1.0 Purpose

The purpose of this report is to provide a recommendation on the revised applications submitted by 2157236 Ontario Limited (Tribute Communities) to amend Zoning By-law 60-94 (Z-2017-11) and for a revision to draft plan of subdivision (S-O-2012-01) to permit 11 blocks for 87 to 115 single detached dwellings, open space blocks, a servicing block and local roads located generally north of Britannia Avenue West, west of Windfields Farm Drive West.

In addition, the purpose of this report is to also recommend that a portion of Craftsman Drive located in the previously approved phase be renamed (Attachment 5) since Street A in the proposed draft plan and this portion of Craftsman Drive need to be the same name for emergency services purposes.

Attachment 1 is a map showing the location of the subject site and the existing zoning in the area.

Attachment 2 is a copy of current approved draft plan of subdivision S-O-2012-01 showing the subject site and other adjacent lands subject to the earlier phased approvals.

Attachment 3 is a copy of a portion of original revised draft plan of subdivision S-O-2012-01 that has been enlarged to highlight the subject site and which had been submitted for approval and considered at the January 15, 2018 public meeting.

Attachment 4 is a copy of a portion of revised draft plan of subdivision S-O-2012-01 that has been enlarged to highlight the subject site and which has been submitted for approval to address certain technical comments.
Attachment 5 is a map that has been enlarged to highlight that portion of Craftsman Drive that would need to be renamed if the subject applications were approved.

Attachment 6 is a copy of Council’s conditions of approval for Phases 1, 2, 3 and 4 of draft plan of subdivision S-O-2012-01.

On January 15, 2018 a public meeting was held in respect to the subject applications. At the conclusion of the public meeting, the Development Services Committee adopted a recommendation to refer the applications back to staff for further review and the preparation of a subsequent report and recommendation. The minutes of the January 15, 2018 public meeting form Attachment 7 to this report.

Since the January 15, 2018 public meeting the applicant has revised the development proposal. The key differences between the proposal considered at the public meeting (Attachment 3) and the revised proposal (Attachment 4) is that the applicant has modified the westerly development limit of Residential Condominium Block SS to address the City’s and Central Lake Ontario Conservation Authority’s comments. This has resulted in the creation of two additional Open Space Blocks (Blocks WW and XX). In addition, the range for the number of proposed single detached dwellings has reduced from 90 to 116 units to 87 to 115 units and the subdivider is now seeking 9 metres (30 ft.) lot frontages.

2.0 Recommendation

That the Development Services Committee recommend to City Council:

1. That, pursuant to Report DS-18-125 dated June 14, 2018, the revised application submitted by 2157236 Ontario Limited (Tribute Communities) to amend Zoning By-law 60-94 (Z-2017-11) for the lands in draft plan of subdivision S-O-2012-01, generally north of Britannia Avenue West, west of Windfields Farm Drive West, be approved to implement a revised draft plan which proposes a number of blocks for single detached dwellings, open space blocks, a servicing block and local roads and that the necessary by-law be passed.

2. That, pursuant to Report DS-18-125 dated June 14, 2018, the revised application submitted by 2157236 Ontario Limited (Tribute Communities) for a revision to draft plan of subdivision S-O-2012-01, generally north of Britannia Avenue West, west of Windfields Farm Drive West, which proposes to permit blocks for single detached dwellings with a minimum lot frontage of 9 metres (30 ft.) on lots with frontage on a public road, open space blocks, a servicing block and local roads be approved subject to the currently approved Council conditions for earlier phases of the plan as set out in Attachment 6 of the above noted Report with the following revisions:

   - That Condition 12 be amended by adding a new Sentence:

      “The subdivider must restore the full width of the pavement all existing streets affected by the servicing of the fronting lots. The restoration works and paving will be subject to full securities prior to construction and to full warranty period of two years as our per Residential Development Policy.”
That Condition 23 be amended to add references in two locations to new Open Space Blocks TT, WW and XX being conveyed to the City and that the development limits between the new Open Space Blocks TT, VV, WW and XX is subject to refinement which may affect the developable area;

That Condition 27 be amended by adding new Items (m) and (n):

“(m) Proposed diversion of external flows; and
(n) Downstream Impact Analysis.”

That Condition 28(c) be amended to add reference to the lot lines of Blocks 54, 58, 59, 60, and SS, abutting Open Space Blocks TT, VV, WW and XX regarding seepage on the slopes;

That Condition 29(b) be amended to add reference to Blocks 51, 54, 58, 59, 60 and SS that require engineered fill;

That a new Condition 29(c) be added:

“(c) Slope stability analysis to ensure that all proposed design of the embankment slopes adjacent to the Oshawa Creek West Branch and the Tributary EP-2 will be able to withstand expected loads.”

That Condition 60 be amended by adding reference to servicing and the conveyance of overland flows.

That a new Condition 60(a) be added:

“(a) That the subdivider undertake at no cost to the City, the grading, sodding, landscaping and fencing of Block UU in accordance with the approved plans and that the lands be conveyed to the City at no cost.”; and

That Condition 77 be amended by adding a new Sentence:

“That a revised road pattern be approved by the Commissioner of Development Services to avoid double fronting lots such as Block 54 in the draft plan in the event the school is not built.

3. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that the rezoning proposed in the public meeting report and at the public meeting differs from that approved by City Council, such differences are not substantial enough to require further notice and another public meeting.

4. That, pursuant to Report DS-18-125 dated June 14, 2018, a portion of Craftsman Drive in the previously approved phase lands be renamed as appropriate by by-law after affected owners have been notified, that the ex-gratia payment of $250 to each household affected by the street name change be paid for by the subdivider as set out in said Report.
5. That pursuant to Report DS-18-125 dated June 14, 2018 the Development Services Department be authorized to initiate a consultation process with the residents of the affected portion of Craftsman Drive regarding the potential street name change that the newspaper notice requirements of By-law 147-2007 be waived given the located nature of the matter and that the Commissioner of Development Services be authorized to select an appropriate name following the public consultation process.

3.0 Executive Summary

This Department recommends that the revised applications for an amendment to Zoning By-law 60-94 and for a revision to draft plan of subdivision (File S-O-2012-01) submitted by 2157236 Ontario Limited (Tribute Communities) be approved subject to conditions set out in Attachment 6 as revised by Recommendation 2 of this report.

The proposed development can be designed to be compatible with existing and planned surrounding development and represents good planning consistent with Provincial, Regional and City policy.

In addition, a portion of Craftsman Drive in the previously approved Phase 4 lands requires a name change to accommodate a logical progression and emergency services of street naming as the roads extend into the proposed subdivision phase. It is recommended that a portion of Craftsman Drive in the previously approved Phase 4 lands be renamed subject to public consultation.

4.0 Input From Other Sources

4.1 Other Departments and Agencies

No department or agency that provided comments has any objection to the approval of the subject applications. Certain technical issues and requirements related to the proposed development have been identified and can be resolved during the subdivision approval or building permit processes, if the revised applications are approved.

4.2 Public Comments

No concerns were raised at the public meeting or in writing regarding the subject applications. Attachment 7 contains the minutes of the public meeting.

5.0 Analysis

5.1 Background

The subject site is generally located generally north of Britannia Avenue West, west of Windfields Farm Drive West (see Attachment 1).
The following is background information concerning the subject applications:

<table>
<thead>
<tr>
<th>Item</th>
<th>Existing</th>
<th>Requested/Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oshawa Official Plan Designation</td>
<td>Residential and Open Space and Recreation</td>
<td>No change</td>
</tr>
<tr>
<td>Windfields Part II Plan Designation</td>
<td>Low Density Residential and Open Space and Recreation</td>
<td>No change</td>
</tr>
<tr>
<td>Zoning By-law 60-94</td>
<td>AG-A (Agricultural) and OSH (Hazard Lands Open Space)</td>
<td>To appropriate R1 (Residential Zones and OS (Open Space) Zones (subject to special regulations)</td>
</tr>
<tr>
<td>Use</td>
<td>Vacant</td>
<td>Single Detached Dwellings, Open Space, Servicing Block and Local Roads</td>
</tr>
</tbody>
</table>

The following are adjacent land uses to the subject site:

- **North**: Hydro corridor, Enbridge pipeline and Agricultural lands
- **South**: Oshawa Creek, future Public elementary school block and single detached dwellings
- **East**: Future Public elementary school block and single detached dwellings
- **West**: Oshawa Creek, agricultural lands and single detached dwellings

The following are the proposed revised development details for the subject site:

<table>
<thead>
<tr>
<th>Site Statistics Item</th>
<th>Measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross Area of the Draft Plan (proposed revision area)</td>
<td>9.12 ha (22.5 ac.)</td>
</tr>
<tr>
<td>Net Residential Area of Single Detached Dwelling Blocks</td>
<td>5.74 ha (14.18 ac.)</td>
</tr>
<tr>
<td>Range of Number of Proposed Single Detached Dwelling Lots</td>
<td>87 to 115 units</td>
</tr>
<tr>
<td>Net Residential Density Range of Single Detached Dwellings</td>
<td>Minimum 15.15 u/ha (6.13 u/ac.) Max 20.03 u/ha (8.11 u/ac.)</td>
</tr>
<tr>
<td>Range of Lot Frontages of Proposed Single Detached Dwelling Lots</td>
<td>Minimum 9m (30 ft.) Max 12.2m (40 ft.)</td>
</tr>
<tr>
<td>Area of Servicing Block (Block UU)</td>
<td>0.07 ha (0.17 ac.)</td>
</tr>
<tr>
<td>Area of Open Space (Blocks TT, VV, WW and XX)</td>
<td>2.59 ha (6.4 ac.)</td>
</tr>
</tbody>
</table>

**5.2 Oshawa Official Plan and Windfields Part II Plan**

The subject site is designated as Residential and Open Space and Recreation in the Oshawa Official Plan.
The Official Plan specifies, in part, that areas designated as Residential shall be predominately used for residential dwellings. In addition, other land uses may be permitted in areas designated as Residential such as schools, parks, open space and recreational uses that have a community or neighbourhood level service area.

The Official Plan specifics, in part, that areas designated as Open Space and Recreation shall generally include components of the Natural Heritage System, valley lands, conservation areas, scenic vistas, the Lake Ontario waterfront, parts of the Oak Ridges Moraine and other natural environments, and recreational resources including Regional and City level parks.

Lands designated as Open Space and Recreation within urban areas shall be predominately used for recreation, conservation, reforestation, etc. These uses shall have regard for the natural environment and be compatible with their surroundings.

The Oshawa Creek is shown as Hazard Lands and Natural Heritage System in the Oshawa Official Plan.

Hazard Lands and the Natural Heritage System shall be used primarily for the preservation and conservation of land and/or environment. These lands shall be managed in a manner to complement adjacent land use and protect adjacent lands from physical hazards.

In the Windfields Part II Plan the subject site is designated as Low Density Residential and Open Space and Recreation.

The Low Density Residential designation permits single detached and semi-detached dwellings up to a maximum density of 30 units per hectare (12 u/ac).

The areas designated Open Space and Recreation include lands for open space purposes, lands within the Natural Heritage System and lands having environmental or other constraints to development.

The Oshawa Creek is shown as Natural Heritage System and Hazard Lands in the Windfields Part II Plan.

Windfields Farm Drive West is designated as a Collector Road in both the Oshawa Official Plan and Windfields Part II Plan. Block GG (see Attachments 3 and 4) is also designated as a Collector Road in both the Oshawa Official Plan and the Windfields Part II Plan and is intended to be part of a connection between Windfields Farm Drive West with Winchester Road West in the future.

The subject applications conform to the Oshawa Official Plan and the Windfields Part II Plan.

5.3 Zoning By-law 60-94

The subject site is currently zoned AG-A (Agricultural) and OSH (Hazard Lands Open Space).
The applicant proposes to amend Zoning By-law 60-94 to implement the proposed revision to the draft plan. The proposed zoning amendment would:

- Rezone the proposed single detached dwelling blocks (Blocks 54 to 63) to the R1-E(24) (Residential) Zone and Block SS to an appropriate R1 (Residential) Zone subject to special regulations to the satisfaction of the Commissioner of Development Services;
- Rezone the proposed servicing block (Block UU) to OSP (Park Open Space) Zone;
- Ensure the proposed open space blocks (Blocks TT, WW and XX) are zoned OSH (Hazard Lands Open Space) Zone;
- Rezone the proposed privately owned open space block VV to an appropriate OSH (Hazard Lands Open Space) Zone subject to special uses/regulations to the satisfaction of the Commissioner of Development Services; and,
- Include an appropriate Holding condition to ensure City, Regional and Conservation Authority requirements are satisfied.

This Department has no objection to the approval of the requested amendment to Zoning By-law 60-94. Section 5.5 of this report sets out the rationale for this position.

5.4 Subdivision Design/Land Use Considerations

The proposed revised revision to draft plan of subdivision includes blocks for single detached dwellings, open space blocks, a servicing block and local roads (see Attachment 4). The subdivision has been designed to be integrated with earlier phases of draft plan of subdivision S-O-2012-01.

The servicing block will be dedicated to the City and is needed to accommodate for the possible future extension of the sanitary trunk sewer to service area to the north including the Columbus Part II Planning area. The block will also provide an opportunity for access to the Hydro corridor for future recreational trail purposes.

There will also be a recreational trail connection from the cul-de-sac portion of Street B to the planned trail in the Open Space Blocks to the West.

Block SS will be reviewed in greater detail upon the submission of Draft Plan of Condominium and Site Plan applications to further divide Block SS into lots for residential development. Driveway access to Block SS will be provided over Open Space Block VV from proposed Street B. Open Space Block VV is intended to be owned and maintained by the owner of Block SS in order to maintain the driveway access.

The proposed draft plan of subdivision shows the proposed single detached dwelling areas (Blocks 54 to 63, Block SS) in blocks rather than lots. These residential blocks are proposed to be lotted out later in the development approval process as market opportunities present themselves. The applicant has requested a flexible approach to the zoning and draft plan approval of these blocks to be able to respond to these market
opportunities. This approach was used during the processing of previous phases of this subdivision.

Detailed design matters will be reviewed during the further processing of the applications to ensure compliance with the City’s Landscaping Design Policies, engineering standards and other policies.

This Department has no objection to the approval of the proposed revision to the draft plan of subdivision approval subject to the certain conditions of draft plan approval contained in Attachment 6 as revised by Recommendation 2 of this report. Section 5.5 of this report sets out the rationale for this position.

5.5 Basis for Recommendation

This Department has no objection to the approval of the revised applications for the following reasons:

(a) The proposed development is consistent with the Provincial Policy Statement and conforms with the Provincial Growth Plan;

(b) The applications conform to the Durham Region Official Plan;

(c) The applications conform to the Oshawa Official Plan and Windfields Part II Plan;

(d) The proposed development can be designed to be compatible with the existing and planned surrounding land uses;

(e) The Region of Durham and Central Lake Ontario Conservation Authority have no objection to the applications; and

(f) The proposed development represents good planning

5.6 Proposed Street Name Change

It is normal practice to include the suffix “Drive”, as appropriate, when a street begins on a street with one name and ends on a street with another name.

Craftsman Drive was named appropriately at the time it was registered extending between Stallion Drive and Windfields Farm Drive West. With the new phase now subject to this report for approval, a portion of Craftsman Drive in the previously approved and registered phase should be renamed to coincide with Street ‘A’ in the proposed draft plan. The remaining portion of Craftsman Drive will remain unchanged (Attachment 5).

It is recommended that the affected owners are consulted about the street name change.

In the event the street name is changed, an affected property owner or tenant may have to contact a number of different agencies to advise of the address change (e.g. Province of Ontario re: driver's licence and health card, insurance companies, credit card companies, utilities, magazines, banks, etc.).
There are 6 single detached dwelling lots on the affected portion of Craftsman Drive. Three of the single detached dwellings are now sold. However, it is assumed that the street name would be changed before Tribute’s homeowners close on the 3 remaining single detached dwellings if Council approves the recommendation in this report.

Since 2008 it is Council's policy to pay households an ex-gratia payment of $250 for any change of address. In this particular case, as the street name change is directly as a result of Tribute’s subdivision design which evolved between Phase 4 and Phase 5, it is appropriate for Tribute to fund the ex-gratia payment.

This Department recommends that a portion of Craftsman Drive in the previously approved Phase 4 lands be renamed.

5.7 Process for Renaming a Street

The process for renaming a street is generally as follows:

(a) Public consultation with the affected owners;

(b) The Development Services Committee makes a recommendation to Council;

(c) If Council approves the proposal to rename the street, it is an approval "in principle" with direction that staff undertake the street renaming process;

(d) Staff undertake the street renaming process which involves:

- Preparing a by-law renaming the street;
- Providing notice of Council's intent to pass the proposed by-law renaming the street by including the notice in both newspapers and on the City’s website and by mailing out a copy of the notice to all affected property owners. In this case, it is recommended that the repayment for newspaper ads under the City’s Notice By-law 147-2007 be waived given the localized nature of the proposal;
- Having Council hear any person that claims to be adversely affected by the bylaw and who applies to be heard. While Council is required to hear a person who claims to be adversely affected, there is no mechanism for appealing a bylaw renaming a street; and
- Having Council pass the by-law renaming the street; and

(e) Advise affected homeowners by mail of the Council approved street name change and provide them with the ex-gratia payment.

6.0 Financial Implications

There will be certain maintenance costs related to new roads to creeks/open space and trails.

There are certain costs to those affected by any street name change.
If the street name is changed compensation for affected property owners could be as high as $250 \times 6 = $1,500 based on the Recommendation in this Report. This would be paid for by the subdivider.

The cost of any required survey and street signage for the street name change will be paid by the subdivider.

There are other nominal costs associated with the street name change regarding matters such as mailing notices and registering the by-law. These costs can be accounted for in the 2018 Operating Budget for Planning Services.

7.0 Relationship to the Oshawa Strategic Plan

The Recommendation advances the Economic Prosperity and Financial Stewardship, Environmental Responsibility and Social Equity goals of the Oshawa Strategic Plan.

Warren Munro, HBA, Director, Planning Services

Ilmar Simanovskis, Director, Engineering Services

Paul D. Ralph, BES, RPP, MCIP, Commissioner, Development Services Department
Subject: Revised Applications to Amend Zoning By-law 60-94 and for a revision to a Draft Plan of Subdivision (S-O-2012-01)

Address: Lands north of Britannia Avenue West, west of Windfields Farm Drive West

File: Z-2017-11, S-O-2012-01
Title: Approved Draft Plan of Subdivision S-O-2012-01
Subject: Revised Applications to Amend Zoning By-law 60-94 and for a revision to a Draft Plan of Subdivision (S-O-2012-01)
Address: Lands north of Britannia Avenue West, west of Windfields Farm Drive West
File: Z-2017-11, S-O-2012-01
Title: Portion of Original Revised Draft Plan of Subdivision S-O-2012-01

Subject: Revised Applications to Amend Zoning By-law 60-94 and for a Revision to a Draft Plan of Subdivision (S-O-2012-01)

Address: Lands north of Britannia Avenue West, west of Willard's Farm Drive West

File: Z-2017-11, S-O-2012-01

City of Oshawa
Development Services Department

City of Oshawa
Item: DS-18-125
Attachment 5

Development Services Department

Subject: Revised Applications to Amend Zoning
By-law 60-94 and for a revision to a Draft Plan of Subdivision (S-O-2012-01)
Address: Lands north of Britannia Avenue West, west of Windfields Farm Drive West
File: Z-2017-11, S-O-2012-01

Portion of Craftsman Drive to be Renamed
Consolidated City of Oshawa Revised Conditions of Approval for
Draft Plan of Subdivision S-O-2012-01 (last date of revision October 30, 2015)
by Tribute Communities (2157236 Ontario Limited)

General

1. That the final 40M plan for registration shall show the following:
   
   (a) All single detached dwelling lots shall have a minimum frontage of 9 metres measured at the street line;
   
   (b) All semi-detached dwelling lots shall have a minimum frontage of 6 metres measured at the street line; and
   
   (c) A mix of semi-detached and single detached lots and a mix of single detached lot sizes to the satisfaction of Planning Services.

2. That the subdivider enter into a subdivision agreement with the City to ensure the fulfillment of the City's requirements, financially or otherwise.

3. That this plan shall not develop until such time as a Master Environmental Servicing Plan for the Windfields Planning Area west of Simcoe Street North has been completed to the satisfaction of Engineering Services, the Region of Durham and the Central Lake Ontario Conservation Authority with input from UOIT and Durham College.

4. That the subdivider acknowledge, in writing, that current City funding practices may change prior to plan registration or development and that the timing of the registration shall be at the City’s discretion based on the City’s financial ability to fund projects.

5. That any approvals which are required from the Region of Durham, Ministry of the Environment, Ministry of Natural Resources, Central Lake Ontario Conservation Authority, Hydro One Networks Inc., Oshawa Public Utilities Commission, and any other regulatory authority for the development of this plan be obtained by the subdivider and written confirmation be provided to Planning Services.

6. That a draft of the final 40M plan for registration be submitted to Planning Services for review and comment by all agencies and departments.

7. That a draft of the 40R Plans related to engineering matters shall be submitted to Engineering Services with the engineering submission for review and comment.

Servicing

8. That the subdivider acknowledge that the authority to approve any subdivision preservicing approval, prior to execution of a subdivision agreement, is delegated to the Director of Engineering Services. Pre-servicing will only be considered where it
is not possible to execute and register the subdivision agreement in the time frame required to commence servicing for engineered services that has otherwise found to be acceptable with confirmation from all agencies and authorities involved in the conditions set out in the conditions of draft plan approval.

9. The subdivider enter into an agreement with the adjoining developer of draft plan of subdivision S-O-2011-03 (RioCan) for the equitable sharing of infrastructure costs and land costs serving the subject draft plan S-O-2011-03 and that a copy of fully executed agreement between those parties be provided to Planning Services.

10. That the subdivider arrange for and pay the cost of all services required to service the plan in accordance with City policies and requirements.

11. That satisfactory arrangements be made for financing the City's share of servicing before the final plan is released for registration.

12. That the cost of any relocation, extension, alteration, damage repair or extraordinary maintenance of existing services necessitated by this development shall be the responsibility of the subdivider.

13. That the subdivider pay the full cost of the City's services within this plan which abuts privately owned property outside the limits of this plan and, further, that any payment received from the abutting benefitting lands owner(s) subdivider for services covered by the City's Development Charge By-law shall be used to reimburse this subdivider for such services to the extent of this subdivider's cost provided a front-ending agreement is executed in accordance with the requirements of the Development Charges Act.

14. That the cost of any City services outside of the plan necessitated by this development to be installed, extended, relocated or altered to provide services across or through adjacent privately owned lands which are subject to a separate draft plan approval to service this plan shall be the responsibility of the subdivider. Furthermore it is the sole responsibility of the subdivider to negotiate with the adjacent land owner and secure appropriate easement(s) and/or lands required, and convey the same to the City at no cost and in a physical condition acceptable to Engineering Services.

**Stormwater**

15. That a final storm drainage scheme for the lands within and abutting this plan be submitted to Engineering Services for approval prior to preparation of the engineering drawings for this subdivision. The engineering design for this plan shall generally follow the storm drainage scheme as described in the submitted Functional Servicing Plan and Stormwater Management Report, dated July 2015.

16. That this development comply with City policies and by-laws with respect to stormwater management.

17. That the stormwater management facilities (Blocks E, F and G) be designed, developed and conveyed at no cost to the City. In this regard, the subdivider
acknowledges and is prepared to reduce the number of residential building lots or reconfigure the lots included in the draft plan if final engineering for the stormwater management facilities determines that the lands for these facilities must be increased in area or reconfigured in shape to accommodate the volume of post development runoff or to increase the buffer areas from valley lands and/or environmentally sensitive areas.

18. That the subdivider provide a fixed contribution satisfactory to Engineering Services for the long term maintenance and repair cost of the storm water management facilities.

19. That the land within the draft plan not be unreasonably graded, filled or stripped except in compliance with the City’s Site Alteration By-law 85-2006 or in advance of building activity, so as to cause dust and increased stormwater runoff from the lands resulting in erosion and silting of roads, services, valley lands, creeks and privately owned property. As part of the engineering drawing submission, the subdivider shall submit an erosion and siltation control plan to be implemented and maintained with the grading and construction activity of the lands. The plan shall indicate the means, whereby, stormwater runoff and sedimentation from the site will be controlled and shall be implemented and maintained by the subdivider during the construction of services and the house building program. In the event building activity is not commenced following completion of underground services, the subdivider will undertake to re-vegetate any area that has been graded, filled or stripped. Any cost incurred by the City for cleaning, repairing or reconstructing damaged services as a result of stormwater runoff shall be the responsibility of the subdivider.

Creeks/Valleys/Environmental Features

20. That any approval in relation to stormwater management, erosion control and any works required within the draft plan for the Tributaries W1 and W2 of the main west branch of the Oshawa Creek and the main west branch of the Oshawa Creek shall be obtained by the subdivider from Engineering Services and the Central Lake Ontario Conservation Authority (CLOCA). Written confirmation from CLOCA is to be provided to Planning Services.

21. That the subdivider shall retain a qualified professional to prepare a Fluvial Geomorphological Assessment report for Tributaries W1 and W2 of the main west branch of the Oshawa Creek and the main west branch of the Oshawa Creek within the draft plan to determine the extent of the creek works that are required to be done to accommodate this development. Further, the subdivider shall carry out and bear the cost of all the necessary creek work recommended in the said report.

22. That the subdivider shall revise and re-submit the Stream Corridor Protection Limits report for Tributaries W1 and W2 of the main west branch of the Oshawa Creek and the main west branch of the Oshawa Creek to address, but not be limited to, the following issues:

(a) Flooding hazard limits;
(b) Erosion hazard limits;
(c) Fisheries buffers;
(d) Stream corridor protection limits; and
(e) Stream works downstream of Britannia Avenue creek crossings.

Furthermore, the subdivider is required to implement and bear the cost of all the necessary works recommended in the said report or as negotiated with the downstream landowners.

23. That Open Space Blocks FF, RR, H, I, J, K, L, M and Q be conveyed to the City at no cost and in a physical condition acceptable to Parks Services, Planning Services and Engineering Services. The Open Space Blocks shall be modified as necessary, to include all lands below top of bank, all natural hazard lands related to the valley, all wetland buffers areas, fisheries buffers, drip lines and lands above top of bank required for a recreational trail, buffers, maintenance access and/or erosion allowance access, if determined necessary by Parks Services, Planning Services and Engineering Services. Further the subdivider acknowledges that Open Space Blocks H, K, L and M may have to be widened as a result of further stormwater management fluvial geomorphological and/or geotechnical slope investigations or if the developable limits or “Top of Bank” represented on this draft plan has been incorrectly illustrated due to unforeseen circumstances and is prepared to reduce/adjust the depth and/or width of lots/blocks or reconfigure the lots abutting these Blocks.

24. The subdivider shall implement all requirements, including mitigation measures, of the Environmental Impact Study.

Engineering Plans/Drawings Required

25. That engineering drawings, including lot grading plans, be prepared in accordance with City policies and requirements. Prior to the preparation of the subdivision agreement, the plans and drawings are to be submitted to and approved by Engineering Services. The engineering drawings shall include Utility Co-ordination Plans which illustrate and establish the final design and location of all above-ground and below-ground utility plant and structures that service the plan. Further that the engineering drawings be coordinated with the streetscape/architectural control guidelines and co-ordinate the driveways, street hardware and street trees in order to ensure that conflicts do not exist, asphalt minimized and street trees are accommodated.

26. In the event that the subdivision agreement is not executed within one (1) calendar year from the date of approval of the engineering drawings, the engineering drawings shall be resubmitted to Engineering Services for approval again prior to execution of the subdivision agreement.

Studies/Reports/Guidelines Required

Stormwater Management Report
27. The subdivider is required to submit a detailed stormwater management report that must address, but is not limited to, the following issues:

(a) Water quality control including design details on pond sizing and forebay sizing;

(b) The oversizing of any storm water management facility and storm sewer system to accommodate additional stormwater flows from adjacent development to the north of this plan;

(c) Major and minor flow routes including cross-sectional details of roads;

(d) Erosion and sediment controls;

(e) Outfall pipe sizing requirements and erosion protection works at the outlet;

(f) Foundation drain discharge points and flow rates;

(g) Infiltration potential of the lands using Low Impact Development (LID) Technologies;

(h) Floodplain mapping to review floodplain limits by re-running the Hec-Ras model using the new flows based on this development;

(i) Additional stormwater management features/devices to deal with storm flows to Storm Water Management Facility Block G received from the Urban Village mixed use development to the east and north of Phase 1;

(j) Groundwater condition of the storm water management facility blocks;

(k) Water ponding depth within the roadways; and,

(l) Maintenance/operating manual for any stormwater management facility.

Furthermore, the subdivider is required to implement and bear the cost of all the necessary stormwater features/works recommended in the said report.

Hydrogeological

28. That the subdivider shall submit a Hydrogeological Assessment that may be included in a Geotechnical Report that addresses, but not be limited to, the following issues:

(a) Any potential for formation of calcium carbonate buildup in the foundation drains and service connections within this draft plan and provide appropriate remedial measures; and

(b) The ability to minimize the extent of building footing drains below the seasonal high groundwater table by means of changing the overall design of this development.
(c) Any potential for seepage on the slopes at the rear of Blocks A and 42 abutting Open Space Block H due to subsurface drainage conditions and mitigation measures.

**Geotechnical**

29. That the subdivider prepare a geotechnical report for implementation, as appropriate, within the subdivision agreement to ensure the recommendations of the geotechnical report related to municipal services and road structure, including any requirement that development on engineered fill be certified by a qualified professional engineer are implemented. This geotechnical report shall be submitted to Engineering Services in conjunction with the first engineering submission, together with soils profiles plotted on a set of the engineered construction drawings. The report must also include an orientation map illustrating the lots affected by any proposed engineered fill recommendations.

(a) That the subdivider provide a certificate from a qualified professional engineer confirming that the Stormwater Management Pond design for Block E is satisfactory from a slope stability perspective.

(b) That Blocks A, 32, 42 and 51 not be developed until such time that engineered fill has been placed and certified by a qualified professional engineer that the slope is stable to allow for house construction.

**Record of Site Condition**

30. The subdivider agrees to retain a qualified professional engineer to verify, to the satisfaction of the City and the Region of Durham that the site has been made suitable for the proposed uses. If no decommissioned works have been done on the site previously, the site condition has to be in compliance with the MOE’s “Guidelines for Use at Contaminated Sites in Ontario” (February 1997). A Record of Site Condition acknowledged by the MOE shall be required to be submitted to Planning Services prior to registration and/or any site disturbance.

**Traffic Reports**

31. The subdivider shall retain a qualified professional engineer to prepare a traffic calming management report which details any required features for design and construction of Streets A, J and T as may be determined necessary by the Commissioner of Development Services and that the report be submitted to Engineering Services as part of the engineering plans package.

(a) That the Traffic Report/Study be amended to reflect the current schedule of the construction of the Britannia Avenue West and Thornton Road North connection in the 2024-2028 horizon.

**Wildlife Risk Management Assessment**

32. That prior to the landscape plans submission, the subdivider retain a qualified professional environmental expert to prepare and submit to Planning Services, a "Wildlife Risk Management Assessment for the Oshawa Executive Airport" and
implement any mitigating measures at the subdivider’s storm water management facilities to the satisfaction of the Airport Manager.

**Noise**

33. That prior to the preparation of the subdivision agreement and as part of the first engineering submission the subdivider retain a qualified professional engineer to prepare and submit to Planning Services a noise impact study which addresses the impact of noise generated from road traffic and/or the surrounding land uses and is based on the detailed grading of the site to the satisfaction of Planning Services. Further, the subdivider shall implement the recommendations for noise controls at no cost to the City, confirm that the implemented sound barrier(s) are/is in compliance with the Ministry of Environment and provide the necessary warning clauses. The subdivider shall pay for a peer review of the noise impact study if required by Planning Services and provide the necessary warning clauses on title to the satisfaction of Planning Services.

**Streetscape/Architectural Control Guidelines**

34. That prior to preparation of the subdivision agreement, the subdivider shall engage a control architect, satisfactory to Planning Services. This control architect will prepare and submit to Planning Services streetscape/architectural control guidelines which are satisfactory to Planning Services, approve all models offered for sale and certify that all building permits plans comply with the City approved guidelines.

34.(a) That prior to the first submission or site plan and/or engineering drawings, the subdivider shall engage an urban design and landscape architect, satisfactory to Planning Services, to prepare and submit urban design guidelines to Planning Services for approval for the lands north of Britannia Avenue West, east of Blocks L and M and west of Simcoe Street North. The guidelines must consider pedestrian connections from Street T (Thoroughbred Street) to Simcoe Street North and vistas/view corridors to the Windfields Stone House. The guidelines shall generally reflect the concept plan for the blocks abutting Simcoe Street North dated November 24, 2014 that forms Attachment 6 to Item DS-15-06.

**Phasing**

35. That if this subdivision is to be developed by more than one registration, an overall development and phasing plan shall be submitted to Planning Services and Engineering Services to ensure an adequate street pattern and servicing scheme prior to preparation of the engineering drawings.

36. That, in accordance with the Engineering Services Design Criteria Manual, the City does not support permanent emergency access locations and the use of temporary emergency access locations are discouraged. The need for emergency access locations shall be reviewed to determine alternative phasing and inclusion of other portions of the approved road network of the draft plan.
Lots

37. That the lot pattern for those blocks shown on the plan for residential development must be detailed on the engineering drawings and draft 40M Plan to properly assess the requirements for items such as sidewalks, individual servicing and utility coordination.

Road Design & Details

38. That the alignment and/or grading for Britannia Avenue be designed and constructed in order to preserve the east-west tree-lined former farm laneway located on UOIT/Durham College lands, immediately south of the Britannia Avenue extension to the satisfaction of Planning Services.

(a) The subdivider shall complete the design of Britannia Avenue West outside the limits of the plan to the intersection of Thornton Road North including the bridge structure and any related creek management details of the bridge structure crossing of the Oshawa Creek west branch. Furthermore the subdivider shall to obtain all land (including easements) or have them conveyed directly to the City required to complete the construction of this road from the adjacent owner for transfer of title to the City and to provide the City with a voluntary financial contribution for construction of this road in accordance with the terms and conditions set out in the existing agreement dated January 17, 2003 between Windfields Farm Limited and the Corporation of the City of Oshawa prior to release of the plan for registration of any part of Phase 4 or an alternative time satisfactory to the Commissioner of Development Services.

39. That the subdivider ensure that all streets properly align with existing and proposed developments outside the limits of and abutting this plan. In this regard, the subdivider shall provide written verification to Engineering Services as part of the draft 40M Plan submission, from an Ontario Land Surveyor that the alignment of all streets and their extension outside the limits of this plan will meet the design requirements of the City.

40. That all streets and cul-de-sacs, including dedicated corner sight triangles and pavement elbows, be designed to City standards.

41. That reserves, as may be required by the City in each phase, be shown on any draft 40M plans and conveyed to the City.

42. That a reserve block be provided along the frontage of Blocks 1, 52, 53 and S to restrict driveway access to Britannia Avenue West.

43. That any reserves which are required to be dedicated as public highway with the registration of this plan, shall be included in draft of the final 40M plan of subdivision for dedication as public highway or alternatively a by-law shall be prepared for the purpose of dedicating the reserve as public highway.
44. That the City close, re-convey or dedicate any reserves, road allowances or road widenings necessitated by the development of this plan, provided the subdivider has met all of the requirements of the City, financially or otherwise.

45. That the subdivider acknowledge that current City policy provides consideration of a reduced road allowance width:

(a) Of 18 metres provided the road in question services less than 100 units and that the Commissioner of Development Services, shall require the standard 20 metre road allowance width if it is determined that the construction and/or maintenance of the public services within the road allowance is not financially or otherwise feasible;

(b) Of 16 metres for service roads abutting the open space blocks and that the Commissioner of Development Services shall require the standard 18 or 20 metre road allowance width if it is determined that the construction and/or maintenance of public services within the road allowance is not financially or otherwise feasible with consideration that the final future road grade for Street P has not been concluded.

46. That the subdivider is required to pay the full cost of the temporary termination of any street as determined necessary through the phasing of this draft plan (in the form of a cul-de-sac) to the satisfaction of Engineering Services and the Region of Durham, and further, that the subdivider acknowledges that the method of termination may restrict the availability of building permits for any lot/block that would be affected by such temporary termination.

47. That the final plan for registration be revised to incorporate the City’s minimum road geometric design criteria. The subdivider shall reduce the number of residential building lots or reconfigure some of the lot structures as determined necessary to meet the geometric design criteria.

48. That the final plan for registration be revised or that the lot/block structure be altered at the intersection of Britannia Avenue West and Kentucky Derby Way and Britannia Avenue West and Windfields Farm Drive West to accommodate any additional road allowance as may be required to provide for full size roundabout design or other engineering details not yet presented. In this regard, any abutting lots of blocks shall not be developed until such time that the road allowance requirement has been determined. Further that all costs associated with this intersection control feature be borne entirely by the subdivider. The subdivider shall obtain all land (including easements) or have them conveyed directly to the City to complete construction of the roundabout.

49. That the subdivider pay for all traffic calming management features along Streets A, J and T, as may be determined necessary by the City during the review of the engineering submission for this development. These features will be designed and constructed to the satisfaction of Engineering Services.

50. That all streets shall be named to the satisfaction of Planning Services predominantly following a Windfields Farm/equestrian related theme if possible.
51. The subdivider shall construct all required bike lanes on Britannia Avenue West, Street T and part of Street O and bike routes on Streets A, J, and part of Street O to the satisfaction of Engineering Services.

**Driveways**

52. That Engineering Services approve the location of driveway(s) on all lots/blocks in the subdivision agreement or the utility coordination plan.

53. That the location of all driveways maintain a minimum one (1) metre clearance from all above ground utility structures or other like apparatus.

54. That any driveway leading to a private garage on any lot fronting on a road allowance of less than 20 metres that does not have a City sidewalk planned for that side of the public highway shall have a minimum length of seven metres (7.0 m) from the street line to the garage.

55. That the subdivider provide roll-up type garage doors where the front yard setback to the garage is 7.0 metres or less.

56. That all driveways for Blocks 1, 52 and 53 shall be accessed from Street P, B and C accordingly.

**Street Lighting**

57. That the subdivider implement a decorative street lighting standard that complements those within draft plans S-O-2006-02 (Minto) and S-O-2003-01 (Windfields 1), to the satisfaction of Planning Services and further agrees to pay for any additional costs associated with the street lighting upgrades.

**Utility Easements & Blocks**

58. That the City grant any easements required for utilities, storm water management and servicing on City owned lands necessitated by the development of the plan and relinquish any redundant easements provided the subdivider has met all the requirements of the City, financially or otherwise.

59. That the subdivider grant free of charge any easements required for servicing and the conveyance of overland flows. Easements shall be in a location and of a width as determined by Engineering Services and/or the Region of Durham and be granted upon request at any time after the draft approval of the plan.

60. That the final plan for registration include Block(s) or easement(s) required to facilitate the installation of any utility services which cannot be accommodated in the City’s right-of-way to the satisfaction of Engineering Services.

**Landscaping**

61. That this development comply with the City’s Landscaping Design Policies and requirements. Without limiting the generality of the foregoing, the subdivider shall prepare and coordinate the landscape plans with the engineering drawings to the
satisfaction of Planning Services and Engineering Services. The following shall be submitted to Planning Services:

(a) The Landscape Submission shall include, but is not limited to:

(i) Landscape strip block(s);
(ii) Stormwater management facilities;
(iii) Stormwater outfalls;
(iv) Round-a-bout(s) and medians;
(v) Preservation/protection of existing site features and vegetation;
(vi) Restoration/enhancement planting for the open space blocks;
(vii) Park concept and grading for the parkette and neighbourhood park block;
(viii) Street tree planting;
(ix) Fencing; and,
(x) Recreational trails outside of road right-of-ways.

(b) A statement from a Landscape Architect shall certify that measures employed are appropriate to promote preservation of existing site features and vegetation and preservation of the tree-lined former farm laneway on UOIT/Durham College lands to the south.

62. That the subdivider undertake to the satisfaction of Engineering Services and Planning Services and at no cost to the City:

(a) The installation of landscaping, fencing, and drainage facilities in the landscape strips;

(b) The design and construction to a granular base of all recreational trails outside of the road allowances in the draft plan of subdivision and outside of Block K;

(c) The construction of the round-a-bouts and medians, including the installation of landscaping and drainage facilities as necessary;

(d) The installation of enhancements and restoration planting in the open space blocks;

(e) The installation of fencing of open space lands where adjacent to lots.blocks; and,

(f) The installation of street trees, in accordance with the standards and requirements.

63. That the subdivider design and construct at no cost to the City, the recreational trail and all structures deemed necessary to achieve the connection/crossing including lighting through Open Space Block K to the satisfaction of Planning Services and the design shall be submitted as part of the landscape submission to Planning Services.
64. That any blocks required for a landscape strip be conveyed to the City at no cost, in an acceptable physical condition. Any landscape strip block shall be of sufficient width to permit the landscape strip to not exceed a 4:1 slope or other slope acceptable to Planning Services.

65. That the subdivider provide a fixed payment through the subdivision agreement (10% of the estimated cost of the construction item) to provide for the long term maintenance and repair of items such as entrance features, walls and enhancements to fences, which exceed the City's normal standards and which are requested by either the subdivider or the City.

66. The City may require the subdivider to design and install certain urban design features to honor Windfields Farm at no cost to the City in consultation with Planning Services.

67. That the subdivider deposit with the City a public lands damage deposit and monetary security in amounts to be specified in the subdivision agreement as determined by Planning Services. This shall ensure that the public lands are not damaged and that certain site improvements, landscaping, fencing and vegetation preservation, in accordance with the approved conditions and plans, are carried out.

**Parkland**

68. That any park/parkette block be conveyed to the City in a physical condition acceptable to Planning Services at any time after draft plan approval of the plan.

(a) That Community Park Block Y and 0.34 hectares of Neighbourhood Park Block C be conveyed to the City at no cost to satisfy the parkland provisions of the Planning Act for all lands in the plan except Blocks S, T, U, V and X.

(b) That the City compensate the subdivider the amount of $714,000 for 1.36 hectares of the Neighbourhood Park Block C based on a value one day prior to draft plan approval of Phase 1 as determined by an appraisal and that this amount be deducted from the amount owed to the City by the subdivider under Condition 70(a) for cash-in-lieu of parkland for development in Blocks S, T, U, V and X.

69. That the subdivider undertake, at no cost to the City, the grading, sodding, fencing and installation of the drainage facilities in the Park Block C in accordance with the approved plans or in lieu of undertaking the actual work the City may accept, at its discretion, an appropriate fixed payment to the City.

(a) That Parkette Block D be conveyed to the City at no cost and be developed to the City's satisfaction at no cost.

70. That the subdivider be advised that it may request permission from Council to fully "finish" the park, including any facilities and appropriate park furniture, as an alternative to waiting for the City to “finish” the park. The subdivider’s request must include the proposed timing of full park construction, the costs to the City and a proposed method and timeline for reimbursement by the City. The subdivider’s
request is to be made to the Commissioner of Development Services who shall report to Committee and Council on the request. The subdivider is advised that the timing of the finishing of the park is at Council’s discretion and that Council cannot, at this time, commit to the approval of any request by the subdivider to “finish” the park on the City’s behalf.

70.(a) That the subdivider pay the City an appropriate amount of cash-in-lieu of parkland to satisfy the parkland dedication requirements of the Planning Act for Blocks S, T, U, V and X north of Britannia Avenue West and west Simcoe Street North during the building permit process.

Endangered/Threatened Species

71. That the subdivider carry out all required measures and works required by the Ministry of Natural Resources (MNR) with regard to the Species at Risk (SAR) (Endangered Species Act, 2007) known to inhabit the property. No demolition or disturbance of habitat in accordance with MNR requirements shall commence prior to a copy of a clearance letter from the MNR being received by Planning Services.

Private Wells

72. That the subdivider provide property owners with private well systems in the area surrounding the Draft Plan with a copy of the Region of Durham Well Interference Policy.

Zoning

73. That the Zoning By-law be appropriately amended in order to implement the draft plan.

Oshawa Official Plan

74. That the Oshawa Official Plan be appropriately amended in order to implement the draft plan.

Oshawa Executive Airport

75. That the subdivision agreement include a warning clause to all potential residents in the plan, through the agreement of purchase, sale or lease, that the dwelling unit is located in proximity to the Oshawa Executive Airport and its corresponding aircraft traffic.

Construction Access

76. That heavy construction access be approved by Engineering Services.

School Block

77. That the residential lots shown on the Elementary School Block(s) only be permitted to be registered after it is proven to the Planning Services satisfaction that the block is not required for any school or other community use.
Community Use Block

78. That the alternative residential uses proposed on Block X only be considered once the subdivider has demonstrated to the City's satisfaction that the Community Uses intended for the site cannot be achieved.

Walkway

79. That any Walkway Block be conveyed, designed and constructed to City standards, at no cost to the City.

80. The subdivider shall demonstrate that any walkway block for the provision of overland flow has a sufficient width to convey the major overland flow and is prepared to reduce or reconfigure the number of residential building lots as determined necessary. In this regard, any abutting lots or blocks shall not be developed until such time that an adequate width of the walkway block has been confirmed.

81. That the proposed draft plan change Block Q from a walkway to open space.
Excerpts from the Minutes of the Development Services Committee Meeting held on January 15, 2018

Presentation

At the request of the Committee, the presentation was not heard.

Delegations

None.

Correspondence

None.

Reports

DS-18-06 Applications to Amend Zoning By-law 60-94 and for a Revision to a Draft Plan of Subdivision, Lands North of Britannia Avenue West, West of Windfields Farm Drive West, 2157236 Ontario Limited (Tribute Communities)

Moved by Councillor Pidwerbecki,

“That, pursuant to Report DS-18-06 dated January 11, 2018, the applications submitted by 2157236 Ontario Limited (Tribute Communities) to amend Zoning By-law 60-94 (File Z-2017-11) and for a revision to draft plan of subdivision (File S-O-2012-01) to permit single detached dwellings, an open space block, a servicing block and local roads on lands located generally north of Britannia Avenue West, west of Windfields Farm Drive West be referred back to the Development Services Department for further review and the preparation of a subsequent report and recommendation. This referral does not constitute or imply any form or degree of approval.” Carried

Adjournment

Moved by Councillor Chapman

“That the meeting adjourn.” Carried