



2210240 Ontario Inc.  
1232 Parkhill Road West  
15T-10503/O1003/Z1005SB

## 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-10503 area as follows:

### Identification

1. That this approval applies to the Draft Plan 15T-10503, Prepared by Tunney Planning Inc. (Drawing No. DP-2) dated July 22, 2010 which shows the following:
  - Lots 1-343
  - Blocks 344-363
  - Blocks 364-366
  - Block 367
  - Block 368
  - Block 369
  - Block 370
  - Blocks 371, 372
  - Block 373
  - Blocks 374-376
  - 343 Single Detached lots
  - 108 Street-fronting Townhouse units
  - Future Development
  - Medium Density Residential (60 units)
  - Local Commercial
  - Park
  - Stormwater Management
  - Open Space
  - 5m Parkhill Road widening
  - 0.3m reserves
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 prior to Final Approval, the owner shall agree in the Subdivision Agreement to construct sidewalk in accordance with the City's Sidewalk Policy.
9. That Block 373 be conveyed to the City of Peterborough as public highway.

**Other Municipal Conditions**

10. That Blocks 371 and 372 be conveyed to the City of Peterborough for Open Space purposes.
11. That Block 370 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 update the Hydrogeological and Geotechnical Assessments prepared for the site by GeoLogic Inc. dated July 2009 to include test pits taken directly within the proposed location of the stormwater management pond to confirm the top of sand layer elevation to the satisfaction of the City Engineer.
16. That prior to Final Approval, the Parkhill Road West Sanitary Wastewater Pumping Station shall be upgraded to have sufficient capacity to accommodate the proposed development to the satisfaction of the City Engineer.
17. That prior to Final Approval, the owner shall secure the necessary approvals to construct a sanitary wastewater conveyance system between the lands and the Parkhill Road West Sanitary Wastewater Pumping Station to the satisfaction of the City Engineer subject to the following:

- a. Any proposal to convey sanitary wastewater under Jackson Creek and along the Jackson Park Kiwanis Trail to the Pumping Station shall be accompanied by an Environmental Impact Study assessing the potential impact of the proposed work as well as a public awareness and safety plan to the satisfaction of the City Engineer, Otonabee Region Conservation Authority and/or others, as required.
18. The owner shall agree in the Subdivision Agreement to construct the sanitary wastewater conveyance system described in Condition 17 in accordance with the approved plans and reports and to prepare and register any easements that may be required to facilitate the approved conveyance system.
19. That prior to Final Approval or prior to the City's reconstruction of Parkhill Road West between Wallis Drive and Ravenwood Drive, whichever occurs first, the existing local gravity sanitary sewer on Parkhill Road from the terminus of the existing forcemains to Wallis Drive shall be upgraded at the expense of the owner to have sufficient capacity to accommodate the proposed development to the satisfaction of the City Engineer. Any terms of cost sharing negotiated between the owner and the City shall be included in the Subdivision Agreement between the owner and the City, to the satisfaction of the City Engineer.
20. That prior to Final Approval, the following transportation network improvements shall be included in the approved current-year Capital Budget or alternate financial arrangements shall be secured to the satisfaction of the City Engineer to provide for their implementation:
  - a) Westbound left turn lanes on Parkhill Road at Ravenwood Drive and Brealey Drive;
  - b) Traffic signals at the intersection of Parkhill Road and Brealey Drive;
  - c) Capacity improvements to Brealey Drive at its approach to Parkhill Road; and,
  - d) Urbanization of Parkhill Road at its intersection with Street 'A'.
21. Prior to Final Approval of more than 250 dwelling units, the approved current-year Capital Budget must provide for the signalization of the Parkhill Road and Wallis Drive intersection or alternate financial arrangements shall be secured to the satisfaction of the City Engineer to provide for implementation of traffic signals at Parkhill Road and Wallis Drive.

22. That prior to Final Approval, the owner shall undertake and agree to implement a study that assesses the potential traffic noise impact of Parkhill Road on adjacent residential Lots to the satisfaction of the City Engineer.
23. That the owner agree in the Subdivision Agreement to undertake and implement a study that assesses the potential traffic noise impact of Parkhill Road on Block 367 as well as the potential impact of any stationary noise sources on Blocks 367 and 368 on surrounding land uses, prior to the granting of Site Plan Approval for each block respectively.
24. That prior to Final Approval, the owner shall investigate the feasibility of providing a trail connection from the Draft Plan of Subdivision, over Jackson Creek, to the Jackson Park Kiwanis Trail to the satisfaction of the City Engineer, Otonabee Region Conservation Authority and/or others, as required. The investigation shall include:
  - a. An Environmental Impact Study of the proposed work and increased usage of the Jackson Park Kiwanis Trail on natural heritage features and connectivity along the trail;
  - b. Demonstration that any proposed connection over Jackson Creek will not be subject to flooding during a Regulatory Storm and that the bridge structure will be able to withstand the hydrostatic loading associated with such a flooding event; and,
  - c. An assessment of long-term maintenance costs associated with any proposed trail connection to the Jackson Park Kiwanis Trail.
25. If a trail connection from the Draft Plan to the Jackson Park Kiwanis Trail is deemed feasible pursuant to Condition 24, the owner will agree to obtain the necessary approvals for and to construct the trail at their expense in accordance with the plans and reports approved by the City Engineer, Otonabee Region Conservation Authority and/or others, as required. Furthermore, the owner will agree to prepare a public awareness and safety plan for the proposed work to the satisfaction of the City Engineer and Otonabee Region Conservation Authority and to prepare and register any easements that may be required to facilitate the trail connection and long-term maintenance.
26. That the owner shall agree in the Subdivision Agreement to design and construct suitable permanent fencing as required along the west limit of Lot 34, the rear of Lots 35 to 77, and the east limit of Lot 77.
27. For Lots 55 to 77, the owner shall agree the Subdivision Agreement to 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 Jackson Creek Wetland East buffer 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.

28. 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 Jackson Creek Wetland East 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.
29. 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.
30. That the owner shall enter into an agreement with the Peterborough Utilities Services Inc. for water servicing.
31. That the owner make satisfactory arrangements with either Peterborough Utilities Services Inc. or Hydro One Networks Inc. for the provision of electrical service to this plan.

32. That the owner agree in writing to convey parkland dedication to the City in accordance with the *Planning Act* and Official Plan policy. 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 369 will be conveyed to the City for parkland purposes. Any balance of parkland dedication owing to the City following the conveyance of Block 369 shall be paid to the City as cash-in-lieu of parkland in accordance with the *Planning Act*.
33. That prior to Final Approval the owner shall prepare a park development and grading plan for Block 369 to the satisfaction of the City of Peterborough. The owner shall further agree in writing prepare Block 369 in accordance with the approved park development and grading plan.
34. That prior to Final Approval the owner shall prepare a detailed landscape and planting plan for any plantings to occur on site including streetscaping, parks, slope stabilization, stormwater management etc. to the satisfaction of the City of Peterborough and the Otonabee Region Conservation Authority. Any plantings on-site must consist of trees and shrubs that are native to the Peterborough area.
35. That prior to Final Approval, the owner shall submit to the satisfaction of the City of Peterborough and the Otonabee Region Conservation Authority, a tree preservation plan prepared by a qualified Arborist detailing methods to minimize tree loss within Blocks 369, 370 and 371 as well as within vegetation communities 1 and 4 as identified in the Environmental Impact Study prepared by Niblett Environmental Associates dated July 2010. The Applicant shall further agree in the Subdivision Agreement to implement the recommendations of the approved plan.

#### **Other Agency Conditions**

36. That prior to Final Approval the owner update the floodplain mapping for Jackson Creek to the satisfaction of the Otonabee Region Conservation Authority. The owner further agrees that should the updated floodplain mapping encroach on lands proposed for development within the Draft Plan, the Applicant shall amend the Draft Plan of Subdivision prior to Final Approval to reflect the updated floodplain limit and shall zone all lands within the floodplain OS.1.
37. That prior to any site clearing or preparation, the owner agrees to mark and stake the limit of the development envelope, the 50-metre setback surrounding the Jackson Creek Wetland East, the 30-metre setback from the high water mark of Jackson Creek and the 15-metre setback from the wetland and unnamed tributary of Jackson Creek within Block 371 and to install a double silt fence

along these boundaries all to the satisfaction of the Otonabee Region Conservation Authority.

38. That prior to Final Approval, the owner shall engage a qualified biologist to survey (including photographs) vegetation community No. 1 and the hedgerows identified in the Environmental Impact Study prepared by Niblett Environmental Associates dated July 2010 to determine the potential for the presence of Chimney Swift and Red-headed Woodpecker (via cavity searches) as well as to the areas' potential to function as rocky hibernacula for the at-risk Milksnake and other herpetozoa to the satisfaction of the Otonabee Region Conservation Authority. Should the survey find significant or at-risk species on-site, the owner agrees to develop and undertake measures to ensure their protection to the satisfaction of the Otonabee Region Conservation Authority prior to Final Approval.
39. That prior to Final Approval, the owner shall complete a high-water fisheries assessment and a spring fisheries assessment of the unnamed tributary of Jackson Creek within Block 371 to the satisfaction of the Otonabee Region Conservation Authority.
40. That prior to any site clearing or preparation, the owner shall undertake a seasonal temperature study of Jackson Creek following the Ontario Stream Assessment Protocol to determine the pre-development temperature profile of Jackson Creek within the area likely to be influenced by stormwater pond releases to the satisfaction of the Otonabee Region Conservation Authority.
41. That prior to Final Approval, the owner shall develop and agree to implement a detailed monitoring plan to help ensure that the stormwater management pond release into Jackson Creek has no negative impact on water quality to the satisfaction of the Otonabee Region Conservation Authority.
42. That prior to Final Approval, the owner shall develop and agree to implement a multi-year program to monitor effects of development on Jackson Creek and the Jackson Creek Wetland East including benthic sampling, creek temperature monitoring, amphibian surveys and breeding bird monitoring to the satisfaction of the Otonabee Region Conservation Authority.
43. That prior to Final Approval of the Plan of Subdivision and any on-site grading or construction, Otonabee Conservation 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) detailed design of stormwater pond outfalls designed in consultation with a qualified fisheries biologist and Otonabee Conservation.
44. 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. 17a, 24, 34, 35, and 38-43 inclusive. 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 not undertake any clearing, grading and grubbing of the site during the main bird breeding season of May 1<sup>st</sup> to August 1<sup>st</sup>.
- d) 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.

- 45.
  - 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.
- 46.
  - 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.
- 47. 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.
48. 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 17 a), 24 – 28, and 34 – 44 inclusive 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 45 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 46 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 47 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 48 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, 30 and 31 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.
  7. Prior to Final Approval, the Director of Planning & Development Services shall be advised by Hydro One Networks Inc. (HONI) that Conditions 14 and 31 have been carried out to the their satisfaction. The letter from HONI shall include a brief but complete statement detailing how each condition has been satisfied.

Otonabee Conservation  
250 Milroy Drive  
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Manager  
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Peterborough Utilities Services Inc.  
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Peterborough, ON K9J 6Z5

Hydro One Networks Inc.  
Planning Department  
913 Crawford Drive  
Peterborough, ON K9J 3X1

## 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.