



**AON Inc.**  
**4571 Guthrie Drive, 2006 & 2011 McNamara Road**  
**15T-10504 / O1004 / Z1006SB**

## **CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL**

The City of Peterborough Conditions and Amendments to Final Plan Approval for registration of this Subdivision File No. 15T-10504 are as follows:

### **Identification**

1. That this approval applies to the Draft Plan 15T-10504, prepared by Walker, Nott, Dragicevic Associates Limited dated July 22, 2010 (Drawing No. 04690), which shows the following:
  - Lots 1-409
  - Block A
  - Block B
  - Block C
  - Blocks D, E, F
  - Block G
  - Block H
  - Blocks I, J, K, L
  - Block M
  - Block N
  - 409 Single Detached lots
  - Open Space
  - Future Development/Temporary Sales Office
  - Stormwater Management & Pumping Station
  - 3.0m Road Widening (McNamara Rd.)
  - Retirement Residential (130 units/suites)
  - Future Development
  - 0.3m Road Reserve
  - 2.0m Road Widening (Wallace Point Rd.)
  - Parkette
2. That 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 shall lapse.
3. That prior to Final approval, the City Engineer will confirm the servicing allocation for this Plan as services are allocated on a “first-come, first-served” basis.

### **Public Roads and Walkways**

4. That the road allowances included in this Draft Plan shall be shown on the Plan and dedicated as public highways.
5. That the streets shall be named to the satisfaction of the City of Peterborough.
6. That any dead ends and open sides of road allowance created by this Draft Plan shall be terminated in 0.3 metre reserves to be conveyed to and held, in trust, by the municipality.

7. That temporary turning circles be established at the termination of road allowances to the satisfaction of the City of Peterborough.
8. That daylight triangles be established at all intersections to the satisfaction of the City Engineer.
9. That prior to Final Approval, the owner shall agree in the Subdivision Agreement to construct sidewalks in accordance with the City's Sidewalk Policy.

**Other Municipal Conditions**

10. That Block A be conveyed to the City of Peterborough for Open Space purposes.
11. That Block C be conveyed to the City of Peterborough for stormwater management and wastewater pumping station purposes.
12. That Blocks D, E and F be conveyed to the City of Peterborough as a 3.0 metre road widening for McNamara Road.
13. That the owner agree in writing to reconstruct McNamara Road across the frontage of the subdivision to a full urban cross-section at the discretion of the City Engineer.
14. That Block M be conveyed to the City of Peterborough as a 2.0 metre road widening for Wallace Point Road.
15. That the owner agree to investigate the feasibility of constructing a pedestrian facility along the west side of Wallace Point Road and Bensfort Road from Street A to Collison Avenue at the discretion of the City Engineer and to construct the said facility if deemed appropriate by the City Engineer.
16. That prior to Final Approval, a Sanitary Wastewater Pumping Station be constructed on Block C and forcemain be constructed from Block C to the Southpark Drive sanitary sewer to the satisfaction of the City Engineer subject to the following:
  - a) That the existing Southpark Drive sanitary sewer, south of the Sherin Avenue Trunk, be upgraded to accommodate flows from the entire Coldsprings area;
  - b) That the Sanitary Pumping Station be designed to allow for expansion to service full build-out of the Coldsprings Secondary Plan Area;
  - c) That the sanitary forcemain design consider the needs for full build-out of the Coldsprings Secondary Plan Area;

- d) That a study be undertaken and implemented that assesses the potential environmental and cultural heritage impacts of the required sanitary services be and recommends measures to mitigate the potential for adverse impacts; and,
  - e) That the detailed engineering and design of the sanitary forcemain crossing under Highway 7/115 receive approval from the Ministry of Transportation.
17. The Coldsprings Transportation Study identifies the need for transportation network improvements to accommodate development of the Coldsprings Secondary Plan Area. In accordance with the recommendations therein, the Developer acknowledges that development of the subject plan of subdivision will be phased as follows (assuming a development mix of 60% single detached, 22% medium density and 18% high density units):
- a) Prior to Final Approval for the cumulative creation of more than 92 residential dwelling units within the Coldsprings Secondary Plan Area, the Developer shall install an all-way stop sign control at the intersection of Guthrie Drive and the Highway 7/115 ramp, and at the intersection of Guthrie Drive and Bensfort Road, to the satisfaction of the City Engineer and the Ministry of Transportation;
  - b) Prior to Final Approval for the cumulative creation of more than 350 residential dwelling units within the Coldsprings Secondary Plan Area, the Developer shall establish a second permanent roadway from the Plan Area to Wallace Point Road to the satisfaction of the City Engineer and the Ministry of Transportation;
  - c) Prior to Final Approval for the cumulative creation of more than 500 residential dwelling units within the Coldsprings Secondary Plan Area, the following improvements must be constructed to the satisfaction of the City Engineer and the Ministry of Transportation:
    - a. Guthrie Drive shall be closed between Bensfort Road and the Highway 7/115 ramp;
    - b. The east bound Highway 7/115 exit ramp to Bensfort Road shall be reconstructed and Neal Drive shall realigned, if necessary, to meet the reconstructed ramp as a signalized intersection at Bensfort Road;
    - c. Wallace Point Road or Bensfort Road (the “Thoroughfare”) shall be established as the thoroughfare between the Plan Area and areas

- north of Highway 7/115 and the remaining roadway shall be realigned in the vicinity of Street A as a signalized intersection;
- d. Kennedy Road and/or Otonabee Drive shall be realigned to form a mutual signalized intersection; and,
  - e. A northbound left turn lane shall be established on Bensfort Road, under Highway 7/115, approaching Kennedy Road;
- d) Prior to Final Approval for the cumulative creation of more than 1300 residential dwelling units/suites within the Coldsprings Secondary Plan Area:
- a. a secondary access road shall be constructed under Highway 115 at the Otonabee River to connect Guthrie Drive to Kennedy Road;  
**or,**
  - b. a new bridge crossing of the Otonabee River shall be constructed;  
**or,**
  - c. the Thoroughfare shall be widened between Street A and Kennedy Road, the Highway 7/115 bridges over Bensfort Road shall be reconstructed, and additional left turn lanes shall be provided on Street A at the Thoroughfare and on Bensfort Road, at Kennedy Road, all to the satisfaction of the City Engineer and the Ministry of Transportation;
- e) Should option a. in Condition 17 d) be implemented, prior to Final Approval for the cumulative creation of more than 2000 residential dwelling units within the Coldsprings Secondary Plan Area, the Thoroughfare shall be widened between Street A and Kennedy Road, the Highway 7/115 bridges over Bensfort Road shall be reconstructed, and additional left turn lanes shall be provided on Street A at the Thoroughfare and on Bensfort Road, at Kennedy Road, all to the satisfaction of the City Engineer and the Ministry of Transportation;
- f) Should options a. or c. in Condition 17 d) be implemented, prior to Final Approval for the cumulative creation of more than 2400 residential dwelling units within the Coldsprings Secondary Plan Area:
- a. Bensfort Road / River Road shall be widened to Lansdowne Street;  
and,

- b. The Throughfare shall be widened from Street A southerly to the second collector street entrance to the Coldsprings Secondary Plan Area;
  - g) Beyond the cumulative approval of 2400 in the Coldsprings Secondary Plan Area, should option a. in Condition 17 d) be implemented without implementation of option b. in that same Condition, no additional development approvals will be granted beyond 3300 units without the approval of an updated traffic study, complete with observed trip generation statistics from the Planning Area, showing that the road network can accommodate additional development or the provision of additional road network capacity; and,
  - h) Beyond the cumulative approval of 2400 in the Coldsprings Secondary Plan Area, should option c. in Condition 17 d) be implemented without implementation of option a. or b. in that same Condition, no additional development approvals will be granted beyond 2700 units without the approval of an updated traffic study, complete with observed trip generation statistics from the Planning Area, showing that the road network can accommodate additional development or the provision of additional road network capacity.
- 18. The owner acknowledges that several of the transportation network improvements identified in Condition 17 will require the completion of a Class Environmental Assessment. To preserve options for adjusting the location of the intersection of Street A and Wallace Point Road, the owner agrees that Final Approval will not be granted for Block H or for Lots 320 to 323 and 336 to 340 pending confirmation of the intersection location upon completion of a Class Environmental Assessment for transportation network improvements in the Highway 7/115 / Guthrie Drive / Bensfort Road / Wallace Point Road area. Furthermore, the owner agrees to modify the Draft Approved Plan of Subdivision to reflect any necessary changes to the alignment of Street A near Wallace Point Road as determined through a Class Environmental Assessment.
- 19. That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Peterborough concerning the provision of roads, installation of services and drainage. Additionally, prior to Final Approval, the owner shall enter into a separate agreement with the City of Peterborough, the terms of which are to be approved by Council, concerning the construction and financing of sanitary infrastructure from the Coldsprings Area Specific Development Charge Reserve Fund.
- 20. That such easements as may be required for temporary access, utility, or drainage purposes, including snow storage at the end of all “stub” streets, shall

be granted to the appropriate authority, prior to the registration of the Subdivision Agreement and Final Plan.

21. Prior to Final Approval, the owner shall prepare an overall composite utility distribution plan that allows for the safe installation of all utilities, including required separation between utilities and driveways, to the satisfaction of the City Engineer and all affected utility authorities. The owner shall agree in the Subdivision Agreement to construct all streets and services in accordance with the approved composite utility plan.
22. That prior to Final Approval, the owner shall submit and receive approval of a soils/hydrogeological report to the satisfaction of the City Engineer which assesses:
  - a) soil types and ground water levels relative to establishing elevations for houses and recommendations for road bed, asphalt, pipe bedding, and foundation design, and the need for a foundation drain discharge system;
  - b) the groundwater recharge function of the subject lands relative to providing baseflow to the Otonabee River and the woodlot/swamp located at 1856 McNamara Rd., 1954 McNamara Rd. and 1714 Driscoll Road to the satisfaction of the City Engineer and the Otonabee Region Conservation Authority; and,
  - c) the potential for adverse impacts on groundwater quality and quantity for well users in the area and recommends a program for monitoring area wells.
23. That the owner agree in the Subdivision Agreement to implement any recommendations approved in the soils/hydrogeological report.
24. That in conjunction with the stormwater management report required pursuant to Condition No. 37, the owner shall conduct a water balance analysis of the Draft Plan's drainage contribution to the woodlot/swamp located at 1856 McNamara Rd., 1954 McNamara Rd. and 1714 Driscoll Road to the satisfaction of the City Engineer.
25. That prior to Final Approval the owner submit to the satisfaction of the City of Peterborough and the Otonabee Region Conservation Authority an Environmental Study consisting of:
  - a) An assessment of the potential impacts of the proposed stormwater management facilities on nearby aquatic habitat;

- b) A vegetation assessment of the hedgerows on the site, particularly those identified as No. 25 and No. 27 in the Coldsprings Functional Planning Study Natural Heritage Component Report (Ecoplans Limited, 2005), including field surveys for species at risk and associated habitats and recommendations to protect and/or enhance natural features; and,
  - c) A vegetation assessment of the natural features within Blocks B and C including field surveys for species at risk and associated habitats and recommendations to protect and/or enhance natural features.
- 26. That the agree to implement any recommendations approved in the Environmental Study on the draft plan of subdivision to be prepared for Final Approval and/or in the Subdivision Agreement.
  - 27. That the owner shall agree in the Subdivision Agreement to design and construct suitable permanent fencing as required along the rear of Lots 11 to 19, adjacent to Block C, and along the mutual property line between Block N and Lots 283, 284, 285, 286, 293 and 294 to the satisfaction of the City of Peterborough.
  - 28. That prior to Final Approval, the owner shall agree in the Subdivision Agreement to insert a clause in all agreements of purchase or sale or lease, to be registered on title, warning prospective purchasers or tenants of the of the City of Peterborough's Sewage Treatment Plant and associated open lagoons located on the north side of Highway No. 7 and operated 24 hours a day, 365 days a year and that the City of Peterborough will not be responsible for complaints or claims arising from the operation of the facility.
  - 29. That prior to Final Approval, the owner/developer shall submit, for the review and approval by the City of Peterborough, a detailed Noise Impact Assessment Report. The Report shall evaluate the noise impacts due to road traffic and "stationary" sources within 500 metres of the site and it shall propose a plan of noise impact management including physical indoor/outdoor noise control measures, warning clauses and a plan of implementation to ensure that the control measures shall be properly implemented.
  - 30. That prior to Final Approval, the owner shall agree, in the Subdivision Agreement, to carry out the works approved in the Noise Impact Assessment Report.
  - 31. That the owner agrees to include covenants in the property deed, satisfactory to the City Solicitor, stating that any noise control features are to be constructed on private property and are the responsibility of the individual property owners in perpetuity.

32. That the owner shall erect a sign, to the satisfaction of the City depicting the approved Plan of Subdivision and Zoning, within 90 days of the date of Draft Plan Approval.
33. That the owner shall enter into an agreement with the Peterborough Utilities Services Inc. for electrical and water servicing.
34. That prior to Final Approval, the owner undertake a hydraulic analysis to the satisfaction of Peterborough Utilities Services Inc. to determine staging of development requirements for the subject plan relative to the provision of water services.
35. That prior to Final Approval, the owner obtain written confirmation from Peterborough Utilities Services Inc. that the appropriate watermain infrastructure has been constructed to service the development.
36. The owner shall agree in writing to convey 5% of the land to the City for parkland dedication. For calculation purposes, lands within the regional floodplain, lands required as an environmental setback, and lands designated for stormwater management purposes shall not constitute any portion of the parkland dedication. Block N will be conveyed to the City for parkland purposes and will be credited as satisfying a portion of the owner's parkland dedication requirement for the subject plan.

### **Other Agency Conditions**

37. That prior to Final Approval of the Plan of Subdivision and any on-site grading or construction, Otonabee Region Conservation Authority, Ministry of Transportation, Trent Severn Waterway and the City Engineer must have reviewed and approved reports describing/containing:
  - a) The intended means of controlling stormwater runoffs in terms of quantity, frequency and duration for all events up to and including the 1:100 year storm;
  - b) the intended means of conveying stormwater flow from the site, including use of stormwater management water quality measures, both temporary and permanent, which are appropriate and in accordance with the Ministry of the Environment (MOE) "Stormwater Management Planning and Design Manual", March 2003;
  - c) the means whereby erosion and sedimentation and their effects will be minimized on the site during and after construction. These means should



be in accordance with the provincial “*Guidelines on Erosion and Sediment Control for Urban Construction.*” Supporting technical documentation should also be submitted which meets or exceeds standards in the “*Technical Guidelines – Erosion and Sediment Control*”, February 1989, published by the Ministry of Natural Resources and/or the “*Erosion and sediment Control Training Manual*”, MOE, 1997;

**Please Note:**      *Temporary ponds for sediment control should be capable of accommodating 125 cubic metres/hectare of contributing drainage area for a period of not less than 12 hours or removing particles sizes down to 40 microns.*

- d)      site soil conditions, including grain size distribution profiles; and,
  - e)      site grading plans.
38.      That prior to Final Approval, the owner shall design and agree to implement a detailed landscape and planting plan for the portion of Block A that is within 50 metres of the Otonabee River Shoreline to the satisfaction of the Otonabee Region Conservation Authority.
39.      That prior to Final Approval the owner develop and implement a two-year monitoring program of the landscape and planting plan noted in Condition 38 to the satisfaction of the Otonabee Region Conservation Authority. A minimum 70% survival rate is required, with replanting taking place where mortality exceeds 30% to the original specifications.
40.      The Subdivision Agreement between the owner and the City of Peterborough shall contain the following provisions in wording acceptable to the Otonabee Region Conservation Authority and the City Engineer:
- a)      That the owner agrees to implement the works referred to in Condition Nos. 37, 38 and 39. The approved reports should be referenced in the Subdivision Agreement.
  - b)      That the owner agrees to inspect and maintain all stormwater management, erosion and sedimentation control structures operating in good repair during the construction period in a manner satisfactory to the Otonabee Region Conservation Authority and the City Engineer.
  - c)      That the owner agrees to notify the Otonabee Region Conservation Authority at least 48 hours prior to the initiation of any on-site development.

In order to expedite clearance of these conditions, a copy of the Subdivision Agreement should be sent to Otonabee Region Conservation Authority.

41.
  - a) Bell Canada shall confirm to the City of Peterborough in writing that satisfactory arrangements, financial and otherwise have been made with Bell Canada for the installation of Bell Canada facilities to serve this Draft Plan of Subdivision.
  - b) The owner shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services.
  - c) If there are any conflicts with existing Bell Canada facilities or easements, the owner shall be responsible for re-arrangements or relocation.
42.
  - a) Cogeco Cable Solutions shall confirm that satisfactory arrangements, financial and otherwise have been made with Cogeco Cable Solutions for any Cogeco Cable Solutions' facilities serving this Draft Plan of Subdivision which are required to be installed underground, a copy of such confirmation shall be forwarded to the City of Peterborough.
  - b) The owner shall agree in the Subdivision Agreement, in words satisfactory to Cogeco Cable Solutions, to grant to Cogeco Cable Solutions any easements that may be required for telecommunication services.
  - c) If there are any conflicts with existing Cogeco Cable Solutions' facilities or easements, the owner shall be responsible for re-arrangements or relocation.
43. That the Owner agree in the Subdivision Agreement to the following provisions in wording acceptable to Canada Post Corporation and the City Engineer:
  - a) Inform all prospective purchasers, through a clause in all Agreements of purchase and sale, as to those lots identified for potential Community Mailbox, mini-park and/or locations.
  - b) Provide, at the Owner's expense, curb depressions at the Community Mailbox location 2 metres in width and no higher than 25 mm and a poured concrete pad to City of Peterborough sidewalk specifications.
  - c) Provide, at the Owner's expense, a paved lay-by at the Community Mailbox location when required by the municipality.

- d) If a grassed boulevard is planned between the curb and the sidewalk where the Community Mailbox is located, install at the Owner's expense, a walkway across the boulevard. The walkway is to be 1.0 metre in width and constructed of a material suitable to the municipality (e.g. interlock, asphalt, concrete etc.) in addition, the developer shall ensure, by forming or cutting the curb, that this walkway is handicapped accessible by providing a curb depression between the street and the walkway. This depression should be 1.0 metres wide and no higher than 25mm.
44. That the Owner agree in the Subdivision Agreement to the following provisions in wording acceptable to Enbridge Gas Distribution Inc. and the City Engineer:
- a) To grade all streets to final elevation prior to the installation of the gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information required for the installation of the gas lines; and,
  - b) To provide easements at no cost to Enbridge Gas Distribution Inc. in the event that it is not possible to install the natural gas distribution system within the proposed road allowances.

## **CLEARANCES**

1. Prior to final approval, the Director of Planning & Development Services shall be advised by the Otonabee Region Conservation Authority that Conditions 16 d), 22 b), 25, 26, 37, 38, 39 and 40 have been carried out to their satisfaction. The letter from the Authority shall include a brief but complete statement detailing how each condition has been satisfied.
2. Prior to final approval, the Director of Planning & Development Services shall be advised by Bell Canada that Conditions 21 and 41 have been carried out to their satisfaction. The letter from Bell shall include a brief but complete statement detailing how each condition has been satisfied.
3. Prior to final approval, the Director of Planning & Development Services shall be advised by Cogeco Cable Solutions that Conditions 21 and 42 have been carried out to their satisfaction. The letter from Cogeco shall include a brief but complete statement detailing how each condition has been satisfied.
4. Prior to final approval, the Director of Planning & Development Services shall be advised by Canada Post that Conditions 21 and 43 have been carried out to their satisfaction. The letter from Canada Post shall include a brief but complete statement detailing how each condition has been satisfied.
5. Prior to final approval, the Director of Planning & Development Services shall be advised by the Enbridge Consumers Gas that Conditions 21 and 44 have been

carried out to the their satisfaction. The letter from the Enbridge shall include a brief but complete statement detailing how each condition has been satisfied.

6. Prior to final approval, the Director of Planning & Development Services shall be advised by the Ministry of Transportation that Conditions 16 d) and e), 17 and 37 have been carried out to the their satisfaction. The letter from the Ministry shall include a brief but complete statement detailing how each condition has been satisfied.
7. Prior to final approval, the Director of Planning & Development Services shall be advised by the Trent-Severn Waterway that Condition 37 has been carried out to the their satisfaction. The letter from the Waterway shall include a brief but complete statement detailing how the condition has been satisfied.
8. Prior to final approval, the Director of Planning & Development Services shall be advised by Peterborough Utilities Services Inc. (PUSI) that Conditions 21, 33, 34 and 35 have been carried out to the their satisfaction. The letter from PUSI shall include a brief but complete statement detailing how the condition has been satisfied.

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Ministry of Transportation, Eastern Region  
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Peterborough, ON K9J 6Z5

## NOTES TO DRAFT APPROVAL

1. It is the Owner's responsibility to fulfill the Conditions of Draft Approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the City of Peterborough Planning Division quoting the City file numbers.
2. We suggest that you make yourself aware of Section 144 of the Land titles Act and subsection 78(10) of the *Registry Act*.

Subsection 144(1) of the *Land Titles Act* requires that a Plan of Subdivision of land that is located in a land titles division be registered under the *Land Titles Act*. Exceptions to this provision are set out in subsection 144(2).

Subsection 78 (10) of the *Registry Act* requires that a Plan of Subdivision of land that is located only in a registry division cannot be registered under the Registry Act unless that title of the Owner of the land has been certified under the *Certification of Title Act*.

Exceptions to this provision are set out in clauses (b) and (c) of subsection 78(10).

3. If the Owner wishes to request an extension to Draft Approval, a written explanation must be submitted for Council approval prior to the lapsing date. Please note that an updated review of the plan and revision to the Conditions of Approval may be necessary if an extension is to be granted.
4. The City of Peterborough and the Peterborough Utilities Commission have established a Development Control Monitoring Program for the purpose of managing sanitary and water services City-wide. Draft Approval does not assign a servicing allocation to the Plan of Subdivision. Services will be allocated on a "first-come" "first-served" basis in response to bonafide development pressure.
5. It is the Owner's responsibility to advise the City of Peterborough Planning Division of any changes in ownership, agent, address, and phone and fax number.