



CLEARVIEW  
TOWNSHIP

## Conditions of Draft Plan Approval

**File No.:** 2024-013

**Owner:** Cityscape Real Estate Ltd.

**Approval Date:** July 8, 2024

**Lapsing Date:** July 8, 2026

**Extension Date:** July 29, 2024

**Draft Plan Details:** Draft Plan of Subdivision drawn by Jones Consulting Group Ltd., dated July 29, 2019

### Basis of Approval

#### Plan Number & Purpose of Lots/Blocks

Land Use	Lots/Blocks	Area (ha)	Units
Single Detached Dwellings (15 m)	Lots 51-58 & 118	0.54	9
Single Detached Dwellings (12.2 m)	Lots 29-36, 47-50, 59-64, 94 & 95	0.88	20
Single Detached Dwellings (10.4 m)	Lots 11-28, 37-46, 65-84, 93, 99-101, 104, 107-109 & 117	2.22	57
Single Detached Dwellings (9 m)	Lots 1-10, 85-92, 96-98, 102 & 103, 105 & 106, & 110-116	0.91	32
Street Townhomes (7.15 m/unit)	Blocks 119 -121	0.33	15
Street Townhomes (6.85 m/unit)	Blocks 122-129	0.39	15
Street Townhomes (6.1 m/unit)	Blocks 130-135	0.62	26
Commercial Lands	Block 136	1.26	0
Stormwater Management Pond	Block 137	1.33	0
Environmental Protection	Block 138	4.32	0
Parkette and Walkway	Blocks 139-141	0.13	0
Private Parking Lot	Block 142	0.07	0
Private Laneway	Block 143	0.11	0
Road Widenings and Daylighting	Blocks 144-148	0.34	0

Land Use	Lots/Blocks	Area (ha)	Units
Roads	Coleman Street, Bell Street, Patterson Street and Adair Street	2.61	0
		16.68	200

Approval Granted

The undersigned hereby attests that draft plan of subdivision approval for the development described herein has been approved subject to conditions as outlined below.

Dated: July 9, 2024

  
Doug Measures, Mayor

  
Krista Pascoe, Deputy Clerk

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## Conditions of Approval

The following conditions of approval have been imposed on the approval of this plan of subdivision as Township Council is of the opinion that they are reasonable, having regard to the nature of the development proposed for the subdivision pursuant to s. 51(25) of the Planning Act.

### General Conditions

1. That this draft approval shall lapse if Final Approval is not given to this Plan within two (2) years of the draft approval date, and no extensions have been granted.
2. Conditions marked with an \* must be incorporated, in whole or in part, in the subdivision agreement and/or completed as part of, or concurrently with, the registration of the Plan.
3. That the owner shall enter into a consolidated subdivision agreement with, and to the satisfaction of, the Municipality to give effect to all relevant conditions of approval and any other matters regarding the proper development of the subdivision as specified by the Municipality in such agreement. Accordingly, the conditions set out herein, shall be incorporated into the subdivision agreement, as applicable, to the satisfaction of the Municipality in its sole and unfettered discretion, and shall be obligations of, and at the cost of, the owner.
4. The subdivision agreement shall deal with such matters as, but not limited to, the following: construction of works; ownership of works; registration of the plan and agreement; use of inhibiting orders; servicing allocations; conditions for release of building permits; timing of works; works to be constructed and maintained; fees, deposits and payments to be made; securities and their administration; indemnities and insurance; the owners obligations; conditions for occupancy; general conditions of approval; special conditions of approval; the acceptance and assumption of works; conveyances, restrictive covenants and notices to title; and, all relevant administrative clauses.
5. The subdivision agreement may allow for phasing of the subdivision subject to the approval of the Municipality of a comprehensive phasing plan. Phasing may be accomplished either by full registration and phasing clauses in the subdivision agreement or by partial registration. Phasing under full registration shall incorporate the use of inhibiting orders and other measures to ensure the proper and orderly development of the subdivision. Phasing by partial registration shall be undertaken on the basis that the draft plan approval and conditions shall continue to apply to remaining phases. Accordingly, the lapse date and ability to alter conditions would be applicable to remaining phases.
6. This approval is conditional upon OPA No.15, adopted by Council of the Corporation of the Township of Clearview, receiving approval from the County of Simcoe. Should OPA No. 15 not be approved by the County of Simcoe, this approval shall lapse on the date of notice of refusal to approve OPA No. 15.
7. \*A qualified professional is to be retained to prepare and submit all drawings and reports required for final approval and construction of the Plan; to inspect construction as necessary to ensure proper installation and compliance with municipal and other relevant authority standards; and, to certify in writing that the required works were constructed in accordance with the plans, reports and specifications, as approved by the Municipality and all other relevant authorities.

8. Approval of the Draft Plan is contingent upon the owner satisfying all conditions of approval, such conditions being inter-related and inter-dependent and upon which the Municipality has relied to significant extent in making its decision of approval. Therefore, in the event of any request (including appeal) for alteration to a single condition, the Municipality reserves the right to alter or add to these conditions or withdraw its approval.
9. \*The Owner and Municipality agree that the development of the Plan may occur in phases. This will require the preparation and submission for approval of the Municipality, of a phasing plan which shall form part of the Subdivision Agreement. This phasing shall outline any necessary temporary works which may be required, including, but not limited to, utilities and municipal services, turning circles, future road connections, alternative road endings, signage, fencing and landscaping. The phasing plan shall also provide for any additional temporary easements or conveyances necessitated to provide the temporary works or services. The phasing plan shall also identify any lots which may be temporarily constrained from development as a result of the phasing and any temporary works required. Servicing shall only be allocated to phases which are being registered and developed and for which allocation has been confirmed and securities are provided.
10. \* Prior to final approval, the Owner shall submit the following to the satisfaction of the Municipality and/or any other applicable Agencies:
  - a. An Archaeological Assessment Report;
  - b. A Traffic Impact Study;
  - c. A Geotechnical Report;
  - d. A Hydrogeological Report;
  - e. A Site Grading and Drainage Plan;
  - f. A Tree Inventory & Preservation Plan;
  - g. A Functional Servicing Report;
  - h. A Removals Plan;
  - i. A Site Phasing Plan;
  - j. A Site Servicing Plan;
  - k. A Composite Utility Plan;
  - l. An Environmental Noise Assessment;
  - m. Architectural Design Guidelines;
  - n. An Environmental Impact Study;
  - o. A Natural Hazard Land Study;
  - p. An Environmental Site Audit;
  - q. A Well Interference Study;
  - r. An Erosion and Sedimentation Control Plan;
  - s. A Stormwater Management Report including SWM pond layout plan to confirm sufficient area of dedication; and
  - t. Plan of Easements.
11. \*The Owner shall agree in the subdivision agreement, in wording acceptable to the Township and any applicable authority to carry out or cause to be carried out the recommendations and measures contained within the accepted plans and reports set out above
12. \*Prior to any site alteration, the following shall be prepared to the satisfaction of the Municipality, Nottawasaga Valley Conservation Authority, County of Simcoe, and the Ministry of Transportation:
  - a) An Archaeological Assessment Report and appropriate archaeological resource conservation requirements.
  - b) An Environmental Impact Study.
  - c) An Environmental Site Audit.
  - d) A Geotechnical Report.

- e) A Hydrogeological Report.
  - f) A detailed Storm Water Management Report.
  - g) A detailed Erosion Control Plan.
  - h) A detailed Grading Plan.
13. \*The Owner shall agree in the subdivision agreement that all lots or blocks to be left vacant shall be rough graded such that best efforts are taken to ensure that there is no standing water and maintained in general conformance with the accepted comprehensive grading plan(s). The Owner further agrees to topsoil and hydro-seed any area not proceeding to construction within a timeframe satisfactory to the Municipality and to install signage to prohibit dumping and trespassing, at the sole cost of the Owner.
14. The Owner acknowledges that final engineering design may result in minor variations to the Plan (eg. In the configuration of road allowances and lotting, number of lots, etc.), which may be reflected in the final Plan to the satisfaction of the Municipality.
15. Prior to any site alteration, the Owner shall agree in the site preparation, pre-servicing and/or subdivision agreement to retain a Hydrogeologist to monitor the private wells and groundwater conditions, including vulnerabilities related to the aquifers, to assess any impact on the existing wells and/or aquifers in the area surrounding the draft plan, where groundwater conditions may be impacted by the development of the subdivision. The Owner shall submit reports prepared by such Hydrogeologists, to the satisfaction of the Municipality, documenting the results of the monitoring program.
- The Owner shall provide potable water to any landowner whose private well or water system is adversely impacted and to permanently rectify the problem, to the satisfaction of the land owner and the Municipality. The potable water to be provided and any works to rectify the problem with the private well or water system shall be at the sole cost of the Owner.
- The Owner shall agree to have a baseline of area wells established prior to the commencement of any works on the Plan lands.
16. The Owner shall agree in the Subdivision Agreement:
- a) That prior to final approval, the Owner shall retain a Professional Engineer (typically geotechnical consultant) to review the proposed works and existing soil conditions and define a Zone of Influence of vibrations as well as submit a proposed Vibration Monitoring Program. The Zone of Influence shall include the area of land (and buildings that potentially may be impacted by vibrations emanating from a construction activity as defined by the Professional Engineer referred to above in the vibration monitoring program, to the satisfaction of the Township.
  - b) The Owner shall agree in the Development Agreement that prior to commencement of construction, the Owner shall retain a qualified consultant to complete a pre-condition survey of all existing dwellings/ structures within the Zone of Influence as described above. The survey shall include photographic inventory of existing conditions of the interior and exterior of all buildings. In the event that a property owner will not permit access to the interior of the dwelling, the consultant shall provide written documentation to the Owner and the Township. The Owner shall provide a copy of the full pre-condition survey to the Township.
  - c) The Owner shall agree as part of the Development Agreement that vibration levels shall be measured by the Owner's Engineer during construction on/ at all existing buildings and structures within the defined Zone of Influence during construction in accordance with the monitoring program submitted with the Development Agreement approval. A minimum of 1 vibration monitoring gauge is to be installed prior to

earthworks construction at or near the existing structure that is closest to the work zone, regardless of the defined Zone of Influence.

### Financial & Administrative

17. All taxes, utilities and charges outstanding against the lands are to be paid prior to the registration of any plan of subdivision.
18. All drainage charges (Drainage Act) and local improvement charges, municipal service fees and special service fees (Municipal Act) are to be commuted and/or paid, as applicable, prior to registration of any plan of subdivision.
19. Applicable Final Approval fees and administrative charges, including deposits, are to be paid when making first submission for Final Approval of the Draft Plan.
20. \*All financial requirements of the Municipality with respect to the approval and development of the subdivision are to be completed/submitted to the satisfaction of the Municipality in its sole and unfettered discretion.
21. \*All processing and administrative fees, including securities and deposits, shall be paid in accordance with the municipal policies, administrative practices and by-laws in effect at the time of signing of the agreement or as otherwise stipulated in the agreement.
22. \*All applicable Development Charges are to be paid in accordance with the Municipal Development Charges By-law, County Development Charges By-law, and Education Development Charges By-law.
23. All development approval fees of the Nottawasaga Valley Conservation Authority are to be paid as required in accordance with the Nottawasaga Valley Conservation Authority's fees policy, under the powers of the Conservation Authorities Act.

### Conveyance & Transfers

24. \*The road allowances shown as Adair Street, Coleman Street, Bell Street, and Patterson Street on the draft plan, shall be conveyed to the Municipality as public highways, without monetary consideration and free and clear of encumbrances.
25. \*Such easements as may be required for utility, drainage and construction purposes shall be conveyed to the Municipality, and to other appropriate Agencies or Authorities, to their satisfaction without monetary consideration, and, free and clear of all encumbrances.
26. \*Block 137 shall be conveyed to the Municipality for stormwater management and drainage purposes, without monetary consideration, free and clear of all encumbrances.
27. \*Blocks 144-148 shall be conveyed to the Municipality for road widening purposes, without monetary consideration, free and clear of all encumbrances.
28. \*Where deemed necessary by the Municipality, the Plan to be registered shall show a 0.3 metre reserve along the exterior side yard lot lines of corner lots and corner blocks, and rear lot lines, which reserves shall be conveyed to the Township, without monetary consideration and free of all encumbrances.
29. \*The Plan to be registered shall show daylight triangles on each corner lot in accordance with the Township's Engineering Standards in effect at the time of detailed design, or as determined by the Township, which are to be conveyed to the Township without monetary consideration and free of all encumbrances.

30. \*Block 138 shall be conveyed to the Municipality as environmental protection area, without monetary consideration, free and clear of all encumbrances.
31. \*Block 140 and 141 shall be conveyed to the Municipality for trail purposes free and without monetary consideration, free and clear of all encumbrances.

### Further Approvals

32. The lands shall be appropriately zoned for the proposed residential development.
33. \*Blocks 119 to 135 (multi-residential development), Block 143 (private laneway), Block 142 (private parking lot) and Block 136 (commercial development) shall be subject to site plan control.
34. \*The final configuration, unit count and design of Blocks 119 to 136 shall be subject to site plan review, the zoning amendment, and the architectural control plan. Unit counts illustrated on the site plan are accordingly approximate.

### Required Municipal Services

35. \*Sanitary sewer and water supply allocations shall not be committed for this development until Final Approval of the Plan of Subdivision by the Municipality and registration of the Subdivision Agreement, and when the Municipality confirms that such allocations are available for such purposes.
36. \*Prior to final approval, an overall Servicing Plan shall be prepared and submit for approval to the Municipality by the Owner.
37. \*All internal and external services required for the development of this Plan shall be required to be designed by a qualified professional to the Municipality's satisfaction and shall be constructed/installed at the Owner's expense.
38. \*Prior to final approval and Plan registration, all streets shall be named to the satisfaction of the Municipality and shall be included on the final detailed design drawings.
39. \*Prior to final approval, a municipal numbering system shall be assigned to the satisfaction of the Municipality with regards to 911 emergency servicing. The Owner shall agree in the Subdivision Agreement to display the lot/block number and corresponding assigned municipal address in a prominent location on each lot/block.
40. \*The road allowances within the Plan shall be designed in accordance with the Township's Engineering Standards for road, intersection, and temporary turning circles design. The pattern of streets and the layout of the lots and blocks shall be designed to correspond and coincided with the pattern and layout of abutting developments, to the satisfaction of the Municipality.
41. \*Sidewalks and trails shall be constructed in accordance with the Municipality's Engineering Standards, in effect at the time of detailed design.
42. \*Upgrades to existing municipal services required for the development of this plan shall be required to be designed by a qualified professional to the Municipality's satisfaction and constructed/installed at the Owner's expense.
43. \* Black vinyl chain link fencing shall be installed along the lot lines of any lot or block where they abut parks, open space, environmentally protected areas, natural wooded areas, stormwater management facilities, any other lands/blocks owned by the Municipality and any other areas as required by the Municipality, at the sole cost of the Owner.



44. \*Tight board privacy fencing shall be installed where residential lands abut commercial lands, existing residential properties, walkways, and/or other areas as required by the Municipality, at the sole cost of the Owner.
45. \*Acoustic fencing shall be installed as per the applicable Acoustical Report recommendations, at the sole cost of the Owner.
46. \*Prior to final approval, the Owner shall submit to the Municipality a traffic impact study indicating the anticipated traffic volumes generated by the subdivision and their impact upon the proposed road network and proposed intersection with 27/28 Sideroad and Highway 26. The study shall identify any additional works that may be required to deal with traffic impacts and shall carry out the recommendations and measures of the study at the Owner's sole cost.
47. \*The Owner shall be required to upgrade Sideroad 27/28 to urban municipal standards from the westerly limit of the plan to the extent of the intersection with Highway 26, at the sole cost of the Owner, to the satisfaction of the Municipality.
48. \*The Owner shall agree in the subdivision agreement that every seventh (7th) lot shall be left unbuilt as a fire break in the development.
49. \*The Owner shall coordinate the preparation of an overall utility distribution plan to the satisfaction of all applicable utility authorities, including but not limited to gas, hydro, telecommunications and the Municipality. The plan shall include signoff of all applicable utility companies.
50. \*Prior to final approval, the Owner shall provide confirmation to the Municipality that satisfactory arrangements, financial or otherwise, have been made with the necessary utility companies for any facilities serving this draft plan of subdivision.
51. \*The Owner shall agree to design, purchase materials and install a street lighting system, compatible with the existing and/or proposed systems in the surrounding plans, all in accordance with the Township's Engineering Standards, including but not limited to being Dark Sky Compliant.

### Parkland, Trails & Open Space

52. All public spaces are to be developed and conveyed to the Municipality, to municipal standards and free and clear of encumbrances.
53. \*5% cash-in-lieu for parkland is to be provided to the Municipality.
54. \*Prior to final approval, the Owner shall submit a plan, prepared by a qualified landscape architect, of the park being dedicated or developed, showing the location, description and caliper of trees being proposed for planting, walkways/paths, which shall be fully accessible, fencing, playground equipment (quality and type), lighting, parking, etc., for review and acceptance by the Municipality.
55. \*The Owner shall agree in the subdivision agreement to provide hydro, water, sanitary and storm services to the inside edge of the park, through the park, or to a location within the park, to the satisfaction of the Municipality, at no cost to the Municipality.
56. \*The Owner shall agree in the Subdivision Agreement to provide adequate parking facilities to service the park, to the satisfaction of the Municipality, at the sole cost of the Owner.
57. \*The Owner shall agree in the subdivision agreement not to store topsoil, fill, or any building materials, etc. on the lands being dedicated for parkland which would prevent the early development and/or resident use of the dedicated parkland area.

58. \*The Owner shall agree in the subdivision agreement that all lands to be conveyed to the Municipality for park purposes are to be graded and provided with seeding and/or sodding as applicable for adequate drainage to the satisfaction of the Township's Public Works Department prior to the issuance of the first occupancy for the phase in which the park is located.
59. \*The Owner shall agree in the subdivision agreement the process for which the park infrastructure will be constructed, whether in partnership with the Municipality or providing fine grading and surface treatment of the park for dedication.
60. \*Where the Owner and the Township determine that the Owner will develop the park block(s), the Owner shall agree that the design, securities and construction for the park(s) will be addressed through a park development agreement.
61. \*Prior to final approval, the Owner shall submit a trails plan to the Municipality for approval.
62. \*All trails are to be developed/constructed to municipal standards and conveyed to the Municipality at the sole cost of the Owner and free and clear of encumbrances.

### Environmental Protection & Sustainability

63. \* Prior to final approval and any site alteration, the Owner shall submit a tree assessment report, including an inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation or remedial planting. The Owner shall agree to undertake the measures identified in the accepted report.
64. \*The tree protection plan is to be implemented throughout development of the Plan.
65. \*The Owner shall agree in the subdivision agreement to address dead, dying or hazardous trees within all open space, trail blocks, park blocks and general wooded areas until assumption of those blocks by the Municipality.
66. \*A construction waste and stockpile management plan are to be prepared and implemented through development of the Plan.

### Urban Design & Architectural Control

67. \*An architect acceptable to the Municipality shall be retained for the purposes of preparation of an architectural control plan. Such firms shall be qualified to take on such work and have demonstrated experience in doing so. The architectural control plan shall have regard to the recommendations and concepts outlined in the design policies of the Official Plan, in effect at the time, and any published design guidelines of the Municipality. The architectural firm shall be retained for these purposes at the Owner's expense and shall perform all services to the satisfaction of the Municipality acting reasonably and in good faith. Upon approval by the Municipality, these Guidelines will form part of the Subdivision Agreement and shall govern the development of all elements of the subdivision including those elements which are subject to further approvals. The Architectural Control Guidelines shall be administered at the Owner's expense on individual builders of the development by a Control Architect retained by and reporting to the Municipality. Prior to the issuance of a building permit, the Control Architect shall certify that the building plans for any building are consistent with the approved Guidelines.
68. \*Notwithstanding minimum front yard requirements generally established in the zoning by-law, staggered front yard depths shall be provided and this shall be incorporated into the architectural control plan.

69. \*A driveway location and control plan shall be prepared and submitted to the Municipality for approval.

### Ministry of Culture

70. An archaeological assessment of the entire development property shall be prepared and submitted to the Municipality and Ministry of Culture for the approval. Any impact on identified resources shall be mitigated, through preservation or resource removal and documentation. No demolition, grading or other soil disturbances shall take place on the subject property prior to the Municipality and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.

### Ministry of Transportation

71. That prior to final approval, the owner shall submit a detailed stormwater management report for Ministry of Transportation review and approval, in accordance with the following MTO drainage guidelines:  
<http://www.mto.gov.on.ca/english/publications/drainage/stormwater/index.shtml>
72. That prior to final approval, the owner shall submit detailed site grading / servicing / drainage / electrical (including photometric) plans for Ministry of Transportation review and approval.
73. That prior to final approval, the owner shall submit to the Ministry of Transportation for review and approval a traffic impact study to assess site impacts on Highway 26, and ensure that appropriate mitigation, if required, is provided for by the owner.
74. That prior to final approval, the owner shall enter into a legal agreement with the Ministry of Transportation whereby the owner agrees to assume financial responsibility for the construction of all associated highway improvements, if required.
75. Block 146 / Road Widening is no longer part of the plan, as MTO has acquired already the widening needed for the intersection signalisation project at Highway 26 / 27/28 SR. Future plans for this subdivision should show the new property line, as per limits of Part 1 on attached Plan P-1904-0316.
76. Please note also that the new MTO limits along 27/28 SR extend into Block 148 on the draft plan. If the municipal intersection of 27/28 SR is approved and built where shown on this draft plan, MTO would not want to own any part of this intersection, and so might eventually want to transfer the sliver of widening extending into intersection visibility triangle (note that there is typically a cost associated with MTO transfers of property).
77. The land transfer of the sliver of widening can be reviewed further when MTO receives / approves the TIS update that will be required for this draft plan, and the location and configuration of the intersection of 27/28 SR and Patterson St. have been confirmed.
78. The TIS will address items in the email of August 29, 2019, particularly in terms of TIS update being required to address potential intersection spacing concerns along 27/28 SR, as well as potential impacts on the Highway 26 / 27/28 SR intersection.
79. Please provide the design of the Highway 26 right – in only access to the Commercial Block 136 in relation to design of recently reconstructed Highway 26 / 27/28 SR intersection and design required for future southbound left turn lane to the future subdivision on the east side of Highway 26 (7662 Highway 26 / Emerald Creek Estates draft plan; see attached 2022 email). Please note also that MTO design standards require that the right – in access on Highway 26 include a median island.

## County of Simcoe

80. \*Prior to final approval, the Owner shall submit to the satisfaction of the Township of Clearview and the County of Simcoe a copy of the proposed M-Plan which shows the following:

- A 5.25m road widening across the frontage of the property abutting 27/28<sup>th</sup> Sideroad Nottawasaga
- 15m x15m sight triangle blocks at each corner of proposed Streets "A" and "B" where they intersect with 27/28<sup>th</sup> Sideroad Nottawasaga

The road widening and sight triangle lands are to be dedicated to the Township of Clearview as public highway on the final plan, and transferred at the Township at no cost, free and clear of all charges and encumbrances.<sup>81</sup>.

81. \*At registration, the Owner shall transfer to the Township of Clearview at no cost, fee simple, unencumbered interest in a 0.3m reserve across the frontage of the property adjacent to 27/28<sup>th</sup> Sideroad Nottawasaga to the limit of the daylight triangles at Streets "A" and "B".
82. \*That prior to final approval, the Owner shall submit the following to the satisfaction of the County:
- Detailed Stormwater Management Report;
  - Detailed Stormwater Management Pond Landscaping Plan;
  - Grading and Drainage Plan;
  - Servicing Drawings;
  - Traffic Impact Study;
  - Road Improvement Drawings; and
  - Erosion and Sedimentation Control Plan
83. \*For those lots/blocks abutting 27/28<sup>th</sup> Sideroad Nottawasaga, the zoning by-law amendment shall include a provision requiring all permanent buildings and structures to be located or installed a minimum of 10 metres from the limit of the widened 27/28<sup>th</sup> Sideroad Nottawasaga right-of-way.
84. \*For all proposed residential land uses within 300 metres of the railway right-of-way, the applicant shall prepare a noise study to the satisfaction of the Township of Clearview and County of Simcoe and shall undertake appropriate measures to mitigate any adverse effects from noise that would be generated by an active railway, similar to the BCRY service that was in operation up to 2011.
85. \*For all proposed residential land uses within 75 metres of the railway right-of-way, the applicant shall prepare a vibration study to the satisfaction of the Township of Clearview and County of Simcoe and shall undertake appropriate measures to mitigate any adverse effects from vibration that would be generated by an active railway, similar to the BCRY service that was in operation up to 2011.
86. \*The Owner shall agree in the Subdivision Agreement to insert a clause in all Agreement of Purchase and Sale advising potential purchasers of those lots/blocks/units that are located in proximity to the railway corridor of the potential for noise and vibration nuisances resulting from existing or future railway operations as identified in the approved Railway Noise and Vibration Study, to the satisfaction of the Township of Clearview and County of Simcoe.
87. In accordance with the Federation of Canadian Municipalities and The Railway Association of Canada's 'Guidelines for New Development in Proximity to Railway Operations', the County will require a 30 metre setback from the railway corridor to any new residential building, measured from the lot line of the rail corridor. Where the 30m setback is not viable based on-site constraints, a reduced setback may be

considered where a Development Viability Assessment has been undertaken to assess the viability of the site for development and implement appropriate mitigation measures to address the potential impacts of building near a railway operation. If an assessment indicates that a reduced setback is acceptable with any recommended mitigation measures to account for potential noise, vibration and safety impacts to the satisfaction of the County, then the County would consider a reduced setback based off of that evaluation and implementation of recommended mitigation.

88. The Owner/Developer shall agree in the Subdivision Agreement, in wording satisfactory to the County of Simcoe that the County is not required to provide waste collection service to the municipal roads until such time as the municipality assumes the roads. The County may, however, commence waste collection services on a municipal road once some level of residency begins and prior to the municipality assuming a road, subject to a request being made and regular access being available on the road. The Owner/Developer acknowledges that should municipal road access be blocked due to road construction, parked vehicles, insufficient snow removal, etc., service disruptions will occur, and the Owner/Developer will be responsible for providing waste collection services.
89. The County is not required to provide waste collection services on private roads. The County is also not mandated to service multi-residential properties with more than 5 units unless they are freehold. This may apply to Blocks 120, 128, and 129 of the Draft Plan.
90. The County may be able to provide waste collection services where the private road has been designed and constructed in accordance with the requirements of the County of Simcoe Multi-Residential & Private Road Waste Collection Policy and waste collection design standards, to the satisfaction of the County of Simcoe. Provision of waste collection services is contingent upon the private condominium road being built according to the engineering plans approved by the County and is subject to an application for waste collection services being approved by the County Solid Waste Management Department. If the application for waste collection services is not approved by the County, it will be the responsibility of the Condominium Corporation to arrange for waste collection services for all units adjacent the Private Laneway shown on the Draft Plan (Blocks 130-135) through a private contractor, to be paid for by the Condominium Corporation. If the application is approved by the County, the condominium road is to be regularly maintained in such a manner that provides for safe and regular waste collection vehicle access/egress. The individual lot/unit owner and/or Condominium Corporation acknowledges that should road access be blocked due to road construction, parked vehicles, insufficient snow removal, etc., the County reserves the right to decline services or disrupt service until such time as the problem is addressed. The individual lot/unit owner and/or Condominium Corporation will be responsible for arranging and paying for private waste collection services until such time as the County has confirmed that the access restriction has been satisfactorily remedied.
91. The County is not mandated to provide waste collection services to commercial properties, as shown in Block 136. However, County Council has directed that where commercial properties wish to receive County service and the County's design standards are met, service may be provided at an equal level to one residential unit.
92. All dead-ends (including temporary) within a development must have a "P" or "T" style turnaround area that allows functional maneuvering and travel for County vehicles. Collection vehicles are not to reverse more than 20 metres (from front wheel to front wheel). All turns shall have a minimum 13 metre curb radius and the head of the T

shall be a minimum of 35 metres long, from paved edge to paved edge of the road or curb to curb. Snow must not be stored at either end of the T. Please consult the County for the design standard.

### Nottawasaga Valley Conservation Authority

93. Prior to any site alteration a permit under Ontario Regulation 172/06 shall be obtained from the Nottawasaga Valley Conservation Authority.
94. A copy of the reports referred to in condition H9 shall be provided to the Nottawasaga Valley Conservation Authority for their review and approval.
95. There shall be no clearing, grading or other landform alteration within the Environmental Protection Blocks. Prior to final approval the applicant shall submit a study outlining any grading and drainage alterations within 30m of the wetland boundaries and shall outline any required measures to prevent impact on the wetlands of such grading and drainage alterations. The study and mitigation measures must be approved by the Nottawasaga Valley Conservation Authority and Municipality and all such measures will be incorporated as works to be completed by the developer in the subdivision agreement.

Notwithstanding the submission of the preliminary stormwater management report which demonstrates that there is a feasibility of appropriately controlling the quantity and quality of stormwater for the proposed development, the final stormwater management report shall consider the most current accepted engineering methods for ensuring environmentally sound control of water quality and quantity in effect at the time of submission and as reviewed with the municipality, County of Simcoe, Ministry of Transportation and Nottawasaga Valley Conservation Authority.

The final stormwater management plan and works shall ensure that there are no detrimental impacts to adjacent or upstream and downstream lands and wetlands as a result of the development of the site and alterations to drainage and infiltration.

The recommendations of these reports shall be implemented as works to be carried out by the owner at the owners expense to the satisfaction of the Nottawasaga Valley Conservation Authority, County of Simcoe, Ministry of Transportation and municipality.

That the Owner shall agree in the Subdivision Agreement, in wording acceptable to the Nottawasaga Valley Conservation Authority, to carry out or cause to be carried out the recommendations and measures contained within the plans and reports set out above.

That the Owner shall agree in the Subdivision Agreement, in wording acceptable to the Nottawasaga Valley Conservation Authority, to ensure that all stormwater management facilities and sediment and erosion control measures will be in place prior to creation of impervious areas such as roads and buildings.

That the Owner shall agree in the Subdivision Agreement to engage a qualified professional to certify in writing that the works were constructed in accordance with the plans, reports and specifications, as approved by the Nottawasaga Valley Conservation Authority.

### Gas Utility Provider

96. \*The gas service provider shall confirm that satisfactory arrangements, financial and otherwise, have been made with them for any facilities serving this draft plan of subdivision which are required by the Township to be installed; a copy of such confirmation shall be forwarded to the Township.

97. \*All streets shall be graded to final elevation prior to the installation of the gas lines and the necessary field survey information required for the installation of the gas lines shall be provided, all to the satisfaction of the gas service provider.
98. \*All of the natural gas distribution system will be installed within the proposed road allowances so that easements shall not be required.

#### Communication/Telecommunications Provider(s)

99. \*The telephone service provider shall confirm that satisfactory arrangements, financial and otherwise, have been made with them for any facilities serving this draft plan of subdivision which are required by the Municipality to be installed underground; a copy of such confirmation shall be forwarded to the Township.

#### Hydro Service Provider

100. The hydro service provider shall confirm that satisfactory arrangements, financial and otherwise, have been made with them for any facilities serving this draft plan of subdivision which are required by the municipality to be installed underground; a copy of such confirmation shall be forwarded to the municipality.

#### Canada Post

101. \*Confirmation is to be received from Canada Post that the applicant has made satisfactory arrangements for the installation of community mailboxes. A copy of such confirmation shall be forwarded to the Municipality.
102. Concrete pads are to be provided for the placement of the community mailboxes, which shall be to the satisfaction of Canada Post and the Municipality. Additional facilities such as curb cuts, walkways, and paved lay-bys shall be provided as and when required by the Municipality.

#### School Boards

103. \*Simcoe County District School Board requires that all offers to purchase and sale shall include the following clauses:  
"Prospective purchasers are advised that the public schools on designated sites in the community are not guaranteed. Attendance at schools in the area yet to be constructed is also not guaranteed. Pupils may be accommodated in temporary facilities and/or directed to schools outside the area."  
"Prospective purchasers are advised that school bus pick up points will not be located within the subdivision until major construction activity has been completed."
104. \*Simcoe Muskoka District School Board requires that all offers to purchase, and sale shall include the following clauses:  
"Pupils from this development attending educational facilities operated by the Simcoe Muskoka Catholic District School Board may be transported to/accommodated in temporary facilities out of the neighborhood school's area".

#### Warning Clauses & Notices

105. \*The property title shall note such warning clauses as identified necessary by the Municipality and other relevant agencies including, but not limited to, notices relevant to such matters as noise, odours, dust, servicing conditions or restrictions, proximity of



public walkways and accesses, fencing, catchbasins and drainage, right of entry, future roads, and development charges.

106. \*The Owner shall agree in the Subdivision Agreement to insert a clause in all Agreements of Purchase and Sale advising potential purchasers of those lots/blocks/units that are located in proximity to the railway corridor of the potential noise and vibration nuisances resulting from existing or future railway operations as identified in the approved Railway Noise and Vibration Study, to the satisfaction of the Township of Clearview and County of Simcoe.

### Required Reports, Plans & Drawings

107. Notwithstanding any specific or more detailed reference made to required plans or drawings to be prepared and submitted for Municipal approved as set out in the above conditions, the following drawings and plans shall be prepared and submitted to the Municipality for approval (i.e. the following list is in addition to any of the specific or detailed requirements incorporated in the aforementioned conditions as applicable):

- M-Plan and R-Plan;
- General Servicing;
- Overall Water Distribution Plan;
- Overall Sanitary Drainage Plan;
- Overall Lot Grading Plan;
- Plan/Profile Drawings;
- Traffic Control and Signage Plan;
- Stormwater Management Plan;
- Trails Plan;
- Tree Inventory and Preservation Plan;
- Fire Lot Control Plan;
- Composite Utility Plan;
- Photometrics Plan;
- Landscape Plans;
- Driveway Location and Control Plan;
- Phasing Plan; and
- Standard Details.

108. Notwithstanding any specific or more detailed reference made to required reports to be prepared and submitted for Municipal approval as set out in the above conditions, the following reports shall be prepared and submitted to the Municipality for approval (i.e. the following list is in addition to any of the specific or detailed requirements incorporated in the aforementioned conditions as applicable):

- Functional Servicing Report;
- Final Stormwater Management Report;
- Erosion and Sediment Control Plan;
- Hydrogeological Report;
- Geotechnical Report;
- Final Traffic Impact Study;
- Archaeological Report;
- Construction Waste and Stockpile Management Plan.

109. The Owner shall provide the Municipality with a copy of any application, drawing, report or agreement submitted to another agency for the purposes of clearing or satisfying these conditions of draft plan approval.

### Miscellaneous

110. A sign is to be prepared and erected within the limits of the Plan to the satisfaction of the Municipality depicting the approved Plan of Subdivision and zoning, within 90 days



of the date of Draft Plan Approval. This sign shall stipulate that the approval is conditional, and that no development shall be permitted until final approval has been granted and that no building permits shall be issued until requirements of the subdivision agreement have been met.

## Clearance Letters

111. Prior to the final approval being given by the Township of Clearview the Municipality must receive a clearance letter from the following agencies indicating how conditions applicable to their authority have been completed to their satisfaction.

Clearance is required from the following:

- Nottawasaga Valley Conservation Authority (conditions 93 and 95);
- Simcoe Muskoka Catholic District School Board (condition 104);
- Simcoe County District School Board (condition 103);
- Telecommunications Service Provider (condition 99);
- Gas Utility Provider (conditions 96 to 98);
- Hydro Service Provider (condition 100);
- Canada Post (conditions 101 to 102);
- County of Simcoe (conditions 80 to 92);
- Ministry of Culture (condition 70); and,
- Ministry of Transportation (conditions 71 to 79).

112. If agency conditions are incorporated into the subdivision agreement, a copy of the draft agreement should be sent to them. This will expedite clearance of the final plan. The Nottawasaga Valley Conservation Authority must receive a copy of the executed subdivision agreement prior to the clearance of the draft plan conditions.

113. Please be advised that the approval of this draft plan will lapse two (2) years after the date the plan is draft approved. This approval may be extended pursuant to subsection 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 years of the draft approval date, and no extensions have been granted, draft approval will lapse under Section 51(32) of the Planning Act, R.S.O. 1990. If the owner wishes to request an extension to draft approval, a written request and explanation must be received by the Clerk of The Corporation of the Township of Clearview ninety (90) days prior to the lapsing date. A processing fee, in effect at the time of the request, will apply.

## Draft Approval Notes

114. It is the applicant's responsibility to fulfill the conditions of the draft approval and to ensure that the required clearance letters are forwarded to the Township of Clearview.
115. Prior to initiating clearance of conditions and first submission of final design, the applicant and their consultants shall attend a consultation meeting with the Township to review the proposed development and municipal requirements and standards.
116. MTO Building & Land Use permits are required for all lots within 45m of Highway 26 property limits and within a 395m radius of any intersection with Highway 26. MTO permits are also required prior to site grading / servicing / internal road construction, and for site signs; an MTO Encroachment permit is required for any works proposed within Highway 26 limits.
117. All structures (above and below ground), including land uses considered integral to site operations must be setback a minimum of 14m from Highway 26 limits.

118. We suggest you make yourself aware of section 144 of the Lands Titles Act and subsection 78(10) of the Registry Act. Subsection 144(1) of the Land Titles Act requires that a plan of subdivision of land that is located in a land titles division be registered under the Land Titles Act. Exceptions to this provision are set out in subsection 144(2). Subsection 78(10) of the Registry Act requires that a plan of subdivision of land that is located only in a registry division cannot be registered under the Registry Act unless that title of the owner of the land has been certified under the Certification of Titles Act. Exceptions to this provision are set out in clauses (b) and (c) of subsection 78(10).
119. The Township will register the plan, including any approved phases thereof, and the subdivision agreements(s) as provided by subsection 51(26) of The Planning Act R.S.O. 1990 against land to which it applies, as notice to prospective purchasers.
120. The Township of Clearview will require the final plan of subdivision registration plans be submitted as follows:
  - 4 sets of mylars
  - 4 sets of paper prints (1 with AOLS stickers)
  - 1 computer disc (contact the Township for required format).
121. The final plan approved by the Township of Clearview must be registered within 30 days or the Township will withdraw its approval under subsection 51(59) of the Planning Act, R.S.O. 1990.
122. All measurements in subdivision final plans must be presented in metric units.
123. If agency draft plan conditions concern conditions within the Subdivision Agreement, a copy of the Agreement should be sent to them. This will expedite the clearance of the final plan.
124. Please be advised that the approval of this draft plan will lapse on July 8, 2026. This approval may be extended pursuant to subsection 51(33) of the Planning Act, but no extension can be granted once the approval has lapsed.
125. If final approval is not given to this plan within two (2) years of the draft approval date, and no extensions have been granted, draft approval will lapse under subsection 51(32) of the Planning Act, R.S.O. 1990. If the Owner wishes to request an extension to draft approval, a written explanation, together with a resolution from Council, must be received by the Approval Authority sixty (60) days prior to the lapsing date.
126. Please note that an updated review of the plan, and revision of the conditions of approval, may be necessary if an extension is to be granted.
127. The Final Plan approved by the Approval Authority must be registered within 30 days or the Approval Authority may withdraw its approval under subsection 51(32) of the Planning Act, R.S.O. 1990, as amended.
128. Subject to the conditions set forth above, this Draft Plan is approved under Section 51 of the Planning Act R.S.O 1990, Chapter 13, as amended.