

Town of Whitby Staff Report

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Report Title: **DEV-23-21: Draft Plan of Subdivision Application SW-2021-07, Zoning By-law Amendment Application Z-13-21, Winash Developments Limited (Phase 2), 145 Winchester Road West**

Report to: **Committee of the Whole**

Date of meeting: March 28, 2022

Report Number: **PDP 20-22**

Department(s) Responsible:

Planning and Development Department
(Planning Services)

Submitted by:

R. Saunders, Commissioner of Planning
and Development

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

For additional information, contact:

L. Taylor, Planner II, x. 2902

1. Recommendation:

1. That Council approve the Draft Plan of Subdivision (File No. SW-2021-07), subject to the comments included in Planning Report PDP 20-22 and the conditions of draft plan approval included in Attachment #12;
2. That Staff be authorized to prepare a Subdivision Agreement;
3. That the Region of Durham Commissioner of Planning and Economic Development be advised of Council's decision;
4. That the Clerk forward a Notice to those parties and agencies who requested to be notified of Council's decision;
5. That Council approve the amendment to Zoning By-law 1784 (File No. Z-13-21), as outlined in Planning Report No. PDP 20-22; and,
6. That a By-law to amend Zoning By-law 1784 be brought forward for consideration by Council.

2. Highlights:

- Applications for Draft Plan of Subdivision and Zoning By-law Amendment have been submitted by GHD on behalf of Winash Developments Limited for land municipally known as 145 Winchester Road West, being the second phase of development.
- The proposal is to construct 281 three-storey street townhouse and back-to-back townhouse dwelling units fronting on public streets.

3. Background:

3.1. Site and Area Description

The subject land includes the majority of 145 Winchester Road West (refer to Attachment #1). A portion of 145 Winchester Road West was subject to previous applications (Phase 1) by Winash Developments Limited (SW-2017-08). The subject land is currently vacant and is approximately 8.77 hectares (21.67 acres) in size.

Surrounding land uses include:

- A stormwater management pond, single detached dwellings and semi-detached dwellings to the north;
- A carwash, veterinary clinic and gas bar immediately northeast of the subject land, as well as a vacant commercial building designated for future Mixed Use, apartment buildings and townhouse dwellings further to the northeast;
- Phase 1 of the development by Winash Developments Limited (a mixed use development including commercial buildings, retirement and seniors buildings, and prestige industrial uses) to the east;
- Highway 407 and vacant agricultural land, designated for future Business Park and Prestige Industrial uses to the south, southwest and west; and,
- Agricultural land designated for future Special Purpose Commercial to the northwest (refer to Attachment #2).

3.2. Applications and Proposed Development

A Draft Plan of Subdivision Application has been submitted to construct 47 three-storey townhouses with 4.0m frontages, 44 three-storey laneway townhouses with 5.8m frontages, 114 three-storey back-to-back townhouses with 6.4m frontages, and 76 three-storey street townhouses with 7.5m frontages, for a total of 281 residential units all fronting on public streets (refer to Attachment #3).

A Zoning By-law Amendment Application has been submitted to change the zoning from Agricultural (A) to appropriate zone categories to implement the proposed Plan of Subdivision.

3.3. Documents Submitted in Support

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

- A Draft Plan of Subdivision prepared by GHD, dated April 2021 (refer to Attachment #3);
- An Active Transportation Plan prepared by GHD, dated April 2021 (refer to Attachment #4), which shows proposed locations of sidewalks, multi-use paths, off-road trails, and the location of schools, parks and other attractions within an 800m walking distance of the subject land;
- A Conformity Overview prepared by GHD, dated February 1, 2022, including a map of the overall Major Commercial Designation (refer to Attachment #5) provides a summary of the Major Commercial designation policies, noting that residential uses can take the form of townhouses, apartments and other forms of multiple dwellings, and notes that the proposed land uses conform to the Major Commercial designation policies;
- A photograph of three storey townhouses constructed at 15th Avenue and Kennedy Road in Markham, which is a sample of the elevations proposed for this development (refer to Attachment #6)
- An Archaeological Assessment Clearance Letter from the Ministry of Tourism, Culture and Sport, dated September 11, 2015, states that the site has been sufficiently documented and has no further Cultural Heritage Value or Interest;
- A Functional Servicing and Stormwater Management Report prepared by Candevcon East Limited, dated June 2021, outlines the functional grading and servicing for the layout of the residential lands;
- A Preliminary Geotechnical Investigation Report prepared by Golder Associates Ltd., dated May 24, 2017, provides a summary of the soil and groundwater conditions determined through boreholes and recommends engineering design for construction of underground services, pavement and building foundations;
- A Hydrogeological Study prepared by Soil Engineers Ltd., dated September 2017, summarizes the existing soil and groundwater conditions and notes that Low Impact Development (LID) measures can be considered to divert storm runoff away from municipal storm

sewers and promote recharge of the groundwater table, where possible;

- A Noise Impact Study prepared by J.E. Coulter Associates Limited, dated April 14, 2021, recommends noise control measures including acoustic barriers for outdoor living areas, central air conditioning, upgraded exterior facades (windows and walls) and noise warning clauses to be registered on title due to roadway noise from Highway 407, Winchester Road and Ashburn Road;
- A Phase One Environmental Site Assessment Update prepared by Golder Associates Ltd., dated August 18, 2020, summarizes various Environmental Site Assessment reports previously completed for the subject land, which found no exceedances of the applicable Ministry of Environment, Conservation and Parks soil and groundwater quality. A Phase Two Environmental Site Assessment is recommended to address the adjacent gas station as an Area of Potential Environmental Concern;
- A Planning Report prepared by GHD, dated April 2021, summarizes the Provincial, Regional and Town policy requirements and concludes that the proposed residential development is in conformity with the policies;
- A Sustainability Report and Whitby Green Development Standard Checklist prepared by GHD, dated April 15, 2021, provides an outline of how the proposed development meets and/or exceeds the mandatory Tier 1 sustainability requirements;
- A Transportation Impact Study prepared by Stantec Consulting Ltd., dated January 22, 2019, provides an analysis of the existing intersection capacity during peak hours, provides various scenarios for road improvement options, and recommends a scenario to mitigate traffic issues; and,
- An Urban Design Guidelines and Comprehensive Block Plan prepared by MBTW Group, dated April 2019 and endorsed by Whitby Council in May 2019 (refer to Attachment #7).

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

4. Discussion:

4.1. Proponent Justification

The proponent's consultant, GHD, has provided a summary of the Major Commercial designation policies, including a map of the Major Commercial Area over the Phase 1 area (SW-2017-08) and Phase 2 area (SW-2021-07) (refer to Attachment #5). It is noted that this map also

includes a conceptual design for the future development of 105 Winchester Road West, but is not part of these applications.

The summary notes that Subdivision Application SW-2021-07 represents Phase 2 of development by Winash Developments and that Phase 1 includes a five to six-storey retirement home and apartment units, as well as a range of retail uses. Both phases combined provide a variety of residential dwelling types with a range of building heights in accordance with the Brooklin Community Secondary Plan. Both phases also work together to provide the urban square, pedestrian promenade and public park as envisioned by the Brooklin Community Secondary Plan.

The summary also notes that the Major Commercial Policies state that residential uses can take the form of townhouses, apartments and other forms of multiple dwellings. The summary concludes that the proposed Phase 2 development of various types of three-storey townhouses conforms to the Major Commercial designation policies.

On an overall basis, the residential units achieve a density of 115 units per net residential hectare over the two phases. On an individual subdivision basis, the density is 191.7 units per net hectare for SW-2017-08 (Phase 1) and 67.9 units per net hectare for SW-2021-07 (Phase 2). The proposed land uses conform to the Major Commercial Designation and other elements shown on Schedule K1 for this quadrant.

From an urban design perspective, the distribution of residential unit types and the placement of built form in the two phases is consistent with the Urban Design Guidelines and Comprehensive Block Plan for this quadrant (refer to Attachment #7).

4.2. Region of Durham Official Plan

The subject land is designated as a “Regional Centre” in the Regional Official Plan (ROP). Regional Centres permit a wide range of uses including, but not limited to commercial and residential at higher densities requiring a minimum overall long-term density target of 75 residential units per gross hectare supporting an appropriate mix of mid and high-rise development as determined by the Town of Whitby.

4.3. Whitby Official Plan

The north portion of the subject land is designated Major Commercial on Schedule ‘K’ – Brooklin Community Secondary Plan (refer to Attachment #8). Lands designated Major Commercial are to provide residential uses in stand-alone or mixed-use formats (11.5.15.4). The Major Commercial designation requires a minimum of 2-storeys and a maximum of 12-storeys (11.5.15.6) and allows a maximum residential density of 300 units

per net hectare where at least one floor of non-residential uses is incorporated (11.5.15.5, 11.5.11.3).

The north portion of the subject land is also within the Downtown Brooklin Major Central Area South, which is intended to accommodate high density residential development (11.5.4.10). A minimum of 750 additional residential units are to be accommodated in this area (11.5.4.15)

Winchester Road is identified as an Intensification Corridor, which requires a minimum density of 65 units per net hectare (4.2.7.3) and permits a maximum of 200 units per net hectare (11.5.11.3.d)).

The southern portion of the subject land is designated Business Park, which is proposed to be used for open space for the residential subdivision.

The subject land also includes a Parkette Symbol on Schedule 'K'. The Draft Plan of Subdivision includes a proposed parkette.

The proposed development of 281 residential units on 4.14 net residential hectares (10.23 acres) of land results in a density of 67.9 units per net hectare, which is within the 65 to 200 units per net hectare (uph) required in the Intensification Corridor and below the maximum of 300 uph permitted in the Major Central Area designation. The 281 units in Phase 2 will contribute to the minimum of 750 units in the Downtown Brooklin Major Central Area South. The units are proposed to be 3-storeys which is within the 2- to 12-storeys permitted by the Whitby Official Plan (OP).

The proposed development conforms to the policies of the Whitby OP.

4.4. Zoning By-law

The subject land is currently zoned Agricultural (A) under By-law 1784, which only permits limited residential uses and traditional farming activities (refer to Attachment #9).

A Zoning By-law Amendment is required to change the zoning on the subject land to appropriate zone categories to conform to the Brooklin Community Secondary Plan and to implement the proposed development.

4.5. Urban Design Plan

MBTW was retained by the proponent to prepare Urban Design Guidelines and Comprehensive Block Plan (UDP/CBP) for the land at the southwest corner of Winchester Road West and Baldwin Street South, including the subject land (refer to Attachment #7). This conceptual and aspirational document was prepared in accordance with policies in the Whitby Official Plan and was endorsed by Whitby Council on May 27, 2019.

The UDP/CBP area, if fully built out as proposed, could provide for approximately 820 residential units and 28,000m² (301,399 square feet) of commercial/office floor space within the Commercial land at the southwest corner of Winchester Road West and Baldwin Street South. The proposed concept also includes a privately owned / publicly accessible pathway connecting the proposed parkette to the Downtown Brooklin area.

The proposed Draft Plan of Subdivision and Zoning By-law Amendment applications are consistent with the Council endorsed UDP/CBP.

4.6. Whitby Green Standards

The Sustainability Report and Whitby Green Development Standard Checklist submitted in support of the Draft Plan of Subdivision and Zoning By-law Amendment Applications was reviewed by Sustainability staff. This development is proposed to achieve Tier 1 of the Whitby Green Standards.

4.7. Conclusion

The majority of the subject land is designated Major Commercial and is within the Downtown Brooklin Major Central Area South, which is intended to accommodate high density residential development. The southern portion of the subject land is designated Business Park and is proposed to be used as open space for the residential subdivision.

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

The proposed building design and articulation of the dwellings will be dealt with through the architectural review process and will be designed to be appropriate within the existing and planned built form context. In addition, the proposed development utilizes the existing well-serviced municipal infrastructure and public transit in proximity to the subject land.

The proposed development represents an intensification opportunity within the built-up area of the Town located within the 'Built Boundary' as defined by the Province. It provides an appropriate range and mix of housing types and densities to meet the needs of current and future residents.

Development of the subject land for street townhouse dwellings and back-to-back townhouse dwellings is appropriate as it is situated within the built-up area, along an arterial road with access to transit facilities.

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

Based on the detailed review of the applications and consideration of public and agency comments and requirements (refer to Section 6), it is concluded that the proposed development is consistent with the Provincial Policy Statement, is in conformity with the Growth Plan and the Region and Town Official Plans, and is consistent with the endorsed Urban Design Guidelines and Comprehensive Block Plan. Therefore, it is recommended that Council approve the proposed Draft Plan of Subdivision and Zoning By-law Amendment.

5. Financial Considerations:

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

Asset	Quantity
Roads	3.1 Lane-km
Sidewalks/Multi-use paths	1.9 km
Storm Sewers	1.5 km
Local Parks	0.36 ha

6. Communication and Public Engagement:

A Public Meeting was held on September 13, 2021 in accordance with Town of Whitby Official Plan and the Planning Act. This meeting provided the public and interested persons and agencies the opportunity to make representation in respect of the Draft Plan of Subdivision and Zoning By-law Amendment Applications. The meeting minutes are included in Attachment #10.

All individuals who registered as an interested party at the statutory public meeting and any individual who provided written correspondence to the Town have been provided notice of the March 28, 2022 Committee of the Whole Meeting.

A summary of the issues raised at the public meeting are as follows:

- concerns that pedestrian traffic will cut through the car wash property to access the parkette;

- concerns with the location of the parkette;
- concerns with the location of the road allowance accessing Winchester Road West; and,
- whether there would be a fully signalized intersection at Winchester Road West and Ferguson Avenue and who would be responsible for costs associated with signalization.

No written correspondence was received from the public for these applications.

The oral submissions by the public have been considered in determining the recommendation for approval of the proposed Draft Plan of Subdivision and Zoning By-law Amendment Applications. As previously noted, the proposed development conforms to the Official Plan policies of the Regional OP and the Town's OP. Concerns raised have been considered as follows:

- Fencing can be installed along the car wash site to restrict pedestrian access; and,
- There is an ongoing Environmental Assessment to determine the alignment of the Winchester Road West and Ferguson Avenue intersection.

7. Input from Departments/Sources:

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

- Town of Whitby Financial Services – Tax;
- Bell Canada;
- Conseil Scolaire Viamonde;
- Durham Catholic District School Board;
- Elexicon Energy Inc.;
- Enbridge Gas Inc.; and,
- Hydro One.

Refer to Attachment #11 for additional detailed comments.

Internal Departments

Community Advancements – Strategic Initiatives – Sustainability

Comments provided by Sustainability staff state that the proponent will need to follow up with the exploration of GeoExchange and renewable energy during the architectural design phase as highlighted in the Sustainability Report.

Refer to Attachment #11 for additional detailed comments.

Community Services – Parks Division

Comments provided by Parks staff include:

- that the proponent provide cash-in-lieu of parkland dedicated at a rate of 1 hectare per 500 dwelling units in accordance with By-law 7731-21, as the proposed public park is not large enough to reflect the full parkland dedication. A land appraisal is required;
- that the park block contain an accessible junior and senior playground in accordance with required setbacks;
- that the park block and open space block be dedicated to the Town;
- that the proponent prepare required studies to determine the feasibility of a trail within the open space block; and,
- that the proponent install 1.2m tall black vinyl fencing for any residential units abutting the park and open space blocks.

Refer to Attachment #11 for additional detailed comments and Attachment #12 for Conditions of Draft Plan Approval.

Engineering Services

Engineering Services supports a favourable decision to the applications subject to clarification of the function and ownership of the proposed Stormwater Management Block and revisions to the Functional Servicing and Stormwater Management Report.

Refer to Attachment #11 for additional detailed comments and Attachment #12 for Conditions of Draft Plan Approval.

Financial Services – Development Charges

Comments provided by Financial Services outline the requirements for development charges, depending on the timing and type of applications submitted.

Refer to Attachment #11 for additional detailed comments

Fire and Emergency Services

Comments provided by Fire staff include:

- Fire Hydrants shall be provided on the plan;
- A firebreak layout shall be submitted to Whitby Fire and Emergency Services for approval prior to the agreement; and,

- The secondary access point from Street A on the east side of the development shall be provided prior to occupancy.

Refer to Attachment #11 for additional detailed comments.

External Agencies

Central Lake Ontario Conservation Authority (CLOCA)

Comments provided by CLOCA state that the subject land is within an ecologically significant groundwater recharge area (ESGRA) and have been previously identified as having a high groundwater table, therefore a water balance will be required as part of this development.

Refer to Attachment #11 for additional detailed comments and #12 for Conditions of Draft Plan Approval.

Durham District School Board

Comments provided by DDSB staff note that this development could generate 96 elementary pupils and requests that the proponent install a “Notice to Parents” in the sales centre / provide details to future home owners.

Refer to Attachment #11 for additional detailed comments.

Ministry of Transportation (MTO)

Comments provided by MTO staff include:

- The subject land is within the MTO permit control area so MTO permits and approvals are required; and,
- A 10m setback from Winchester and a 14m setback from Highway 407 is required.

Refer to Attachment #11 for additional detailed comments and Attachment #12 for Conditions of Draft Plan Approval.

Region of Durham

Comments provided by the Region include:

- The proposed development is consistent with the Provincial Policy Statement and conforms to the Growth Plan;
- The proposed development falls short of the Region’s residential density requirements and is also at the low end of Town of Whitby’s density requirements at approximately 66 units per net hectare. In the absence of increased densities on the subject site, the Region will require an exploration of other opportunities to compensate for the density within

Brooklin's Major Central Area in order to achieve its overall long term residential density targets;

- The proponent shall submit the original Phase One and Two Environmental Site Assessments prepared in 2015 as well as a Reliance Letter and Certificate of Insurance;
- The submitted Noise Impact Study by J.E. Coulter Associates Limited shall be updated to reflect the current plan;
- The Region is finalizing the alignment of the trunk sanitary sewer which will service the subject land. A Class Environmental Assessment is underway for a Sanitary Pumping Station; and,
- Revisions are required to the Functional Servicing and Stormwater Management Report.

Refer to Attachment #11 for additional detailed comments and Attachment #12 for Conditions of Draft Plan of Subdivision Approval.

8. Strategic Priorities:

The recommendations contained in the staff report are consistent with the Council goals, including the goal to remain the community of choice for families and become the community of choice for seniors and job creators; and to focus new growth around the principles of strong, walkable and complete neighbourhoods that offer mobility choices.

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

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

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

9. Attachments:

[Attachment #1: Location Sketch](#)

[Attachment #2: Aerial Context Map](#)

[Attachment #3: Proponent's Proposed Draft Plan of Subdivision](#)

[Attachment #4: Proponents Active Transportation Plan](#)

[Attachment #5: Proponent's Overview of Major Commercial Designation](#)

[Attachment #6: Proponent's Sample Elevations](#)

[Attachment #7: Urban Design/Comprehensive Block Plan](#)

Attachment #8: Excerpt from Brooklin Secondary Plan Schedule 'K'

Attachment #9: Excerpt from Zoning By-law 1784

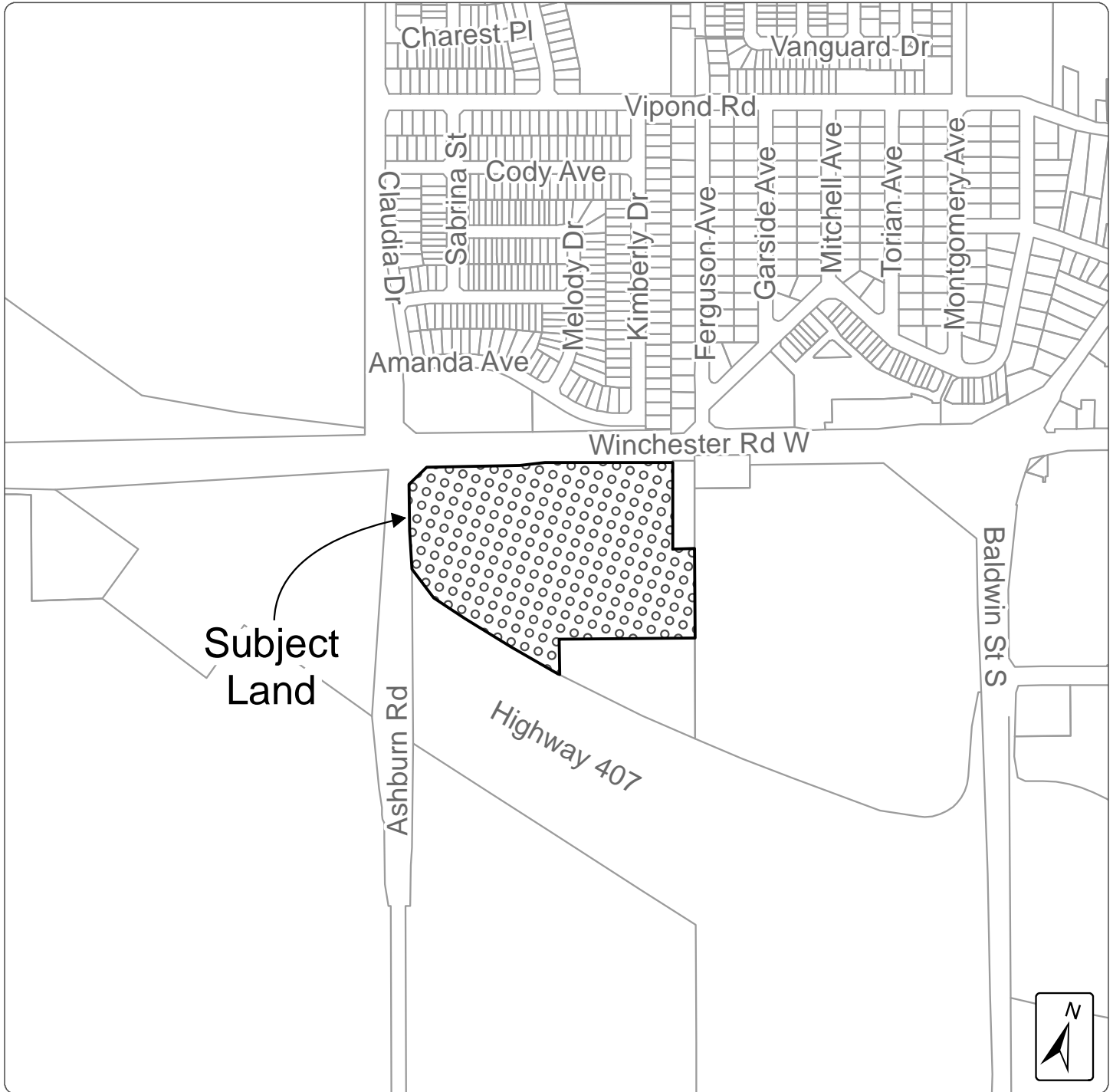
Attachment #10: Public Meeting Minutes – September 13, 2021

Attachment #11: Agency & Stakeholder Detailed Comments

Attachment #12: Conditions of Draft Plan Approval

Attachment #1 Location Sketch

PDP 20-22



Town of Whitby Planning and Development Department

Proponent:
Winash Developments Limited

File Number:
DEV-23-21
(SW-2021-07, Z-13-21)

Date:
March 2022

External Data Sources:
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Attachment #2 Aerial Context Map

PDP 20-22



Town of Whitby Planning and Development Department

Proponent:
Winash Developments Limited

File Number:
DEV-23-21
(SW-2021-07, Z-13-21)

Date:
March 2022

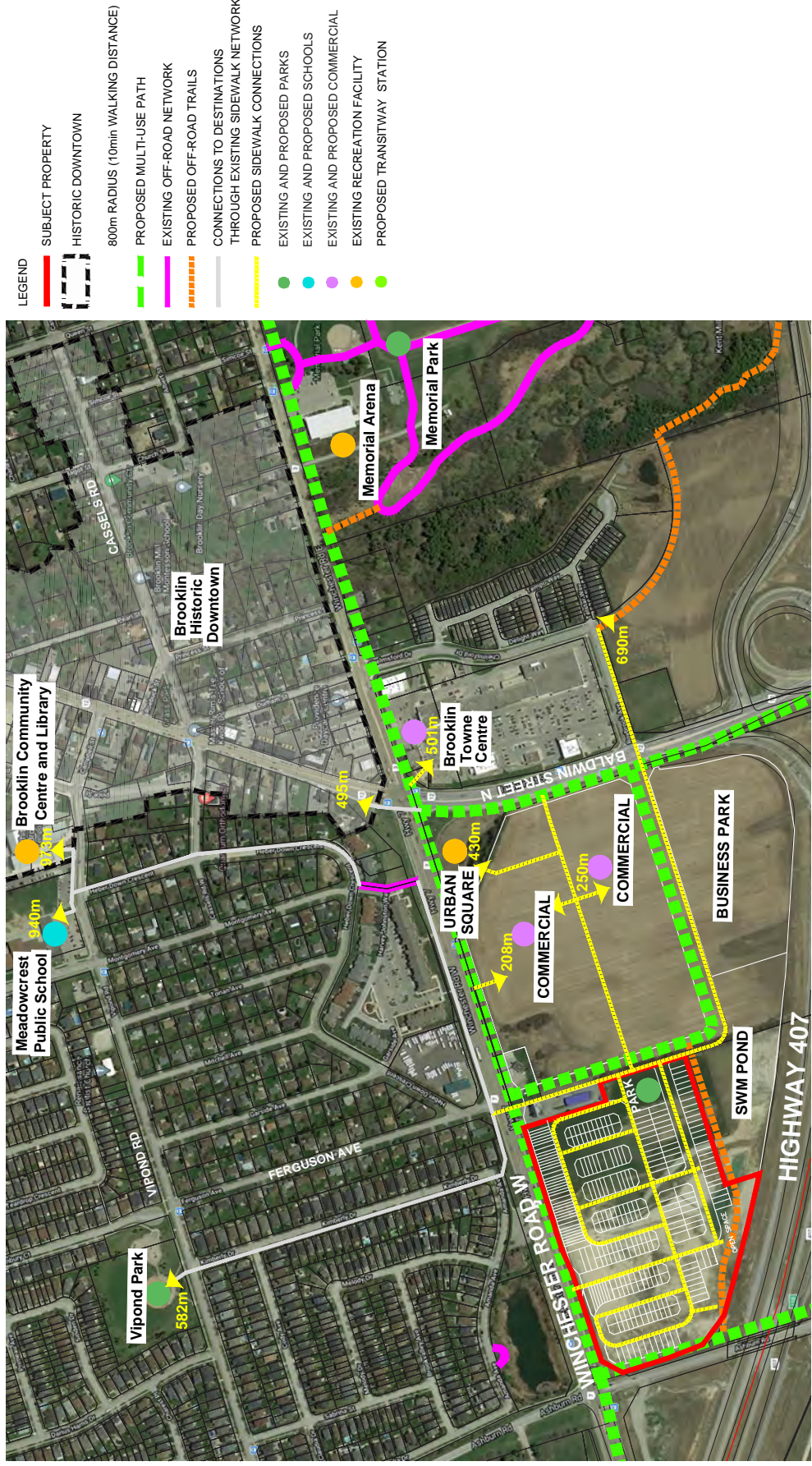
External Data Sources:
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Plot Date: 28 February 2022 - 11:20 AM
 Plotted by: Jo-Anne Theuner
 Cad File No: C:\662111\2020\1\Digital_Design\WCAD_2017\Planning\Draft Plans\11 2020\1\WHA-DPT-2022-02-25.dwg

Attachment #4

Proponent's Active Transportation Plan



- LEGEND**
- SUBJECT PROPERTY
 - HISTORIC DOWNTOWN
 - 800m RADIUS (10min WALKING DISTANCE)
 - PROPOSED MULTI-USE PATH
 - EXISTING OFF-ROAD NETWORK
 - PROPOSED OFF-ROAD TRAILS
 - CONNECTIONS TO DESTINATIONS THROUGH EXISTING SIDEWALK NETWORK
 - PROPOSED SIDEWALK CONNECTIONS
 - EXISTING AND PROPOSED PARKS
 - EXISTING AND PROPOSED SCHOOLS
 - EXISTING AND PROPOSED COMMERCIAL
 - EXISTING RECREATION FACILITY
 - PROPOSED TRANSITWAY STATION

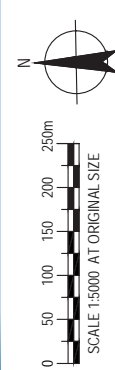
WINASH NORTH RESIDENTIAL

Job Number | 11208291
Revision | A
Date | APR 2021

ACTIVE TRANSPORTATION NETWORK
PEDESTRIAN MODE

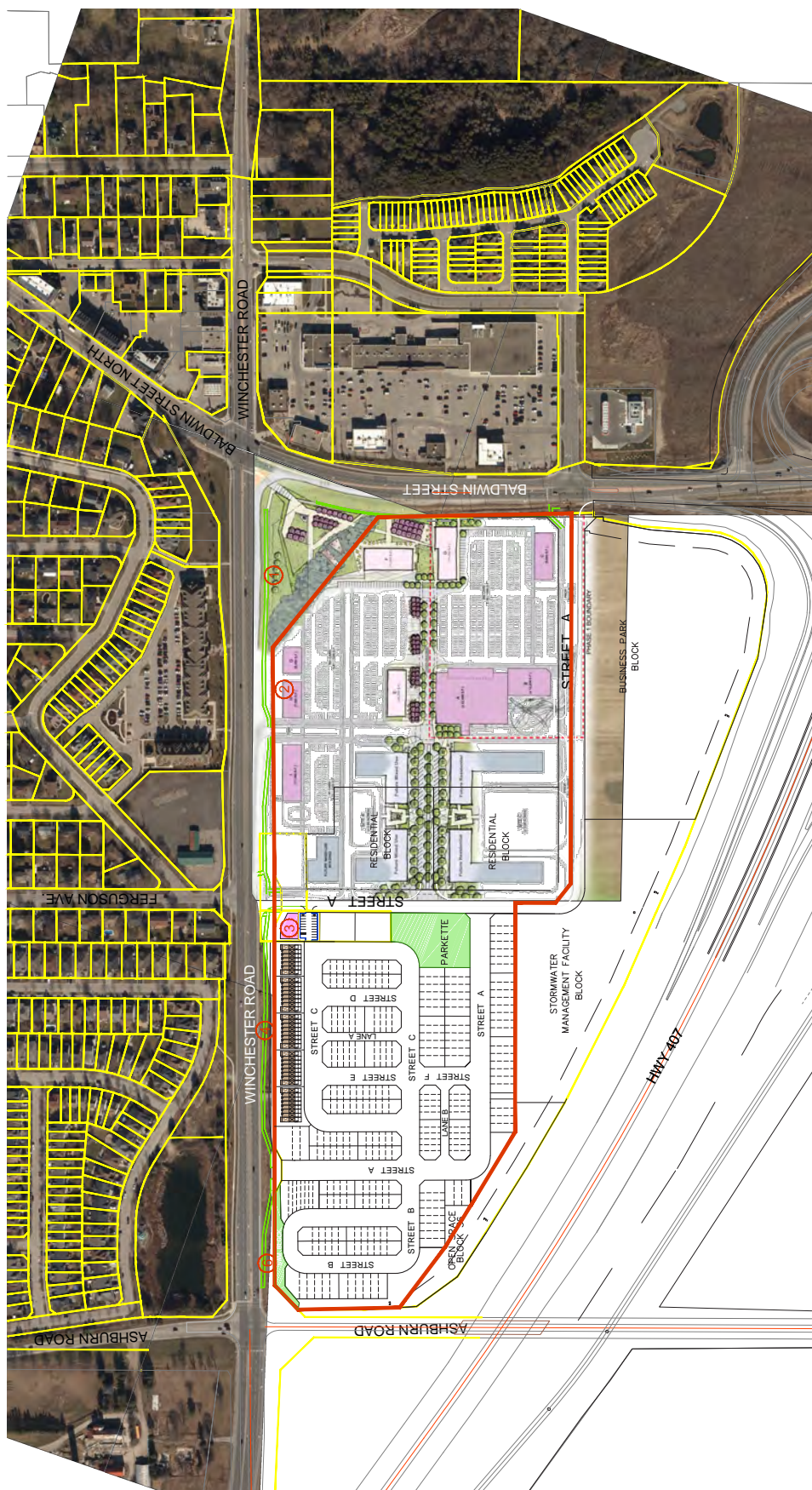
Figure 06

66 Sunray Street, Whitby Ontario L1N 8Y3 T 1 905 686 6402 F 1 905 432 7877 E info@ghdcanada.com W www.ghd.com



Attachment #5

Proponent's Overview of Major Commercial Designation



Job Number | 8812127
Revision | A
Date | DEC 2021

Figure 01

WINASH BALDWIN
DRAFT PLANS

1 Allstate Parkway, Suite 310, Markham Ontario L3R 9T8 **T** 1 905 752 4300 **F** 1 905 752 4301 **E** ytomail@ghd.com **W** www.ghd.com

LEGEND

EXTENT OF MAJOR
COMMERCIAL DESIGNATION

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Submitted by: Jonathan Thayer

Print Date: 1 March 2022 - 11:07 AM

Attachment #6 Proponent's Sample Elevations

PDP 20-22



Attachment #7

Urban Design/Comprehensive Block Plan

PDP 20-22

COMMUNITY BLOCK PLAN 4.0

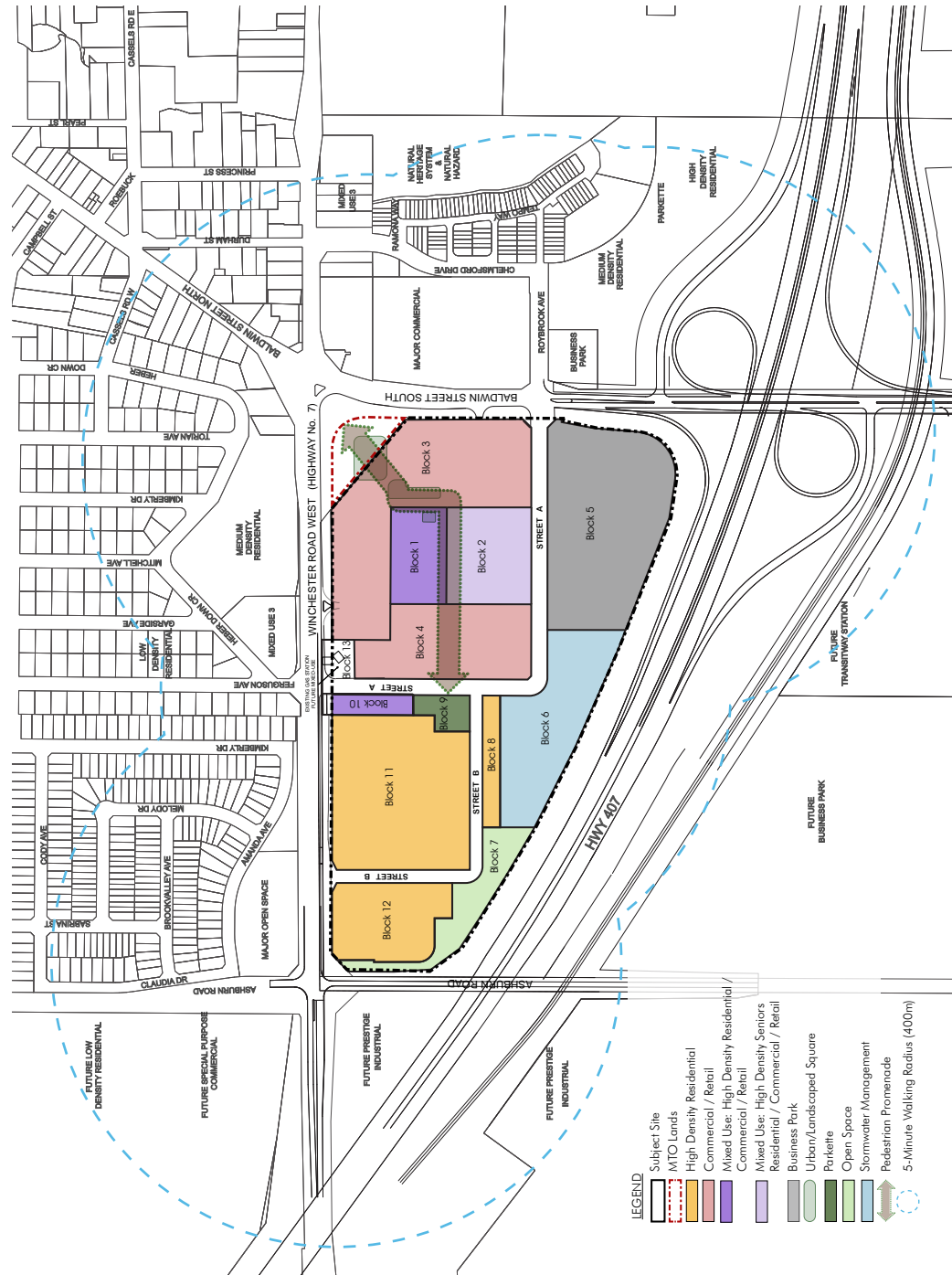
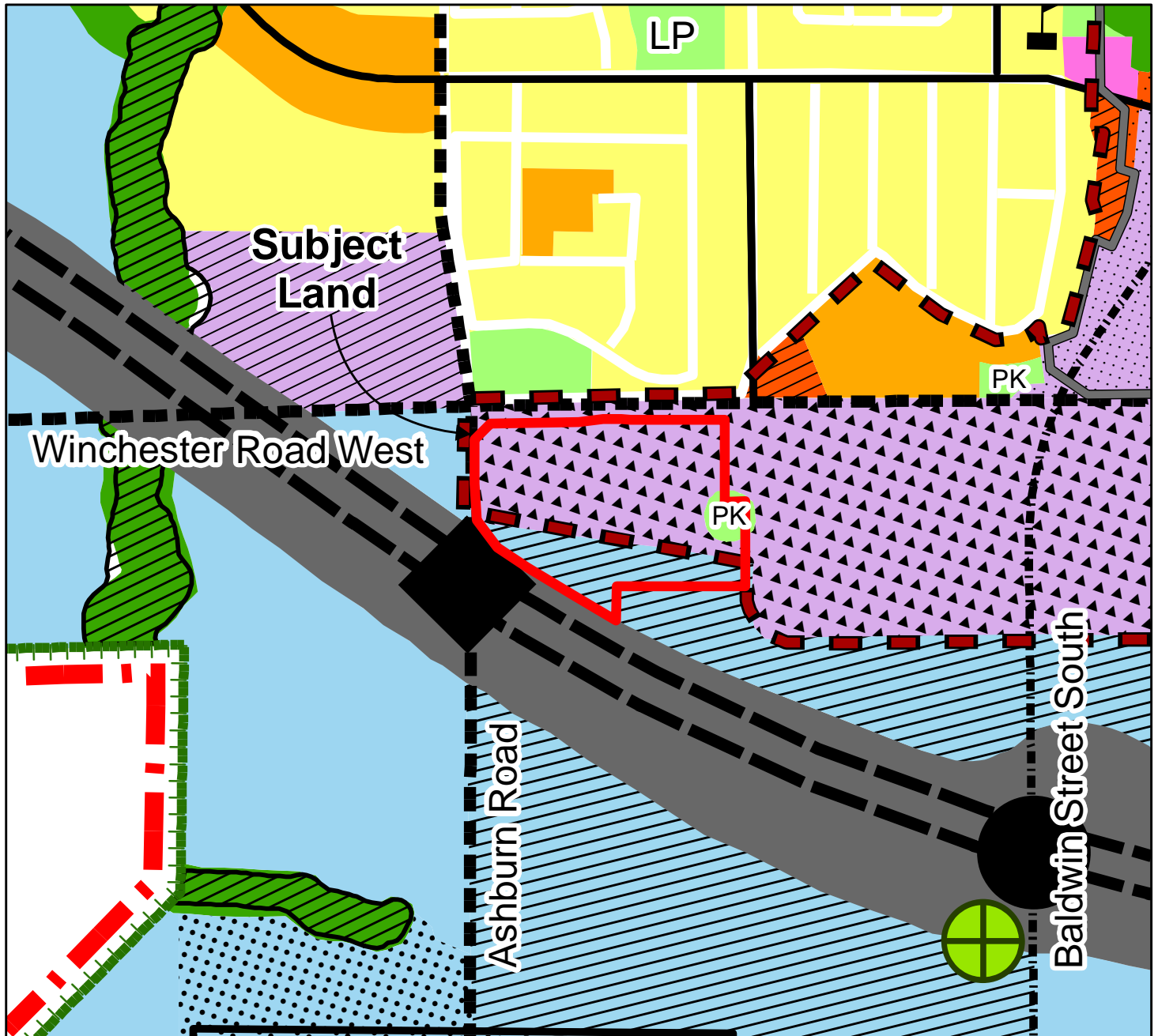


Figure 5: The South Village Community Block Concept Plan

Excerpt from the Brooklin Secondary Plan Schedule 'K'



LEGEND:

Low Density Residential	General Industrial	Natural Heritage System	Controlled Access Highway (Freeway)
Medium Density Residential	Lands subject to Durham Regional Official Plan Policy 14.13.7	L Linkage in NHS	Type A Arterial
High Density Residential	Major Open Space	Natural Hazards	Type B Arterial
Local Commercial	DP District Park	Utility	Type C Arterial
Special Purpose Commercial	LP Local Park	HP Health Precinct Special Policy Area	Collector Road
Heritage Commercial	PK Parkette	Community Central Area	Greenbelt Plan Boundary
Major Commercial	TP Town Park	Major Central Area	Full Interchange
Mixed-Use 1 - Community Central Area	Institutional	Heritage Conservation District Boundary	Potential Interchange (Subject to Further Study)
Mixed-Use 2 - HCD	Secondary Schools	Secondary Plan Boundary	Grade Separation
Mixed-Use 3	Elementary Schools	Lands Subject to Policy 11.5.32.3	Potential Grade Separation
Prestige Industrial			Future Transitway Station
Business Park			

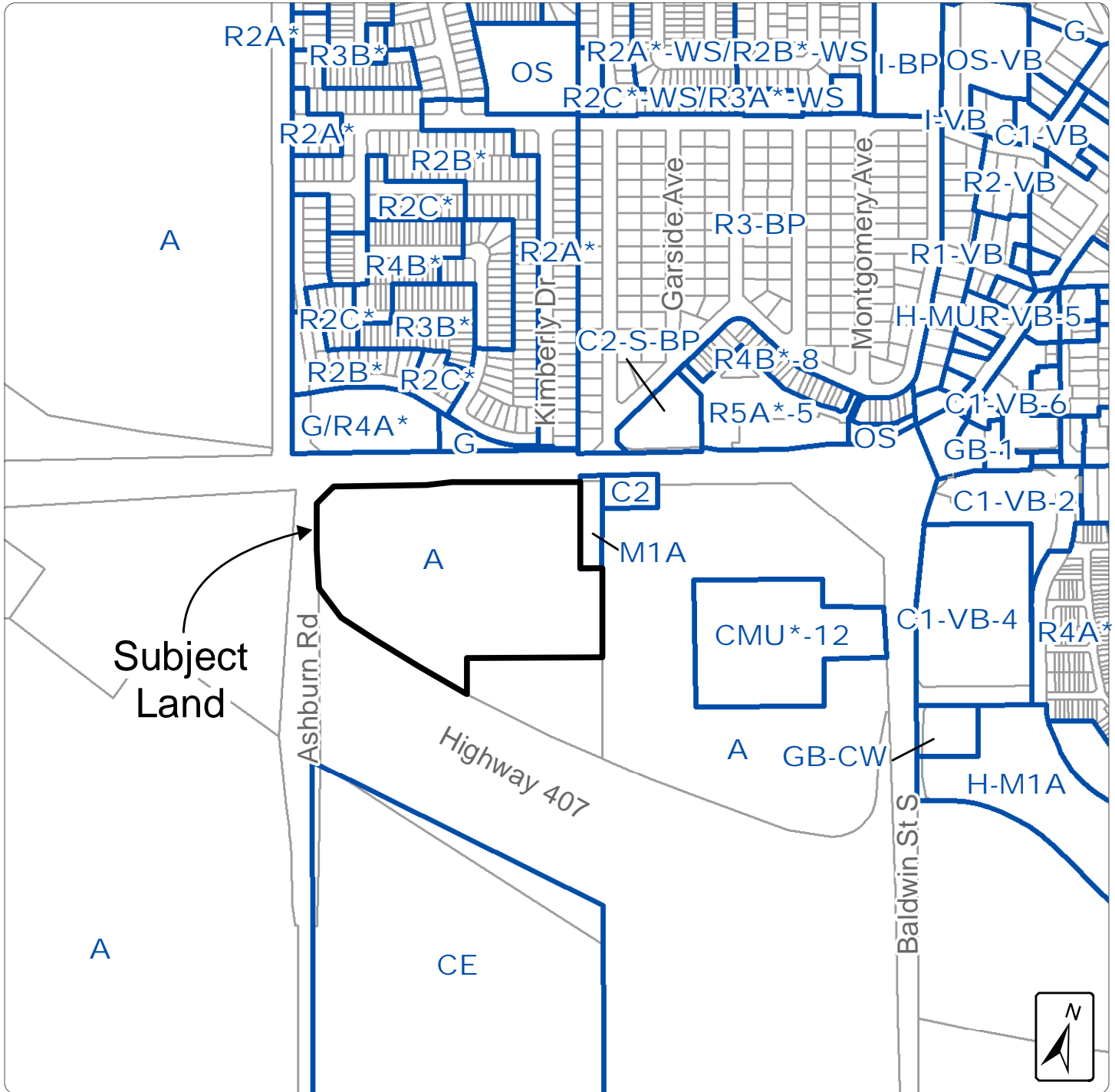
Brooklin
Community
Secondary Plan
Official Plan Schedule
Town of Whitby **K**



0 25 50 100 150 200 Metres

Attachment #9 Excerpt from Zoning By-Law 1784

PDP 20-22



Town of Whitby Planning and Development Department

Proponent:
Winash Developments Limited

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DEV-23-21
(SW-2021-07, Z-13-21)

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Public Meeting Minutes from September 13, 2021 File DEV-23-21 (SW-2021-07, Z-13-21)

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

Steve Edwards and Russell White, representing Winash Development Limited, provided a PowerPoint presentation which included a detailed overview of the application.

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

Kevin Cosgrove, 125 Colston Avenue, stated that he had concerns regarding pedestrian traffic through the car wash property to access the parkette, and the location of the road allowance accessing Winchester Road West. He requested that staff and developers consider installing a fence and sidewalk on the west side of the subject lands and that the sidewalk and road allowance be located on Fieldgate's property. Mr. Cosgrove requested additional information regarding access into the subdivision and whether there would be a fully signalized intersection at Winchester Road West and Ferguson Avenue. He further requested information regarding who would be responsible for the costs associated with signalization. Mr. Cosgrove stated that he had concerns regarding the location of the parkette. He requested a meeting with the Town's Planning and Development Department to further discuss the matter.

Steve Edwards answered questions regarding:

- the concerns raised by Kevin Cosgrove about a sidewalk and road allowance on the west side of the proposed community; and,
- ensuring safe access/exit to and from the proposed community from Winchester Road West.

Roger Saunders advised that a meeting would be scheduled to discuss the matter further with Mr. Cosgrove.

There were no further submissions from the public.

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

Agency & Stakeholder Detailed Comments

File DEV-23-21 (SW-2021-07, Z-13-21)

Internal Departments

Community Advancements – Strategic Initiatives – Sustainability

The proponent will need to follow up with the exploration of GeoExchange and renewable energy during the architectural design phase as highlighted in the Sustainability Report.

Community Services – Parks Division

The Parks Division of the Community Services Department has reviewed this application dated April 23, 2021.

As Whitby's population continues to grow, managing and providing access to nature, large parks and urban green spaces are a critical component of building complete communities and enhancing residents' quality of life. Protection and investment in and near urban nature are particularly important as it provides accessible, high-quality spaces to interact with nature and serve critical biodiversity functions. The recent Community survey results demonstrate the importance of nature for recreation and the significant contribution nature makes to Whitby's residents' physical and mental health and the local economy.

General Comments

The Winash Phase 2 Development is not within the Brooklin Landowners Group area that is subject to the future Parks Master Agreement for Brooklin and will be subject to the park land dedication requirements of the Planning Act.

Parks staff would note that a small parkette (Park Block 39) is proposed to provide a playground equipment area and seating. The proposed residential area is somewhat isolated and the only proposed residential neighbourhood south of Winchester Road West and west of Baldwin Street. The closest existing larger park space is Vipond Park and Brooklin Memorial Park. The closest splash pad is located at Carnwith Park.

The proposed location of the parkette was selected as a starting/finishing point of the proposed linear green space that would allow pedestrians to move east from the parkette to the commercial area and north east to the Baldwin/Winchester intersection and Downtown Brooklin.

Conditions of Draft Approval (SW-2021-07)

1. The Community Services Department, Parks Division will require parkland dedication at a rate of 1 hectare per 300 units for residential development as per the Planning Act. The land area proposed by parkette (Park Block 39) does not reflect the full parkland dedication required of the proposed development. Cash

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in lieu of parkland dedication at a rate of 1 hectare per 500 units will be required to address the difference. A land appraisal is required.

2. Gateway Block 37 will not be taken as parkland, unless it is combined with one parcel with Park Block 39.
3. Parkette (Park Block 39) shall contain an accessible junior and senior playground, with a residential setback of 15 metre and road setback of 20 metres. Provide seating areas, park furnishings (e.g. garbage containers, benches), shade, tree plantings, internal pathways, passive and free play areas, bike racks, and signage. The developer shall provide a park amenity fitment plan prior to final draft approval.
4. Parkette (Park Block 39) and Open Space Block 38 be dedicated to the Town free and clear of all encumbrances.
5. The Subdivider shall provide the required studies including and not limited to grading and tree preservation to determine the feasibility of a trail within Open Space Block 38.
6. A 1.2 metre black vinyl standard park fencing is required to be installed where the park and open space blocks abut residential lots.

Engineering Services

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

To address Whitby Council 2018-2022 Goals and assist in providing a complete picture of the proposed subdivision's mobility provisions, Engineering Services has attached a Composite Transportation Component Plan (CTCP) as Attachment 1 highlighting the anticipated locations of sidewalks, multi-use trails, multi-use paths and dedicated biking facilities for reference. Engineering Services expects that the components of this plan will be further refined and implemented through the future detailed engineering design processes following draft approval.

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

1.1 Revise the Draft Plan (DP) as follows:

- a. Clarify the function and confirm proposed ownership of Stormwater Management (SWM) Block 41. This block appears to contain 2:1 sloping and should be revised to a 3:1 slope and labeled as a grading block or included as part of the adjacent right-of-way.

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1.2. The Functional Servicing and Stormwater Management Report (FSSR) must be updated to address the following comments prior to DP approval:

a. Section 3.2.2 Major System:

- Provide a 1:250 scale drawing covering the northwest corner of the subject property to show the existing culverts on Winchester Road, Ashburn Road and the connecting ditch. Show all the invert elevations, road elevations and cross section of the ditch with 100-year ponding elevations.
- It appears the entire external flows would be directed to Ashburn culvert. As such, the 100-year ponding calculations should account for Ashburn culvert capacity for the invert of the Ashburn culvert being higher than the invert of Winchester Culvert. Please provide calculations for the 100-year ponding elevation in the ditch, not just the capacity of the ditch.

Engineering Services requires the following Financial Considerations to be identified within Section 7 of the Council Report:

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

Asset	Quantity
Roads	3.1 Lane-km
Sidewalks/Multi-use paths	1.9 km
Storm Sewers	1.5 km
Local Parks	0.36 ha

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2. Engineering Services requires the following Conditions of Draft Approval:

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

- a. Block 39 for a local park;
- b. Block 38 as open space lands;
- c. Block 40 as a servicing and overland flow block;
- d. Block 41 as a grading block.

2.2. The proposed Draft Plan shall reflect and comply with the recommendations of the on-going Ferguson Avenue Class EA Mid-Block Arterial, ensuring that all street right-of-ways design elements, including active transportation infrastructure and traffic controls are consistent.

2.3. The Subdivider shall be responsible for concrete sidewalk and/or multi-use path installation in the following locations:

- a. 3.0m-wide multi-use path (MUP) on south side of Winchester;
- b. 3.0m-wide multi-use trail (MUT) along the adjacent SWM Pond block and Open Space Block 38 from Finchingfield Drive to Ashburn/Winchester intersection;
- c. 1.8m-wide concrete sidewalk on both sides of all streets;

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

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

2.5. Given that the submitted Traffic Impact Study (TIS) has been previously accepted by the Town with the Winash North Phase 1 Development, a trip generation letter that provides the comparison of trip generation estimates (i.e. approved vs. proposed) will suffice to support the current application.

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- 2.6. A plan shall be provided showing all road allowance widths, centreline radii, streetline radii, curb lines (at bends, cul-de-sacs and intersections with angles less than 90 degrees), tangents, intersection angles/skew, visibility triangles and driveway locations (at bends and intersections) to ensure conformance to street classifications, Transportation Association of Canada (TAC) and Town of Whitby. This should be provided prior to or with the first submission of the detailed engineering drawings.

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

- 2.7. The Subdivider shall provide a composite Traffic Calming Plan for all roads in the plan that includes, but is not limited to, area specific speed limits, speed humps, and raised intersections, for review and acceptance by the Director of Engineering Services.
- 2.8. The Subdivider shall provide a Traffic Management Implementation Plan and shall be responsible for providing both temporary and permanent signage and pavement markings for the development.
- 2.9. The Subdivider shall provide a Construction Management Report and Plan(s) to the Town's satisfaction that includes, but is not limited to, a neighborhood communication strategy, construction traffic route, schedule and mud and dust control best management practices. Construction traffic shall be restricted to time windows that do not conflict with the typical peak school drop-off and pick-up times of the nearby school.
- 2.10. The Subdivider shall provide a Water Well Interference Report, separately or as a part of a Hydrogeological Report, to the satisfaction of the Director of Engineering Services. The Report shall review the potential impacts of development activities on existing water wells, within the zone of influence, as determined by the Qualified Person, with a minimum distance of 250m from development limits. The Water Well Interference Report shall include, but is not limited to, a pre-construction survey of the existing water wells, a potential impact analysis through the construction phase and recommendations/remediation plans to address any concerns that may arise as a result of construction stage works.
- 2.11. The Subdivider shall not commence the installation of any Town services within this subdivision until such time as the adjacent/downstream subdivider(s) has constructed the required services to the common property line.

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- 2.12. The Subdivider shall implement all recommended noise control measures identified in the Environmental Noise Assessment report and revise the plan as required to accommodate recommended noise control measures prior to registration.
- 2.13. All non-regulatory fencing and acoustic barriers shall be installed wholly on private property and all operation and maintenance of said fencing shall be the responsibility of the private property owners.
- 2.14. All black vinyl chain link fences to delineate Town blocks, and open spaces from private property shall be designed and constructed in accordance with the relevant engineering standards.
- 2.15. The Subdivider shall ensure all private properties are protected from flooding limits at low points and points of major system flow convergence along the municipal road system. If required, the plan for registration shall be revised accordingly to provide said flood protection.
- 2.16. The Subdivider shall be responsible for providing service connections and a suitable storm drainage outlet for flows associated with local park block, Block 39, to the satisfaction of the Engineering Services and the Community Services Department.
- 2.17. Driveway access to the units on Block 1 shall only be permitted on to Street B.
- 2.18. The Subdivider shall provide preliminary driveway alignment plan Blocks 1, 2 and 6, to confirm that there is sufficient frontage to accommodate the driveways without conflict.

The plan can be with or without the eyebrows per Standards 406 and 406.10. Note that eyebrows are not preferred by the Town and will be accepted only where required. The plan for registration must be revised to accommodate any required changes.

- 2.19. All window streets shall be designed such that they provide for positive boulevard drainage to their respective roadways, while complying with minimum and maximum boulevard grade criteria. Any grade difference between window streets and adjacent roads shall be addressed through the use of maximum 3:1 sloping within a buffer block between the two right-of-ways. Buffer blocks shall also be sized to accommodate any grading requirements to facilitate sidewalk connections to the adjacent street.
- 2.20. All community mailboxes within the public right-of-way shall be placed adjacent to the sidewalk location. All community mailboxes for the private developments shall be located within private properties.

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- 2.21. Construction phasing of the development shall be to the satisfaction of the Engineering Services, and shall consider adjoining developments and provide for upstream and downstream road and servicing connectivity.

Construction staging details will be required for the proposed servicing and road work on Ashburn Road, including coordination with the proposed adjacent developments.

- 2.22. The Subdivider shall provide a detailed engineering submission in accordance with Sections A2.00 and A3.00 of the Town of Whitby's Engineering Design Criteria. The engineering drawings must be set up as per the Town's CAD layering standards and object data requirements set out in Appendix A of the Design Criteria. The first engineering submission will not be reviewed until it is confirmed that the drawing set-up conforms to this requirement.

- 2.23. All plan and profile drawings shall indicate the seasonal high water table elevation and the corresponding Minimum Basement Elevation, all to be confirmed by Hydrogeological Consultant and accepted by Central Lake Ontario Conservation (CLOC). The Subdivider shall protect all proposed private dwellings from the seasonal high water table where applicable.

- 2.24. The Subdivider shall be responsible for all hydro poles, luminaries and hydro requirements for this proposed subdivision and shall enter into a separate agreement with Elexicon accordingly.

- 2.25. The Subdivider shall provide the Town with a full electrical design (i.e. primary, secondary and streetlight design) for this development. All aspects of the secondary electrical design and street light design will be peer reviewed by the Town. The Subdivider will be financially responsible for the peer review cost including a 15 percent administrative fee. The street lighting design shall comply with the latest version of the RP-8 Roadway Lighting Design standard and shall utilize LED technology.

- 2.26. Any concerns raised through future re-submissions of the geotechnical and hydrogeotechnical reports for the site shall be addressed by the Subdivider to the satisfaction of the Engineering Services Department. This includes, but is not limited to, long term slope stability, confirmation of design parameters and preliminary layout for low impact development (LID) measures (proposed infiltration trenches), proposed stormwater management pond elevations relative to groundwater levels and the need / thickness of the impervious membrane or synthetic clay lining, foundation construction requirements and recommended measures for Best Management Practices for municipal servicing construction. The plan must reflect changes required in this regard prior to registration.

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- 2.27. The Subdivider shall provide an assessment of dead, dying, diseased and/or over mature trees along the edge of the natural areas for pruning or topping purposes to address safety and liability concerns. The report must include details for the protection, enhancement and edge management of the retained vegetated areas. All hazards, debris, or garbage shall be removed prior to the registration of the plan.
- 2.28. The Subdivider shall provide the Town with a deposit for any necessary peer review costs with the amount to be determined at time of first peer review. The Town will administer payments to any Peer Review Consultant(s), and provide milestone billings back to the Subdivider. The Town may request additional deposits for the Peer Review funds if required. At the time of issuance of full engineering approvals, any remaining deposit will be returned to the Subdivider. This condition will be superseded at such time as the Town has a Peer Review By-law in place.
- 2.29. The Subdivider shall be responsible to enter into a separate agreement(s) with benefitting parties, to which the Town is not a party, to address cost sharing for external services and / or the oversizing of services if required.
- 2.30. The Subdivider shall provide a copy of the approved individual lot grading plan (i.e. siting) to each lot purchaser prior to closing.
- 2.31. The Subdivider shall agree to implement the recommendations of all reports submitted in support of the application.
- 2.32. The Subdivider shall be responsible for satisfying any additional requirements identified by the Engineering Services Department not specifically listed above.

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

A. Informational Comments

3. The following items can be addressed through the Engineering Submission and Subdivision Agreement process:
 - 3.1. Operations Division prefers that any sloping on lands to be conveyed to the Town be a maximum of 4:1 unless there are valid constraints. This will include the open space Block 38. Please indicate on your grading drawings.
 - 3.2. It is noted that the runoff coefficients specified within the Town's Design Criteria and Engineering Standards are minimum values to be utilized for sizing of the storm sewer system. Sample calculations shall be provided for all housing types (not just single detached), and shall be demonstrated by the consultant that the

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use of these minimum values is appropriate for the subject development. If required, the values shall be increased to represent the actual development proposal.

Ensure that the runoff coefficients in the Functional Servicing and Stormwater Management Report meet the minimum Town Design Criteria, unless otherwise approved as noted above.

3.3. Functional Servicing and Stormwater Management Report comments:

- a. Section 3.2.2 Major System: It is stated that external flow will continue to drain westerly in the south Winchester ditch but is supposed to drain by Ashburn culvert. Please clarify.
- b. Ensure any changes in the Stormwater Management report for Winash Limited Partnership (SW-2017-08) are reflected in the final Functional Servicing and Stormwater Management Report for this development.
- c. Section 3.1.2 External: As stated in the section, the design drawings of the culvert under Ashburn were not provided in Appendix A. Please provide.
- d. Section 3.2.1 Minor System: Provide storm sewer design sheets with drainage diagram.
- e. The FSSR states that the north property grade was to be 1.19 m above the ditch grade to contain the external 100-year flood waters in the ditch. It appears that the grades have been set considerably higher and it is not clear how these grades will fit with the Winchester Road. Please provide cross sections to show any works proposed in the Winchester Road to accommodate these property grades and the required 3m-wide MUP.
- f. Provide grading information and critical cross-sections along the SWM Pond block and open space where the 3m MUT shown on the Proponent's Active Transportation Plan is proposed to be located.
- g. Based on the background information, the external flow from the Villas of Brooklin subdivision does not drain through the development. Remove related information from the Appendix if they are not required.
- h. A runoff coefficient of 0.75 was used in the overland flow calculation which is lower than proposed site runoff coefficient. Please clarify.
- i. Provide a summary of the proposed SWM pond which receives the flows from the subject development.

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- 3.4. To address lot level low impact development (LID) recommendations, ensure that lots and areas where roof water leaders are proposed to be disconnected from the storm sewer connection are clearly noted and can accommodate the drainage without creating problems associated with winter ice accumulation. Ensure that storm drainage areas reflect the correct boundary location. We note that both front and rear roof leaders for Townhouses are to be directly connected to the storm sewer.
- 3.5. The Consultant is to provide the Town with a dual drainage (minor/major system) storm model for the entire development using Personal Computer Stormwater Management Model (PCSWMM) as part of the detail design and confirmation of HGL elevations.
- 3.6. The use of Inlet Control Devices (ICDs) is discouraged and shall be limited to roadway sags, as per Town requirements, to the greatest extent possible. The model shall illustrate the implications of conventional ICD placement at catchbasins (CBs), per Town standards and documentation regarding the recommended use of ICDs within the proposed subdivision shall be provided.
- 3.7. Provide detailed ponding limits at overland flow low points, and any points of overland convergence to ensure that appropriate emergency access can be maintained to the area based on Town of Whitby Design Criteria and that private property has been protected from flooding. Ponding limits are to be shown for 100-year storm events. Low points are to be located at the appropriate block or intersection locations.

For all overland flow outlet points, the following shall be provided: flow channel profile, cross-sections and erosion protection works at all locations i.e. across window street boulevard areas, within specific overland flow blocks, across SWM Pond Blocks and any direct outlets to Open Space areas.

- 3.8. On-road cycling facilities are to be integrated with the Community Services trails network at locations where off road facilities are provided (e.g. signage, rest stops and/or other enhancements).
- 3.9. Noise fence/barrier design may need to accommodate surface drainage outlets depending on the lot type and grading design. At the design stage, once detailed grading information is available, a letter will be required from the noise consultant to confirm that the recommendations of the Noise Report provided for the development remain relevant to the accepted grading.

Any transition in height of the noise barrier is to occur at lot lines so that the noise barrier height across individual lots is consistent.

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- 3.10. The noise fence across the Block 38 is to be altered to provide the noise protection required for the two adjacent lots, but not block the overland flow route / pond access.
- 3.11. The Subdivider shall address mail delivery provisions for any proposed phasing of the development as required.
- 3.12. The Town will not grant exemptions to half-load restrictions to facilitate construction of the proposed development. The Subdivider shall schedule construction activities in accordance with typical timing of load restrictions for the surrounding road network.
- 3.13. The Subdivider shall provide a Topsoil Management Plan at the detailed design stage and place lots on hold as required to facilitate the topsoil stockpile. Every effort shall be made to minimize stock piling of excess topsoil.
- 3.14. Per the recommendation within the Functional Servicing and Stormwater Management Report, the topsoil thickness for landscaped areas within the development is to be increased to 300 mm.
- 3.15. The Subdivider shall provide the Town with a cash contribution in accordance with the by-lawed rate in force at the time of payment, for each newly installed streetlight for the re-lamping and cleaning of streetlights, representing typical maintenance costs prior to assumption.
- 3.16. The Subdivider shall provide the Town with a cash contribution in accordance with the by-lawed rate in force at the time of payment towards the installation of vertical control benchmarks.

Financial Services – Development Charges

The following pertains to development charges for the Town of Whitby only, the proponent is encouraged to directly consult with the Region of Durham on any questions pertaining to their development charge rates or DDSB / DCDSB on any questions pertaining to their EDC (education DC) rates.

The proponent is also encouraged to visit the [Town of Whitby Development Charge webpage](#) for more information.

Based on the type of development, this application does not meet the criteria set out in section 26.1 of the Development Charges Act, 1997 (DCA), as such development charges shall be payable in full prior to the issuance of the building permit(s).

The following pertains to site plan applications and zoning by-law amendment applications made as of / after January 1, 2020

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The development does not require a site plan application, should this change, the site plan application submission / approval dates will apply to all DC rate calculations made under section 26.2 of the DCA, in lieu of the zoning by-law amendment application dates mentioned below.

Based on the date of the Zoning By-Law Amendment Application (April 2021) under section 26.2 of the DCA, the base DC rate will be the current posted DC rate as of the date of the zoning by-law amendment application **submission**.

- Interest will accrue on the base DC rate from the date of zoning by-law amendment application submission until the date of building permit issuance. The current interest rate is 5%, compounded annually, pro-rating applies.
- For rates established under section 26.2 of the DCA, the building permit must be issued within 2 years of the **approval** of the zoning by-law amendment application.

For all building permits issued beyond the prescribed timeframe (above), the development will pay the current posted development charge rate at the time of building permit issuance.

Financial Services – Taxes

Roll No. 01003740550 – taxes are current.

Fire and Emergency Services

Fire and Emergency Services has reviewed the application and we have the following comments:

- 1) Fire Hydrants shall be provided on the site plan.
- 2) A firebreak layout shall be submitted to Whitby Fire and Emergency Services for approval prior to the agreement.
- 3) The secondary access point from Street A on the east side of the development shall be provided prior to occupancy.

External Agencies

Bell Canada

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

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

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

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

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

If the Subdivider elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.

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

Central Lake Ontario Conservation Authority (CLOCA)

CLOCA staff have reviewed these applications for consistency with the natural heritage and natural hazard policies within the Provincial Policy Statement and conformity with applicable natural heritage and natural hazard policies within the local and regional Official Plans. CLOCA staff have also reviewed these applications in the context of Ontario Regulation 42/06 of the Conservation Authorities Act and other applicable watershed management guidelines and policies.

No known natural heritage features or natural hazard lands are located on or adjacent to these properties. As such, the subject lands are not regulated through Ontario Regulation 42/06 of the Conservation Authorities Act and a permit from CLOCA will not be required prior to the development of these lands.

The subject lands are within the Lynde Creek watershed within CLOCA’s jurisdiction. These lands are within an ecologically significant groundwater recharge area (ESGRA) and have been previously identified as having a high groundwater table. Given its location in an ESGRA a water balance will be required as part of this development.

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Technical Review

CLOCA staff reviewed the Functional Servicing Report and Hydrogeological Report submitted to support the adjacent approved draft plan of subdivision (SW-2017-08). These reports included information related to the development of the subject lands and included the preliminary design of the stormwater management facility proposed to service these lands, as well as Low Impact Development (LID) measures to service this site.

Based on our review of the materials submitted with these applications memos from our Environmental Engineering and Groundwater Resources staff have been provided. Comments within these memos must be addressed to our satisfaction prior to final acceptance of the Draft Plan of Subdivision.

Engineering:

1. Please reference the Brooklin Major Roads EA study and the final recommendations with respect to road crossings along Winchester Rd.
 - a. Ensure that existing and/or proposed crossings do not affect the external drainage areas as discussed in Section 3.1.2 of the report.
2. Please investigate additional LID measures that could be employed on the site including infiltration trenches, and bioswales. Landscape areas may provide opportunities in this regard.
3. Please provide hydrogeological information for the site to document groundwater levels and soil permeability.
4. Erosion and Sediment Control:
 - a. There is no indication of stockpiling for topsoil stripped from the construction area. Will stripped topsoil be removed from the site?
 - b. Please provide additional erosion and sediment control measures to address construction of the outfall swale.

Water Balance

Water balance calculation and maintaining pre-development infiltration volume are required since part of the property proposed for development is within the delineated ESGRA and HVRA.

The estimated pre-development water balance calculation in the hydrogeological study report is in good agreement with the simulation results from the CLOCA numerical model.

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The calculated pre-development infiltration volume for the 27 Ha area based on 185 mm/year infiltration rate will be around 49,947 m³/year. The calculated post-development infiltration volume is reduced to 13,078 m³/year based on infiltration rate of 48 mm/year. Infiltration target for the entire property will be around 36, 869 m³/year.

The FSSR only covered 8.77 Ha proposed for residential development on the western portion of the property.

This report only set post-development infiltration target of 3,900 m³/year for the residential development, while the remaining 32,967 m³/year will be addressed in the commercial and employment areas.

Staff finds that geotechnical and hydrogeological investigations have a good coverage of the entire 27 Ha property to identify areas suitable for implementing infiltration LID systems. In principle, the design of the development should be based on natural condition and not the other way around.

CDC has provided (preliminary) length, width and depth of proposed infiltration swales. It was stated that the size and location will be confirmed through the detailed design based on groundwater elevations.

In addition to groundwater elevations, in-situ infiltration tests following Appendix C of the Low Impact Development Stormwater Management Planning and Design Guide (CVC, TRCA v1.0 2010) must be performed at the selected LID locations. Demonstrate that the data derived from in-situ infiltration or percolation tests are utilized in the proper design of infiltration LIDs to prevent incidence of soggy backyards. Discussions must be supported by site plan and cross-section drawings.

Provide discussions on measures to protect proposed infiltration LID structures during construction phase; and future works that may be undertaken by homeowners that could potentially impact proper functioning of the BMPs.

Zoning By-law Amendment (Z-13-21)

CLOCA staff have no objection to any approval of the proposed zoning by-law amendment submitted as part of this proposal.

Draft Plan of Subdivision (SW-2021-07)

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

1. That prior to any on-site grading, construction or final approval of the plan, the Subdivider shall submit to and obtain approval from Central Lake Ontario Conservation Authority for reports and plans describing the following:

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- a. The intended means of conveying stormwater from the site, consisting of stormwater techniques which are appropriate and in accordance with provincial guidelines as well as in conformity with the recommendations found within the Lynde Creek Master Drainage Plan.
 - b. The intended means to provide an appropriate water balance for this site in coordination with the development proposal.
 - c. The intended means to design, install, access, maintain and monitor any proposed Low Impact Development (LID) measures as part of this development.
 - d. The intended means whereby erosion and sedimentation and their effects will be minimized on the site during and after construction, in accordance with provincial guidelines. The report must outline all actions to be taken to prevent an increase in the concentration of suspended solids in any water body because of on-site, or other related works.
2. The Subdivider shall satisfy all financial requirements of the Central Lake Ontario Conservation Authority. This shall include Application Processing Fees and Technical Review Fees owing as per the approved Authority Fee Schedule.
 3. The subdivision agreement between the Subdivider and the Town of Whitby shall contain, among other matters, the following provisions:
 - a. The Subdivider agrees to carry out the works referred to in Condition 1 to the satisfaction of the Central Lake Ontario Conservation Authority.
 - b. The Subdivider agrees to maintain all stormwater management and erosion and sedimentation control measures operating and in good repair during the construction period, in a manner satisfactory to the Central Lake Ontario Conservation Authority.
 - c. The Subdivider agrees to advise the Central Lake Ontario Conservation Authority 48 hours prior to commencement of grading or the initiation of any on-site works.

Conseil Scolaire Viamonde

The Conseil Scolaire Viamonde has no comment regarding the Draft Plan of Subdivision and Zoning By-law Amendment Applications to construct 274 three-storey townhouses on lands located at 145 Winchester Rd W (Winash Developments – Phase 2).

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Durham Catholic District School Board

Planning staff at the Durham Catholic District School Board have reviewed the above noted planning applications and have no objections to the proposed development of 47 three-storey, with attached garages, 120 back-to-back and 107 three-storey townhouse residential units.

This development is located within the boundary of St. Bridget C.S. located at 200 Carnwith Drive West, Brooklin.

Durham District School Board

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

- 3 The proposed unit in this development could generate 96 elementary pupils.
- 4 That the Subdivider agrees to post the standard Durham District School Board approved "Notice to Parents" in all sales representation centres and/or provide the details to future home owners.
- 5 Under the mandate of the Durham District School Board, staff has no objection to the development proposed in this application.

Elexicon Energy Inc.

Elexicon Energy Inc. has no objection to construct 47 three-storey townhouses with attached garages, 120 three-storey back-to-back townhouses and 107 three-storey street townhouses for a total of 274 residential units all fronting on public streets.

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

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

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

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

Enbridge Gas Inc.

Enbridge Gas Inc. does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions.

This response does not constitute a pipe locate, clearance for construction or availability of gas.

The proponent shall contact Enbridge Gas Inc.'s Customer Connections department by emailing AreaPlanning40@Enbridge.com to determine gas availability, service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.

If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phased construction, all costs are the responsibility of the proponent.

In the event that easement(s) are required to service this development, and any future adjacent developments, the proponent will provide the easement(s) to Enbridge Gas Inc. at no cost.

Hydro One Networks Inc.

We are in receipt of Application DEV-23-21 (SW-2021-07) dated August 1, 2021 . We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.

For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

Ministry of Transportation (MTO)

The Ministry has reviewed the application for 145 Winchester Road West (Winash Phase 2) in the Town of Whitby and offers the following comments:

General Comments:

- The site is within ministry's permit control ministry permits and approvals is required. A 14m setback from the Ministry's property line is not identified on the plans provided.

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- The Ministry will need to review a detail design for Street 'A' which intersects both Winchester Road(Hwy 7) and Baldwin Street (Hwy 12).
- There is an ongoing transportation study for Baldwin, please ensure that the information relating from the study is incorporated or the proponent provide information to the transportation study not to preclude any options or the analysis while it is being conducted.
- The Ministry needs to review the design of the stormwater pond of the site and ensure the coefficients from this development coincides with the values for the overall drainage functional servicing for the site.

Traffic comments:

- Proposed signalized intersections should meet OTM Book 12 Justification 7 – Projected Volumes, to meet the signal warrants.
- In addition to the Trip generation table on pg. 58, show exhibit assigning total new trips to surrounding intersections, similar to Fig. 6.
- The study suggests to signalize Hwy 407 north ramp terminal, however if the signal warrant is not met than the intersection can not be signalized.
- Under Future Total 2034 PM, intersection of Baldwin and Roybrook Ave. the NBT 95% queue will go beyond the Hwy 407 ramp terminal, how will this be remedied?
- Pg.140 Table 37 Recommended Turn lane lengths, use TAC MTO Design Supplement Chapter 9, for taper lengths and deceleration lengths.

TAC GDG for Canadian Roads – June 2017

MTO Design Supplement, April 2020

Exhibit 9-R

DECELERATION LENGTH FOR LEFT-TURN LANES, 2-LANES AND 4-LANE HIGHWAYS FLAT GRADE 2% OR LESS

Design Speed (km/h)	Deceleration Length		Horizontal Curve to Smooth Taper R (m)
	Taper (m)	Parallel (m)	
50	85	20	500
60	100	30	750
70	115	40	1000
80	130	50	1200
90	145	60	1500
100	160	70	2000
110	170	80	2500

Direct tapers can only be designed on roads with design speeds up to 70km/h

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TAC GOG for Canadian Roads – June 2017 MTO Design Supplement, April 2020

Exhibit 9-I

Right-Turn Tapers Without Auxiliary Lanes

Design Speed (km/h)	Taper Length (m)	Horizontal Curve*
50	50	500
60	60	750
70	70	1000

Exhibit 9-J

Right-Turn Taper with Parallel Deceleration Lane Lengths*

Highway Design Speed (km/h)	Length of Taper (m)	Length of Parallel Lane (m)	Total length of Deceleration Lane (m)
50	40	20	60
60	50	30	80
70	60	45	105
80	70	60	130
90	75	70	145
100	80	85	165
110	85	100	185
120	90	110	200

Note: a) Flat Grade 2% or Less

Additional Comments provided February 14, 2022:

The Ministry has reviewed the information and is advocating for a reduced setback of 8m on Baldwin Street (Hwy 12) and a reduced setback of 10m Winchester Road (Hwy 7).

These reduced setbacks will help facilitate improvements on Hwy 7 and Hwy 12 when the growth of Brooklin outgrows the capacity of the Highway network. While the Ministry appreciates there is a transportation study for the Town of Brooklin and until the study is completed and the project has funding these setbacks will assist the Ministry should interim improvements are required while not impeding the vision for Brooklin and minimizing the impacts on the developments adjacent to these highways.

Region of Durham

Provincial and Regional Land Use Policies

Provincial Policy Statement

The Provincial Policy Statement (PPS) contains policy direction on matters of Provincial interest related to land use planning. The PPS encourages settlement areas to be the focus of growth and development and supports a range and mix of land uses and housing types. New development in designated growth areas must be compact and allow for the efficient use of land, infrastructure, while also supporting the health and well-being of communities.

The proposed development provides an array and range of housing types allowing for compact, efficient use of land and infrastructure. As such, the proposed development is consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan)

The Growth Plan encourages new development in greenfield areas to achieve complete communities, affordable housing options, support active transportation, and encourage the integration of transit services.

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The Growth Plan requires that the development of greenfield areas meet a minimum density target of 50 residents and jobs combined per hectare. Further, large scale development within designated greenfield areas are to be informed by subwatershed plans and must not negatively impact the natural heritage features or hydrologic functions.

The subject site meets the minimum designated greenfield area density requirements (at approximately 100 persons and jobs combined per hectare) and do not contain natural features on or adjacent to the subject lands. As such, the proposed development conforms to the Growth Plan.

Conformity to the Regional Official Plan

The ROP designates the subject site as within a “Regional Centre” (Brooklin Major Central Area) in the Urban System. As noted above, the subject site is also situated within a designated greenfield area, requiring an overall gross density of 50 residents and jobs combined per hectare.

Regional Centres are to be developed as the main concentration of urban activities, providing a fully integrated array of institutional, commercial, major retail, residential, recreational, cultural, entertainment, and major office uses. Development proposals within this designation are required to support an overall long-term density target of at least 75 residential units per gross hectare, as determined by the Town of Whitby Official Plan.

In accordance with the Town of Whitby’s Official Plan, the subject lands are located within the Brooklin Community Secondary Plan (BCSP) and are designated Major Commercial within the Brooklin Major Central Area. This designation permits residential uses accommodating residential densities between 65 and 135 dwelling units per net hectare.

The ROP also designates Winchester Road West (Highway 7) and Ashburn Road as Type ‘B’ Arterial Roads. Policy 11.3.35 of the ROP promotes pedestrian connectivity and permeability to the arterial road by minimizing the amount of reverse lot frontages along arterial roads or promote alternatives.

The proposed development falls short of the Region’s residential density requirements (at approximately 35 units per gross hectare) or approximately 66 units per net hectare). The proposed development is also at the low end of Town of Whitby’s density requirements at approximately 66 units per net hectare. In the absence of increased densities on the subject site, the Region will require an exploration of other opportunities to compensate for the density within Brooklin’s Major Central Area in order to achieve its overall long term residential density targets.

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Delegated Provincial Plan Review Responsibilities

Environmental Site Assessment

In support of the proposed development, Golder Associates Ltd. (Golder) has prepared the following documents for review:

- Phase One Environmental Site Assessment (ESA) Update dated August 18, 2020 and;
- Updated Phase Two ESA dated August 2020.

The ESAs prepared where updated reports from the original Phase One and Two ESA reports completed in February and May 2015 respectively.

The updated reports noted two areas of potential environmental concern (APECs) related to a former aboveground storage tank on the subject lands and a gasoline service station located east of the subject lands. Borehole samples that were taken within the APECs concluded that the samples met both the Ministry of the Environment, Conservation and Parks' (MECP) Table 2 and 6 Site Condition Standards (SCS). As such, Golder concluded that no further site investigation is required for the subject lands at this time.

The Region has considered Golder's findings in accordance with the Soil and Groundwater Assessment Protocol (SGAP), but requires Golder to submit the following in order to rely on their work:

- The original Phase One and Two Environmental Site Assessment reports prepared in 2015;
- A Reliance Letter; and
- A Certificate of Insurance.

In accordance with the Region's SGAP and the Ontario Brownfields Regulation (O.Reg. 153/04), we note that the above-noted documents will have to be updated periodically at the Region's discretion.

Archaeological Site Assessment

According to the Region's archaeological modelling tool, most of the subject lands are within an area of high archaeological potential.

A letter from the Ministry of Heritage, Tourism, Sport and Culture Industries [MHSTCI (formerly the Ministry of Tourism, Culture and Sport)] was received noting that the following reports by This Land Archaeology were prepared to its satisfaction and were entered into its Ontario Public Register of Archaeological Reports:

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- Stage 2 Archaeological Assessment (AA); and
- Stage 3 AA of the P. Delong Site (AIGr-453).

The Ministry's letter further notes that TLA's findings concluded that the subject lands have no further Cultural Heritage Value or Interest and that no further archaeological concerns exist.

As such, we have no concerns with TLA's findings but will require the associated MHSTCI letter recognizing the Stage 1 work for the Region's records.

Environmental Noise Mitigation

The subject lands are in proximity to the following existing and future noise sources:

- Transportation Noise Sources
 - Highway 407;
 - Winchester Road West/Highway 7 (Type 'B' Arterial Road);
 - Ashburn Road (Type 'B' Arterial Road);
- Stationary Noise Sources
 - Ultramar Gas Station (49 Winchester Road West);
 - Brooklin Coin Car Wash (103 Winchester Road West);
 - Animal Clinic of Brooklin (105 Winchester Road West); and
 - A proposed commercial plaza block on the abutting east lands at 5550 Baldwin Street South (created through Whitby Draft Plan of Subdivision S-W-2017-08); and
 - A proposed special purpose commercial on the northwest corner of Ashburn Road and Winchester Road West (created through Whitby Draft Plan of Subdivision S-W-2020-02).

In support of the proposed development, J.E. Coulter Associates Limited (Coulter) prepared a Noise Impact Study dated April 14, 2021. The study was prepared to review the surrounding noise sources and whether mitigation measures are required to reduce any noise impacts impacting any future sensitive (e.g., residential) uses on the subject lands.

We have reviewed the Noise Impact Study and note that the findings and recommendations provided in the Study are based off an older draft plan, and not the draft plan currently being reviewed with this application. As such, Coulter must provide a

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revised Noise Study, which reflects the most up-to-date plan to ensure that the correct blocks are identified in the mitigation measures and warning clauses.

Regional Municipal Servicing

Servicing Density

The theoretical population for proposed 274 residential townhouse units development is approximately 822 people and based on 8.77 ha equates to a peak flow of approximately 15.47 Litres per Second (l/s).

All units within the proposed development shall be serviced by Regional sanitary sewer and water supply only within the standard width rights-of-way.

The Region will not permit the construction of sanitary sewer and water mains within the rear laneways.

Water Supply:

The subject lands are located within the Zone 3 water supply system for Whitby. The estimated static water pressure for the subject lands is approximately between 500 kilopascals (kPa) or 72 pounds per square inch (psi) to 549 kPa (79 psi).

Water supply to the subject lands is available from the existing 400-millimetre (mm) polyvinyl chloride (PVC) watermain on Winchester Road and from the existing 300 mm PVC watermain extended through the Phase 1 of the abutting east subdivision (S-W-2017-01).

Sanitary Servicing

Sanitary servicing to the subject lands will require the extension of a trunk sanitary sewer from the existing 1,050 mm trunk sanitary sewer in the Lynde Creek valley to the intersection of Ashburn Road and Winchester Road West. We are presently in the process of finalizing the alignment of the trunk sanitary sewer through those lands.

The sanitary sewer in the road allowance along the east side of the subject Phase 2 lands will be 450mm diameter and will divert flow from the existing 450mm dia. sanitary sewer on Winchester Road West into the new trunk sanitary sewer being constructed as part of the Winash projects. The new section of sanitary sewer being installed may need to be a 525 mm dia. depending on the proposed grade of the pipe.

As Brooklin expands, it is estimated that the sewage flows will exceed the conveyance capacity of the Corbett Creek Trunk Sanitary Sewer. Prior to the trunk sewer capacity being exceeded, the Region's conceptual plans call for a sanitary pumping station to be constructed to convey flows from Brooklin to the east via forcemain to the Conlin Road Sanitary Pumping Station, in turn to the Courtice Trunk Sanitary Sewer, and ultimately to the Courtice Water Pollution Control Plant (WPCP). We note that the Class

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Environmental Assessment (EA) that planned the Courtice WPCP included Brooklin within the service area. Similarly, the recently completed Class EA that planned the Courtice Trunk Sanitary Sewer also included Brooklin within its service area.

The additional proposed servicing works are outlined within the current Development Charge Background Study at a conceptual level; however, they will be subject to further study as part of the ongoing Class EA for the diversion of sanitary sewage to service North Whitby and North Oshawa. It is expected that the timing for the construction of these works will not impact the timing for development within the Brooklin Expansion Area, but this will need to be reviewed and may change as development within the Brooklin Expansion Area proceeds.

In accordance with the Region of Durham Sewer Use By-Law, we will not permit foundation drains to connect to the sanitary sewer system.

Sanitary capacity is on a first come first serve basis and is only allocated at the time of signing a development application.

Functional Servicing and Stormwater Management Report:

In support of this development proposal, Candevcon Limited prepared a Functional Servicing and Stormwater Management Report dated June 24, 2021. We have reviewed their report and offer the following comments with respect to Regional water supply and sanitary servicing:

Section 7.3 Proposed Conditions

The Greater Brooklin Area Municipal Servicing Report dated November 2014 prepared on behalf of the Brooklin North Landowners Group was submitted under a separate submission. We reviewed this report and previously provided comments. This report has provided a basis for the municipal servicing for the entire Brooklin Growth Area and should be used as reference only. Please remove all reference to the servicing report within the subject Functional Servicing Report.

Functional Servicing Plan Drawing (FSP)

The sanitary sewer easement through the storm pond at the rear of townhouse Blocks 31 34 shall be 20 metres (m) wide, not 12 m, and the sanitary sewer easement adjacent to the southwest property line shall also be 20 m wide.

Waste Management

Guidelines for municipal waste collection service on Private Property are outlined in Schedule "P" of the Regional Waste Bylaw 46-2011. Region of Durham only provides recycling service in the Town of Whitby. The Town provides all other waste collection. The set out of waste by each unit within a new development must adhere to the

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Technical and Risk Management Guidelines, showing clear delineation of set out for each residential unit where waste collection will occur.

For more information, please go to the following website:

<https://www.durham.ca/en/doing-business/commercial-waste.aspx>

Any dead-end road(s) must be designed and built with a permanent or temporary, T-turn or Cul-de-sac. The turn arounds will be reviewed in detail at the Engineering review stage to ensure it complies with the Waste By-law 46-2011. For more information, please go to the following website:

<https://www.durham.ca/Modules/Bylaws/Bylaw/Download/6ad49416-1b7a-4e0e-93aa-5f61ac161c2f>

Currently, the Ontario Ministry of Environment, Conservation and Parks (MECP) introduced a draft regulation under the Resource Recovery and Circular Economy Act, 2016 that will make producers responsible for blue box programs' operation including collection, as part of the Province's full producer responsibility framework. Subject to the filing of the new regulation and amendments, Durham Region cannot confirm that it will be the recycling service provider for this development upon the completion of Durham Region's Blue Box program transition, anticipated to occur in 2024.

For additional information, please go to the following website:

<https://www.ontario.ca/page/waste-management#section-1>.

Transportation Planning

This development proposal was reviewed from a Regional transportation planning perspective and we have determined that this development will not present any significant transportation planning impacts.

Transit

This development proposal was reviewed from a transit perspective and we offer the following comments.

- The subject lands are approximately a 900 m walking distance to transit service along Baldwin Street and/or Ashburn Road at Vipond Road. To increase pedestrian access to public transit service, we request that sidewalks are built along Winchester Road West in tandem with this development. Additional pedestrian connections are also requested through Block 29 to Winchester Road West.

Conclusion

The proposed development has demonstrated consistency with the Provincial Policy Statement and conformity to the applicable Provincial and Regional land use plans and policies.

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Subject to the fulfillment of our conditions provided in Attachment 1 hereto, we have no objections to draft approval of this plan of subdivision or proposed zoning by-law amendment. The attached conditions of draft approval must be complied with prior to clearance by the Region for registration of this plan.

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

Conditions of Draft Approval

1. The Subdivider shall prepare the final plan and shall include a land use table on the basis of the approved draft plan of subdivision, prepared by GHD Inc., identified as drawing number 11208291-DP1 Rev. A dated April 12, 2021, which illustrates the following land uses: street townhouses, deck townhouses and back-to-back townhouses providing 274 units; one park block; one open space block; one gateway block; one overland flow block; one stormwater management block; one road widening block and roadways.
2. The Subdivider shall name road allowances included in this draft plan to the satisfaction of the Regional Municipality of Durham and the Town of Whitby.
3. The Subdivider shall submit plans showing the proposed phasing to the Regional Municipality of Durham and the Town of Whitby for review and approval if this subdivision is to be developed by more than one registration.
4. The Subdivider shall submit Environmental Site Assessment documents to address potential site contamination for the subject site in accordance with the Regional Municipality of Durham's Soil and Groundwater Assessment Protocol.
5. The Subdivider shall carry out an archaeological assessment of the subject property and mitigation and/or salvage excavation of any significant heritage resources to the satisfaction of the Ministry of Heritage, Sport, Tourism and Culture Industries. No grading or other soil disturbance shall take place on the subject property prior to a letter of clearance from the Ministry.
6. The Subdivider shall agree in the Town of Whitby's Subdivision Agreement to implement the recommendations from the Noise Impact Study prepared by J.E. Coulter Associates Limited dated April 14, 2021, which specifies noise attenuation measures for the development. These measures shall be included in the Subdivision Agreement and must also contain a full and complete reference to the noise report (i.e. author, title, date and any revisions/addenda) and shall include warning clauses identified in the study.

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7. The Subdivider shall grant to the Regional Municipality of Durham, any easements required to provide Regional services for this development. The easements shall be in locations and of such widths as determined by the Region.
8. The Subdivider shall provide for the extension of such sanitary sewer and water supply facilities which are external to, as well as within, the limits of this plan that are required to service this plan. In addition, the Subdivider shall provide for the extension of sanitary sewer and water supply facilities within the limits of the plan which are required to service other developments external to this subdivision. Such sanitary sewer and water supply facilities are to be designed and constructed according to the standards and requirements of the Region of Durham. All arrangements, financial and otherwise, for said extensions are to be made to the satisfaction of the Regional Municipality of Durham and are to be completed prior to final approval of this plan.
9. Prior to entering into a Subdivision Agreement, the Regional Municipality of Durham shall be satisfied that adequate water pollution control plant and water supply plant capacities are available to the proposed subdivision.
10. The Subdivider shall satisfy all requirements, financial and otherwise, of the Regional Municipality of Durham. This shall include among other matters, the execution of a Subdivision Agreement between the Subdivider and the Region concerning the provision and installation of sanitary sewers, water supply, roads and other Regional services.
11. The Subdivider shall, to the satisfaction of the Regional Municipality of Durham, revise the draft plan of subdivision based on the final Brooklin Major Roads Environmental Assessment with respect to all matters addressed therein, as may be required by the Region, including any impacts on sanitary sewerage, water supply, Regional roads and stormwater management facilities servicing Regional roads.

Conditions of Draft Plan of Subdivision Approval File SW-2021-07

1. The Subdivider shall prepare the final plan and shall include a land use table on the basis of the approved draft plan of subdivision, prepared by GHD Inc., identified as drawing number 11208291-DP1 Rev. A dated April 12, 2021, which illustrates the following land uses: street townhouses, deck townhouses and back-to-back townhouses providing 274 units; one park block; one open space block; one gateway block; one overland flow block; one stormwater management block; one road widening block and roadways.
2. The Subdivider shall name road allowances included in this draft plan to the satisfaction of the Regional Municipality of Durham and the Town of Whitby.
3. The Subdivider shall submit plans showing the proposed phasing to the Regional Municipality of Durham and the Town of Whitby for review and approval if this subdivision is to be developed by more than one registration.
4. The Subdivider shall submit Environmental Site Assessment documents to address potential site contamination for the subject site in accordance with the Regional Municipality of Durham's Soil and Groundwater Assessment Protocol.
5. The Subdivider shall carry out an archaeological assessment of the subject property and mitigation and/or salvage excavation of any significant heritage resources to the satisfaction of the Ministry of Heritage, Sport, Tourism and Culture Industries. No grading or other soil disturbance shall take place on the subject property prior to a letter of clearance from the Ministry.
6. The Subdivider shall agree in the Town of Whitby's Subdivision Agreement to implement the recommendations from the Noise Impact Study prepared by J.E. Coulter Associates Limited dated April 14, 2021, which specifies noise attenuation measures for the development. These measures shall be included in the Subdivision Agreement and must also contain a full and complete reference to the noise report (i.e. author, title, date and any revisions/addenda) and shall include warning clauses identified in the study.
7. The Subdivider shall grant to the Regional Municipality of Durham, any easements required to provide Regional services for this development. The easements shall be in locations and of such widths as determined by the Region.
8. The Subdivider shall provide for the extension of such sanitary sewer and water supply facilities which are external to, as well as within, the limits of this plan that are required to service this plan. In addition, the Subdivider shall provide for the extension of sanitary sewer and water supply facilities within the limits of the plan which are required to service other developments external to this subdivision. Such sanitary sewer and water supply facilities are to be designed and constructed according to the standards and requirements of the Region of Durham. All arrangements, financial and otherwise, for said extensions are to be

Conditions of Draft Plan of Subdivision Approval File SW-2021-07

made to the satisfaction of the Regional Municipality of Durham and are to be completed prior to final approval of this plan.

9. Prior to entering into a Subdivision Agreement, the Regional Municipality of Durham shall be satisfied that adequate water pollution control plant and water supply plant capacities are available to the proposed subdivision.
10. The Subdivider shall satisfy all requirements, financial and otherwise, of the Regional Municipality of Durham. This shall include among other matters, the execution of a Subdivision Agreement between the Subdivider and the Region concerning the provision and installation of sanitary sewers, water supply, roads and other Regional services.
11. The Subdivider shall, to the satisfaction of the Regional Municipality of Durham, revise the draft plan of subdivision based on the final Brooklin Major Roads Environmental Assessment with respect to all matters addressed therein, as may be required by the Region, including any impacts on sanitary sewerage, water supply, Regional roads and stormwater management facilities servicing Regional roads.
12. That prior to any on-site grading, construction or final approval of the plan, the Subdivider shall submit to and obtain approval from Central Lake Ontario Conservation Authority for reports and plans describing the following:
 - a. The intended means of conveying stormwater from the site, consisting of stormwater techniques which are appropriate and in accordance with provincial guidelines as well as in conformity with the recommendations found within the Lynde Creek Master Drainage Plan.
 - b. The intended means to provide an appropriate water balance for this site in coordination with the development proposal.
 - c. The intended means to design, install, access, maintain and monitor any proposed Low Impact Development (LID) measures as part of this development.
 - d. The intended means whereby erosion and sedimentation and their effects will be minimized on the site during and after construction, in accordance with provincial guidelines. The report must outline all actions to be taken to prevent an increase in the concentration of suspended solids in any water body because of on-site, or other related works.
13. The Subdivider shall satisfy all financial requirements of the Central Lake Ontario Conservation Authority. This shall include Application Processing Fees and Technical Review Fees owing as per the approved Authority Fee Schedule.

Conditions of Draft Plan of Subdivision Approval File SW-2021-07

14. The subdivision agreement between the Subdivider and the Town of Whitby shall contain, among other matters, the following provisions:

- a. The Subdivider agrees to carry out the works referred to in Condition 12 to the satisfaction of the Central Lake Ontario Conservation Authority.
- b. The Subdivider agrees to maintain all stormwater management and erosion and sedimentation control measures operating and in good repair during the construction period, in a manner satisfactory to the Central Lake Ontario Conservation Authority.
- c. The Subdivider agrees to advise the Central Lake Ontario Conservation Authority 48 hours prior to commencement of grading or the initiation of any on-site works. The Subdivider shall receive permits and approvals from the Ministry of Transportation (MTO).

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

- a) Block 39 for a Local Park;
- b) Block 38 as Open Space lands;
- c) Block 40 as a servicing and overland flow block;
- d) Block 41 as a grading block.

16. The proposed Draft Plan shall reflect and comply with the recommendations of the on-going Ferguson Avenue Class EA Mid-Block Arterial, ensuring that all street right-of-ways design elements, including active transportation infrastructure and traffic controls are consistent.

17. The Subdivider shall be responsible for concrete sidewalk and/or multi-use path installation in the following locations:

- a) 3.0m-wide multi-use path (MUP) on south side of Winchester;
- b) 3.0m-wide multi-use trail (MUT) along the adjacent SWM Pond block and Open Space Block 36 from Finchingfield Drive to Ashburn/Winchester intersection;
- c) 1.8m-wide concrete sidewalk on both sides of all streets;

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

18. The Subdivider shall be responsible for maintaining the existing Town roads in an acceptable condition throughout the duration of construction and/or until such time as the Town roads are reconstructed. The Subdivider may be required to

Conditions of Draft Plan of Subdivision Approval File SW-2021-07

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

19. Given that the submitted Traffic Impact Study (TIS) has been previously accepted by the Town with the Winash North Phase 1 Development, a trip generation letter that provides the comparison of trip generation estimates (i.e. approved vs. proposed) will suffice to support the current application.
20. A plan shall be provided showing all road allowance widths, centreline radii, streetline radii, curb lines (at bends, cul-de-sacs and intersections with angles less than 90 degrees), tangents, intersection angles/skew, visibility triangles and driveway locations (at bends and intersections) to ensure conformance to street classifications, Transportation Association of Canada (TAC) and Town of Whitby. This should be provided prior to or with the first submission of the detailed engineering drawings.

The Subdivider shall be responsible for implementing any design elements and/or changes to the plan for registration required to address any sightline and/or alignment concerns.
21. The Subdivider shall provide a composite traffic calming plan for all roads in the plan that includes, but is not limited to, area specific speed limits, speed humps, and raised intersections, for review and acceptance by the Director of Engineering Services.
22. The Subdivider shall provide a Traffic Management Implementation Plan and shall be responsible for providing both temporary and permanent signage and pavement markings for the development.
23. The Subdivider shall implement all recommended noise control measures identified in the Environmental Noise Assessment report and revise the plan as required to accommodate recommended noise control measures prior to registration.
24. All non-regulatory fencing and acoustic barriers shall be installed wholly on private property and all operation and maintenance of said fencing shall be the responsibility of the private property owners.
25. All black vinyl chain link fences to delineate Town blocks, and open spaces from private property shall be designed and constructed in accordance with the relevant engineering standards.
26. The Subdivider shall ensure all private properties are protected from flooding limits at low points and points of major system flow convergence along the

Conditions of Draft Plan of Subdivision Approval File SW-2021-07

municipal road system. If required, the plan for registration shall be revised accordingly to provide said flood protection.

27. The Subdivider shall be responsible for providing service connections and a suitable storm drainage outlet for flows associated with Park Block 35 to the satisfaction of the Engineering Services Division and the Community Services Department.
28. The Subdivider shall provide preliminary driveway alignment plan Blocks 1, 2 and 6, to confirm that there is sufficient frontage to accommodate the driveways without conflict.

The plan can be with or without the eyebrows per Standards 406 and 406.10. Note that eyebrows are not preferred by the Town and will be accepted only where required. The plan for registration must be revised to accommodate any required changes.
29. All window streets shall be designed such that they provide for positive boulevard drainage to their respective roadways, while complying with minimum and maximum boulevard grade criteria. Any grade difference between window streets and adjacent roads shall be addressed through the use of maximum 3:1 sloping within a buffer block between the two right-of-ways. Buffer blocks shall also be sized to accommodate any grading requirements to facilitate sidewalk connections to the adjacent street.
30. All community mailboxes within the public right-of-way shall be placed adjacent to the sidewalk location. All community mailboxes for the private developments shall be located within private properties
31. Construction phasing of the development shall be to the satisfaction of the Engineering Services, and shall consider adjoining developments and provide for upstream and downstream road and servicing connectivity. Construction staging details will be required for the proposed servicing and road work on Ashburn Road, including coordination with the proposed adjacent developments.
32. The Subdivider shall provide a detailed engineering submission in accordance with Sections A2.00 and A3.00 of the Town of Whitby's Engineering Design Criteria. The engineering drawings must be set up as per the Town's CAD layering standards and object data requirements set out in Appendix A of the Design Criteria. The first engineering submission will not be reviewed until it is confirmed that the drawing set-up conforms to this requirement.
33. All plan and profile drawings shall indicate the seasonal high water table elevation and the corresponding Minimum Basement Elevation, all to be confirmed by Hydrogeological Consultant and accepted by Central Lake Ontario

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Conservation (CLOC). The Subdivider shall protect all proposed private dwellings from the seasonal high water table where applicable.

34. The Subdivider shall be responsible for all hydro poles, luminaries and hydro requirements for this proposed subdivision and shall enter into a separate agreement with Elexicon accordingly.
35. The Subdivider shall provide the Town with a full electrical design (i.e. primary, secondary and streetlight design) for this development. All aspects of the secondary electrical design and street light design will be peer reviewed by the Town. The Subdivider will be financially responsible for the peer review cost including a 15 percent administrative fee. The street lighting design shall comply with the latest version of the RP-8 Roadway Lighting Design standard and shall utilize LED technology.
36. Any concerns raised through future re-submissions of the geotechnical and hydro geotechnical reports for the site shall be addressed by the Subdivider to the satisfaction of the Engineering Services Department. This includes, but is not limited to, long term slope stability, confirmation of design parameters and preliminary layout for low impact development (LID) measures (proposed infiltration trenches), proposed stormwater management pond elevations relative to groundwater levels and the need / thickness of the impervious membrane or synthetic clay lining, foundation construction requirements and recommended measures for Best Management Practices for municipal servicing construction. The plan must reflect changes required in this regard prior to registration.
37. The Subdivider shall provide an assessment of dead, dying, diseased and/or over mature trees along the edge of the natural areas for pruning or topping purposes to address safety and liability concerns. The report must include details for the protection, enhancement and edge management of the retained vegetated areas. All hazards, debris, or garbage shall be removed prior to the registration of the plan.
38. The Subdivider shall provide the Town with a deposit for any necessary peer review costs with the amount to be determined at time of first peer review. The Town will administer payments to any Peer Review Consultant(s), and provide milestone billings back to the Subdivider. The Town may request additional deposits for the Peer Review funds if required. At the time of issuance of full engineering approvals, any remaining deposit will be returned to the Subdivider. This condition will be superseded at such time as the Town has a Peer Review By-law in place.
39. The Subdivider shall be responsible to enter into a separate agreement(s) with benefitting parties, to which the Town is not a party, to address cost sharing for external services and / or the oversizing of services if required.

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40. The Subdivider shall provide a copy of the approved individual lot grading plan (i.e. siting) to each lot purchaser prior to closing.
41. The Subdivider shall agree to implement the recommendations of all reports submitted in support of the application.
42. The Subdivider shall be responsible for satisfying any additional requirements identified by the Engineering Services Department not specifically listed above.
43. The Subdivider shall be responsible for satisfying any requirements identified by the Ministry of Transportation;
44. The Community Services Department, Parks Division will require parkland dedication at a rate of 1 hectare per 300 units for residential development as per the Planning Act. The land area proposed by parkette (Park Block 39) does not reflect the full parkland dedication required of the proposed development. Cash in lieu of parkland dedication at a rate of 1 hectare per 500 units will be required in accordance with By-law 7731-21 to address the difference. A land appraisal is required.
45. Gateway Block 37 will not be taken as parkland, unless it is combined into one parcel with Park Block 39.
46. Parkette (Park Block 39) shall contain an accessible junior and senior playground, with a residential setback of 15 metre and road setback of 20 metres. Provide seating areas, park furnishings (e.g. garbage containers, benches), shade, tree plantings, internal pathways, passive and free play areas, bike racks, and signage. The developer shall provide a park amenity fitment plan prior to final draft approval.
47. Parkette (Park Block 39) and Open Space Block 38 be dedicated to the Town free and clear of all encumbrances.
48. The Subdivider shall provide the required studies including and not limited to grading and tree preservation to determine the feasibility of a trail within Open Space Block 38.
49. A 1.2 metre black vinyl standard park fencing is required to be installed where the park and open space blocks abut residential lots.
50. The Subdivider shall consult with Canada Post to determine suitable permanent locations for Community Mail Boxes. The Subdivider will indicate these locations on the appropriate servicing plans.
51. That the Subdivider enter into a Subdivision Agreement for the subdivision, and a future Site Plan Agreement for each block with the Municipality and be

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responsible for the fees associated with the preparation and registration of the Agreement, including any review required by Legal Services.

52. The required noise mitigation measures and warning clauses shall be included in the Subdivision Agreement and future Site Plan Agreements.
53. The Subdivider shall provide a tree preservation plan and install protective fencing in advance of any on-site grading works.
54. Through the Site Plan / Plan of Subdivision Agreement, the Subdivider / Developer shall complete the Whitby Green Standard performance measures as part of the construction of the approved development as detailed in Sustainability Rationale Report submitted by the proponent.
55. That the new home construction be designed to meet the Energy Star standards or equivalent.
56. The Subdivider shall prepare and implement the following reports and plans in accordance with the applicable guidelines to the satisfaction of the agencies noted:

Report	Town	Region	CLOCA
Functional Servicing and Stormwater Management Report	Yes	Yes	Yes
Geotechnical Investigation	Yes	Yes	Yes
Hydrogeological Study	Yes	Yes	Yes
Noise Impact Study	Yes	Yes	-
Phase One Environmental Site Assessment	Yes	Yes	-
Archaeological Assessment	Yes	Yes	-
Sustainability Report	Yes	-	-
Transportation Impact Study	Yes	Yes	-

57. The Subdivider shall satisfy all requirements, financial and otherwise, of the Town of Whitby, including among other matters, the execution of a subdivision agreement between the Subdivider and the Town of Whitby concerning the provision and installation of services, drainage and other local services.
58. Prior to final approval of this plan for registration, the Town of Whitby shall be advised in writing by:

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59. The Regional Municipality of Durham, how conditions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 have been satisfied.

60. The Central Lake Ontario Conservation Authority, how conditions 12, 13 and 14 have been satisfied.

61. The Ministry of Transportation, how conditions 43 has been satisfied.

Please be advised that the approval of this draft plan will lapse three (3) years after the date the plan is draft approved. This approval may be extended pursuant to Section 51(33) of the Planning Act, but no extension can be granted once the approval has lapsed. If final approval is not given to this plan within three (3) years of the draft approval date, and no extension have been granted, draft approval will lapse under Section 51(32) of the Planning Act, RSO, 1990, as amended. If the Subdivider wishes to request an extension to the draft approval, a written request and explanation must be received by the Commissioner of Planning and Development 120 days prior to the lapsing date. A processing fee in effect at the time of the request, shall apply.