.
 - b. All trails shall be planned and designed to meet accessibility standards.
 - c. All trails, trail crossing, bridges, boardwalks, culverts, structures shall be designed and constructed by the Subdivider, in accordance with Community Services Department, Parks Development Division requirements.
 - d. All primary trails shall be planned and designed to a minimum width of 2.5 metres and surfaced in asphalt.
 - e. Trails to be offset a minimum 3 metres from any property line to accommodate grading requirements, a 1.5-metre-wide sod mow strip and a 1.5 metre wide planted privacy buffer.
 - f. Trail requires a minimum 1.5 metre sod mow strip on either side of the trail to enable mowing/maintenance. Mow strip to be sloped at a maximum 25%.
 - g. Trail grades are not to exceed 2% cross slope and 5% longitudinal slope unless unavoidable due to existing grades.
 - h. Seating Areas with benches are to be provided at a rate of 3 per kilometer of trail. Rest Areas are to be provided every 150 metres.
77. Should the off-road trail require approval of the trail design from CLOCA and any other applicable approval authorities, the subdivider shall secure approval of the trail design from CLOCA and any other applicable approval authorities at the detailed design stage.
78. The subdivider shall not to proceed with the development and sales of lots 34 to 38 until detailed design of the off-road trail within the abutting Natural Heritage System or an alternative location has been completed to the satisfaction of the Senior Manager of Parks Planning and Development.

79. The subdivider shall construct all off-road trail works in accordance with the future detailed design plans and secure any additional approvals and permits, as required, at no cost to the Town of Whitby.
80. The subdivider shall advise potential purchasers of the location of the proposed park facilities and off-road trails by providing plans, approved by the Senior Manager of Parks Planning and Development, in all sales offices and agreements of purchase and sale for any dwelling units within the draft plan of subdivision.
81. Prior to execution of the Subdivision Agreement, the subdivider shall provide a Letter of Credit, in an amount to be determined by the Senior Manager of Parks Planning, to secure delivery of base park and off-road trail works.
82. That the Subdivider agrees to post the standard Durham District School Board approved "Notice to Parents" in all sales representation centres, or provide through the purchase process.
83. A firebreak layout and all fire hydrants shall be indicated on applicable plans as part of detailed design.
84. Any permanent structure shall be setback a minimum distance of 10.0m from any Trans-Northern Pipeline right-of-way.
85. Prior to Hydro One Networks Inc (HONI) providing its final approval, the subdivider must make arrangements satisfactory to HONI for lot grading and drainage. Digital PDF copies of the lot grading and drainage plans (true scale), showing existing and proposed final grades, must be submitted to HONI for review and approval. The drawings must identify the transmission corridor, location of towers within the corridor and any proposed uses within the transmission corridor. Drainage must be controlled and directed away from the transmission corridor.
86. Any development in conjunction with the site plan must not block vehicular access to any HONI facilities including any easements located on the corridor or abutting lands in favor of HONI. During construction, there must be no storage of materials or mounding of earth, snow or other debris on the transmission corridor.
87. At the subdivider's expense, temporary fencing must be placed along the transmission corridor prior to construction, and permanent fencing must be erected along the common property line after construction is completed.
88. The costs of any relocations or revisions to HONI facilities which are necessary to accommodate this site plan will be borne by the Subdivider. The Subdivider will be responsible for restoration of any damage to the transmission corridor or HONI facilities thereon resulting from construction of the site plan.
89. The northerly portion of the subject land falls within the Hydro One Networks Inc. and Enbridge regulated area. No site alteration, sale of lots, or building permits shall be issued for Lots 1-13, Block 275, Block 276, and/or any other development

requiring access by Street K from either St. Thomas Street or the future Mid-Block Arterial Road, until written consent and/or any required permits from HONI and Enbridge are obtained.

90. The subdivider shall submit an updated Sustainability Rationale Report and WGS Checklist to the satisfaction of the Strategic Initiatives (Sustainability and Climate Change) department.
91. The Subdivider shall consult with Canada Post to determine suitable permanent locations for Community Mail Boxes. The Subdivider will indicate these locations on the appropriate servicing plans.
92. That the Subdivider enter into a Subdivision Agreement for the subdivision, and a future Site Plan Agreement for each block with the Municipality and be responsible for the fees associated with the preparation and registration of the Agreement, including any review required by Legal Services.
93. The required noise mitigation measures and warning clauses shall be included in the Subdivision Agreement and future Site Plan Agreements.
94. The Subdivider shall provide a tree preservation plan and install protective fencing in advance of any on-site grading works.
95. Through the Site Plan / Plan of Subdivision Agreement, the Subdivider shall complete the Whitby Green Standard performance measures as part of the construction of the approved development as detailed in Sustainability Rationale Report submitted by the proponent.
96. That the new home construction be designed to meet the Energy Star standards or equivalent.
97. That the Subdivider covenants and agrees to enter into the cost sharing agreement amongst the benefiting land Subdividers in accordance with Section 11.5.31.5 e) and f) as set out in the Town of Whitby Official Plan and that the Town will clear condition No. 97 upon receipt of a letter of clearance from the "Trustee" representing the Brooklin Cost Sharing Agreement.
98. Prior to final approval of this plan for registration, the Town of Whitby shall be advised in writing by:
 - a) The Regional Municipality of Durham, how conditions 1-9 have been satisfied;
 - b) The Central Lake Ontario Conservation Authority, how conditions 10-19 have been satisfied;
 - c) The Town of Whitby Parks Planning Department, how conditions 66-81 have been satisfied;

- d) The Town of Whitby Engineering Services Department, how conditions 20-65 have been satisfied; and
- e) Hydro One Networks Inc., how conditions 85-89 have been satisfied.

Note: Please be advised that the approval of this draft plan will lapse three (3) years after the date the plan is draft approved. This approval may be extended pursuant to Section 51(33) of the Planning Act, but no extension can be granted once the approval has lapsed.

If final approval is not given to this plan within three (3) years of the draft approval date, and no extensions have been granted, draft approval will lapse under Section 51(32) of the Planning Act, RSO, 1990, as amended. If the Subdivider wishes to request an extension to the draft approval, a written request and explanation must be received by the Commissioner of Planning and Development 120 days prior to the lapsing date. A processing fee in effect at the time of the request, shall apply.

New and Unfinished Business - Planning and Development

Item Number	Description	Resolution	Meeting Date	Due Date	Revised Date	Explanation/Comments
P&D-0004	Automated Speed Cameras on Town Roads	That staff report to Council on the feasibility and cost of adopting an Automated Speed Enforcement program on Town Roads in School Safety Zones and Community Safety Zones.	29 Nov 2021	06 Mar 2023	02 Dec 2024	ASE will be considered through the Traffic Calming Policy. Details from the Region of Durham and area municipalities to support future consideration and help identify cost to implement.
P&D-0005	Planning and Development (Engineering Services) Department Report, PDE 02-22 Re: Boulevard Permit Parking Program	That Report PDE 02-22 be referred to Staff to review concerns raised by the Committee.	28 Feb 2022	13 Mar 2023	02 Dec 2024	Boulevard parking will be reviewed and considered as part of the residential parking permit program.
P&D-0007	Thistledown Crescent Emergency Access Review	That Staff be directed to report on the following issues: c. Following the opening of Thistledown Crescent to Taunton Road, the implementation of a monitoring program with 24/7 traffic counter device to obtain traffic data on speed, volumes, and other metrics and report back to Council within one year of the road opening regarding the traffic impacts of the development and whether any additional traffic calming measures are required.	07 Mar 2022	TBD		The road has not been constructed. Monitoring, through Radar Message Boards, and observations will occur following the opening of the roadway. Timing is currently unknown. Date to report back will continue to be delayed until construction/opening is known.

New and Unfinished Business - Planning and Development

Item Number	Description	Resolution	Meeting Date	Due Date	Revised Date	Explanation/Comments
P&D-0012	PDP 66-22, Planning and Development (Planning Services) Department, Financial Services Department, and Legal and Enforcement Services Department Joint Report Re: Ontario Bill 109, More Homes for Everyone Act, 2022	3. That staff report back to Council following completion of the Development Application Approval Process and Fee Review study regarding any further proposed process and fee changes required to adequately address the impacts of Bill 109.	12 Dec 2022	04 Dec 2023	16 Sep 2024	Report back following completion of DAAP.
P&D-0018	Three Way Stop at White Ash Drive and Palmerston Avenue	That Staff be directed to include consideration of a three way stop at White Ash Drive and Palmerston Avenue as part of a report on new stop controls by Q2 2024.	18 Mar 2024	10 Jun 2024		