



John Boddy Developments Limited
1800 Television Rd., 450, 490 & 520 Laurie Ave.
15T-10501/O1001/Z1003SB

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-10501 area as follows:

Identification

1. That this approval applies to the Draft Plan 15T-10501, prepared by M.J. Davenport and Associates Limited dated March 2009 and most recently revised August 10, 2010 (Drawing No. 3999-DP), which shows the following:
 - Lots 1-41
 - Block 42
 - Block 43
 - Block 44
 - Blocks 45 and 47
 - Block 46
 - Street A
 - 41 Single Detached lots
 - Stormwater Management
 - Parkland
 - Open Space / Future Parkland
 - Open Space
 - Cardinal Drive turning circle
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 prior to Final Approval, the owner shall agree in the Subdivision Agreement to construct sidewalk along the Laurie Avenue frontage of the plan, from Cardinal Drive (east) to Willowcreek Boulevard, in accordance with the City's Sidewalk Policy.

8. That Block 46 be conveyed to the City of Peterborough as public highway. The owner shall further agree in the Subdivision Agreement to upgrade the existing turning circle encompassed in part by Block 46 to City standards if deemed necessary by the City Engineer.
9.
 - a) That the owner provide financial security to the satisfaction of the City Engineer for the provision of a stop sign on Laurie Avenue at Willowcreek Boulevard.
 - b) That prior to Final Approval a by-law be passed to authorize the installation of a stop sign on Laurie Avenue at Willowcreek Boulevard.

Other Municipal Conditions

10. That Blocks 44, 45 and 47 be conveyed to the City of Peterborough for Open Space purposes.
11. That Block 42 be conveyed to the City of Peterborough for Stormwater Management purposes.
12. 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.
13. 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.
14. 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.
15. That prior to Final Approval, the owner shall submit, receive approval of, and agree to implement a soils/hydrogeological report which assesses:
 - a) On-site soil and ground water conditions and provides recommendations for pavement, granular and sub-grade road based design, house footings including engineered fill, pipe bedding, proposed slopes, stormwater management pond berm and permanent pool impervious liner design, and

the need for a residential foundation drain discharge system to the satisfaction of the City Engineer; and,

- b) the groundwater recharge function of the subject lands relative to the Downers Corners Wetland and the opportunity for encouraging groundwater infiltration to the satisfaction of the City Engineer and the Otonabee Region Conservation Authority.
16. That prior to Final Approval, the owner shall submit a detailed landscape and planting plan for the Adjacent Land Area associated with the Downers Corners Wetland and its tributaries to the satisfaction of the City and Otonabee Region Conservation Authority. The plan shall be completed by an O.A.L.A. in accordance with the principles recommended in the Downers Corners Wetland Comprehensive Environmental Impact Study (Gartner Lee, 2007) and shall include the establishment of enhanced plantings to effectively create a living fence where the Adjacent Land Area abuts publicly accessible right-of-ways and open space areas along with signage worded and constructed to the City's satisfaction advising residents that access to the Adjacent Land Area is prohibited. The owner shall agree in the Subdivision Agreement to carry out the works approved in the Landscape Plan.
17. That the owner shall agree in the Subdivision Agreement to design and construct suitable permanent fencing as required along all residential lot lines that abut Blocks 42, 43, 44, 45 and 47. Additionally, the owner shall agree to construct fencing along the mutual boundary between Blocks 45 and 47, and along the boundary of Block 45 where it abuts a public right-of-way. The owner shall further agree to install a gate to the City's satisfaction on Block 42 adjacent to Street A. The said fencing and gate shall be constructed upon completion of any landscape restoration in the Adjacent Land Area, and final grading and sodding in the last three metres of lots adjacent to the Adjacent Land Area. The owner shall further agree not to change grades or otherwise disturb or encroach upon the Adjacent Land Area and the areas delineated by the 3-metre sodded area and fencing, all to the satisfaction of the City of Peterborough and the Otonabee Region Conservation Authority.
18. For Lots 1 to 23 and 30 to 41, the owner shall agree that the Subdivision Agreement will include a clause in all offers of purchase and sale agreements and/or lease/rental agreements advising prospective purchasers that fence gates and/or other means of access will not be permitted to the Adjacent Land Area and that swimming pools on these lots are prohibited. Additionally, the owner shall agree in the Subdivision Agreement to register a similar clause on title for the said lots.

19. That the owner agree in the Subdivision Agreement to implement a monitoring program to ensure that implementation of the landscape and planting plan required by Condition No. 16 achieves the ecological buffer/open space function for the Adjacent Land Area as described in the Downers Corners Wetland Comprehensive Environmental Impact Study (Gartner Lee, 2007). The program would involve establishing a sufficient number of stations for photographing representative sites adjacent to the areas to be landscaped/planted. The sites would be marked with a monument or stake to ensure standardized data collection. Photographs shall be taken at the same time of day and month. Qualitative notes on wildlife sightings, local disturbances, and invasive species will also be undertaken. Monitoring shall occur no less than once per annum and shall continue for a period of five years following the establishment of plantings. If a minimum of 70% survival is not achieved, replanting to the original specifications will be required. Annual reports shall be submitted to the City of Peterborough and the Otonabee Region Conservation Authority (and others, as required) every year up to five years following the initial landscaping/planting.
20. That prior to Final Approval the owner provide for the implementation of a five-year post-construction marsh monitoring program consisting of water quality and benthic invertebrate monitoring as recommended by the Downers Corners Wetland Comprehensive Environmental Study and wildlife monitoring to the satisfaction of the City of Peterborough and the Otonabee Region Conservation Authority. The owner agrees to conduct a minimum of one pre-development site visit to assess the baseline bird and amphibian community following Bird Studies Canada's Marsh Monitoring protocols for both birds and amphibians.
21. That the owner shall agree in the Subdivision Agreement to prepare, to the satisfaction of the City and the Otonabee Region Conservation Authority, a "Natural Systems Stewardship Brochure" for inclusion as a schedule to the Subdivision Agreement in Offers of Purchase and Sale, and registered on title, for all subsequent prospective purchasers of all Lots with in the subdivision, that will provide education material respecting the significance and sensitivity of the Provincially Significant Downers Corners Wetland to disturbances from residential development, the City of Peterborough's environmental policies and programs for management and use of environmental areas, restrictions and regulations associated with the use of these areas, and information on the role of residents in undertaking appropriate conservation efforts, and activities such as:
 - i. refuse/yard waste/composting;
 - ii. fertilizer and pesticide use (inclusive of herbicides, insecticides and fungicides);
 - iii. natural area vegetation and soil protection, including the preparation of generic planting plans focusing on the planting of native trees, shrubs and

- ground species within the rear and side yards of properties adjacent to the recommended Adjacent Land Area;
 - iv. impact of noise and lighting;
 - v. open space assess and trail use;
 - vi. domestic pet impacts and controls;
 - vii. invasive plant spreading;
 - viii. promoting planting of native species; and,
 - ix. proper swimming pool management techniques.
22. 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.
23. That prior to Final Approval, the owner shall submit a conceptual Lot Grading Plan to a greater detail than a typical engineering drawing set master lot grading plan providing typical lot grading designs on the steep and relatively shallow filled lots to the satisfaction of the City Engineer.
24. That the owner shall enter into an agreement with the Peterborough Utilities Services Inc. for electrical and water servicing.
25. That the owner agree in writing to convey 5% of the land to the City for parkland dedication in accordance with the Planning Act. 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 43 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.
26. That the owner implement a flood plain cut/fill program to raise the elevation of Block 44 above the regulatory flood limit, to the satisfaction of the City of Peterborough, subject to receiving regulatory approval from the Otonabee Region Conservation Authority.
27. That prior to Final Approval the owner prepare a base park development and grading plan for Blocks 43 and 44 to the satisfaction of the City of Peterborough. The owner shall further agree in writing prepare Blocks 43 and 44 in accordance with the approved park development and grading plan within six (6) months of receiving Final Approval to the satisfaction of the City of Peterborough.
28. That the owner agree in writing that completion of the improvements noted in Conditions 26 and 27 shall satisfy the outstanding parkland dedication requirement pursuant to Condition No. 25 for the subject plan.

Other Agency Conditions

29. That prior to Final Approval of the Plan of Subdivision and any on-site grading or construction, Otonabee Conservation, Ministry of Transportation, 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;
 - e) site grading plans; and,
 - f) measures for accommodating site level infiltration of backyard runoff, where appropriate.
30. 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 # 29. 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 prior to the commencement of any site preparation or clearing, the owner agrees to have the Adjacent Land Area field-fitted by a qualified field biologist, staked, and to install a silt fence to the satisfaction of the Otonabee Region Conservation Authority.
- d) That the owner agrees to not undertake any clearing, grading and grubbing of the site during the main bird breeding season of May 1st to August 1st.
- e) 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.

- 31.
 - 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.
- 32.
 - 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.
33. 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.
34. 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 15 b), 16, 17, 18, 19, 20, 21, 29 and 30 have been carried out to the 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 14 and 31 have been carried out to the 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 14 and 32 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 14 and 33 have been carried out to the 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 14 and 34 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 Peterborough Utilities Services Inc. (PUSI) that Conditions 14 and 24 have been carried out to the their satisfaction. The letter from PUSI shall include a brief but complete statement detailing how each condition has been satisfied.

Otonabee Conservation
250 Milroy Drive
Peterborough ON K9H 7M9

Systems Planner
Cogeco Cable Solutions
P.O. Box 2290
1111 Goodfellow road
Peterborough ON K9J 7A4

Manager
Access Network
Bell Canada
Peterborough ON K9J 7B4

Delivery Planner
Canada Post Corporation
1424 Caledon Place Box 25
Ottawa ON K1A 0C1

Planning Supervisor
Enbridge Consumers Gas
500 Elgin Mills Road East
Richmond Hill ON L4C 5G1

Peterborough Utilities Services Inc.
1867 Ashburnham Drive
PO Box 4125, Station Main
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.