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| Applicant: | Clear Valley Inc. (formerly Optima Homes) | Date of Original Decision: | Mar. 5, 2010 |
| File No.: | PS06/15 (Formerly WA-T-0704) | Date(s) of Extension(s) to Approval: | Jan. 8, 2013 |
| Municipality: | Town of Wasaga Beach | | Feb. 16, 2016 |
| Subject Lands: | Part of Lot 22 and 23, Concession 10, and Part of Lot 6, Registered Plan 1469 (Former geographic Township. of Flos) | | Jan. 22, 2019 |
| | | | Feb. 24, 2022 |
| | | | Feb. 13, 2025 |
| | | Date of Notice: | Feb. 21, 2025 |
| | | Last Date of Appeal: | Mar. 13, 2025 |

The Town of Wasaga Beach conditions to final plan approval for registration of this Plan of Subdivision are as follows:

No. Conditions

GENERAL

1. That this approval applies to the Draft Plan of Subdivision located on Part Lot 22 and 23, Concession 10 and Part of Lot 6, Registered Plan 1469, former Township of Flos, now in the Town of Wasaga Beach, County of Simcoe, prepared by Jones Consulting Group Ltd. and dated December 9, 2015, and certified by the Surveyor Rudy Mak, OLS on December 13, 2024 and by the Owner on December 16, 2024, consisting of:
 - a) 38 Single Detached Residential Lots (Lots 1 to 38)
 - b) 2 Stormwater Management Blocks (Blocks 40 and 42)
 - c) Municipal Dedication (Block 39)
 - d) Environmental Protection and Parkland (Block 41)
 - e) Municipal Reserve (Block 43)
 - f) Roads noted as Streets A and B, and Block 44 (extension of Mary Street)

HEADINGS

2. The headings inserted in these draft plan conditions are inserted for convenience only and shall not be used as a means of interpreting these draft plan conditions.

TOWN OF WASAGA BEACH

3. That the Owner provides that the appropriate zoning shall be in effect for the proposed plan of subdivision, to the satisfaction of the Town of Wasaga Beach, prior to final approval and registration.
4. That the Owner agrees that all lands to be dedicated to the Town are clear and free of all claims, liens and encumbrances.
5. That the Owner agrees that prior to final approval, to resolve any claims of dispute of Land Title or rights of access over any of the lands in the subdivision, to the satisfaction of the Town.
6. That the Owner agrees that prior to final approval, to resolve any claims of prescriptive easement or rights of access over any of the lands in the subdivision, to the satisfaction of the Town.

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7. That a Subdivision Agreement be entered into between the Owner and the Town of Wasaga Beach (Town) in which the Owner agrees to satisfy all of the requirements financial and otherwise, of the Town.
8. That a Subdivision Agreement shall be entered into with the Town of Wasaga Beach and the municipality shall confirm that the Subdivision Agreement has been registered by the municipality against the lands to which it applies as provided for the Planning Act, R.S.O. 1990.
9. That the Owner shall agree in the Subdivision Agreement that development charges, processing, and administration fees be paid in accordance with the provisions of the Subdivision Agreement with the Town of Wasaga Beach, County of Simcoe and applicable school board policies and by-laws in effect at the time payment is due.
10. That the Owner will enter into a site preparation, pre-servicing, development and/or any *other* necessary Agreements, satisfactory to the Town or any other appropriate authority before any development or site alteration occurs within the plan area. 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 or letters of credit, cash contributions, and levies (development charges);
 - i. Emergency services;
 - j. Land dedications, easements and reserves;
 - k. Fencing, berming, buffer blocks, noise abatement and planting;
 - l. Grading and sodding, signed entry features; and,
 - m. Warning clauses;
 - n. Parkland, tree preservation and hoarding;
 - o. Construction access
 - p. Architectural Design; and,
 - q. Warning Clauses.

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

11. That prior to final approval, the Owner shall agree in the Subdivision Agreement that a municipal numbering system shall be assigned to the satisfaction of the Town of Wasaga Beach with regard to 911 emergency servicing. The Owner agrees in the

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Subdivision Agreement to display *Certification of Titles Act* the lot number and corresponding assigned municipal address in a prominent location on each lot.

12. That the Subdivision Agreement between the Owner and the Town provide for the dedication of Municipal rights of way to the Town identified as Streets "A" and "B" as public roads and that these lands be conveyed by deed to the Town.
13. That the Owner agrees in the Subdivision Agreement to dedicate Block 44 to the Town, serving as an extension of the existing Mary Street right-of-way, in recognition of the existing conditions through which the property municipally known as 90 Mary Street is accessed from a public street (i.e., the "Mary Street right-of-way extension"). The boundaries of the Mary Street right-of-way extension shall be identified on the proposed final M-Plan, and dedicated to the Town as a public street through registration thereof.
14. That the Owner shall agree in the Subdivision Agreement to construct all streets in accordance with municipal standards and accepted for construction drawings, to the satisfaction of the Town of Wasaga Beach.
15. That prior to final approval "Streets "A" and "B" be named to the satisfaction of the Town with regard to 911 emergency servicing.
16. That prior to final approval, the Owner agrees to prepare to the satisfaction of the Town and/or other applicable authorities:
 - a. A detailed Storm Water Management Report;
 - b. A Sediment and Erosion Control Plan;
 - c. A detailed Site Grading and Drainage Plan;
 - d. A Traffic Impact Study;
 - e. An Environmental Impact Study/Assessment;
 - f. A Composite Utility Servicing Plan;
 - g. A Geotechnical Report;
 - h. Landscape Plans;
 - i. A Functional Servicing Report;
 - j. Detailed Site Servicing Plans;
 - k. A Tree Assessment Report and Preservation Plan;
 - l. Site Phasing Plans;
 - m. Vibration Monitoring Report;
 - n. Hydrogeological Report;
 - o. Line Painting and Signage Plan; and
 - p. Fire Break Lot Plan.

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17. That prior to any site alteration, the Owner shall submit the following to the satisfaction of the Town of Wasaga Beach and/or any other applicable agencies:
 - a. An Erosion and Sedimentation Control Plan;
 - b. A Tree Assessment Report and Preservation Plan;
 - c. An Environmental Impact Study/Assessment; and
 - d. Vibration Monitoring Report

18. That the Owner agree in the Subdivision Agreement to implement the recommendations of the Environmental Impact Study/Assessment to the satisfaction of the Town, including but not limited to monitoring of siltation fencing during construction.

19. That the Owner agree in the Subdivision Agreement that prior to placement of topsoil or surface reinstatement, that the Owner shall provide an Agronomy Report in accordance with the Town's Engineering Standards to the satisfaction of the Town.

20. That the detailed Stormwater Management Report demonstrates how drainage flow rates and quantities to adjacent residential lands are maintained to pre development conditions.

21. That prior to any site alteration the Owner shall submit a Tree Assessment Report, including an inventory of all existing significant trees, assessment of all significant trees to be preserved and proposed methods of tree preservation or remedial plantings; and the Owner shall undertake the measures identified in the accepted Assessment Report.

22. That prior to final approval and further to Condition 16, the Owner shall submit landscape plans to the satisfaction of the Town. These plans shall be consistent with the accepted Tree Preservation Plan and are to be prepared by a qualified landscape architect in good standing with the Ontario Association of Landscape Architects (OALA) and shall include the following:
 - a. Lot and block tree planting and/or buffer landscaping in accordance with the standards and requirements of the Town;
 - b. Fencing in accordance with the standards and requirements of the Town, in locations as may be required by the Town;
 - c. Subdivision entrance feature(s);
 - d. Pathways and Trails/Walkways, Pedestrian Bridges;
 - e. Stormwater management facility plantings; and,
 - f. Any other landscaping including supplemental plantings, as determined by the Town.

23. That the Owner shall agree in the Subdivision Agreement that the detailed design and construction of all landscaping shall occur at no cost to the Town of Wasaga Beach or the County of Simcoe and in accordance with the provisions of the accepted landscape plans.

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24. That the Owner agrees in the Subdivision Agreement to provide for a 20 metre tree preservation zone abutting the rear lot line of Lots 24 through to and including Lot 27. The Owner also agrees to provide for a tree preservation area on Lot 28 which is measured 20 metres from the projection of the rear lot line of Lots 24-27 and shall include a portion of lands to be dedicated to the Town, to the satisfaction of the Town.
25. That the Owner agrees in the Subdivision Agreement to include provisions for a site geotechnical report with particular reference to seasonal high groundwater table and recommendations for building foundation construction, including a minimum 0.3 metre vertical separation between the seasonal high groundwater table and the underside of footings, to the satisfaction of the Town.
26. That the Owner shall agree in the Subdivision Agreement, in wording acceptable to the Town and any applicable authority to carry out or cause to be carried out the recommendations and measures contained within the plans and reports set out above, and as revised if deemed necessary.
27. That the Owner shall agree in the Subdivision Agreement, in wording acceptable to the Town to ensure that any storm water management facilities and sediment and erosion control measures will be in place prior to: any site alteration, the creation of impervious areas such as roads and buildings, and building permit issuance.
28. That the Owner shall agree in the Subdivision Agreement to engage a qualified professional Engineer and that the Owner's qualified professional Engineer certify that their reports and design conform with applicable Provincial and Municipal standards to the satisfaction of the Town and that they provide certification that the final constructed works conform to the accepted design.
29. That the Owner shall agree in the Subdivision Agreement, with wording acceptable to the Town that all vacant lots within each development phase shall be rough graded such that best efforts are taken to ensure there is no standing water and maintained in general conformance with the accepted comprehensive grading plan. Furthermore, silt fencing shall be installed and maintained to the satisfaction of the Town to ensure no off-site impacts from earthworks or stormwater run-off.
30. The Owner further agrees in the Subdivision Agreement to topsoil and seed any rough graded area not proceeding to construction within twelve (12) months of registration of the Plan, to the satisfaction of the Town.
31. That the Owner shall agree in the Subdivision Agreement, with wording acceptable to the Town that all vacant lands shall be kept clear of weeds and noxious plants, and maintained in accordance with standards determined by the Town.
32. That the Owner and the Town shall agree in the Subdivision Agreement that the construction of the Plan of Subdivision may occur in phases, as approved by the Town.
33. That prior to final approval, the Owner shall develop a phasing plan for the subdivision to the satisfaction of the Town.

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34. That the Owner shall agree in the Subdivision Agreement, to provide for the extension of existing sanitary sewer system and water distribution system to the subject lands, necessary to service the proposed development, at the Owner's expense to the satisfaction of the Town.
35. That the Owner shall agree in the Subdivision Agreement to make payment for all water and sewer connection fees, to the satisfaction of the Town.
36. That the Owner shall agree in the Subdivision Agreement, to provide such easements as may be required for servicing, utility or drainage purposes which shall be granted to the appropriate authority to the satisfaction of those applicable authorities, and the Town.
37. That the Owner shall agree in the Subdivision Agreement that a suitable construction access shall be provided in a location approved by the Town.
38. That the Subdivision Agreement between the Owner and the Town shall include provisions whereby all Offers of Purchase and Sale will include information that satisfies subsection 59(4) of the Development Charges Act and the requirements of the Town of Wasaga Beach. (Please see Note 10 below)
39. That the Owner agree in the Subdivision Agreement, prior to offering any of the residential lots for purchase, to place a "Display Map" in a prominent location in the sales office in a place visible to the public, which indicates the accepted location of all sidewalks, walkways, trails, community mail boxes, parks, amenity and playground facilities, open spaces areas, tree protection areas, parking areas, buffer areas, drainage and stormwater management facilities, landscaping, buffer areas, and surrounding land uses. The Owner shall also agree to keep "Accepted for Construction" plans in the sales office which show easements, hydrants, utilities, lighting, lot grading, and landscaping measures.
40. That the Owner shall agree in the Subdivision Agreement to co-ordinate the preparation of composite utility distribution plans that allow for the safe installation of all utilities, including required separation between utilities, to the satisfaction of all affected authorities and the Town of Wasaga Beach.
41. That the Owner shall agree in the Subdivision Agreement to include the following in all Offers of Purchase and Sale or lease for all lots;
 - a) A clause advising prospective purchasers that an emergency access road will be constructed on Block 39 adjacent to Block 40;
 - b) A clause advising prospective purchasers that Block 41 consists of natural hazard and environmentally sensitive lands owned by the Town of Wasaga Beach;
 - c) A clause advising prospective purchasers that a walkway trail system will be constructed linking the street openings between Lots 18 and 19 and Lots 32 and 33;

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42. The Owner shall cause the following warning clauses to be included in a schedule to the Subdivision Agreement:
- a) All offers of purchase and sale, or lease for all lots/blocks:
- "Purchasers and/or tenants are advised that the proposed finished lot and/or block grading may not meet Town lot grading criteria in certain areas, to facilitate preservation of existing vegetation and to maintain existing adjacent topographical conditions."
- 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."
- "Purchasers and/or tenants are advised that Deerbrook Drive 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."
- b) All offers of purchase and sale abutting any open space or woodlot:
- "Purchasers and/or tenants are advised that the adjacent open space, woodlot or stormwater management facility may be left in a naturally vegetated condition and receive minimal maintenance."
43. That the Owner shall agree in the Subdivision Agreement to include in all Offers of Purchase and Sale a clause advising the prospective purchasers that landscaping improvements adjacent to the driveway (i.e. driveway curbing/edging) must be flush with the driveway surface and back of curb to a minimum of 1.5 metres beyond the edge of roadway curb line. Where sidewalk exists along the frontage of the dwelling, driveway edging must be flush with the driveway surface for a minimum 0.5 metre beyond the back of driveway.
44. That the Owner shall agree in the Subdivision Agreement that the Owner shall be responsible for notifying property owners of noted encroachments within the right-of-way and coordinating the removal and/or adjustments of encroachments to the satisfaction of the Town.
45. That the Owner agrees in the Subdivision Agreement, to provide for a dedication of Block 39 for servicing and emergency access purposes and that these lands be conveyed by deed to the Town.
46. That the Owner agrees in the Subdivision Agreement, to provide for a dedication of Block 41 for open space, parkland and trail purposes and that these lands be conveyed by deed to the Town.
47. That the Owner agrees in the Subdivision Agreement, to provide for a dedication of Blocks 40 and 42 for stormwater management purposes and that these lands be conveyed by deed to the Town.

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48. If wet ponds are to be used, that the Owner shall agree in the Subdivision Agreement to provide for the supply and placement of aeration fountains and landscape improvements in stormwater management ponds, to the satisfaction of the Town of Wasaga Beach.
49. That the Owner agrees in the Subdivision Agreement, to provide for a dedication of Block 43 for reserve purposes and that these lands be conveyed by deed to the Town.
50. That the Subdivision Agreement between the Owner and the Town shall provide for the construction by the Owner of the walking trail system and pedestrian bridge crossing to link Streets A and B through Block 41 to the satisfaction of the Town, in accordance with the accepted landscape plans.
51. That the Owner agrees in the Subdivision Agreement, to construct a pedestrian bridge crossing to link Deerbrook Drive and Mary Street, to the satisfaction of the Town, in accordance with the accepted landscape plans.
52. That the Owner shall agree in the Subdivision Agreement that the detailed design and construction of all trails and pedestrian bridges shall be in accordance with the Town of Wasaga Beach Engineering Standards. The trails and pedestrian bridges shall be completed at no cost to the Town of Wasaga Beach and in accordance with the provisions of the accepted for construction plans.
53. That the Subdivision Agreement between the Owner and the Town provide for fencing to be erected in the following locations to the satisfaction of the Town;
 - a) 1.5 m high black vinyl chain link fence around Blocks 40 and 42;
 - b) 1.5m high black vinyl chain link along the lot lines that abut Block 4 and
 - c) 1.5m high black vinyl chain link fence along the walkway connection between Lots 18 and 19.
54. That the Owner agrees in the Subdivision Agreement to dedicate Block 41 as the 5% Parkland dedication required by the Planning Act, to the satisfaction of the Town.
55. That the Owner shall agree in the Subdivision Agreement that lighting be installed in a manner that minimizes off-site illumination. The height, intensity and all technical design specifications of lighting systems will be determined based on applicable studies to the satisfaction of the Town and shall be dark sky compliant.
56. That the Owner shall agree in the Subdivision Agreement that final engineering design(s) may result in minor variations to the Plan (e.g. in the configuration of road allowances and totting, number of lots, etc.), which may be reflected in the final Plan to the satisfaction of the Town.
57. That prior to final approval and registration of the Plan or any Phase thereof, Town staff shall confirm that there is sufficient water and sanitary capacity available to service the entire plan of subdivision or phase based on actual usage as determined by the Town's monitoring of water flows and sanitary sewer flows.

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58. That a copy of the proposed final M-Plan is to be forwarded to the Town of Wasaga Beach for review and approval.

WASAGA DISTRIBUTION

59. That the Owner in the Subdivision Agreement will agree to enter into an Agreement with Wasaga Distribution Inc. for the provision of hydro utility services.

60. That the Owner shall agree in the Subdivision Agreement to co-ordinate the preparation of a composite utility distribution plan to the satisfaction of all affected authorities and the Town.

SIMCOE COUNTY DISTRICT SCHOOL BOARD

61. That the Owner shall agree in the Subdivision Agreement to include in all Offers of Purchase and Sale, a clause advising prospective purchasers that accommodation within a public school in the community is not guaranteed and students may be accommodated in temporary facilities (e.g., portable classrooms, a “holding school”) or in schools within or outside of the community.

62. That the Owner shall agree in the Subdivision Agreement to include in all Offers of Purchase and Sale, a clause advising the prospective purchasers that school busses may not enter the subdivision and that pick up points will generally be located on a through street and at a location convenient to the Simcoe County Student Transportation Consortium.

SIMCOE MUSKOKA CATHOLIC DISTRICT SCHOOL BOARD

63. That the Owner include in all Offers of Purchase and Sale a clause advising prospective purchasers that pupils from this development attending education 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.

CANADA POST

64. That the Owner shall agree in the Subdivision Agreement to the work with Canada Post and the Township to determine the location of the Community Mail Boxes and to ensure that they are properly identified on all appropriate Plans and Maps. The Owner shall further agree to provide an appropriately sized concrete pad where applicable, to Canada Post’s and the Township’s specifications, including any required walkways across the boulevard and any curb cuts to provide barrier free access to the permanent Community Mail Box location(s).

MINISTRY OF CULTURE

65. That prior to final approval and any site alteration, the Owner shall carry out a Stage 4 Archaeological Assessment of the subject property, and any further assessment as may be required, to document, remove and/or preserve any significant archaeological

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resources found. No grading or other soil disturbances shall take place on the subject property prior to the Ministry of Culture confirming in writing to the Approval Authority that all archaeological resource concerns have met licensing and resource conservation requirements.

ENBRIDGE GAS DISTRIBUTION INC.

66. That the Owner shall agree in the Subdivision Agreement that:
- a) The developer is to co-ordinate the preparation of an overall utility distribution plan to the satisfaction of all affected utilities;
 - b) Streets are to be constructed in accordance with the municipal standards;
 - c) All streets are to be graded to final elevation prior to the installation of the gas lines, and to provide Enbridge Gas with the necessary field survey information required for the installation of the gas lines, all to the satisfaction of Enbridge Gas Distribution; and
 - d) The natural gas distribution system will be installed within the proposed road allowances therefore easements will not be required.

COMMUNICATION/TELECOMMUNICATION FACILITIES

67. That the Owner shall agree in the Subdivision Agreement that prior to commencing any work within the Plan, the Owner must confirm that sufficient wire-line communication/telecommunication infrastructure is available for the proposed development. In the event that such infrastructure is not available, the Owner agrees that they may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Owner elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Owner shall be required to demonstrate to the Municipality that sufficient alternative communication/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).
68. That the Owner shall agree in the Subdivision Agreement, in words satisfactory to the service provided to grant to the service provider any easement that may be required for telecommunication services. Easements may be required subject to final servicing approvals. In the event of any conflict with the existing communication/telecommunication facilities or easements, the owner/Developer shall be responsible for the relocation of such facilities or easements.

NOTTAWASAGA VALLEY CONSERVATION AUTHORITY

69. That prior to final approval the following shall be prepared to the satisfaction of the Nottawasaga Valley Conservation Authority and the Town of Wasaga Beach:
- a) A detailed Storm Water Management Report;
 - c) A Erosion and Sediment Control Plan; and,
 - d) A detailed Grading Plan.

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70. That the Owner shall agree in the Subdivision Agreement, in wording acceptable to the NVCA, to carry out or cause to be carried out the recommendations and measures contained within the plans and reports set out above.
71. That the Owner shall agree in the Subdivision Agreement, in wording acceptable to the NVCA, to ensure that any stormwater management facilities and sediment and erosion control measures will be in place prior to any site alteration.
72. That the Owner shall agree in the Subdivision Agreement to engage a qualified professional to certify in writing that the works were constructed in accordance with the plans, reports and specifications, as approved by the NVCA.
73. That easement required for storm water management and drainage purposes be granted to the appropriate authority.
74. That prior to any site alteration in a regulated area, a permit under the *Conservation Authorities Act* will be obtained from the NVCA.
75. That the Owner shall agree, prior to final approval, to pay all development fees to the Conservation Authority as required in accordance with the NVCA's fees policy, under the *Conservation Authorities Act*.

COUNTY OF SIMCOE

76. That the Owner/Developer shall agree to include the following clause in the Subdivision Agreement, to the satisfaction of the County of Simcoe ('County'):
 - a) Based on preliminary designs, the County has confirmed that County waste collection services are feasible for this development. The County is not required to provide waste collection services along un-assumed roads until such time they are assumed by the municipality. The County may, however, commence waste collection services prior to the municipality assuming the road once an appropriate level of residency has been confirmed by the County. Such early provision of waste collection services is contingent upon regular access being available on the road and is subject to a request being approved by the County Solid Waste Management Department. This may require temporary turnarounds to be constructed depending on the phasing of the development. The Owner/Developer acknowledges that should road access be blocked due to road construction, parked vehicles, insufficient snow removal, etc., or should any temporary turnarounds not be constructed to the County's standard, service disruptions will occur. The Owner/Developer is responsible for providing waste collection services until such time as the County has confirmed that the access restriction has been satisfactorily remedied.

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b) Prior to occupancy of the development or any phase thereof, a request shall be made for waste collection services by the Owner/Developer to the County of Simcoe Solid Waste Management Department. The Owner/Developer will be responsible for obtaining the required number of recycling and organic bins from the County of Simcoe and distributing the bins to the occupants of each new unit.

77. That prior to final approval or registration of any phase(s), the Owner/Developer shall provide written confirmation to the County of Simcoe, that all municipal roads, including any dead end roads or temporary turnarounds, are designed to accommodate County waste collection vehicles as per the County's Waste Collection Road Design Policy and applicable Waste Collection Technical Design Standards document. The Owner/Developer shall revise the curb radius for the "P" style turnaround areas on Streets 'A' and 'B' to a minimum of 13 metres as required by the County's technical standards. Furthermore, the Owner/Developer shall submit all engineering drawings to the County of Simcoe to demonstrate that the design and construction of all roads complies with the Waste Collection Technical Design Standards. Failure to construct municipal roads in accordance with County's standards may result in waste collection services being withheld or suspended, and may require reconstruction to accommodate waste collection service vehicles.

ADJACENT OWNER(S)

78. That the Owner shall convey a Block "XX" to the registered owner of PT LT 23 CON 10 FLOS, Wasaga Beach, being Part 40 on Plan R-1156 (PIN 58343-0267) within 30 days of registration of the final plan of subdivision with the Ontario Registry Office.

CLEARANCE LETTERS

1. That prior to final approval, the Approval Authority is to be advised in writing by Wasaga Distribution Inc. how Conditions 59 and 60 have been satisfied.
2. That prior to final approval, the Approval Authority is to be advised in writing by the Simcoe County District School Board how Conditions 61 and 62 have been satisfied.
3. That prior to final approval, the Approval Authority is to be advised in writing by the Simcoe Muskoka Catholic District School Board how Condition 63 has been satisfied.
4. Prior to final approval, the Approval Authority is to be advised in writing by Canada Post how Condition 64 has been satisfied.
5. Prior to final approval, the Approval Authority is to be advised in writing by Ministry of Culture how Condition 65 has been satisfied.
6. Prior to final approval, the Approval Authority is to be advised in writing by Enbridge Gas Distribution Inc. how Condition 66 has been satisfied.

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| Applicant: | Clear Valley Inc. (formerly Optima Homes) | Date of Original Decision: | Mar. 5, 2010 |
| File No.: | PS06/15 (Formerly WA-7-0704) | Date(s) of Extension(s) to Approval: | Jan. 8, 2013 |
| Municipality: | Town of Wasaga Beach | | Feb. 16, 2016 |
| Subject Lands: | Part of Lot 22 and 23, Concession 10, and Part of Lot 6, Registered Plan 1469 (Former geographic Township. of Flos) | | Jan. 22, 2019 |
| | | Date of Notice: | Feb. 25, 2022 |
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7. Prior to final approval, the Approval Authority is to be advised in writing by the Communication/Telecommunication provider how Conditions 67 and 68 have been satisfied.
8. Prior to final approval, the Approval Authority is to be advised in writing by the Nottawasaga Valley Conservation Authority how Conditions 69 through 75 have been satisfied.
9. Prior to final approval, the Approval Authority is to be advised in writing by the County of Simcoe how Conditions 76 and 77 have been satisfied.

NOTES TO DRAFT APPROVAL

1. This draft approval is for a period of three years. The owner is on "Notice" that he is to apply for any extension at least sixty (60) days prior to lapsing date.
2. It is the applicant's responsibility to fulfill the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the Town of Wasaga Beach quoting file number PS06/15 (Formerly WA-T-0704).
3. It is suggested that the Owner be aware of Section 144 of the *Land 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).
4. Subsection 78(10) of the *Registry Act* requires that a plan of subdivision that is located 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 Clause (b) and (c) of Subsection 78(10).
5. It is suggested that the municipality register the Subdivision Agreement as provided by Subsection 51(26) of the *Planning Act*, R.S.O. 1990 against the land to which it applies, as notice to prospective purchasers.
6. The Town requires all engineering drawings to be submitted in electronic format as well as a hard copy. Please contact the Town Information Technology Department for additional information.
7. All measurements in the subdivision's final plans must be presented in metric units.
8. For your information, easements required for utility or drainage purposes should be granted to the appropriate authority.
9. All property and easements to be conveyed must be free and clear of encumbrances, at the owner's expense.

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10. A Development Charge, adjusted to the date of payment, with respect to municipal services shall be calculated and payable in accordance with the policies of the Town of Wasaga Beach, County of Simcoe, and the applicable School Boards at building permit issuance.
11. The Owner will be required to contact Wasaga Distribution regarding the details of utility servicing for the Subdivision as well as the necessary Agreement. The Wasaga Distribution contact is Nannette Dupuis at 705-429-2517.
12. It is the responsibility of a person(s) undertaking any proposed activity to ensure they are in compliance with all provincial and federal legislation included in the *Ontario Endangered Species Act*. Therefore a person(s) should ensure their proposed activities will not adversely affect a Species at Risk or its habitat protected under the *Ontario Endangered Species Act*. If an impact to a Species at Risk or its habitat cannot be avoided, a person(s) may apply for an authorization under the *Ontario Endangered Species Act*. However, if an authorization is not issued by the Ministry of Natural Resources, the person(s) must comply with the *Ontario Endangered Species Act* by modifying the proposed development/activities to avoid an impact to Species at Risk and habitat protected under the *Ontario Endangered Species Act*.
13. The Owner/Developer is required to comply with the County's Waste Collection Design Standards. Failure to comply could result in Waste Collection Services being withheld or suspended.
14. Modifications to the development design must conform to the County's Waste Collection Road Design Policy and Waste Collection Technical Design Standards document to ensure that waste collection services can be provided. Confirmation of waste collection services should be obtained from the County of Simcoe prior to registration.
15. Clearance letters are required from the following agencies:

Town of Wasaga Beach
30 Lewis Street
Wasaga Beach, Ontario L9Z 1A1

Simcoe County District School Board 1170
Highway 26 West
Midhurst, Ontario LOL 1X0

Simcoe Muskoka Catholic District School Board
46 Alliance Boulevard
Barrie, Ontario L4M 5K3

Canada Post
Delivery Planning
525 Dominion Avenue
Midland, Ontario L4R 1P0

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Ministry of Tourism, Culture & Sport
Program Services Branch - Services Unit
Attn: Paula Kulpa
401 Bay Street - 17th floor
Toronto, Ontario M7A 0A7

Enbridge Gas Distribution Inc.
Distribution Planning
10 Churchill Drive
Barrie, Ontario
L4N 8Z5

Nottawasaga Valley Conservation Authority 8195
Concession 8
Utopia, Ontario LOM 1T0

Bell Canada (If Applicable)
Attn: John LaChapelle
Right-of-Way Control Centre Floor
5-Blue 100 Borough Drive
Scarborough, Ontario M1P 4W2

Rogers Communications Inc. (If Applicable) Attn:
Bernie Cyr
Manager, OPE
1 Spelling Drive
Barrie, ON
L4M 6B8

Wasaga Distribution Inc.
Attn: Nannette Dupuis
950 River Road West,
P.O. Box 20
Wasaga Beach, Ontario
L9Z 1A2

County of Simcoe
Planning Department
1110 Highway 26
Midhurst, Ontario
L9ZX 1N6

16. If agency conditions form part of the Subdivision Agreement, a copy of the Agreement shall be sent to those agencies if so requested. This will expedite clearance of the final plan.
17. Please be advised that the approval of this draft plan will lapse on March 5, 2028. 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.

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18. If final approval is not given to this plan within three (3) 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 the draft approval, a written explanation must be received by the Approval Authority, sixty (60) days prior to the lapsing date.
19. Please note that an updated review of the plan, and revision of the conditions of approval, may be necessary if an extension is to be granted.
20. The Final Plan approved by the Approval Authority must be registered within 30 days or the Approval Authority may withdraw its approval under subsection 51(32) of the *Planning Act*, R.S.O. 1990, Chapter 13, as amended.

Subject to the conditions set forth above, this Draft Plan is approved under Section 51 of the *Planning Act*, R.S.O. 1990, Chapter 13, as amended.

Approved this 13th day of February, 2025

Trevor Houghton, Director of Planning
Town of Wasaga Beach