

Conditions of Draft Approval
(Approved by order of Ontario Land Tribunal)

Plan of Subd:	SU01-2019 (Phase 5B of the Lakeside Village Community)
Applicant:	AON Inc., 2107401 Ontario Inc., Penryn Park Estates Inc. and Penryn Mason Homes Inc.
Location:	Part of Lot 9 Concession 1, And Part of Part 1 Plan 9R-2726, Part of Part 7 Plan 11123, Part of Part 8 Plan 11123, Part 12 Plan 11123 and Part of Part 13 Plan 11123, Municipality of Port Hope, County of Northumberland

Conditions of Draft Approval to be cleared prior to Final Plan approval and Registration of this Subdivision are as follows:

1. That this approval applies to the Draft Plan of Subdivision for Part of Lot 9 Concession 1, And Part of Part 1 Plan 9R-2726, Part of Part 7 Plan 11123, Part of Part 8 Plan 11123, Part 12 Plan 11123 and Part of Part 13 Plan 11123, in the Municipality of Port Hope, County of Northumberland as prepared by Innovative Planning Solutions, revised July 26, 2023 illustrating:

Land Use	Area (Hectares/ Acres)
Single Detached Residential Lots (58 dwellings)	2.339 ha/ 5.78 ac
43 Townhouses (Blocks 59-64)	0.992 ha/ 2.45 ac
Parkette/Open Space (Blocks 65 and 66)	0.086 ha/0.21 ac
Future Residential Development (Blocks 67)	0.025 ha/0.06 ac
0.3 m Reserve (Block 68)	0.002 ha/0.004 ac
Public Roads & Lanes	1.455 ha/3.6 ac
TOTAL	4.899 ha/12.10 ac

2. That the public road allowances included in this draft plan shall be shown and dedicated as public highways.
3. That the streets shall be named by the Municipality of Port Hope.
4. That prior to final approval, the Owner agrees to prepare a Heritage Impact Assessment, to the satisfaction of the Municipality, to address any development impacts on the cultural heritage landscape and features identified in the LHC

- Cultural Heritage Evaluation Report (May 2021) and implement any recommendations of the Heritage Impact Assessment on the lots within this plan of subdivision as identified in the assessment.
5. The owner acknowledges that parcel fabric along the southern eastern boundary of the Draft Plan may change as result of the findings and recommendations of the Heritage Impact Assessment. The HIA will need to address the trees identified in the LHC Cultural Heritage Evaluation Report (May 2021) along the northern edge of the Ontario Heritage designated property known as 88 Victoria Street South.
 6. That prior to final approval, the Owner agrees to prepare an archaeological assessment for the subdivision lands and submit it to the municipality and Ministry of Citizenship and Multiculturalism. Any archaeological concerns shall be addressed as per the recommendations of the archaeological assessment report; a copy of the Ministry review and acceptance letter for any archaeological assessments shall be provided to the Municipality. No demolition, grading or other soil disturbances shall take place on the subject property prior to the municipality and the Ministry of Citizenship and Multiculturalism confirming that all archaeological concerns have met licensing and resource conservation requirements. The owner acknowledges that parcel fabric of the Draft Plan may change as result of the archaeological assessment findings and recommendations.
 7. That prior to final approval, the Owner agrees to provide:
 - i. a statement from a professional engineer indicating whether any works related to this application are subject to a Schedule “C” class environmental assessment; and,
 - ii. a statement from a professional engineer, regarding potential site contamination.
 8. That prior to final approval, the Owner agrees to revise servicing blocks, as required, subject to the satisfaction of the Director, Works and Engineering.
 9. That prior to final approval, the Owner agrees to submit an updated Functional Servicing & Stormwater Management Report, as prepared by D.M. Wills Associates Limited, dated May 2020, subject to the satisfaction of the Director, Works and Engineering, prior to proceeding with the first detailed design submission.
 10. That prior to final approval, the Owner agrees to provide a detailed design, including a hydraulic analysis of the proposed water distribution system, to confirm sufficient fire flow protection as per Municipal and agency guidelines.
 11. That the Owner shall pay for a peer review of any study, report or guideline, if/as required by the Municipality of Port Hope.
 12. In the event that the subdivision agreement is not executed within one (1) calendar year from the date of approval of the engineering drawings, they shall be

- resubmitted to the Director, Works and Engineering for approval prior to execution of the subdivision agreement.
13. That prior to final approval, the following lands will be conveyed to the Municipality of Port Hope:
 - i. Open Space Blocks identified as Blocks 65 and 66.
 14. That prior to final approval, the Owner shall prepare a drawing to identify to the satisfaction of the Director, Works and Engineering the following:
 - i. Penryn Park Drive will be two-way traffic.
 - ii. Redpath Street will be two-way traffic.
 - iii. Harrigan Street will be two-way traffic.
 - iv. Collett Street will be one-way traffic.
 - v. Foley Lane will have no parking and traffic will be one-way.
 - vi. Bristow Lane will have no parking, and traffic will be one-way.
 - vii. Lane "1" will have no parking and traffic will be one-way.
 - viii. Lane "2" will have no parking and traffic will be one-way.
 - ix. An Active Transportation Plan to confirm sidewalk locations and connections.
 - x. Sightline analysis requirements at select locations based on geometric configurations and/or proposed landscape features. Any additional right-of-way required to facilitate the implementation of the said sightline analysis is at the sole expense of the owner.
 15. That prior to final approval, the Owner agrees to prepare a Utility Coordination Plan to the satisfaction of the Municipality.
 16. That prior to final approval, the Owner agrees to prepare a full streetlighting design to the satisfaction of the Municipality.
 17. That prior to final approval, the Owner agrees to prepare a Soil Management Plan in accordance with the Ontario Regulation for Excess Soils and to the satisfaction of the Director, Works and Engineering.
 18. That prior to final approval, the Owner agrees to prepare a Construction Traffic Management Plan, including dust control, to the satisfaction of the Director, Works and Engineering.
 19. That the Owner agree in the subdivision agreement to carry out or cause to be carried out all of the measures and recommendations contained within the Construction and Traffic Management Plan prepared pursuant to Condition No. 18.
 20. That the subdivision agreement between the Owner and the Municipality of Port Hope contain provisions requiring the Owner to undertake the regular cleaning of

the streets within Phase 5B of “Lakeside Village Community” subdivision as well as adjacent streets, as impacted by construction activity, all to the satisfaction of the Director, Works and Engineering.

21. That the Owner agrees in the subdivision agreement, in wording acceptable to the Municipality of Port Hope:
 - i. to design and implement on-site erosion and sediment control, in order to meet the requirements of the Municipality and the Ganaraska Region Conservation Authority (GRCA);
 - ii. to maintain all stormwater management and erosion and sedimentation control structures operating and in good repair, in a manner satisfactory to the Municipality and the Ganaraska Region Conservation Authority (GRCA).
22. That the Owner agrees in the subdivision agreement, in wording acceptable to the Municipality of Port Hope, to design and implement a landscaping plan for landscaping along the boundary of Victoria Street South, in general conformity with the Landscaping Plan prepared by John Lloyd Associates dated July 26, 2023.
23. That the Owner shall agree to design and construct all servicing requirements (roads, sidewalks, water, sanitary, storm, electrical, etc.) to the specifications of the approving authorities (the Municipality of Port Hope, Elexicon, etc.) and the cost thereof shall be paid by the Owner.
24. That the Owner shall provide proof of an ‘Offer to Connect’ from Elexicon, and also agree to protect any existing Elexicon facilities during the construction of this subdivision.
25. That prior to the commencement of any grading or construction on site, or final registration of the plan, the Owner shall submit to the satisfaction of the Ganaraska Region Conservation Authority (GRCA) the following:
 - i) That this approval relates to a draft plan of subdivision prepared by Innovative Planning Solutions (File No: 21-1147) last revised July 26, 2023.
 - ii) Prior to final approval and to any on-site grading taking place, a detailed stormwater management plan in accordance with current MECP criteria, and the Phase 5 Functional Servicing Report prepared pursuant to Condition No. 9.
 - iii) That the Owner submit a plan to the satisfaction of the GRCA and the Municipality detailing the means whereby erosion and siltation will be minimized and contained on the site both during and subsequent to the construction period, in accordance with Provincial guidelines.
 - iv) That the Owner agree in the subdivision agreement to carry out or cause to

be carried out all of the measures and recommendations contained within the reports approved under conditions ii) and iii) above.

26. That the locations for all community mailboxes for mail delivery shall be located to the satisfaction of Canada Post and the Municipality of Port Hope.

27. That the subdivision agreement between the Owner and the Municipality of Port Hope shall contain the following warning clause:

NOTE: *Purchasers are advised that it is unlikely that there will be door-to-door mail delivery within this subdivision. Canada Post intends to service this property through the use of community mailboxes that may be located in several locations within this subdivision.*

28. That the subdivision agreement between the Owner and the Municipality of Port Hope shall contain the following warning clause:

WARNING: *Purchasers are advised that the grading and drainage of the subdivision including all individual lots are designed utilizing sheet flow, side yard swales, rear yard swales and occasionally via rear lot catchbasins. It is the purchaser's responsibility to not block drainage by the construction of any fencing, decks, landscaping, etc. Any proposed changes to the grading, by the purchaser, must be approved by the Municipality.*

29. That prior to final approval, the Owner shall submit a Water Modeling Report to the satisfaction of the Director, Works and Engineering.

30. That such easements as may be required for utility, telecommunication services, drainage or servicing purposes shall be conveyed to the appropriate authority.

31. That prior to final approval, Bell Canada shall confirm by letter that satisfactory arrangements, financial and otherwise, have been made with Bell Canada for any Bell Canada facilities servicing this plan of subdivision which facilities are required by the Municipality of Port Hope to be installed underground.

32. That prior to final approval, the Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada. The Owner agrees that should any conflict arise with existing Bell Canada facilities or easements within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

33. That prior to final approval, the Owner will obtain a letter from the Historic Waste Program Management Office, (or its equivalent) that the schedule of the excavation phase of construction is in accordance with the Construction Monitoring Program. This shall include road, sewer and lot development excavations.

34. That the subdivision agreement between the Owner and the Municipality contain provisions, with wording acceptable to the Historic Waste Program Management Office, wherein the Owner agrees to contact the Historic Waste Program Management Office to implement the scheduled monitoring of excavations.
35. That the Owner shall enter into a subdivision agreement with the Municipality of Port Hope. Without limiting the generality of the foregoing, the Owner shall agree in writing to satisfy all the requirements, financial and otherwise, of the Municipality of Port Hope, including the provision of roads, sidewalks, boulevards, installation of services, stormwater management and drainage.
36. That the Owner shall agree in the subdivision agreement that no building permits will be applied for or issued until the Municipality of Port Hope is satisfied that adequate road access, municipal water supply, hydro service, sanitary sewers, and storm drainage facilities are available to service the proposed development.
37. The owner shall agree in the Municipality of Port Hope subdivision agreement to include the following warning clause in all purchase and sale agreements for prospective home buyers:

WARNING: Purchasers of lots with vehicular access from a public rear lane are advised that waste collection services from the County of Northumberland shall be from the fronting public street and not the rear lane.

38. The Owner agrees to the installation of a privacy fence 1.8 m in height along the north boundary of Block 65 and the western boundary of Block 66. Such fence shall be constructed by the owner at its sole cost to the satisfaction of the Manager, Planning, Director, Parks Recreation and Culture and the Director, Works and Engineering.
39. Prior to removal of any trees within the woodland, records of consultation with the Ministry of Environment, Conservation and Parks are required to be provided to the municipality that identify the following related to Species at Risk bat habitat and requirements under the Endangered Species Act:
 - i) Timing windows for tree removal to avoid the roosting period of bats; and
 - ii) Requirements related to authorization and/or compensation measures resulting from the destruction of the Habitat of Endangered or Threatened Species as per the regulations under the Endangered Species Act.

NOTES TO DRAFT APPROVAL:

1. That engineering drawings be prepared in accordance with current Municipality of Port Hope standards, policies and requirements. Prior to the preparation of the subdivision agreement, the plans and drawings are to be submitted to and approved by the Director, Works and Engineering.
2. It is the applicant's responsibility to fulfill the conditions of Draft Approval and to ensure that the required clearance letters are forwarded by the appropriate agency to the Municipality of Port Hope, quoting the Municipal file number, within 3 (three) years of the Draft Approval date.
3. We suggest that you make yourself aware of:
 - a. section 143(1) of the Land Titles Act, which requires all new plans be registered in a land titles system;
 - b. section 143(2) allows certain exceptions.
4. All measurements in subdivision final plans must be presented in metric units.
5. Registration: The final plan approved by the Municipality must be registered within 30 days or the Municipality may withdraw its approval under Section 51(59) of the Planning Act.
6. Clearance is required (in writing to the Manager, Planning) from the following agencies:
 1. Ganaraska Region Conservation Authority, how Condition 25 has been satisfied;
 2. Canada Post Corporation, how Conditions 26 and 27 have been satisfied;
 3. Bell Canada, how Condition 31 has been satisfied;
 4. Elexicon, how Condition 24 has been satisfied; and
 5. Historic Waste Project Management Office, how Condition 33 has been satisfied.