



**Subdivision Development Process:  
Design Submission Requirements and  
Final Plan Registration Guidelines**

**Planning Department**

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## Table of Contents

1.0 Introduction.....	1
1.1 Overview .....	1
1.2 Getting Started.....	2

### **Part I: Design Submissions**

2.0 Documents and Drawings Required for Complete Engineering Design Submissions.....	4
2.1 General .....	4
3.0 Subdivision Design Submission Procedures .....	5
3.1 Final Engineering and Landscape Drawings.....	6

### **Part II: Plan Registration**

4.0 The Subdivision Agreement .....	7
4.1 Subdivision Agreement Components .....	8
4.2 Draft M-Plan and Reference Plans .....	9
4.3 Pre-Selling Lots.....	10
4.4 Execution of Subdivision Agreement .....	11
4.5 Model Homes.....	13
4.6 Clearance of Draft Conditions for Final Plan Registration .....	14
5.0 Final Approval and Registration of a Plan of Subdivision .....	14
5.1 Final Approval .....	14
5.2 Final Plan .....	15
5.3 Plan Registration Process.....	15
5.4 Fees .....	16
5.5 Regional Development Charges/Regional Agreement.....	17

### **Appendices**

Appendix A: Town of Newmarket Subdivision Design Review and Acceptance Process Representatives .....	18
Appendix B: Design Submission Checklists .....	21
Appendix C: Final Approval and Registration of a Plan of Subdivision Checklist.....	43
Appendix D: Certificate of Lot Areas, Frontages and Zoning Compliance.....	49
Appendix E: Insurance Provisions.....	Error! Bookmark not defined.

# 1.0 Introduction

## 1.1 Overview

This document is intended to assist owners/developers who have obtained **draft approval** of a plan of subdivision in accordance with the provisions of the Planning Act, and are proceeding towards **design and final plan registration**. The following is meant to assist owners/developers, and their consultants in understanding the Town's procedures in order to **minimize delay** and ensure an **expeditious** and **cost-effective design review** process.

Nothing in this document is intended to replace any municipal by-laws or standards currently in effect with respect to development. The procedures set out herein are intended to complement the Town's engineering design standards. Before proceeding towards plan registration and design, developers, landowners and their consultants are requested to thoroughly familiarize themselves with this document, together with the engineering design standards of the Town's Engineering Services Department, and any special requirements of the Town, such as:

- a) storm pond design with respect to safety, fencing, landscaping and public access;
- b) tree preservation and protection procedures and requirements;
- c) Town grading and fill placing/alternation by-laws; and
- d) earth moving procedures and requirements;
- e) pre-servicing of development;
- f) grade relationships and compatibility between existing development, and proposed development;
- g) fencing requirements; and
- h) Region of York, and/or Town of Newmarket tree removal by-law.

Failure to comply with, or have regard to, the above may result in delays in final acceptance and plan registration, the Town rescinding draft approval, and/or commencement of any other action the Town considers necessary or advisable.

Once draft approval of a plan of subdivision has been granted by Council and has come into full force and effect pursuant to the Planning Act, development may be processed to Final Engineering Design Acceptance and Plan Registration, in accordance with the process outlined below. For the purposes of this guideline the words Owner/Developer shall mean the landowner, the land developer, the applicant, and/or their agents or consultants as may be the case.

The clearance of all of the draft conditions of approval, leading to final registration of a plan of subdivision and engineering design acceptance, involves overlapping processes that parallel each other. The Town provides a coordinated approach to these processes.

In this regard, the Town has established a Development Coordination Committee chaired by a **Development Coordinator** to manage the integration of the various departmental responsibilities. The **subdivision design, review and registration**

process following Draft Plan Approval typically **involves four broad processes** often proceeding in parallel. These processes come under the auspices of a stand out department or consultant who oversees the particulars of that process, namely;

- a) **Design Review and Acceptance** (Town's Consulting Engineer);
- b) **Planning Requirements, including draft plan condition clearances and Final Plan Approval** (Planning Department);
- c) **Subdivision Agreement preparation and execution** (Town's Development Coordinator); and
- d) **Agreement and Plan Registration** (Legal Services Department).

The Town's **Development Coordinator oversees these overlapping processes** and assists in keeping each on track towards the ultimate goal, plan registration. With each of these four processes many departments and agencies may be involved.

The Development Coordination Committee, which is a technical working Committee, consists of representation from the Town's Planning Department, and Legal Services Department, the Community Services Commission (Engineering Services Department & Town's Capital Projects Parks Development Coordinator. As well, the Town's Consulting Engineer is on the Committee. The Development Coordination Committee normally meets regularly every other Thursday. Owners/Developers may contact the Development Coordinator if they wish to come to a Development Coordination meeting to discuss development related issues.

The remainder of this guideline booklet identifies the requirements and procedures of each of the departments and personnel involved in the Development Coordination, design and plan registration functions.

## **1.2 Getting Started**

It is recommended that the Owner/Developer familiarize themselves with the requirements set out below before commencing any Engineering Design work as contemplated in Part I, or Plan Registration work set out in Part II. In addition, the Owner/Developer shall make arrangements with the Development Coordinator for a **pre-design consultation meeting**. This mandatory meeting typically will involve the Owner/Developer's full consulting team and the relevant Town staff (see Appendix "A", attached), involved in the processing of the planning, engineering and legal requirements of plan registration and design acceptance. This pre-design consultation meeting may also include, where necessary, representatives of the applicable external agencies. This consultation meeting shall occur prior to the commencement of each phase of development, and prior to the first engineering design submission of that phase.

The pre-design consultation meeting is an important part of the Design/Registration process since it provides an early opportunity to address specific issues and concerns related to the proposed development. To ensure that this meeting is of benefit to all participants, it is recommended that the Owner/Developer circulate an agenda to all

intended participants, prior to the meeting, outlining any issues they wish to discuss. A sample of agenda topics for the consultation meeting is listed below:

- 1) Identification of key consultants and contact information;
- 2) Procedures for getting on Development Coordination agendas;
- 3) Full versus partial design submissions;
- 4) Lead consultant's role in reviewing all submission components for compatibility;
- 5) Park design issues;
- 6) Design submission issues;
- 7) Status of sales material;
- 8) Special matters or items requiring discussion;
- 9) Lot numbers on studies/reports to be consistent with M-Plan;
- 10) Title issues;
- 11) External consultations required; and
- 12) Discussion of owner's time-line with key milestones.

In addition, the **Owner/Developer** shall prepare a **preliminary time-line** commencing with the first submission engineering design drawings and culminating in engineering design acceptance and plan registration. The time-line should be realistic in terms of the procedures set out herein, identify critical dates along the design review path, and highlight any special requirements such as model home details, pre-servicing agreements for servicing, and cut/fill permits for earth moving. The time-line should also have regard for the design review process of any applicable external agencies. The time-line can and should be modified throughout the design review process in consultation with the Town, to reflect any changes that may occur. Any **revisions to the time-line shall be circulated as part of the next engineering submission to all affected participants in the design review process.**

# Part I: Design Submissions

## 2.0 Documents and Drawings Required for Complete Engineering Design Submissions

### 2.1 General

The attached checklists are provided for the information of the Owner/Developer, their Consulting Professional Engineer, and other members of their consulting team, being a summary of the requirements for each engineering design submission. **The relevant checklist (see Appendix "B" attached) must be completed, signed and submitted with the appropriate submission, i.e., first, second, etc.**

For **First Submission** documents and drawings to be considered complete, they must contain **all** the information described in the relevant sections of Appendix "B".

For the **Second, Third and subsequent submissions** documents and drawings to be considered complete, **all comments of the previous Engineering Submission shall have been addressed and all required changes shall have been made to the documents and drawings.** Any proposed phasing, with the delineation of each phase, is to be shown on the drawings forming the Second and all subsequent Submissions.

The Engineering Design process is intended to be complete not later than the **Fourth Submission**, such that they are satisfactory to the Director of Engineering Services, for the purpose of signing the drawing originals. The **Final Submission** is to include written confirmation, with copies of supporting correspondence, that the approval and/or acceptance of all other external commenting Agencies and Departments have been obtained.

Where the Engineering Design process goes beyond a **Fourth Submission**, a fee will be payable by the Owner/Developer at the time of each subsequent submission, in an amount as set out in the Town's User Fee Bylaw.

For each submission, **all Engineering drawings are to be dated, signed and sealed by a professional engineer** retained by the Owner/Developer. **All submissions are to be signed by the lead consultant for the project**, certifying that the drawings submitted are complete and that they have reviewed the submission for responses to all prior comments. As well, the lead consultant should verify that the submission is in compliance with the Draft Plan and Conditions as issued under the Planning Act. **All landscape plans shall be dated, signed and sealed by a Professional Landscape Architect.**

All documents and drawings are to be properly completed as per the requirements of current engineering conventions.

**Incomplete submissions will not be accepted. Formal review of any submission will only commence once all required components are received.** Generally, the Town will require its Development Coordination Team to comment to Town staff on each complete submission within one complete cycle of two Development Coordination Committee meetings. Specifically, when a complete submission is received, it proceeds to the next scheduled Development Coordination meeting for preliminary discussion. The Development Coordination Committee members will then review the submission over the following two weeks, and provide draft comments to the Development Coordinator at the next Development Coordination meeting. These draft comments will then be finalized generally not later than 2:00 p.m. on the Tuesday following the Development Coordination meeting. Using this procedure the Development Coordination Team will endeavour to provide their comments on each complete submission within a three to three and a half week period from receipt of the complete submission.

### **3.0 Subdivision Design Submission Procedures**

When an Owner/Developer is ready to make the **First Submission** and has completed the requirements of the Pre-Design Consultation as previously set out, (in Section 1.2 herein), submission of the subdivision design drawings, documents and reports may begin in accordance with each of the departmental procedures outlined herein. The submission shall be made simultaneously to **all** of the Departments as set out in the relevant Checklist (see Appendix "B" attached). **A transmittal or covering letter to each of the Town's Departments, the Town's Engineering Design Checking Consultant, and the Town's Development Coordinator enclosing a complete set of all drawings, documents and reports and Checklist shall be submitted with each submission.**

The receipt of this material by the Town's Development Coordinator, and the simultaneous submission of the requirements of the Departments, as set out in the checklist, will trigger a monitoring process by the Town's Development Coordinator. Notification will be provided to each of the relevant Departments/Agencies as to the timing for responding to the submission. Comments from the Town Departments on the submission will be forwarded to the Town's Development Coordinator. These comments will be reviewed with other Department comments, and in conjunction with the Town's Engineering Design Checking Consultant. These comments will then be forwarded onto the Owner/Developer, or to such representative as the Owner/Developer directs in writing, by the Development Coordinator. Any overall general questions of process, timing, and procedure may be directed at any time to the Town's Development Coordinator. However, technical questions by professionals of similar discipline should be directed to the appropriate personnel. Should any difficulties arise during the course of this procedure, the Town's Development Coordinator is there to assist the Owner/Developer in resolving any problems or concerns.

Subdivision servicing designs prepared by the Owner/Developer's consulting engineer will be reviewed on behalf of the Town of Newmarket by the **Town's Engineering Design Checking Consultant**. Incomplete submissions which do not attempt to address all aspects of the draft conditions or the engineering criteria and requirements set out herein will be returned. It is the Owner/Developer's responsibility to review and incorporate the most up-to-date Engineering Services Department Design requirements for development, into each design submission.

Following the review and commenting process for each design submission, if the Owner or their consultants wish, a meeting can be arranged with the Development Coordination Committee, in order to assist in ensuring that the design will be complete and suitable for the signatures of the Director of Engineering Services and the Town's Capital Projects Parks Development Coordinator by the earliest possible submission.

For Final Submissions the original reproducible mylar drawings are to be submitted to the Director of Engineering Services for signature. (See Section 3.1 below.)

### 3.1 Final Engineering and Landscape Drawings

The original reproducible mylar drawings are to be submitted to the Director of Engineering Services and to the Town's Capital Projects Parks Development Coordinator for signature once all outstanding comments have been addressed. After signing the following distribution of plans shall occur:

- 1) Two (2) sets of the signed plans, as set out in Appendix B attached, and three (3) sets of signed reduced plans, along with a digital format version on CD, shall be submitted to the Town's Engineering Services Department.
- 2) One (1) full set of the signed plans, as set out in Schedule B attached, shall be submitted to the Town's Consulting Engineer, together with one (1) reduced signed set for inspection purposes.
- 3) One (1) full set of the signed plans, as set out in Appendix B attached, shall be submitted to the Town's Capital Projects Parks Development Coordinator along with one (1) signed reduced set.
- 4) All reduced plans referred to above shall be reduced to 11" x 17".

# Part II: Plan Registration

## 4.0 The Subdivision Agreement

The Town has a standard Subdivision Agreement template which is available from the Development Coordinator or the Planning Department. Owners/Developers and their consultants should familiarize themselves with the template agreement after Draft Plan Approval is received and prior to commencing detailed design.

Once the Second Submission Engineering Design Drawings have been submitted, reviewed, and deemed significantly mature by DCC, the Subdivision Agreement process may commence. The Owner/Developer or his/her representative should file a **letter with the Town's Development Coordinator requesting the preparation of the Subdivision Agreement.**

The Development Coordinator will consult with the Development Coordination Committee, prior to the preparation of the first draft of the Subdivision Agreement. Typically, this consultation will occur simultaneously with the Town's second submission review. The Development Coordinator will prepare a draft of the Agreement which will contain specific wording addressing the requirements of the Conditions of Draft Plan of Subdivision Approval along with other matters. If the Development Coordination Committee advises that the design is sufficiently mature, then a draft agreement will be prepared generally within 10 to 12 business days from receiving the Committee's direction.

The Town's Development Coordinator will circulate a draft of the proposed Subdivision Agreement to the Development Coordination Committee for comment, generally requesting a 7 to 10-day turnaround on comments. Any recommended changes to the agreement will be incorporated by the Town's Development Coordinator into a second draft of the Agreement. Once this process has been completed, the second draft of the Agreement will be given to the Owner/Developer by the Development Coordinator for their review. Any comments by the Owner/Developer should be filed in writing, with the Town's Development Coordinator. The Town's Development Coordinator may involve the appropriate Departments to respond to any comments and shall arrange meeting(s) with the Owner/Developer, where deemed necessary, to finalize the Subdivision Agreement for execution. The Development Coordinator shall determine if further drafts are required, and if the drafting and circulation process would be repeated.

Finalization of the Subdivision Agreement for execution shall not occur until final acceptance of the Agreement from all departments has been obtained, including final acceptance of the Engineering Design Drawings or the Development Coordination Committee has deemed the drawings to be sufficiently mature to warrant the execution of the Subdivision Agreement. Execution of the Subdivision Agreement will require that Owner/Developer has paid all required fees set out in the Subdivision Agreement (typically found in Schedule "F") and demonstrate that all required insurance

requirements as set out in Section 26.0 of the main body of the Subdivision Agreement have been fulfilled. For convenience, the Town's current insurance requirements are set out in Appendix "E" to these guidelines attached.

#### 4.1 Subdivision Agreement Components

The Town's standard subdivision agreement template consists of a main body, often referred as the Head Agreement, and numerous schedules. Generally, the Town's Head Subdivision Agreement does not change from development to development. Any special provisions relating to a particular development as a result of the Draft Conditions of Approval or other requirements are inserted in Schedule "J" to the Subdivision Agreement.

The schedules which are required to be completed for execution of an Agreement are as follows:

- Schedule "A" - Registerable Legal Description of the Property including PIN  
(Schedule "A" is required to be prepared by the Owner's solicitor, and approved by the Legal Services Department.)
- Schedule "B" - Lands and Easements to be conveyed to the Town  
(including lands to be dedicated as public highways and other external conveyances)  
(Schedule "B" should be prepared by the Owner's Solicitor in consultation with the Owner's surveyor, and consulting engineer and submitted to the Town by the Owner's said consulting engineer. Schedule B shall be approved by the Town's Engineering Design Checking Consultant)
- Schedule "C" - Zoning  
(Schedule "C" is prepared by the Town, and approved by the Planning Department.)
- Schedule "D" - Estimate of Costs of Works and Services  
(Schedule "D" is prepared by the Owner's consulting engineer for review and approval by the Town's Engineering Design Checking Consultant.)
- Schedule "F" - Financial Payments and other Charges  
(Schedule "F" is prepared by the Town's Engineering Design Checking Consultant, in consultation with the Development Coordinator.)
- Schedule "G" - Phasing Plan  
(Schedule "G" is prepared by the Owner/Developer's consulting engineer.)

Schedule "J" - Special Provisions and Considerations

Schedule "N" - Lots and Blocks requiring Special Notice and Title Restrictions

Schedule "P" - Pay Assurance Provisions

Schedules "J", "N" and "P" are prepared by the Development Coordinator in consultation with the various personnel of the Town's Development Coordination Team. However, from time to time the Development Coordination Committee may request the developer or their agent to contribute to the preparation of other Schedules in order to expedite the execution of the Agreement.

The Owner/Developer is encouraged to prepare their required Schedules in an accurate and timely manner as part of the design submission review process, in order to ensure that an executable agreement flows from this review process. It should be noted that, in a phased development, normally the Head Subdivision Agreement and Schedules for the entire development are registered against all the lands subject to development. The Head Agreement will apply to any subsequent phases without the need for a new Subdivision Agreement. However, minor amending agreements for subsequent phases can be expected and such amending agreements relating to later phases will be registered against the lots and blocks within that particular phase.

#### 4.2 Draft M-Plan and Reference Plans

As part of the relevant design submission requirements described elsewhere in this document, the draft M-Plan, Reference Plans, and Lot Schedules should be submitted to the relevant Departments for their review, i.e., Planning, Engineering Services, Legal and Capital Projects Parks Development Coordinator (where applicable). The Owner/Developer will be notified of any discrepancies and revised plans and schedules must be submitted to the above-mentioned Departments to reconcile any noted discrepancies as part of the next engineering submission.

Once the plans and schedules are satisfactory, the Owner should arrange to circulate them to any applicable external agencies for sign-off. If significant changes are required resulting from such circulation, such as changes to phasing, or other agency requirements, the draft M-Plans and reference plans must be revised and re-circulated to the relevant Town Departments noted above and all applicable agencies for review and approval, prior to the Subdivision Agreement being finalized.

The registration of subdivision phases, and/or the proposed staging of the construction of public services must be determined by consultation between the Owner/Developer, the Town and any other relevant commenting Agencies. All plans and schedules submitted should reflect the proposed phasing/staging. All easements and external

easements should be identified on a separate preliminary reference plan, unless otherwise approved by DCC;

Reference Plans shall not be deposited until after Plan Registration, and therefore should be referred to as "Preliminary" when submitted in accordance with the requirements contained herein. All Preliminary Reference Plans shall be consistent with the draft and final M-Plans. If a Reference Plan represents an external requirement, then it may be deposited prior to Plan Registration, but only if the Reference Plan is acceptable to the Town's Engineering Services and Legal Services Departments or any other agencies if required;

Prior to the second engineering design submission all street names for the proposed public roads must be selected by the Town in accordance with the Town's street naming policy. Names are selected from the Town's list of approved street names. Street names for the development are assigned by the Planning Department, and should appear on the Third and Subsequent Submission Engineering Design Drawings and Plans. The municipal address numbers are assigned by the Planning Department, and arrangement should be made through them to make such assignments;

Amendments to the Draft M-Plan after second submission which would change lot and block numbering shall be discouraged; and

The lot numbering used on all engineering design drawings and reports which implement draft conditions shall be consistent with the lot numbering used on the M-Plan. Any changes to M-Plan numbering will necessitate the Owner/ Developer's lead consultant to ensure that all drawings and reports are simultaneously modified and resubmitted through the Development Coordination Process outlined in Appendix "B" attached.

### 4.3 Pre-Selling Lots

Once Draft Approval is granted by Council, the Owner/Developer may pre-sell lots within the draft plan of subdivision. However, the Owner/Developer shall be required to enter into a **"no pre-sell" agreement** with the Town for proposed lots or blocks which are on a **Draft Approved** plan but for which there is currently **no servicing allocation**. The Owner/Developer shall make available to all prospective purchasers, at all times, and shall display in a prominent location, the following minimum information:

- a) the latest version of the approved draft plan of subdivision;
- b) the proposed location of any and all sidewalks, street furniture, bus shelters, community mailboxes, parks (including all recreational facilities to be provided), schools, open space areas, environmental protection areas, stormwater management ponds, storm pond access routes, landscaping/grading, trails, walkways, entranceway features, noise attenuation measures (both internal and external to the dwelling unit), erosion control facilities, buffer areas,

watercourses, accurate representations of existing and proposed surrounding land uses within 150 metres of the edges of the draft plan;

- c) any proposed warning clauses or restrictive covenants are to be registered on title; and
- d) a copy of the approved zoning by-law for lands, and the Subdivision Agreement should also be available, when executed by the Town.

It is acknowledged that during the design review and acceptance process, the above plans and documents may change as a result of agency and internal staff requirements. It is the Owner/Developer's responsibility to keep all of the **sales office material regarding the above, up-to-date** with the submission of each engineering design. A prominent notation is to be provided to potential purchasers on any material either displayed or given to the purchaser which indicates that the status of the final engineering design is not yet accepted by the Town, and that matters pertaining to the design of the purchasers lot can change at any time up until the Subdivision Plan is registered.

Prospective purchasers of pre-sold lots are to be advised that the current submission of engineering drawings may be reviewed in the municipal offices, but that the final engineering design is subject to change prior to final acceptance. A similar notation is also to be provided indicating to any prospective purchasers that all development on the lots and blocks within the plan(s) of subdivision is subject to the Town's Zoning By-law, as amended. The Owner/Developer is to **provide in writing to all purchasers and prospective purchasers prominent notification** encouraging them to check with the Planning Department and the Engineering Services Department to determine any restrictions and/or limitations which may be imposed through the Zoning By-law or engineering design on the use of any property being considered for purchase. The Owner/Developer shall submit to the Town Planning Department a true copy of all sales and promotional literature currently being used at the sales office, along with a letter signed by the Owner/Developer advising that the material is current and has been posted in the sales office, and that prospective purchasers of pre-sold lots received the proper notification as required above.

#### 4.4 Execution of Subdivision Agreement

The final subdivision agreement and its component parts are prepared by the Town, with the exception of the components referred to in Section 4.1. These components are prepared by the Owner's development team for review and acceptance by the Town prior to insertion in the Subdivision Agreement.

The Subdivision Agreement will only be executed when all plans including preliminary M-Plans, preliminary Reference Plans, and Engineering Design Drawings/Plans are complete and in acceptable final form as determined by the Development Coordination

Committee or the relevant department, the Agreement has been signed and sealed by the Owner, and the following information has been received:

***The following shall be submitted to the Director of Planning & Building Services:***

- a) **four** copies of the original Subdivision Agreement as prepared by the Town on legal paper together with all required Schedules duly executed by the Owner/Developer or other individual(s) authorized to bind the corporation;
- b) **four** copies of all Preliminary Reference Plans for easements and conveyances internal to the subdivision which have been deemed acceptable by the Town's Consulting Engineer and Legal Services Department;
- c) a copy of a valid insurance certificate as set out in the Subdivision Agreement;
- d) confirmation from the Finance Department or statement of account confirming that all outstanding taxes and invoices have been paid; and
- e) submission of all required fees and securities as set out in the Subdivision Agreement or confirmation that such have been received.

**Note: The Owner/Developer shall be responsible to satisfy themselves that wording in the Subdivision Agreement intended to clear applicable Draft Condition(s) is acceptable to all external agencies.**

***The following shall be submitted to the Town's Development Coordinator:***

- a) **one** set of all of the items listed above.

Execution of the Subdivision Agreement can occur once all of the requirements set out herein have been met. The Final Subdivision Agreement may not be recommended for execution until all Town Departments are satisfied that proposed wording will result in a clearance of the applicable draft conditions, as determined through the Development Coordination Committee.

Once the final form of the Town's standard subdivision agreement, including Schedules specific to the Draft Approved Plan are deemed satisfactory by the Directors of Legal Services, Engineering Services, and Planning & Building, a recommendation for the execution of the agreement by the Development Coordination Committee will be issued and the agreement can then be executed by the designated Town officials. If a subdivision agreement contains provisions which deviate substantially from the standard subdivision agreement, as determined by Department Directors or the Development Coordination Committee, the Chief Administrative Officer of the Town shall then determine whether the agreement should be sent to Town Council for direction and/or recommendations regarding the proposed deviations to the agreement.

## 4.5 Model Homes

Model homes may be permitted for construction prior to plan registration under certain circumstances. The requirements for model homes are described below. A request for model home construction may be filed with the Building Department. The application will then be circulated to the Development Coordination Committee for consideration and a determination that the application meets all the relevant criteria set out below. Prior to the execution of a Subdivision Agreement, model homes may be considered if a Pre-Servicing Agreement has been fully executed and the installation of services and overall engineering design are sufficiently advanced. Specifically, the following criteria must be met, to be eligible for the consideration of model homes:

- 1) No more than 10% of the total number of units in the phase of development, to a maximum of 10 units, may be approved for model homes, unless otherwise approved by Council;
- 2) The engineering design for the subdivision must be sufficiently advanced to the satisfaction of the Development Coordination Committee;
- 3) Servicing capacity must be allocated to the subdivision or phase thereof;
- 4) Underground services shall be installed and operational to the satisfaction of the Director of Engineering Services;
- 5) Paved access to the site must be available and streets leading to and in front of the model homes proposed are to be complete to base course asphalt;
- 6) A Pre-Servicing Agreement or Subdivision Agreement must be executed;
- 7) Emergency access must be in place to satisfaction of the Director of Engineering Services and the Fire Chief;
- 8) The Fire Chief's requirements respecting break lots must be met;
- 9) Conformity to the applicable Zoning Bylaw;
- 10) All applicable Town Administration Fees must be paid;
- 11) Provision to the Town of the required insurance certificate(s);
- 12) A Site Plan/Plot Plan must be submitted for each unit that is consistent with draft M-Plan and engineering design. These plans will go through the normal and usual building permit process;
- 13) The engineering and site plans for the model homes must conform to approved Architectural guidelines bearing seal of approval of the Control Architect (if applicable);

14) Sales literature must be submitted and reviewed/approved by the Planning Department; and,

15) The Town's standard form of Builder's Agreement (where required) must be fully executed before the model home permit is issued.

Once the Development Coordination Committee determines that all of the required criteria are satisfactorily met, the Committee will advise the Building Department that it is appropriate to process the model home permit applications and prepare the model home agreement. All of the normal and usual approvals of the building permit process will then apply. The Owner must also execute the Town's standard "Undertaking, Acknowledgement and Indemnity" for model homes, where a Subdivision Agreement has not yet been executed. Applicable Development Charges and Town Fees shall be payable at the Building Permit stage or at such other time as required by the Town's Fee Bylaw.

#### 4.6 Clearance of Draft Conditions for Final Plan Registration

It is the Owner/Developer's responsibility to demonstrate in writing compliance with all Draft Conditions of Approval before Final Plan Approval will be issued, and Registration of the Plan can occur.

### 5.0 Final Approval and Registration of a Plan of Subdivision

#### 5.1 Final Approval

Required clearance letters from all external agencies, along with a **completed checklist** as set out in Appendix "C" attached shall be submitted to the **Town's Development Coordinator**. It is acknowledged that some Agencies will not issue final clearance letters until they have received a copy of the executed Subdivision Agreement which contains the agency's required wording. Any Owner/Developer who is having difficulty in obtaining suitable wording for the Subdivision Agreement from a particular Agency should report the difficulty to the Town's Development Coordinator in an effort to resolve the matter.

Once the Subdivision Agreement (and where required External Services Agreement) have been executed by the Town and the Owner/Developer, and upon clearance of all Draft Conditions, the Owner/Developer may request Final Approval of the plan and registration of the plan. Such requests must be in writing to the **Town's Development Coordinator** and shall include all information set out in the **Town's Final Approval and Registration of a Plan of Subdivision Checklist** (see Appendix "C" attached).

Once all external agencies and Town departmental clearance letters have been received by the Town's Development Coordinator, the Development Coordinator will

confirm with the Development Coordination Committee Team that all conditions have been cleared and all fees and securities are determined to be current and in good standing. Once this confirmation is received, a recommendation can be made to the **Director of Planning & Building Services to issue Final Approval**, and to advise the Town's Director of Legal and Procurement Services/Municipal Solicitor to **commence the Registration process**.

## 5.2 Final Plan

When the Final M-Plan has been completed and the final Preliminary M-plan prepared, it must be reviewed and be pre-approved by the Town's Legal Services Department and Land Registry Office before being submitted to the Director of Planning & Building Services for approval. The following certificate, in an area 3 inches by 2 inches, preferably near the right edge, must be included on each sheet to be approved:

Approved under Section 51 of  
the Planning Act, R.S.O. 1990,  
this ..... day of .....,  
20\_\_\_\_.

\_\_\_\_\_  
Name:  
Director of Planning & Building Services

The following should be submitted to the Planning Department:

- a) the original of the final M-plan
- b) four translucent (mylar) duplicates
- c) nine full size white paper prints
- d) one white paper print with the A.O.L.S. clear sticker
- e) all necessary fees (see Section 5.4 below)
- f) all hand written notations provided by the Land Registry Office
- g) four final approved reference plans, if applicable.

## 5.3 Plan Registration Process

The Town's Legal Services Department will conduct its review of the proposed plan of subdivision and provide its comments to the Development Coordination Committee commencing at the Second and/or Third Engineering Design Submission.

**As Final Plan Approval approaches**, the Owner/Developer should prepare their plan documents and fax it to the **Land Registry Office (LRO)** for pre-approval plus forward the appropriate plan document fees to the LRO. In addition, it is the Owner/Developers responsibility to ensure that the Town's Legal Services Department has received all the appropriate draft legal documents to complete Plan Registration as more particularly set out in the **Town's Final Approval and Registration of a Plan of Subdivision**

**Checklist** (see Appendix "C" attached). The Owner/Developer's Solicitor shall forward the appropriate paper documents and/or electronic documents to the Legal Services Department for review and comment. In addition, as the Legal Services Department conducts its review of all draft legal documents provided by the Owner/Developer's Solicitor, it will simultaneously draft and fax the Town's Inhibiting Order to the LRO for pre-approval.

As soon as **Final Plan Approval has occurred** and the plan mylars have been signed by the Director of Planning & Building Services or designate, the Legal Services Department will courier all mylars to the Land Registry Office (LRO). Once Final Plan Approval has occurred and the draft Inhibiting Order and Plan document have been approved by the LRO, and the document fees have been paid, a registration date will be determined amongst the LRO, Owner/Developer's Solicitor and Town's Legal Services Department.

Once the plan is registered, the Town's Legal Services Department will advise the appropriate staff/persons, particularly the Building Department that the plan has been registered and provide the M-Plan number. ***Please note that once the plan is registered all legal documents or electronic docketts including all surveys must be deposited/registered on title within 10 business days from date of plan registration.***

Upon the registration of all the required legal documents set out in the Town's Inhibiting Order and provided that all other matters relating to the development are in good order, the Town's Legal Services Department will prepare an application to delete the Inhibiting Order (full or partial deletion). The Town's legal administration fees relating to plan registration will then be prepared and billed out to the Owner/Developer.

Note: the Town of Newmarket legal name is "Corporation of the Town of Newmarket" and all documents in favour of the Town should reference this name.

## 5.4 Fees

Under the Town's subdivision design review and acceptance process, all costs associated with **design review** and **acceptance, planning approvals** (including clearance of draft plan conditions and final plan approval), **subdivision agreement preparation**, (including execution, and agreement registration) together with the **plan registration** process shall be recovered by the Town through application and processing fees, and/or direct billing procedures established by Council. No plans of subdivision or agreements shall be registered unless the owner's fees account is in good standing.

**Note: Owner/Developer should refer to the current Fees and Charges By-law of the Town (which is available on the Town of Newmarket's website [www.newmarket.ca](http://www.newmarket.ca)) and to Schedule "F" of the Subdivision Agreement.**

## a5.5 Regional Development Charges/Regional Agreement

Regional Development Charges apply to all new development. Contact the Regional Finance Department for information on current rates and payment procedures. Charges may be payable prior to Plan Registration, as well as at the Building Permit stage.

If Regional Development Charges are payable prior to Plan Registration, an agreement must be entered into with the Region. Please contact the Regional Legal Department for the information and fee requirements.

# Appendix A:

## **Town of Newmarket Subdivision Design Review and Acceptance Process Representatives**

## Town of Newmarket Subdivision Design Review and Acceptance Process Representatives

### Town Department Personnel

Chief Administrative Officer	Ian McDougall
Director, Engineering Services (ES)	Rachel Prudhomme, M.Sc., P.Eng
Manager, Engineering Services	Sepideh Majdi M.Sc., P.Eng
Director, Legal & Procurement Services/Municipal Solicitor	Karen Reynar, B.A., LL.B.
Senior Solicitor	Antonietta Mollicone B.A (Hons.), LL.B.
Director, Financial Services/Treasurer	Mike Mayes CPA, CGA, DPA
Director of Planning	Jason Unger, MCIP, RPP
Chief Building Official	Andrew Jurrius CBO
Manager, Planning Services	Adrian Cammaert MCIP, RPP, CNU-A
Greenspace Development Coordinator (ES)	Laura Pott, BLA.

Town of Newmarket  
395 Mulock Drive  
P.O. Box 328, Station Main  
Newmarket, Ontario  
L3Y 4X7

Telephone: (905) 895-5193  
Toll Free: 1-877-550-5575

Fax: Legal Services Department	(905) 953-5136
Fax: Planning Department	(905) 953-5140
Fax: Building Department	(905) 953-5141
Fax: Engineering Services Department	(905) 953-5138
Fax: Financial Services Department	(905) 953-5150

E-mails for municipal staff are person's first initial and full last name together as one, followed by @newmarket.ca.

e.g., hneighbour@newmarket.ca

(continued)

**Town's Consulting Development  
Coordinator**

Howard Friedman, M.E.S., M.C.I.P.,  
R.R.P.  
HBR Planning Centre Inc.  
30 Waymount Avenue,  
Richmond Hill, ON  
L4S 2G5  
Tel: (416) 993-2297  
e-mail: hbrplanning@gmail.com

**Town's Engineering Design  
Checking Consultant**

Dave Scomazzon, P. Eng.  
R. J. Burnside & Associates  
17345 Leslie Street, Suite 200  
Newmarket, Ontario  
L3Y 0A4  
dave.scomazzon@rjburnside.com  
Tel: +1 (800) 265-9662  
Direct: +1 (289) 730-1016  
Fax: (905) 953-8945

# Appendix B:

## **Design Submission Checklists**

## First Submission Design Requirements Checklist

Town of Newmarket Subdivision Process

**Please complete and submit this form with First Submission Design drawings and reports.**

Date of Submission: \_\_\_\_\_

Property Description: Lot \_\_\_\_\_ Concession \_\_\_\_\_

Municipal Address: \_\_\_\_\_

Subdivision File No.: \_\_\_\_\_

Phase Number: \_\_\_\_\_

Marketing Name of Project: \_\_\_\_\_

Engineering Consultant: Contact: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Planning Consultant: Contact: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

(continued)

Landscape Architect:      Contact: \_\_\_\_\_  
   Firm Name: \_\_\_\_\_  
   Address: \_\_\_\_\_  
   \_\_\_\_\_  
   \_\_\_\_\_  
   \_\_\_\_\_  
   Phone: \_\_\_\_\_  
   Email: \_\_\_\_\_

Legal Firm:                      Contact: \_\_\_\_\_  
   Firm Name: \_\_\_\_\_  
   Address: \_\_\_\_\_  
   \_\_\_\_\_  
   \_\_\_\_\_  
   \_\_\_\_\_  
   Phone: \_\_\_\_\_  
   Email: \_\_\_\_\_

Owner's Name:                Name: \_\_\_\_\_  
   Address: \_\_\_\_\_  
   \_\_\_\_\_  
   \_\_\_\_\_  
   \_\_\_\_\_  
   Phone: \_\_\_\_\_  
   Email: \_\_\_\_\_

**Note:**                      **Consultants should ensure that all submissions are based on the draft plan and draft conditions as approved pursuant to *Planning Act*.**

(continued)

Please check all applicable boxes below.

A.  **Pre-Design Consultation Meeting**

Date held with Town staff: \_\_\_\_\_

B. **Town Personnel Distribution**

Copies of the information set out in the checklist below should be forwarded to the following persons, as indicated:

a) **Howard Friedman, M.C.I.P., R.P.P.**  
**Development Coordinator**  
howard@hbrplanning.com

HBR Planning Centre Inc.  
30 Waymount Avenue  
Richmond Hill, On L4S 2G5  
Tel: (416) 993-2297

- 1. An electronic copy of all documents submitted as required by this checklist.
- 2. A copy of the completed checklist.
- 3. Covering letter of submission itemizing the contents of the submission with copies of the transmittals to each of the personnel listed below.
- 4. Hard copy only of specific items requested if any.

b) **Dave Scomazzon, P. Eng.**  
**Town's Engineering Design**  
**Checking Consultant**

R. J. Burnside & Associates  
17345 Leslie Street, Suite 200  
Newmarket, Ontario  
L3Y 0A4

dave.scomazzon@rjburnside.com

Tel: +1 (800) 265-9662  
Direct: +1 (289) 730-1016  
Fax: (905) 953-8945

- 1. One (1) paper set of all drawings, reports, and calculations in Items 1 to 31 inclusive, set out in Section C below.
- 2. An electronic copy of all documents submitted in Item 1 above.
- 3. A copy of completed checklist.
- 4. Itemized covering letter of submission.

(continued)

c) **Sepideh Majdi, M.Sc., P.Eng.**  
**Director, Engineering Services**

Town of Newmarket  
395 Mulock Drive  
Newmarket, Ontario, L3Y 4X7  
Tel: (905) 895-5193  
Fax: (905) 953-5138

- 1. Two (2) paper sets of all drawings, and one (1) paper copy of all reports and calculations required in Items 1 to 31 inclusive, set out in Section C below.
- 2. An electronic copy of all documents submitted in Item 1 above.
- 3. A copy of the completed checklist.
- 4. Itemized covering letter of submission.

d) **Jason Unger M.C.I.P., R.P.P.**  
**Director, Planning & Building Services**

Town of Newmarket  
395 Mulock Drive  
Newmarket, Ontario, L3Y 4X7  
Tel: (905) 895-5193  
Fax: (905) 953-5140

- 1. One (1) complete paper set of Items 1 to 33 inclusive, set out in Section C below.
- 2. An electronic copy of all documents submitted in Item 1 above.
- 3. One (1) additional paper copy of Items 6, 15, 24, 25, 26, 27, 30, 31, 32, and 33 as set out in Section C below.
- 4. A copy of the completed checklist.
- 5. Itemized covering letter of submission.

e) **Antonietta Mollicone B.A., LL.B.**  
**Senior Solicitor, Legal Services**

Town of Newmarket  
395 Mulock Drive  
Newmarket, Ontario, L3Y 4X7  
Tel: (905) 895-5193  
Fax: (905) 953-5136

- 1. Two (2) copies of the completed checklist.
- 2. Itemized covering letter of submission.

(continued)

- 3. Confirmation of the name of the registered Owner of the property including the correct legal and corporate name as intended to appear for registration on both the subdivision agreement and the plan of subdivision.
- 4. One (1) paper copy of Items 1, 2, and 16 as set out in Section C below. A registerable land titles legal description, including the property identification (PIN) number.
- 5. One (1) paper copy of a current survey prepared by an O.L.S.
- 6. One (1) paper copy of all current parcel abstracts relating to the Plan of Subdivision
- 7. List of all encumbrances on the subject lands.
- 8. One (1) paper copy of the Certificate of Corporate status.
- 9. An electronic copy of all documents submitted in Items 3, 4, 5, 6, and 7 above.
- 10. Owner's Solicitor contact details.

f) **Laura Pott, B.L.A.**  
**Greenspace Development Coordinator;**  
**Engineering Services**

Town of Newmarket  
 395 Mulock Drive  
 Newmarket, Ontario, L3Y 4X7  
 Tel: (905) 895-5193  
 Fax: (905) 953-5138

- 1. One (1) full paper set of Items 1 to 15 inclusive, and 24 as set out in Section C below.
- 2. An electronic copy of all documents submitted in Item 1 above.
- 3. One (1) additional paper copy of Items 14, 15 and 24, as set out in Section C below.
- 4. A copy of the completed checklist.
- 5. Itemized covering letter of submission.

(continued)

g) **Andrew Jurrius, C.B.O.**  
**Chief Building Official**

Town of Newmarket  
 395 Mulock Drive  
 Newmarket, Ontario, L3Y 4X7  
 Tel: (905) 953-5193  
 Fax: (905) 953-5141

- 1. One (1) paper copy of Item 28 as set out in Section C below.
- 2. An electronic copy of document submitted above.

**C. Required Information to be Submitted to Town Personnel, as Indicated:**

**Drawings to be submitted:**

(Please check all applicable boxes.)

- 1. Draft Plan Conditions as approved by the Town.
- 2. Full Size and PDF of Draft Approved Plan of Subdivision (with approval stamp).
- 3. Cover Page
- 4. Lot grading including sufficient detail of existing adjacent properties to demonstrate grade compatibility.
- 5. Plan and profile.
- 6. Standard/special details including fencing types, acoustical features.
- 7. General services plan including location of sidewalk, walking systems, and all fencing including acoustical fencing.
- 8. Stormwater management facilities (details of inlets/outlets).
- 9. Erosion and sedimentation control.
- 10. Storm drainage areas (overland flow route).
- 11. External storm drainage areas/overland flows.
- 12. Sanitary drainage areas.
- 13. External sanitary drainage areas.
- 14. Conceptual or preliminary landscape plans (buffers, trail systems, screens, entrances, stormwater management ponds, park and open space area and shall include a conceptual planting plan and details).
- 15. Special feature plans drawings if applicable such as entrance features, retaining walls, berms, etc.
- 16. A current legal description of the property for use as Schedule "A" to the subdivision agreement
- 17. Preliminary Time Line commencing with First Submission Engineering Drawings and culminating in Engineering Acceptance and Plan Registration as per Section 1.2 of Guidelines (attached).
- 18. Sanitary sewer design sheets.
- 19. Storm sewer design sheets.

(continued)

- 20. Stormwater Management Report (including copies of reports submitted to conservation Authority).
- 21. Watermain Network Analysis.
- 22. Overland flow route capacity computations, e.g., swales, channels, etc.
- 23. Siltation/erosion report.
- 24. Tree Preservation, Management and Enhancement Strategy Report/Plans together with implementing measures.
- 25. Noise/Acoustical/Vibrations Studies (where required).
- 26. Heritage/Archaeological Report (where required).
- 27. Revised traffic report where required by the Draft Conditions of Approval.
- 28. Geotechnical Soils Report for the purposes of construction.
- 29. Environmental Soils Assessment Report.
- 30. Updates of any feasibility and/or pre-design reports prepared to support the draft plan or previous/preliminary submission(s).
- 31. Any additional studies emanating from conditions of Draft Approval.
- 32. Urban Design Guidelines.
- 33. A true copy of all sales and promotional literature currently being used at the sales office which reflects the Draft Approved Plan and Conditions. Any potential restrictions and warning clauses that are required as a result of the Draft Plan Conditions should be identified on material used in the sales office and on agreements of purchase and sale.

**Note: It is the Owner/Developer's responsibility to update the promotional materials being displayed in the sales office as changes to the design occur and advise all prospective purchasers accordingly.**

Comments (For those items not checked above, please indicate if the drawings or documents were previously submitted and accepted, and also indicate the date of submission/acceptance.)

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(continued)

**D. Confirmation of Complete Submission**

I \_\_\_\_\_, hereby confirm that the above noted requirements have been complied with and/or completed for this Subdivision Design Submission.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

(Please print information below)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Firm: \_\_\_\_\_

\_\_\_\_\_

## Second Submission Design Requirements Checklist

Town of Newmarket Subdivision Process

**Please complete and submit this form with Second Submission Design drawings and reports.**

Date of Submission: \_\_\_\_\_

Property Description: Lot \_\_\_\_\_ Concession \_\_\_\_\_

Municipal Address: \_\_\_\_\_

Subdivision File No.: \_\_\_\_\_

Phase Number: \_\_\_\_\_

Marketing Name of Project: \_\_\_\_\_

Principal Contact Name: \_\_\_\_\_

Consultant: Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**Note: Consultants should ensure that all submissions are based on the draft plan and draft conditions as approved pursuant to *Planning Act*.**

(continued)

Please check all applicable boxes below.

**A. Town Personnel Distribution**

Copies of the information set out in the checklist below should be forwarded to the following persons, as indicated:

a) **Howard Friedman, M.C.I.P., R.P.P.**  
**Development Coordinator**  
 howard@hbrplanning.com

HBR Planning Centre Inc.  
 30 Waymount Avenue  
 Richmond Hill, On L4S 2G5  
 Tel: (416) 993-2297

- 1. An electronic copy of all documents submitted as required by this checklist.
- 2. A copy of the completed checklist.
- 3. Covering letter of submission itemizing the contents of the submission with copies of the transmittals to each of the personnel listed below.
- 4. Hard copy only of specific items requested if any.
- 5. Covering letter of submission advising of:
  - (i) any new materials being submitted;
  - (ii) copies of transmittals to all personnel listed below advising how each of the prior submission's comments have been addressed; and
  - (iii) owner's request to commence preparation of subdivision agreement.

b) **Dave Scomazzon, P. Eng.**  
**Town's Engineering Design**  
**Checking Consultant**

R. J. Burnside & Associates  
 17345 Leslie Street, Suite 200  
 Newmarket, Ontario  
 L3Y 0A4

dave.scomazzon@rjburnside.com

Tel: +1 (800) 265-9662  
 Direct: +1 (289) 730-1016  
 Fax: (905) 953-8945

- 1. Three (3) paper sets of all drawings, reports, and calculations in Items 1 to 21 inclusive, set out in Section B below.
- 2. An electronic copy of all documents submitted in Item 1 above.
- 3. A copy of completed checklist.

(continued)

- 4. Itemized covering letter of submission advising how all first submission engineering comments have been addressed.

c) **Rachel Prudhomme, M.Sc., P. Eng.**  
**Director of Engineering**  
**Services**

Town of Newmarket  
 395 Mulock Drive  
 Newmarket, Ontario, L3Y 4X7  
 Tel: (905) 895-5193  
 Fax: (905) 953-5138

- 1. Two (2) paper sets of all drawings, and one (1) paper copy of all reports and calculations required in Items 1 to 21 inclusive, set out in Section B below.
- 2. An electronic copy of all documents submitted in Item 1 above.
- 3. A copy of the completed checklist.
- 4. Itemized covering letter of submission advising how all first submission engineering comments have been addressed.

d) **Jason Unger M.C.I.P., R.P.P.**  
**Director, Planning & Building**  
**Services**

Town of Newmarket  
 395 Mulock Drive  
 Newmarket, Ontario, L3Y 4X7  
 Tel: (905) 895-5193  
 Fax: (905) 953-5140

- 1. One (1) complete paper set of Items 1 to 23 inclusive, set out in Section B below.
- 2. An electronic copy of all documents submitted in Item 1 above.
- 3. One (1) additional paper copy of Item 1, as set out in Section B below.
- 4. Three (3) additional paper copies of Item 3, set out in Section B below.
- 5. A copy of the completed checklist.
- 6. Covering letter of submission advising of how all first submission Planning comments have been addressed.

(continued)

e) **Antonietta Mollicone B.A., LL.B.**  
**Senior Solicitor, Legal Services**

Town of Newmarket  
 395 Mulock Drive  
 Newmarket, Ontario, L3Y 4X7  
 Tel: (905) 895-5193  
 Fax: (905) 953-5136

- 1. Town (2) paper copies of Items 3, 4, 5, and 18 to 22 inclusive, as set out in Section B below.
- 2. An electronic copy of all documents submitted in Item 1 above.
- 3. One (1) additional paper copy of Items 18 and 19 set out in Section B below.
- 4. A copy of the completed checklist.
- 5. Covering letter of submission.
- 6. Any revisions to material submitted to this Department subsequent to first submission and including detailed descriptions of revisions made.

f) **Laura Pott, B.L.A.**  
**Greenspace Development Coordinator;**  
**Engineering Services**

Town of Newmarket  
 395 Mulock Drive  
 Newmarket, Ontario, L3Y 4X7  
 Tel: (905) 895-5193  
 Fax: (905) 953-5138

- 1. One (1) full paper set of Items 1 to 11 inclusive, and 20 and 21 set out in Section B below.
- 2. An electronic copy of all documents submitted in Item 1 above.
- 3. One (1) additional paper set of Items 6 to 8 inclusive, set out in Section B below, and any other items which affect any proposed park or parkette layout, grading facilities, parks, open space, or trail-pathway systems.
- 4. One (1) paper copy of Item 5 set out in Section B below, where it involves lands to be conveyed for parks or open space uses.
- 5. A copy of the completed checklist.
- 6. Covering letter of submission advising how all first submission Landscape Architecture comments have been addressed.

(continued)

g) **Andrew Jurrius, C.B.O.**  
**Chief Building Official**

Town of Newmarket  
395 Mulock Drive  
Newmarket, Ontario, L3Y 4X7  
Tel: (905) 953-5193  
Fax: (905) 953-5141

- 1. One (1) paper copy of any revisions to the Geotechnical Soils Report.
- 2. An Electronic copy of the report submitted above.

**B. Required Information to be Submitted to Town Personnel, as Indicated:**

**Drawings to be submitted:**

(Please check all applicable boxes.)

- 1. Any reports, documents, drawings or calculations submitted previously, but which have been revised in response to Town comments.

(Please list by title and indicate both original and revised date of report.)

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- 2. Complete set of engineering drawings.
- 3. Full size (folded to 8½" x 11) and a PDF version of the Draft M-Plan prepared by an Ontario Land Surveyor and signed by both the Owner/Developer and Ontario Land Surveyor and folded to 8½" x 11".
- 4. Full size (folded to 8½" x 11) and a PDF version of a "Preliminary" reference plan prepared by an Ontario Land Surveyor relating to the subdivision (including and revision details), e.g., lands to be conveyed, easements, reserves, etc., prepared by an Ontario Land Surveyor (optional at second submission, mandatory by third submission).

(continued)

- 5. Full size (folded to 8½" x 11) and a PDF version of any Additional "Preliminary" reference plans that may relate to any lands and/or easements referenced in External Servicing Agreements (including any revision details).
- 6. Planting proposals for stormwater management facilities.
- 7. Detailed park design and layout plans, park grading plans, planting list, park facility and activities spaces plan, parking area plan, trail-pathway systems design, and landscaping plan, all prepared and duly signed and stamped by a professional landscape architect. (Any detailed and/or supporting documentation with respect to the design components of the park, open space, and trail-pathway systems must also be provided with this submission, and be prepared in accordance with current Town standards and subject to the acceptance of the Town's Capital Projects Parks Development Coordinator.

### **Documents and reports to be submitted**

(Please check applicable boxes.)

- 8. Detailed landscape plans (buffering, screening, entrances, stormwater management ponds, parks, trails, etc.).
- 9. Hydraulic grade lines to be shown on plan and profile drawings.
- 10. Retaining wall details.
- 11. Composite utility plan including preliminary street tree locations.
- 12. Traffic signage and line painting plan based on a report by a Professional Traffic Consultant.
- 13. Cross-sections for reviewing grade compatibility (if required).
- 14. Architectural details for reviewing both grade compatibility and urban design guideline conformity.
- 15. 1:100 year storm hydraulic gradeline computations (OTTSWMM).
- 16. Letter with supporting correspondence to advise that the requirements of all commenting Authorities and Departments have been obtained and are incorporated on the Engineering Design Drawings.
- 17. MOE Application Forms for Storm and Sanitary Sewage Works and Stormwater Management Facilities.
- 18. Schedule "A" - Refinements where required to the registerable Legal Description of the property subject to the approved draft plan, together with active PIN(s).
- 19. Schedule "B" - Lands and Easements for Municipal Purposes (Schedule should indicate lands and easements within plan of subdivision. "Preliminary" reference plans to accompany Schedule "B" as prepared by O.L.S. as per 4.
- 20. Schedule "D" - Cost Estimates (Provide summary of performance security requirements including detailed estimates. Separate Schedule is to be provided for any External Servicing Agreements).
- 21. Schedule "G" - Phasing Plan. (This Plan should conform to draft M-Plan submitted above, and reflect any External Servicing Agreements).
- 22. Land Titles Application (if applicable).

(continued)

- 23. Updated sales and promotional literature currently being used at sales office (if revised from first submission).

**Note: It is the Owner/Developer's responsibility to update the promotional materials being displayed in the sales office as changes to the design occur and advise all prospective purchasers accordingly.**

Comments (For those items not checked above, please indicate if the drawings or documents were previously submitted and accepted, and also indicate the date of submission/acceptance.)

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**C. Confirmation of Complete Submission**

I \_\_\_\_\_, hereby confirm that the above noted requirements have been complied with and/or completed for this Subdivision Design Submission.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

(Please print information below)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Firm: \_\_\_\_\_

\_\_\_\_\_

## **Third and All Subsequent Submission Design Requirements Checklist**

Town of Newmarket Subdivision Process

**Please complete and submit this form with Third and Subsequent Submission Design drawings and reports.**

Date of Submission: \_\_\_\_\_

Property Description: Lot \_\_\_\_\_ Concession \_\_\_\_\_

Municipal Address: \_\_\_\_\_

Subdivision File No.: \_\_\_\_\_

Phase Number: \_\_\_\_\_

Marketing Name of Project: \_\_\_\_\_

Principal Contact Name: \_\_\_\_\_

Consultant: Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**Note: Consultants should ensure that all submissions are based on the draft plan and draft conditions as approved pursuant to *Planning Act*.**

(continued)

Please check all applicable boxes below.

**A. Town Personnel Distribution**

Copies of the information set out in the checklist below should be forwarded to the following persons, as indicated:

a) **Howard Friedman, M.C.I.P., R.P.P.**  
**Development Coordinator**  
 howard@hbrplanning.com

HBR Planning Centre Inc.  
 30 Waymount Avenue  
 Richmond Hill, On L4S 2G5  
 Tel: (416) 993-2297

- 1. An electronic copy of all documents submitted as required by this checklist.
- 2. A copy of the completed checklist.
- 3. Covering letter of submission itemizing the contents of the submission with copies of the transmittals to each of the personnel listed below.
- 4. Hard copy only of specific items requested if any.
- 5. Covering letter of submission advising of:
  - (i) any new materials being submitted;
  - (ii) copies of transmittals to all personnel listed below advising how each of the prior submission's comments have been addressed; and
  - (iii) owner's request to commence preparation of subdivision agreement.

b) **Dave Scomazzon, P. Eng.**  
**Town's Engineering Design**  
**Checking Consultant**

R. J. Burnside & Associates  
 17345 Leslie Street, Suite 200  
 Newmarket, Ontario  
 L3Y 0A4

dave.scomazzon@rjburnside.com  
 Tel: +1 (800) 265-9662  
 Direct: +1 (289) 730-1016  
 Fax: (905) 953-8945

- 1. Three (3) paper sets of all drawing reports, and calculations set out in Items 1 to 6 inclusive, set out in Section B below.
- 2. Two (2) paper copies of Items 7 and 8 set out in Section B below.
- 3. One (1) copy of the stormwater management facility operations and maintenance manual.
- 4. An electronic copy of all documents submitted in Items 1, 2, and 3 above.

**(continued)**

- 5. A copy of completed checklist.
- 6. Itemized covering letter of submission advising how all second submission engineering comments have been addressed.

c) **Sepideh Majdi M.Sc., P.Eng.**  
**Director, Engineering Services**

Town of Newmarket  
395 Mulock Drive  
Newmarket, Ontario, L3Y 4X7  
Tel: (905) 895-5193  
Fax: (905) 953-5138

- 1. Two (2) paper sets of all drawings, and one (1) paper copy of all reports and calculations required in Items 1 to 8 inclusive, set out in Section B below.
- 2. An electronic copy of all documents submitted in Item 1 above.
- 3. A copy of the completed checklist.
- 4. Itemized covering letter of submission advising how all first submission engineering comments have been addressed.

d) **Jason Unger M.C.I.P., R.P.P.**  
**Director, Planning & Building Services**

Town of Newmarket  
395 Mulock Drive  
Newmarket, Ontario, L3Y 4X7  
Tel: (905) 895-5193  
Fax: (905) 953-5140

- 1. One (1) complete paper set of Items 1 to 10 inclusive, set out in Section B below.
- 2. An electronic copy of all documents submitted in Item 1 above.
- 3. A copy of the completed checklist.
- 4. Covering letter of submission advising of how all second submission Planning comments have been addressed.

e) **Antonietta Mollicone B.A., LL.B.**  
**Senior Solicitor, Legal Services**

Town of Newmarket  
395 Mulock Drive  
Newmarket, Ontario, L3Y 4X7  
Tel: (905) 895-5193  
Fax: (905) 953-5136

(continued)

- 1. Town (2) paper copies of any revisions to Items 7 and 8 set out in Section B below.
- 2. An electronic copy of all documents submitted in Item 1 above.
- 3. A copy of the completed checklist.
- 4. Itemized covering letter of submission.

f) **Laura Pott, B.L.A.** Town of Newmarket  
**Greenspace Development Coordinator;** 395 Mulock Drive  
**Engineering Services** Newmarket, Ontario, L3Y 4X7  
Tel: (905) 895-5193  
Fax: (905) 953-5138

- 1. One (1) full paper set of Items 1 to 8 inclusive, set out in Section B below.
- 2. An electronic copy of all documents submitted in Item 1 above.
- 3. One (1) extra paper copy of any plans, reports, drawings or attachments which affect any proposed park layout, grading facilities, parking, open space or trail pathway systems.
- 4. A copy of the completed checklist.
- 5. Itemized covering letter of submission advising how all second submission Landscape Architecture comments have been addressed.

g) **Andrew Jurrius, C.B.O.** Town of Newmarket  
**Chief Building Official** 395 Mulock Drive  
Newmarket, Ontario, L3Y 4X7  
Tel: (905) 953-5193  
Fax: (905) 953-5141

- 1. One (1) paper copy of any revisions to the Geotechnical Soils Report.
- 2. General Plan.
- 3. Electronic copies of all documents submitted in Items 1 and 2 above.

(continued)



- 10. Professional certification that all lands or easements to be conveyed to the Town are free of noxious and deleterious substances.
- 11. Draft title documents required for Plan Registration.

**Note: It is the Owner/Developer's responsibility to update the promotional materials being displayed in the sales office as changes to the design occur and advise all prospective purchasers accordingly.**

Comments (For those items not checked above, please indicate if the drawings or documents were previously submitted and accepted, and also indicate the date of submission/acceptance.)

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**C. Confirmation of Complete Submission**

I \_\_\_\_\_, hereby confirm that the above noted requirements have been complied with and/or completed for this Subdivision Design Submission.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

(Please print information below)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Firm: \_\_\_\_\_

\_\_\_\_\_

# Appendix C:

## **Final Approval and Registration of a Plan of Subdivision Checklist**

## Final Approval and Registration of a Plan of Subdivision Checklist

### Town of Newmarket Subdivision Process

All requirements set out below must be submitted at least three (3) weeks prior to the intended plan registration date. (Registration date and timing are contingent on Land Registry Office scheduling and availability).

Date of Submission: \_\_\_\_\_

Property Description: Lot \_\_\_\_\_ Concession \_\_\_\_\_

Municipal Address: \_\_\_\_\_

Subdivision File No.: \_\_\_\_\_

Phase Number: \_\_\_\_\_

Marketing Name of Project: \_\_\_\_\_

Principal Contact Name: \_\_\_\_\_

Consultant: Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Expected date of Plan Registration: \_\_\_\_\_

**(Note: This date must be at least 3 weeks from the submission date.)**

(continued)

Please check all applicable boxes below.

**A. Town Personnel Distribution**

Copies of the information set out in the checklist below should be forwarded to the following persons, as indicated:

a) **Howard Friedman, M.C.I.P., R.P.P.**  
**Development Coordinator**  
 howard@hbrplanning.com

HBR Planning Centre Inc.  
 30 Waymount Avenue  
 Richmond Hill, On L4S 2G5  
 Tel: (416) 993-2297

- 1. One (1) paper copy of Items 1, 5, 7, 8, 9, and 10,
- 2. An electronic copy of all documents submitted in Item 1 above.
- 3. A copy of completed checklist.
- 4. Covering letter of transmittal.

b) **Jason Unger M.C.I.P., R.P.P.**  
**Director, Planning & Building**  
**Services**

Town of Newmarket  
 395 Mulock Drive  
 Newmarket, Ontario, L3Y 4X7  
 Tel: (905) 895-5193  
 Fax: (905) 953-5140

- 1. One (1) complete paper set of Items 1, 5, 6, 8, 9, 11 and 13, as set out in Section B below.
- 2. An electronic copy of all documents submitted in Item 1 above.
- 3. A copy of the completed checklist.
- 4. Covering letter of transmittal.

c) **Antonietta Mollicone B.A., LL.B.**  
**Senior Solicitor, Legal Services**

Town of Newmarket  
 395 Mulock Drive  
 Newmarket, Ontario, L3Y 4X7  
 Tel: (905) 895-5193  
 Fax: (905) 953-5136

- 1. One (1) paper copy each of Items 1 to 9 inclusive, and 11 to 13 inclusive, as set out in Section B below.

(continued)

- 2. An electronic copy of all documents submitted in Item 1 above.
- 3. A copy of the completed checklist.
- 4. Covering letter of transmittal.

d) **Dave Scomazon, P. Eng.**  
**Town's Engineering Design**  
**Checking Consultant**

R. J. Burnside & Associates Limited  
 17345 Leslie Street, Suite 200  
 Newmarket, Ontario L3Y 0A4

dave.scomazon@rjburnside.com  
 Tel: +1 (800) 265-9662  
 Direct: +1 (289) 730-1016  
 Fax: (905) 953-8945

- 1. One (1) paper copy each of Items 1, 5, 6, and 11, as set out in Section B below.
- 2. Electronic copies of all documents submitted above.

**B. Required Information to be Submitted to Town Personnel as Indicated Above:**

(Please check applicable boxes.)

- 1. A copy of the letter to the Town's Development Coordinator requesting plan registration. This letter should identify and detail in sequence how each of the draft conditions has been fulfilled, along with the required supporting documentation to demonstrate such clearance.
- 2. A copy of the Transfer of Land Deed documents for all conveyances listed in Schedule "B" to the Subdivision Agreement including any discharges of mortgage where applicable.
- 3. The draft Transfer of Land Documents for all easements listed in Schedule "B" to the Subdivision Agreement including any postponements of mortgage, together with preliminary reference plans except as provided for in Section 4.2 c) of the Town's **Design Submission Requirements and Final Plan Registration Guidelines herein.**
- 4. All current Parcel Abstracts including instruments relating to the plan.
- 5. Copies of the draft M-Plan proposed to be registered in accordance with Section 5.2 which includes the original of the final plan, four translucent (mylar) duplicates copy, nine white paper prints, and one white paper print with the A.O.L.S. clear sticker as per Section 5.2, as well as the pre-approved Plan from the Land Registry Office,.
- 6. Copies of all "Preliminary" reference plans intended to be registered.
- 7. Consent from the Owner/Developer to allow the Town to electronically register on behalf of the Owner all electronic documents as identified in the Town's Inhibiting Order.

(continued)

- ❑ 8. Following deposit of reference plans provide the Legal Services with five (5) white prints of the plans.
- ❑ 9. A copy of each clearance letter received from all agencies as required by the Conditions of Draft Approval.
- ❑ 10. All applicable fees required by the Subdivision Agreement for distribution to the Finance Department.
- ❑ 11. A completed copy of the surveyor certificate (Appendix "D") which indicates the total area of the lands to be subdivided, and specifies the breakdown of the hectares for each development component, e.g., residential lots, roads, widenings, reserves, open space.
- ❑ 12. A copy of all restrictive covenant documents that require registration as set out in Schedule "N" to the Subdivision Agreement.
- ❑ 13. Letter of Undertaking by the Owner/Developer that indicates that all sales and promotional literature being displayed, and/or handed out to the public is in substantial compliance with all Agency and Department requirements, conditions, approvals and acceptances obtained to date, and in accordance with any design acceptances by the Town.

Once all items noted above, and all Agency/Department clearances have been received by the Town's Development Coordinator, a final clearance letter will be submitted to the Town's Director of Planning & Building Services and the Town's Director of Legal Services advising that Final Plan Approval is recommended and that the Plan Registration Process commence. The Owner/Developer is then permitted to commence the registration process. **The Town's Municipal Solicitor or their delegate shall be in attendance at Registration. Registration of the plan shall not occur without the approval/consent of the municipal solicitor!**

**For the Plan Registration Process, the Owner/Developer shall be responsible for and provide the Town's Legal Department with:**

1. Preparing the Title documents for Plan registration and all other real estate documents, in consultation with the Town's Legal Department.

The Town of Newmarket legal name is "Corporation of the Town of Newmarket" and all documents in favour of the Town should reference this name.

**Note: The Town only accepts free and clear title.**

2. Arrange for postponement of charge/mortgage as applicable.
3. Upon Plan Registration, arrange for the deposit of all related R-Plans and insert Plan number into draft title document that requires registration.

(continued)

**For the Plan Registration Process, The Town's Legal Services Department shall be responsible for and/or provide the Owner/Developer with:**

1. The draft Inhibiting Order prior to releasing the Plan of Subdivision for Registration.
2. All Easement Schedules;
3. Draft Legal Documents, i.e., Notice of Subdivision Agreement, Inhibiting Order, and Deletion of Inhibiting Order documents;
4. Registration of all documents as identified in the Town's Inhibiting Order;
5. Registration particulars of all registered documents as identified in the Town's Inhibiting Order, Application for Inhibiting Order, Application to Delete Inhibiting Order, and Dedication of Public Highways Bylaw;
6. As appropriate, lift 0.3m reserves;
7. Coordination of Plan Registration process with the Land Registry Office (LRO); and
8. Invoice the Owner/Developer for the Town's legal administrative fees in regard to the foregoing, as set out in the Town's Fees and Charges By-law.

**Please also refer to Section 5.3 of the Design Submission Requirements and Final Plan Registration Guidelines herein.**

# Appendix D:

**Certificate of Lot Areas, Frontages and Zoning Compliance**



**APPENDIX "E"**

**INSURANCE PROVISIONS**

As Per Subdivision Agreement



**CORPORATION OF THE TOWN OF NEWMARKET  
GENERAL LIABILITY CERTIFICATE OF INSURANCE**

THIS IS TO CERTIFY THAT THE INSURED NAMED BELOW IS INSURED AS DESCRIBED BELOW.

**\*\*\* This form must be completed and signed by Insurance Company. \*\*\***  
**Note: 1. Proof of insurance will be accepted on this form only (with no amendments)**  
**2. Insurance Company must be licensed to operate in Canada.**

Insured Name:	Address of Insured:
Town of Newmarket Contract of File Number:	Site/Location & Description of Work/Activity to which this Certificate applies: <i>ALL OPERATIONS OF THE NAMED INSURED WITH RESPECT TO:</i>

TYPE OF INSURANCE	POLICY NO:	EFFECTIVE dd/mm/yyyy	EXPIRY dd/mm/yyyy	LIMIT OF LIABILITY "PER OCCURRENCE"	DEDUCTIBLE
<b>Commercial General Liability</b> Includes: Property Damage Bodily Injury Non-Owned Automobile				\$10,000,000.00	
<b>Motor Vehicle Liability</b> For all owned, operated or leased vehicles				\$5,000,000.00	
<b>Umbrella or Excess Liability</b>					
<b>Environmental Pollution Liability</b>				\$2,000,000.00	
<b>Other: Professional Liability</b>				\$2,000,000.00	

**Provisions of amendments or endorsements of listed Policy (ies):**

- Commercial General Liability** Policy is extended to include Personal Injury Liability, Contractual Liability, Owner's and Contractor's Protective Coverage, Products- Completed Operations, Contingent Employers Liability, Cross Liability and Severability of Interest.
- It is understood and agreed that the Corporation of the Town of Newmarket is added as an **Additional Insured** to the above listed General Liability Policies with respect to liability arising out of the operations at the above mentioned project.
- The following are also added as **Additional Insureds**: \_\_\_\_\_
- It is agreed and understood that any deductible or self insured retention (SIR) arranged between the Named Insured and the Insurer, must be declared herein. It is further understood and agreed that claims arising out of the operations of the above mentioned project which fall within the deductible or SIR limit are the sole responsibility of the Named Insured.
- If the insurance provided under the said policy(ies) is cancelled during the period of coverage stated in this Certificate, the Insuring Company will give thirty (30) days prior written notice by registered mail of such a cancellation or change to:  
 Corporation of the Town of Newmarket  
 395 Mulock Drive, PO Box 328, STN Main  
 Newmarket, ON L3Y 4X7  
 Attention: Finance Department. Fax No.: (905) 953-5160
- The General Liability Policy (ies) identified above shall protect each insured in the same manner and to be same extent as though a separate policy has been issued to each, but nothing shall operate to increase the Limits of Liability as identified above beyond the amount or amounts for which the Company would be liable if there had been only one Insured.

**CERTIFICATION**

I certify that the insurance is in effect as stated in this certificate and that I have authorization to issue this certificate for and on behalf of the insurer(s). This certificate is valid until the expiration date(s) shown unless notice is give in writing in accordance with item 5 above.

DATE:	NAME, ADDRESS AND TELEPHONE NO. OF INSURANCE COMPANY	
NAME, ADDRESS AND TELEPHONE NO. OF INSURANCE BROKER		ORIGINAL SIGNATURE AND STAMP OF INSURANCE COMPANY

Re: Subdivision Agreements  
 Revised - January 24, 2013