



Conditions of Draft Plan Approval

File No.:	2025-059 (Parent File:2023-015-SD and 2006-003-SD)
Owner:	Nottawa Limited Partnership
Approval Date:	October 20, 2025
Lapsing Date:	October 20, 2030
Extension Date:	October 26, 2025
Draft Plan Details:	Draft Plan of Subdivision drawn by MHBC, Planning, Urban Design and Landscape Architecture dated May 25, 2009, revised November 18, 2009, and revised March 8, 2011.

Basis of Approval

Plan Number & Purpose of Lots/Blocks

Land Use	Lots/Blocks	Area (ha)	Units
Residential Lots	1-192	12.541	192
Condominium Residential Blocks	193-195	13.541	0
Residential Condominium Units			278
Mixed Use	196-199	5.604	0
Residential Condominium Units			30
Rural/Rural-Industrial/Open Space	200	19.840	0
Open Space	201	17.241	0
Park	202	2.609	0
Walkways	203-207	0.175	0
Drainage	208-211	0.381	0
Drainage/Trail	212-216	3.224	0
Stormwater Management Facility	217	6.338	0
Future Development	218	0.011	0
0.3m Reserve	219	0.001	0
Streets	'A-E'	7.603	0
Total		89.109	500

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: [Click or tap to enter a date.](#)

Doug Measures, Mayor

Sasha Helmkey-Playter, 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

1. That this draft approval shall lapse if Final Approval is not given to this Plan within five (5) years of the draft approval date, and no extensions have been granted.
2. 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.
3. 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.
4. The Owner shall enter into a front-ending, pre-servicing, site preparation, development and/or other necessary agreements, satisfactory to the municipality or any other appropriate authority before any development site alteration within the Plan. These agreements may deal with matters including, but not limited to, the following:
 - a. Engineering and conservation works which include municipal services;
 - b. Professional services including preparation of reports, plans, inspections, certifications and approvals;
 - c. Hydro and other utilities;
 - d. Stormwater management, sediment and erosion control;
 - e. Storm and sanitary sewers and watermain construction;
 - f. Access locations, road widening and reconstruction;
 - g. Monitoring wells;
 - h. Securities, letters of credit, bonds, cash contributions and Development Charges;
 - i. Land dedications, easements and reserves;
 - j. Fencing, berming, buffer blocks, noise abatement and plantings;
 - k. Grading and sodding, signed entry features;
 - l. Warning clauses;
 - m. Parkland including playground infrastructure and related amenities, tree preservation and hoarding; and
 - n. Construction access.

The details of which are indicated in correspondence from appropriate commenting agencies and departments.

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. 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.
7. 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.
8. 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.
9. 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.

10. 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 landowner 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.

11. 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 Engineer.
 - c) The Owner shall agree as part of the Development Agreement that vibration levels shall be measured by the Owner's Engineering 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.
12. This draft approval is conditional upon OPA No.10 receiving approval to amend the Township of Clearview Official Plan 2001. Should OPA No. 10 not be approved, this draft plan approval shall lapse 20 days after the date of notice of refusal or the notice of decision to not approve OPA No. 10.
13. 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.

14. 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.
15. Development of the Plan may occur in phases 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.
16. Phasing 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 plan must outline any necessary temporary works which may be required, including, but not limited to, utilities and municipal services, turning circles or alternative road endings, signage, fencing and landscaping. The phasing plan shall also provide for any additional temporary easements or conveyances necessitated to provide 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 securities are provided.

Financial & Administrative

17. All municipal and agency 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 the 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 applicability, 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 on the Draft Plan as Streets "A" to "E" on the shall be conveyed to the municipality, at the Owner's expense, free and clear of encumbrances.
25. Such easements or blocks as may be required for utility, stormwater management, drainage, parkland, a community facility and other construction purposes shall be conveyed to the municipality, and to other appropriate agencies or authorities, to their satisfaction, at no cost and free and clear of all encumbrances. This shall include all conveyances described herein and any additional conveyances which may be identified as a result of further plans and studies or necessitated to facilitate development of the lands.
26. Any dead ends and open sides of road allowance created by this Draft Plan shall be terminated in 0.3 metre reserves to be conveyed to and held, in trust, by the municipality.
27. Any necessary Blocks for stormwater management, drainage purposes, water and sewage servicing facilities (reservoirs and pumping stations), etc. shall be conveyed to the municipality free and clear of encumbrances to the satisfaction of the municipality.
28. A road widening varying in width from 3m to 8m along frontage of County Road 124, providing an 18m right-of-way from road centreline shall be conveyed to the County of Simcoe for road widening purposes, free and clear of all encumbrances.
29. 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.
30. 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.
31. Walkway Blocks 203-207 are to be adjusted to an 8 m width with corresponding reductions in width and frontages of adjacent lots.
32. Street 'A' shall be modified to a width of 26 m from County Road 124 to lot 134 with corresponding adjustments to the boundaries of Blocks 195 to 195 and 215.
33. The Wagner Road extension shall be converted to a block, of the same dimensions, for dedication to the municipality as parkland and walkway. The walkway shall link Street 'B' to Blackburn Avenue.

Further Approvals

34. The lands shall be appropriately zoned for the proposed residential and mixed use development, stormwater management and drainage areas, and parkland.
35. The stormwater management areas have been restrictively zoned so as to not permit development other than for flood and erosion control works, or conservation or recreational uses. A copy of the adopted zoning by-law is to be provided to the Nottawasaga Valley Conservation Authority.
36. Blocks 196 to 199 shall be subject to a Hold symbol (H) which shall be established through the passing of an amendment to the Zoning By-law. The conditions for removal of a Hold symbol (H) may include:

- a. The submission for municipal approval of a comprehensive planning study that provides for mix-use retail, office space and residential development; establishes a streetscape design; establishes architectural control requirements; and provides an integrated landscaping plan with a public open-space and entrance feature;
 - b. The submission and approval of a site plan and entering into a site plan agreement with the municipality.
37. The development of Blocks 193 to 199 shall be subject to the design policies, zoning requirements and design guidelines and standards of the municipality in effect at the time of further applications being made for their development.
38. Where the Owner proposes to proceed with the construction of a model home(s) and sales pavilion, prior to registration of the Plan, the Owner shall, enter into a Model Home/Sales Pavilion Agreement with the Municipality, setting out the conditions and shall fulfill relevant conditions of that agreement, prior to the issuance of a building permit(s).
39. The Owner shall agree that the model homes will comply with the approved Architectural Control Document and comply with the approved zoning on the lands.
40. The Owner shall agree that as part of the final subdivision approval the draft M-Plan will be updated and submitted for review and approval.

Required Municipal Services

41. Sanitary sewer allocation arrangements with the Town of Collingwood, must be finalized to the satisfaction of the Township of Clearview and the Town of Collingwood (where servicing is to be provided by the Town of Collingwood by an agreement entered into by the Township of Clearview). Alternatively, full municipal or communal sewage and water treatment systems must be provided to the satisfaction of the municipality.
42. 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.
43. Sanitary sewer and water supply arrangements must include over-sizing to the satisfaction of the Township of Clearview at the cost of the Owner. The subdivision agreement shall establish a basis for over-sizing cost recovery on a basis satisfactory to the Township of Clearview where over-sized services are utilized within a specific time-frame as established in such an agreement. The Township of Clearview shall not be obligated in the agreement, or as a result of this approval, to utilize or compensate for over-sized services. As indicated in condition 15, servicing may be allocated to approved phases of development upon registration and provision of securities for the phase to which services are allocated.
44. Prior to final approval, an overall Servicing Plan shall prepared and submit for approval of the municipality by the Owner.
45. 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.

46. 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.
47. 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.
48. 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 coincide with the pattern and layout of abutting developments, to the satisfaction of the Municipality.
49. Sidewalks, and trails shall be designed and constructed in accordance with the Municipality's Engineering Standards in effect at the time of detail design. Sidewalks shall be located as per the Township's Engineering Standard road cross-sections in effect at the time of detailed design.
50. The Owner agrees to provide a sidewalk along the east side of County Road 124 from the south limit of the development to the north limit of the development.
51. The Owner further agrees that internal walkways and trails shall provide linkages through required external improvements to the satisfaction of the municipality to link Blackburn Avenue and Street "B" and to link the development to the Nottawa Elementary Public School.
52. 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.
53. 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, and any other lands/blocks owned by the Municipality, and any other areas as required by the Municipality, at the sole cost of the Owner.
54. Tight board privacy fencing shall be installed where residential lands abut commercial lands, existing residential properties, walkways, and/or any other areas as required by the Municipality, at the sole cost of the Owner.
55. Acoustic fencing, if required, shall be installed as per the applicable Acoustical Report recommendations, at the sole cost of the Owner.
56. The development of Blocks 196 to 199 shall include a requirement to provide a public open space and entrance amenity to the satisfaction of the municipality in those blocks.
57. The Owner shall submit to the municipality for review and approval, a final traffic impact study indicating the anticipated traffic volumes generated by the subdivision and their impact upon the proposed road network and proposed intersections with County Road 124. The study shall identify any additional works that may be required to deal with traffic impacts, as a result of the development, and such requirements, as established to the satisfaction of the municipality, shall be incorporated in the works to be conducted at the Owner's expense. All road improvement requirements shall be incorporated into the subdivision agreement.

58. The Owner shall agree to construct all roads to an urban standard, in keeping with the Township's Engineering Standards in effect at the time of detailed design.
59. The Owner shall agree in the subdivision agreement that every seventh (7th) lot shall be left unbuilt as a fire break in the development.
60. 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.
61. 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
62. All costs associated with plant or infrastructure relocations caused directly or indirectly by this development shall be borne by the Developer.
63. 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. All street and public lighting fixtures shall be dark-sky compliant.

Parkland, Trails & Open Space

64. All public spaces to be dedicated to the municipality are to be developed and conveyed to the municipality to municipal standards and free and clear of encumbrances.
65. Blocks 201 and 202 shall be improved to the standards and requirements established by the municipality and conveyed to the municipality for parkland in order to satisfy parkland dedication requirements.
66. Notwithstanding the above conveyance, the development of Blocks 193 to 199 shall also provide open space amenities to the satisfaction of the municipality, to be determined during further approvals of those blocks.
67. Prior to final approval, the Owner shall submit a plan(s), prepared by a qualified landscape architect, of the park being dedicated or developed, showing the location, description and caliber 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.
68. Prior to final approval, Landscaping plans are to be prepared and submitted to the municipality for review and acceptance. This shall include landscaping design elements and a tree planting plan for roads/boulevards, trails, stormwater management areas, and any other public/open spaces within the Plan.
69. A separate plan(s) shall be prepared by a qualified landscape architect, for the development of Blocks 193 to 199 at the time of further approvals for the development of those lands and this requirement shall be incorporated into the subdivision agreement.
70. A trails plan is to be prepared by a qualified landscape architect and submitted to the municipality for review and acceptance. All trails are to be developed to municipal standards in effect at the time of detailed design and conveyed to the municipality free and clear of encumbrances.
71. 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.

72. 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.
73. 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.
74. 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.
75. 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.

Environmental Protection & Sustainability

76. 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.
77. 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 the assumption of those blocks by the Municipality.
78. An environmental management plan is to be prepared and submitted to the municipality for review and acceptance. This environmental management plan will identify all habitat and environmental features and functions and recommend enhancement, rehabilitation and restoration measures to the satisfaction of the municipality and the Nottawasaga Valley conservation Authority with respect to stream and fish habitat management, groundwater seeps, wetlands, amphibian habitat, woodlands and significant wildlife habitat. All required enhancement, restoration and rehabilitation measures shall be incorporated in the subdivision agreement and, if necessary for the purposes of environmental features protection, the draft plan shall be modified by red-line revision prior to final approval. The report shall be prepared and assessed for approval on the basis of a net environmental gain approach.
79. A construction waste and stockpile management plan are to be prepared and implemented through development of the Plan.
80. The Owner shall agree in the Subdivision Agreement to prepare and implement a construction management plan to the satisfaction of the Municipality prior to any site works or site alteration and shall provide updates for the entire construction process through to issuance of the completion certificate. This plan shall be the Owner's responsibility to implement at their sole cost and shall include at a minimum the following:
 - a) Central coordinating contact and tracking for all community complaints and respective responses;
 - b) Trades communication and enforcement plan;

- c) Project phasing, staging, periods of activity and operating hours including peak times and types of activity;
 - d) Parking for trades and deliveries;
 - e) Traffic protection plan for vehicular and pedestrian traffic in accordance with OTM Book 7;
 - f) Material delivery loading areas, coordination and enforcement;
 - g) Office space (construction trailer);
 - h) Working hours;
 - i) Debris (garbage);
 - j) Noise and dust control;
 - k) Importation and exportation of fill or surplus material, in accordance with O.Reg. 406/19 (as amended);
 - l) Site access and egress;
 - m) Communications plan for providing notification to and addressing concerns of:
 - a. Immediately adjacent residents;
 - b. Adjacent residents;
 - c. The broader community who may have questions about the development;
 - d. Purchasers/New homeowners;
 - n) Impact mitigation plan for residents affected by off-site servicing; and,
 - o) A contingency plan that addresses any additional impacts to private or municipal property not foreseen in the construction management plan including notification, compensation and conflict resolution provisions as may be appropriate.
81. The Owner shall further agree in the Subdivision Agreement that if in the opinion of the Municipality, the Owner fails to implement the Construction Management Plan and/or fails to update the Construction Management Plan to address concerns raised by the Municipality, the Municipality reserves the right to draw upon securities held as part of the subdivision or any other development agreement the Owner has entered into with the Municipality, to implement the provisions of the Construction Management Plan and/or rectify the concerns for lands owned and not owned by the Municipality. Any amounts drawn from securities for such implementation shall be replaced within 30 days. The Municipality shall seek full cost recovery plus appropriate administration fees and disbursements for all efforts as a result of the Owner's failure to perform.
82. The Owner shall agree in the Subdivision Agreement that a single construction access shall be provided in a location approved by the Municipality and shall be reflected on the applicable accepted for construction drawings.
83. The Owner shall agree in the Subdivision Agreement that siltation and erosion control measures will be maintained throughout construction, including maintenance/renewal of the mud mat to avoid tracking of mud onto the external roads at a frequency to the satisfaction of the Municipality
84. The Owner shall agree in the Subdivision Agreement that during construction of homes, the roads within and external to the development lands shall be kept clear of

excess debris/mud tracking and dust control provided. The roads are to be scraped of mud tracking on a regular basis and swept a minimum of once a week.

85. A hydrogeological report to assess ground water levels relative to establishing elevations for houses is to be prepared and submitted to the municipality for review and acceptance and shall be in keeping with the municipal engineering standards in effect at the time of detail design.
86. The Owner shall agree in the subdivision agreement that all disturbed 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 plans. The Owner agrees to topsoil and hydro-seed an 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.
87. A community garden plan shall be prepared for Block 200 identifying an area and facilities for a community garden to the satisfaction of the municipality. The community garden shall be established as a separate block which shall be dedicated to the condominiums and lot owners as common property for the purposes of a community garden. This shall include provisions that the community garden shall be maintained by the condominium corporations but shall be open to the residents of the development/community. This may provide for a reasonable use fee (limited to a proportional share of maintenance costs) for use by residents who are not members of the condominium corporations.

Urban Design & Architectural Control

88. The Owner shall agree that 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.
89. 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.
90. A driveway location and control plan shall be prepared and submitted to the Municipality for approval.

Agency Approvals & Requirements

Ministry of Culture and Heritage

91. An archaeological assessment of the entire development property shall be prepared and submitted to the municipality and Ministry of Culture for 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 resources concerns have met licensing and resource conservation requirements.

92. The Owner shall dedicate a block, to the satisfaction of the municipality, for a community facility in Block 197, 198 or 199. This may be a condition of a final approval or may be incorporated into the subdivision agreement at the determination of the municipality upon negotiation of the subdivision agreement.

County of Simcoe

93. A road widening varying in width from 3 m to 8 m along the frontage of County Road 124, providing an 18 m right of way from road centre shall be conveyed to the County of Simcoe for road widening purposes, free and clear of all encumbrances, with corresponding adjustments to the Blocks 196-199, 210, 211, 216, and 217.
94. A 0.3 m reserve is to be dedicated to the County of Simcoe across the entire frontage of County Road 124 (including daylighting triangles). Additional 0.3 m reserve blocks are required for Block 196, 197, 210, 211, and 212, along the entire lot lines of County Road 124.
95. A 15m X 15m daylight triangle on both sides of each intersection with County Road 124 is to be dedicated to the County of Simcoe free and clear of all encumbrances.
96. The owner shall enter into an agreement with the County of Simcoe with respect to the improvements required to County Road 124 for this development which shall be at the full cost of the owner.
97. A copy of the stormwater management report referred to in condition 8 shall be provided to the County of Simcoe for their review and approval as it relates to the drainage related to County Road 124.
98. The County of Simcoe Setback By-law No. 2840 requires that all above and below grade structures and buildings be located a minimum of 10 m from the nearest County road allowance, unless otherwise approved by the municipality and County of Simcoe. This includes ponds, stormwater facilities and associated structures.
99. The Owner shall submit to the County of Simcoe for their review and approval, a final traffic impact study indicating the anticipated traffic volumes generated by the subdivision and their impact upon the highway, including recommendations for widening and intersection improvements.
100. A southbound left turn lane will be required on County Road 124 at both of the proposed intersections and shall consist of 50 m of storage, a 40m parallel lane and a 115m taper lane.
101. A northbound right turn lane will be required on County Road 124 at both of the proposed intersections and shall consist of an 45m parallel lane and a 60m taper lane.
102. The traffic study submitted to satisfy condition 96 may identify additional intersection improvements to be undertaken by the Owner at their expense and such requirements shall be included in the subdivision agreement. Regardless of the requirements established in the review and approval of this study, underground duct work for future traffic signals must be included in the intersection improvements design and construction.

103. All entrances to commercial properties shall be from local roads. Not entrances to the county road shall be permitted.

Nottawasaga Valley Conservation Authority (NVCA)

104. Prior to any site alteration a permit under Ontario Regulation 172/06 shall be obtained from the Nottawasaga Valley Conservation Authority.
105. The Owner shall obtain any necessary authorization from the Department of Fisheries and Oceans for any harmful alteration, disruption or destruction of fish habitat.
106. Prior to any site alteration, the following shall be prepared to the satisfaction of the Nottawasaga Valley Conservation Authority, County of Simcoe and the municipality:
 - a. a detailed Storm Water Management Report;
 - b. a detailed Erosion Control Plan;
 - c. a detailed Grading Plan;
 - d. a detailed landscaping plan for the storm water ponds and drainage corridor blocks;
 - e. a detailed geotechnical report for the storm water ponds;
 - f. a detailed channel design for the drainage corridor blocks; and,
 - g. a Construction Staging/Phasing Plan

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 and Nottawasaga Valley Conservation Authority.

This shall include, but not be limited to, details regarding: natural channel design; stormwater management including plunge pools/bioswales; and a reduced culvert length near the upstream end of the stormwater facility.

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

The draft plan, if necessary, shall be revised through red-line revision to the satisfaction of the Nottawasaga Valley Conservation Authority and municipality to give full effect to any recommendations of the above studies. This may include, but not be limited to, altered drainage corridor and stormwater management blocks.

The recommendations of these reports shall be implemented, through requirements of the subdivision agreement, as works to be carried out by the Owner at the Owner's expense to the satisfaction of the Nottawasaga Valley Conservation Authority, County of Simcoe and municipality.

107. Proper erosion and sediment control measures will be in place prior to any site alteration. All major stormwater management facilities shall be in place prior to the creation of impervious features such as roads and buildings.
108. All major storm water management facilities (e.g. storm water ponds) must be in place prior to the creation of impervious areas such as roads and buildings.

Simcoe County District School Board

109. That the owner(s) agree to enter into a servicing agreement with the SCDSB, to connect the school to full municipal services, to the satisfaction of the SCDSB.
110. That the owner(s) agree in the Agreement to include in all offers to purchase and sale a statement advising prospective purchasers that accommodation within a public school in the community is not guaranteed and students may be accommodated in temporary facilities; including but not limited to accommodation in a portable classroom, a "holding school", or in an alternate school within or outside of the community
111. That the owner(s) agree in the Agreement to include in all offers to purchase and sale a statement advising prospective purchasers that if school buses are required within the development in accordance with Board Transportation policies, as may be amended from time to time, school bus pick up points will generally be located on the through street at the location as determined by the Simcoe County Student Transportation Consortium.
112. Sidewalks and walkways designed to the satisfaction of the Township of Clearview will be provided within the Plan of connect to existing walkways accessing the Nottawa Elementary School.

Simcoe Muskoka Catholic District School Board

113. All offers to purchase, and sale shall include the following clauses:
 - a. "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 neighbourhood school's area."

Gas Utility Provider(s)

114. 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.
115. 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.
116. All of the natural gas distribution system will be installed within the proposed road allowances so that easements shall not be required. Where not possible, or where services are provided in condominiums, easements shall be provided at no cost to Enbridge Gas Distribution Inc.
117. The Owner agrees to provide gas provider the necessary easements at no cost and/or agreements required by the gas provider for the provisions of local gas services for this project, in a form satisfactory to the gas provider.

Communication/Telecommunication Provider(s)

118. Bell Canada 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.

119. The Draft Plan of Subdivision shall be amended prior to final approval to provide a 8m X 8m facility easement with a precise location established to the satisfaction of the Township of Clearview and Bell Canada.
120. Prior to commencing development, the Developer must confirm that sufficient wire-line telecommunication infrastructure is available within the proposed development to provide telecommunication service to the proposed development. In the event that such infrastructure is not available, the developer may be required to pay for the connection to and/or extension of the existing telecommunications infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing telecommunication infrastructure, the developer shall be required to demonstrate to the municipality that sufficient alternative telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e. 911 Emergency Services).
121. Bell Canada requires one or more conduits of sufficient size from each unit to room(s) in which telecommunications facilities are situated and one or more conduits from room(s) in which the telecommunications facilities are located to the street line.
122. The Developer shall authorize Rogers Cable standard Letter of Understanding. The Developer shall be responsible for securing all necessary easements/right-of-ways over condominium property at no expense to Rogers Cable. The Developer shall utilize a supplied joint-use trench construction to be shared by shallow utilities.

Canada Post

123. 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.
124. 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.

Hydro Service Provider

125. 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.
126. All costs associated with plant or infrastructure relocations caused directly or indirectly by this development shall be borne by the Developer.

Warning Clauses & Notices

127. The Owner shall cause the following warning clauses to be included in a schedule to all offers of purchase and sale, or lease for all lots/blocks:
 - a. Within the entire subdivision plan:
 - i. "Purchasers and/or tenants are advised that the proposed finished lot and/or block grading may not meet Township grading criteria

- in certain areas, to facilitate preservation of existing vegetation and to maintain existing adjacent topographical conditions.”
- ii. “Purchasers and/or tenants are advised that traffic calming measures may have been incorporated into the road allowances.”
 - iii. “Purchasers and/or tenants are advised that the Township has not imposed a “tree fee”, or any other fee which may be charged as a condition of purchase, for the planting of trees.”
 - iv. “Purchasers and/or tenants are advised that any roads ending in a dead end or cul-de-sac, may be extended in the future to facilitate development of adjacent lands, without further notice.”
 - v. “Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings.”
 - vi. “Purchasers and/or tenants are advised that the Township does not hold any deposits on account of grading requirements or damage to infrastructure on behalf of purchasers and/or tenants. The Municipality holds security from the Owner to enforce such obligations directly with the Owner and has not authority to release funds to the purchasers and/or tenants.”
 - vii. “Purchasers and/or tenants are advised that County Road 124 is classified as an Arterial/Collector Road and that increased traffic will result over time, with resulting noise which can occur at any time during the day or night.”
 - viii. “Purchasers and/or tenants in Phase 1 are advised that adjacent lands are scheduled for future development when future phases proceed. At such time as those lands are developed, inconvenience may be caused due to noise, dust, vibration and construction traffic.”
 - ix. “Purchasers and/or tenants are advised that despite the including of noise control features within the development area and within individual units, noise levels from construction activity may continue to be of concern occasionally interfering with some activities of the building occupants.”
 - x. “Purchasers and/or tenants are advised that driveway location and width are established during the design phase of the development and finalized when the building permit for the lots is issued, to be in keeping with the provisions of the Municipality’s standards, guidelines and zoning provisions. Adjustments to driveways may take place up to the date of the final assumption of the development to ensure that the location and width of the driveways are in keeping with the design standards. Purchasers and/or tenants are advised that they should confirm with the Developer and/or home builder the details with respect to the driveway location and width.”
 - xi. “Purchasers and/or tenants are advised that landscaping improvements adjacent to the driveway must be flush with the driveway surface and back of curb to a minimum of 1.5 m beyond the edge of roadway curblane. Where sidewalk exists along the

- frontage of the dwelling, driveway edging must be flush with the driveway surface for a minimum of 0.5 m beyond the back of sidewalk.”
- xii. “Purchasers and/or tenants are advised that they shall not complete any landscaping works that would negatively impact the curb stop valve.”
- b. Abutting any open space, woodlot, environmental protection lands, or stormwater facility:
 - i. “Purchasers and/or tenants are advised that the adjacent open space, woodlot, environmental protection lands, or stormwater management facility may be left in a naturally vegetated state and receive none or minimal maintenance.”
 - c. Abutting a park block:
 - i. “Purchasers and/or tenants are advised that the lot abuts a “Neighbourhood or Community Park” and/or an open space block, and/or and environmental protection block, containing an existing or future active and/or passive recreational uses and that noise and lighting should be expected as a result of those uses.”
 - d. Abutting Agricultural lands:
 - i. “Purchasers, tenants and other land users are advised of the existing agricultural operations and uses in the vicinity and the potential associated impact and concerns, and as well are advised of the applicable legislation concerning the protection of agricultural operations and the limitation against liability in nuisance for any disturbance resulting from an agricultural operation carried on as a normal farm practice.”

Required Reports, Plans & Drawings

128. Notwithstanding any specific or more detailed reference made to required plans or drawings to be prepared and submitted for Municipal approval 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):
- a. M-Plan and R-Plan;
 - b. Consolidated Easement Plan;
 - c. General Servicing;
 - d. Overall Water Distribution Plan;
 - e. Overall Sanitary Drainage Plan;
 - f. Overall Lot Grading Plan;
 - g. Erosion and Sediment Control Plan;
 - h. Plan/Profile Drawings (internal and external);
 - i. Traffic Control and Signage Plan;
 - j. Stormwater Management Plan;
 - k. Naturalization Plan;

- l. Trails Layout and Construction Plan;
- m. Parkland Development Plan;
- n. Tree Inventory and Preservation Plan;
- o. Fire Lot Control Plan;
- p. Composite Utility Plan;
- q. Photometric Plan;
- r. Landscape Plans;
- s. Boulevard Tree Planting Plan;
- t. Tree Inventory and Preservation Plan;
- u. Driveway Location and Control Plan;
- v. Phasing Plan; and,
- w. Standard Details

129. 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):

- a. Functional Servicing Report;
- b. Final Stormwater Management Report;
- c. Hydrogeological Report;
- d. Geotechnical Report;
- e. Traffic Impact Study;
- f. Archaeological Report;
- g. Environmental Site Assessment;
- h. Construction Spills Control Plan; and,
- i. Construction Waste and Stockpile Management Plan.

130. 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 Conditions

131. 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

132. 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:

- a. Nottawasaga Valley Conservation Authority (conditions 104 -108);
- b. Simcoe Muskoka Catholic District School Board (conditions 113);
- c. Simcoe County District School Board (conditions 109-112);
- d. Telecommunications Service Provider (conditions 118-122);
- e. Gas Utility Provider (conditions 114-117);
- f. Hydro Service Provider (conditions 125-126);
- g. Canada Post (conditions 123-124);
- h. County of Simcoe (conditions 93-103); and;
- i. Ministry of Culture (conditions 91-92).

133. 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.
134. Please be advised that the approval of this draft plan will lapse five (5) 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 requested 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

135. 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.
136. 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.
137. 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).

138. 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.
139. The Township of Clearview will require the final plan of subdivision registration plans be submitted as follows:

- a. 1 signed mylar
- b. 3 sets of paper prints (1 with AOLS stickers)
- c. 1 computer disk (.pdf)

140. 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.
141. All measurements in subdivision final plans must be presented in metric units.