



City of  
Peterborough

## **SCHEDULE 1**

**Activa Holdings Inc.**  
**Carnegie and Cumberland Avenue**  
**15T-02502/Z0213SB/Z0429SB**

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

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The City of Peterborough Conditions and Amendments to Final Plan Approval for registration of this subdivision File No. 15T-02502 are as follows (\* indicates revised condition):

#### **Identification**

- \*1. That this approval applies to the Draft Plan 15T-02502 prepared by D.M. Wills Associates Ltd. dated April 20, 2011 which shows a total of 102 residential lots (Lots 1 - 102), three blocks for future development purposes (Blocks 104, 105, and 106), and one block for open space purposes (Block 103).
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 sidewalks in accordance with the City's Sidewalk Policy.

### **Other Municipal Conditions**

8. The owner acknowledges that no further development approvals beyond the subject draft plan will be considered until a through road connection from Carnegie Avenue to Hilliard Street is provided north of Cumberland Avenue.
9. The owner will agree in the Subdivision Agreement, to construct and maintain an emergency access from Carriage Lane to Cumberland Avenue.
10. The owner acknowledges and will agree in the Subdivision Agreement that construction traffic, for both the development of the subdivision and house construction, must utilize Heritage Trail and not the existing local streets (Settlers Ridge, Colonial Crescent and Carriage Lane).
11. That prior to Final Approval, the owner shall agree in the Subdivision Agreement to provide an update to the Heritage Park Build-Out Analysis completed by Tranplan Associates, once approximately 200 to 250 dwelling units exist in the Heritage Park Subdivision.
- \*12. Deleted.
- \*13. Deleted.
14. That owner acknowledges that the dwelling units approved through the subject Draft Plan cannot be transferred to other lands and access any existing road other than Carnegie Avenue.
15. That prior to Final Approval, the owner shall submit for review by the City and approval by the City Engineer and Peterborough Utilities Services Inc., preservicing drawings illustrating driveway locations and all servicing connections for all lots with less than 12 metres of lot width and all corner lots.
- \*16. 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, including the completion of Sawmill Lane as a through connection from Heritage Trail to Settler's Ridge.
17. 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.
18. Deleted.
19. That prior to Final Approval, the City Engineer must have reviewed and approved a soils/hydrogeological report to assess soil types and ground water levels

relative to establishing elevations for houses and the need for a foundation drain discharge system.

20. 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.
21. The owner shall agree in writing to convey 5% of the land to the City for parkland dedication. An additional 3% from the first phase of Heritage Park (45M-195) will be applied to this plan of subdivision. Any floodplain lands associated with the Riverview Creek tributary will not form part of the parkland dedication.

### **Other Agency Conditions**

22. That prior to final registration of the Plan of Subdivision and any on-site grading or construction, Otonabee Conservation and the City must have reviewed and approved reports describing/containing:
  - a) the intended means of controlling stormwater runoff 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 storm water flow from the site, including use of storm water 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 Sedimentation 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 of removing particle sizes down to 40 microns.*
- d) site soil conditions, including grain size distribution profiles; and,
- e) site grading plans.

This review and approval will include a review of any existing approved storm water management reports, necessitated by the Riverview Creek Watershed Study to be completed as a result of the Flood Reduction Master Plan. The storm water management report will also address the necessary work to separate upstream flows of the tributary of the Riverview Creek from the existing storm water management pond, which may include replacement of the Carnegie Avenue culvert.

23. The Subdivision Agreement between the owner and the City of Peterborough shall contain the following provisions in wording acceptable to Otonabee Conservation and the City Engineer:
  - a) That the owner agrees to implement the works referred to in Condition #22. The approved reports should be referenced in the Subdivision Agreement.
  - b) That the owner agrees to maintain all stormwater management, erosion and sedimentation control structures operating and in good repair during the construction period, in a manner satisfactory to the Otonabee Conservation.
  - c) That the owner agrees to notify Otonabee Conservation, at least 48 hours prior to the initiation of any on-site development.
24. That prior to Final Approval, the owner shall complete floodplain mapping for the Riverview Creek tributary from Carnegie Avenue to the City Limit, to the satisfaction of Otonabee Conservation. The owner acknowledges that any amendments to the Draft Plan resulting from the flood line mapping must be accommodated prior to Final Approval.
25.
  - 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.
26.
  - 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.
27. The owner shall 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.
  - 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 24mm.
28. The owner is to coordinate the preparation of an overall utility distribution plan to the satisfaction of the affected authorities.
29. The owner shall grade all streets to final elevation prior to the installation of the gas lines, and provide the necessary field survey information required for the installation of the gas lines, all to the satisfaction of Enbridge Consumers Gas.
30. Prior to final approval, a copy of the lot grading and drainage plan, showing existing and final grades, must be submitted in triplicate to Hydro One for review and approval. Drainage must be controlled and directed away from the MSB/Hydro One corridor.

31. Temporary fencing must be installed along the edge of the right-of-way prior to the start of construction at the developer's expense. Permanent fencing must be installed after construction is completed along the MBS/Hydro One corridor, at the developer's expenses.
32. MBS/Hydro One corridor is not to be used without the express written permission of Hydro One Networks Inc. During construction there will be no storage of materials or mounding of earth or other debris on the right-of-way. The proponent will be responsible for restoration of any damage to the right-of-way resulting from construction of the subdivision.
33. The costs of any relocations or revisions to Hydro One facilities that are necessary to accommodate this subdivision will be borne by the developer.

### **Notes to Draft Approval**

1. It is the owner's responsibility to fulfil 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. Clearances are required from the following agencies:

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

Bell Canada, Manager  
Access Network Engineer  
183 Hunter Street West, 2<sup>nd</sup> Floor  
Peterborough, ON K9J 7B4

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

Enbridge Gas Distribution Inc.  
Attention: Land Services  
P. O. Box 650  
Scarborough, Ontario  
M1K 5E3

Hydro One Networks Inc.  
Real Estate Services  
483 Bay Street  
North Tower, 15<sup>th</sup> Floor  
Toronto ON M5G 2P5

Manager, Engineering Services  
Peterborough Utilities Inc.  
1867 Ashburnham Drive  
P. O. Box 4125, Station Main  
Peterborough, Ontario, K9J 6Z5

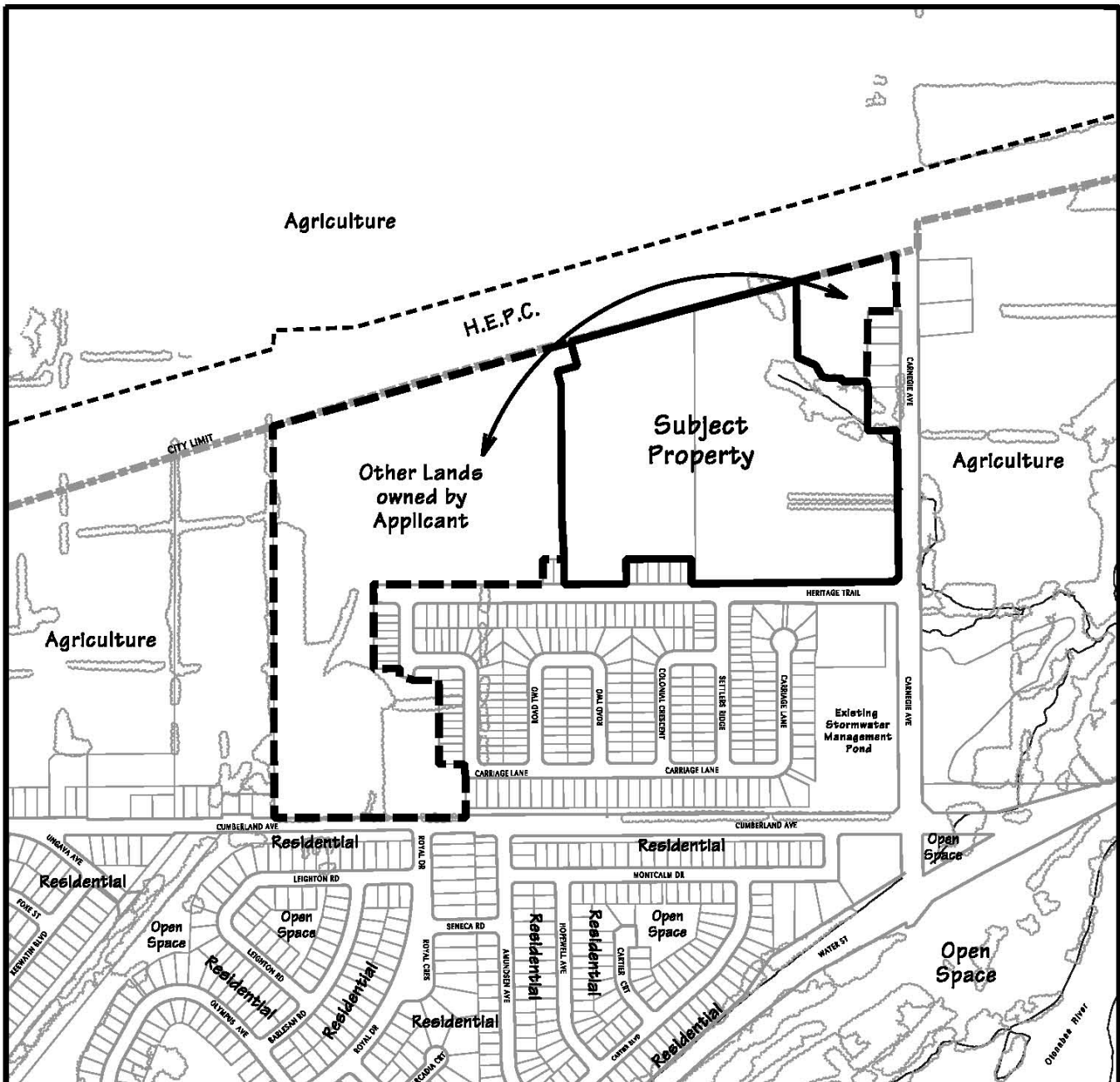
4. If the owner wishes to request an extension to Draft Approval, a written explanation must be submitted for Council approval prior to the lapsing date. Please note that an updated review of the plan and revision to the Conditions of Approval may be necessary if an extension is to be granted.
5. The 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 this Plan of Subdivision. Services will be allocated on a “first-come” “first-served” basis in response to bonafide development pressure.
6. The transmission lines abutting this subdivision operate at 500,000, 230,000 or 115,000 volts. Section 186 – Proximity – of the Regulations for Construction Projects in 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 proponent’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.

# Land Use Map

File # z0429sb 15T-02502

EXHIBIT A  
SHEET 1 OF 1

Property Location: North of Cumberland Ave / West of Carnegie Ave



The City of Peterborough Planning Division

The "City of Peterborough," its employees, or agents, do not undertake to guarantee the validity of the contents of this digital or hardcopy mapfile, and will not be liable for any claims for damages or loss arising from their application or interpretation, by any party. It is not intended to replace a survey or to be used for legal description.



Date - March 2011  
Dwg. by - CBerry  
Scale - 1:8000





EXHIBIT B  
SHEET 2 OF 2

