

APPENDIX 'C'
(Conditions to be included for draft plan approval)
39T-09503

NO. CONDITIONS

1. This approval applies to the draft plan, submitted by Southside Construction (London) Limited, prepared by AGM, File No. 39T-09503, drawing No. SSD/LON/05-01, as red-line amended, which shows 17 single detached dwelling lots, a park block, a park and open space block, all served by 2 local public roads.
2. This approval of the draft plan applies for a period of three (3) years, and if final approval is not given within that time, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
3. The road allowance included in this draft plan shall be shown and dedicated as public highways.
4. The Owner shall within 90 days of draft approval submit proposed street names for this subdivision to the City.
5. The Owner shall request that addresses be assigned to the satisfaction of the City in conjunction with the request for the preparation of the subdivision agreement.
6. The Owner, prior to final approval, shall submit to the Approval Authority a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
7. Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.
8. The Owner shall enter into a subdivision agreement and shall satisfy all the requirements, financial and otherwise, of the City of London in order to implement the conditions of this draft approval.
9. That the subdivision agreement between the Owner and the City of London be registered against the lands to which it applies once the plan of subdivision has been registered.
10. In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City.
11. No construction or installations of *any* kind (eg. clearing or servicing of land) involved with this plan shall be undertaken by the Owner prior to obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the Manager of Development Planning in writing (eg. MOE certificates; City/Ministry/Agency permits: Approved Works, water connection, water-taking, navigable waterways; approvals: UTRCA, MNR, MOE, City; etc; etc.). No construction involving installation of services requiring an EA is to be undertaken prior to fulfilling the obligations and requirements of the Province of Ontario's Environmental Assessment Act and the City of London.
12. The Owner agrees to carry out twice yearly water quality monitoring during any site alteration and dwelling construction and at the time of assumption by the City, to ensure there is no negative impact to the existing wells in the area. Should any remedial works be required, the Owner shall complete these works to the satisfaction of the City, at no cost to the City. The Owner shall provide copies of the monitoring reports to the City Engineer.
13. Prior to the submission of engineering drawings, the Owner shall submit a report demonstrating that the Ministry of the Environments D-5-4 and D-5-5 guidelines have been met to the satisfaction of the City.

14. The Owner shall carry out an archaeological survey and rescue excavation of any significant archaeological remains found on the site to the satisfaction of the Southwestern Regional Archaeologist of the Ministry of Culture; and no final approval shall be given, and no grading or other soil disturbance shall take place on the subject property prior to the letter of release from the Ministry of Culture.
15. Prior to any work on the site, the Owner shall decommission and permanently cap any abandoned wells located in this Plan, in accordance with current provincial legislation, regulations and standards. In the event that an existing well in this Plan is to be kept in service, the Owner shall protect the well and the underlying aquifer from any development activity.

Planning

16. At the design studies stage the Owner shall prepare and submit a FINAL Environmental Impact Study for the overall subdivision for review and acceptance all to the satisfaction of the UTRCA.
17. The Owner shall prepare an Environmental Impact Study addendum will be required at the design study stage for the stormwater management outlet. The design for the storm water management outlet will minimize disturbance of natural features in the ESA. The EIS will be scoped with the Ecologist Planner and the UTRCA prior to the commencement of the study and the study shall be completed to the satisfaction of the City.
18. The Owner shall implement all of the mitigation recommendations contained in the Environmental Impact Study (Biologic, August 2009), and the EIS letter (Biologic, January 2013) including, but not limited to provision for buffer zones, re-vegetation/restoration, and construction mitigation all to the satisfaction of the City.
19. The Owner shall prepare and deliver to all purchasers and transferees of the lots in this plan, an education package as described in the Biologic August 2009 EIS as approved by the City that explains the stewardship of natural areas and the value of existing tree cover.
20. Tree Preservation fencing shall be installed and certified by the ecological consultant prior to any grading or construction activity in accordance with Primary Tree Protection Fencing locations identified in Biologic's January, 2013 EIS. In addition, a Tree Preservation Plan will be developed for lots 8, 9, 10 and 13 inside the Area of Secondary Tree Preservation as identified in Biologic's January, 2013 EIS.
21. Within 1 year of registration of the plan of subdivision, the Owner shall monument all residential lots adjacent to the OS5 zoned lands and where the OS5 zone limit intersects with interior side lot lines, at all changes of direction and 20 metres apart(max.). Alternatively, within 1 year of the registration of the plan, the Owner shall construct fencing along the property limit interface of all private lots adjacent to the Open Space zoned lands of Lot #6.
22. The Owner shall not grade into any Open Space zoned lands. In instances where this is not practical or desirable, any grading into the Open Space zoned lands shall be to the satisfaction of the City.
23. The Owner shall implement the requirements of the City concerning sedimentation and erosion control measures during all phases of construction for the SWM outlet in proximity to the ESA.
24. At the design studies stage, the Owner shall confirm that the alignment of Street 'A' is fully outside of the dripline of the adjacent forest to the east.
25. The Owner shall dedicate Blocks 24 and 25 for park purposes, as red-lined on the Draft Plan, to satisfy the required parkland dedication for this plan.
26. In lieu of standard fencing, the Owner shall monument the northern and western limits of Blocks 24 and 25 abutting Lot 6 with standard City concrete monuments as per City standards (SPO 4.7) to delineate the block limits.

27. In lieu of the normal subdivision requirements to service, grade and seed parkland, the Owner shall within one year of registration of the Plan carry out a hazard tree survey within the park block and implement the findings of the survey all to the City's satisfaction.
28. In accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act, the Owner shall obtain the necessary permit/approvals from the UTRCA prior to undertaking any site alteration or development within the regulated area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.
29. In conjunction with the Design Studies submission, the Owner shall have a scoped Environmental Impact Study prepared to the satisfaction of the UTRCA for the stormwater management outlet. The design of the outlet shall minimize/mitigate the impacts on the wetland and the natural area and Authority staff is to be included in the scoping for this study.
30. In conjunction with the Design Studies submission, the Owner shall have a geotechnical study prepared to the satisfaction of the UTRCA for the stormwater management outlet to confirm the location of thereof. Authority staff is to be included in the scoping for this study.
31. In conjunction with the Design Studies and engineering drawings submission, the Owner shall have a Stormwater Management Report, subdivision grading plan and sediment and erosion control plan prepared to the satisfaction of the UTRCA.

SERVICING

Sanitary and Water

32. At the time this plan is registered, the Owner shall register on title of each lot in this plan, and shall include in the agreement of purchase and sale for the transfer of each of the said Lots, a covenant by the purchaser or transferee to observe and comply with the following conditions:
 - i) Private water wells and septic system servicing on each lot shall be constructed and installed by each property owner and the property owner shall maintain the private servicing, at no cost to the City.
 - ii) Water wells must be deep cased wells in accordance with Ontario Regulation 903 to avoid potential contamination from the sanitary effluent. The drilling of shallow water wells is prohibited;
 - iii) The location of the water well on each lot shall be consistent with the location identified for the water well in the servicing plan submitted for this subdivision
 - iv) A private tertiary sanitary treatment system which produces effluent with a nitrate concentration of 12 mg/L or less shall be provided;
 - v) As required under the Ontario Building Code, the property owner shall at all times have a contract with a certified maintenance contractor to ensure the proper maintenance and operation of the private tertiary sanitary treatment system. A copy of an executed maintenance contract with a qualified wastewater maintenance provider shall be submitted to the City's Chief Building Official, City Engineer and the Owner prior to occupancy. The wastewater maintenance provider shall be approved by the treatment system manufacturer or City approved equivalent;
 - vi) The results of the annual inspection and monitoring of the private septic systems, as required by the Ontario Building Code, shall be submitted by the owner to the City's Chief Building Official and a copy of the results shall be provided to the City Engineer and the Owner;
 - vii) The purchaser or transferee shall inspect and maintain the private septic system on the said Lots, including correcting any deficiencies as soon as they are detected, in accordance with the Ontario Building Code and design criteria accepted by the City, all to the satisfaction and at no cost to the City;
 - viii) During the development of the said Lots in this Plan until this Plan is assumed by the City, the purchaser or transferee shall allow the Owner to enter the Lot to inspect, maintain and correct any deficiencies for the private septic system should the purchaser or transferee not inspect, monitor, maintain or correct any deficiencies in a timely manner in accordance with the Ontario Building Code and the design criteria accepted by the City to the satisfaction of and at no cost to the City;

- ix) The construction of structures, extensive landscaping fences or other appurtenances in any location which may affect the operation of the private sewage system is prohibited;
 - x) A conceptual private servicing plan showing private water wells and septic systems shall be provided by the owner;
 - xi) Allow the Owner to enter the Lots in this Plan to construct stormwater works on each lot where needed (eg. storm water infiltration trenches), to the satisfaction of the City and at no cost to the City.
33. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit a preliminary servicing plan which includes the following:
- i) Building footprint and driveway on each lot, including minimum setbacks;
 - ii) Notwithstanding that a private tertiary sanitary treatment system will be required on each lot and will require a permit in accordance with the Ontario Building Code, the preliminary servicing plan will need to include footprints for both a private tertiary sanitary treatment system and a conventional filter bed system on each lot (recognizing that these footprints may be in the same location and/or overlap). This is required in order to confirm that there is sufficient lot area to accommodate a conventional filter bed system. The size of the system will be based on the requirements for a three hundred square metres (300 m²) house with 4 bedrooms and the soil percolation (T-time) used for each lot must be identified. The proposed location will need to permit access for maintenance and permit connection to a future municipal sanitary sewer should a sewer be constructed in future;
 - iii) The location of a deep-cased water well, constructed in accordance with Ontario Regulation 903, on each lot;
 - iv) The proposed locations of any storm water infiltration trenches, if necessary, in relation to the location and the septic and water well systems;
 - v) All required separation distances (ie. between the building footprint and the private services; between the property lines and the private services; and between all of the private services) and confirmation that all of these meet or exceed the minimum separation distance requirements in accordance with the Ontario Building Code and/or any applicable regulations.
 - vi) A preliminary servicing plan showing water wells in relation to other services
 - vii) Location of existing private septic and water wells within and in the vicinity of this Plan.
 - viii) Should the private septic system and/or water well on Lot 5 encroach beyond the limits of Lot 5 then the lot boundaries shall be adjusted at the time this plan is registered.
34. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall provide written confirmation that it is responsible for co-ordinating with the owner of each Lot for the construction and monitoring of private septic and water well systems on each lot to ensure there is no cross-contamination and servicing conflicts between all servicing.
35. Prior to the issuance of a Certificate of Approval for each lot, the Owner shall provide the City with information regarding the location of the private water well on each lot and details of the construction of the private water well. The Owner shall also provide confirmation to the City that the location of the private water well is consistent with the location identified in the servicing plan and that a deep cased well has been constructed for each lot.
36. The Owner shall include notices on the titles of the lots in this plan that no municipal water supply for fire protection is available.
37. In conjunction with the Design Studies submission, the Owner shall revise the final plan, if needed to adjust the lot lines on the final plan from the approved draft plan to the satisfaction of the City to address issues such as separation distances for storm, water and septic systems and accesses on each of the lots.
38. Prior to assumption the Owner shall confirm to the City's Chief Building Official and the City Engineer that all Lot owners utilizing private septic systems have a valid contract with a qualified wastewater maintenance contractor at the time of assumption. The wastewater maintenance provider shall be approved by the treatment system manufacturer or City approved equivalent.

39. Prior to assumption and during development of the Plan of Subdivision, the Owner shall oversee the installation and the annual inspection/monitoring programs of the private septic systems to ensure that each Lot in this Plan is in compliance with the Ontario Building Code, the accepted design criteria and the annual inspection and monitoring program. Should the Lot owner not do so, the Owner shall advise the City and correct any deficiencies as soon as they are detected, all to the satisfaction of and at no cost to the City.
40. Prior to assumption of this Plan, the Owner shall have its professional engineer certify to the City that all private septic systems on each Lot have been constructed and are in compliance with the Ontario Building Code, the accepted design criteria and the annual inspection and monitoring programs, to the satisfaction of and at no cost to the City. Where the above cannot be met, the Owner shall advise the City and correct any deficiencies as soon as they are detected or provide alternative measures that comply with the said accepted design requirements to the satisfaction of and at no cost to the City.
41. In conjunction with the Design Studies submission, the Owner shall ensure there is no conflict with existing infrastructure servicing Lot 5 and the proposed servicing for this plan of subdivision.

Storm and Stormwater Management (SWM)

42. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation to address the following:
 - i) Identify the storm/drainage and SWM servicing works for the subject and external lands and how the drainage from external lands will be handled, all to the satisfaction of the City;
 - ii) Identify major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;
 - iii) Review the criteria (eg. location and size) of Block ____, for a maintenance access corridor to service the storm sewers and outlet in the vicinity of Lots 2, 3 and 6 for the City to maintain the storm sewers and outlet;
 - iv) Provide a geotechnical report or update the existing geotechnical report recommendations with respect to all geotechnical issues and all required setbacks and separation distances related to SWM BMP measures and the septic systems are adequately addressed for the subject lands, all to the satisfaction of the City Engineer and the Ministry of the Environment and with respect to all geotechnical issues including erosion, maintenance and structural setbacks related to slope stability associated with the Dingman Creeks are adequately address for the subject lands, all to the satisfaction of the City Engineer and the Upper Thames River Conservation Authority.
 - v) Should there be any impacts to the stable slopes or erosion access because of servicing and grading, an amendment to the existing geotechnical report and lot lines may be required.
 - vi) Identify the maintenance access (existing 22% grade) in relation to steep slopes, outlet features, overland flow route and separation distance between wells, septic and storm system on Lots 2 and 3;
 - vii) Identify the required maintenance access, from Street 'A' to the outlet of the storm water system and provide recommendations with regards to the steep slope and construction of the access to City standards (eg. maximum 10% slope).
 - viii) Develop an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject lands in accordance with City of London and Ministry of the Environment standards and requirements, all to the satisfaction of the City. This plan is to include measures to be used during all phases on construction.
43. The Owner shall submit a copy of the final plan for this subdivision to the Development Services Division (Development Engineering) showing any amendments or revisions made to Block ____ (maintenance access corridor) in this plan as a result of any requirements and/or conditions covering the plan, or otherwise (ie. Owner initiated) to the satisfaction of the City Engineer, prior to final approval being issued.

44. In conjunction with the Design Studies submission, the Owner shall have a report prepared by a qualified consultant, and if necessary, a detailed hydro geological investigation carried out by a qualified consultant, to determine the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area and identify any abandoned wells in this plan, assess the impact on water balance and any fill required in the plan, to the satisfaction of the City. If necessary, the report is to also address any contamination impacts that may be anticipated or experienced as a result of the said construction as well as provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.

Prior to the issuance of any Certificate of Conditional Approval, the Owner's professional engineer shall certify that any remedial or other works as recommended in the above accepted hydro geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City.

45. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of stormwater management (SWM) and stormwater services for this draft plan of subdivision:

- i) Construct storm sewers, located within the Dingman Creek Subwatershed, and discharge the flows from this plan to the outlet which is the Dingman Creek Tributary 'B' via the Best Management Practices (BMPs) and storm/drainage servicing works for this plan as there is no current storm sewer system outlet.
- ii) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith;
- iii) Construct any required maintenance access, if necessary, from Street 'A' to the open space portion of Lot 6 for any storm water system, including the outlet and in accordance with recommendations with regards to the slope and construction for the access and construct the access to City standards (eg. maximum 10%).
- iv) Address forthwith any deficiencies of the stormwater works and/or monitoring program.

46. The above-noted Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation, prepared by the Owner's consulting professional engineer, shall be in accordance with the recommendations and requirements of the following:

- i) The SWM criteria and environmental targets for the Dingman Creek Subwatershed Study (2005) criteria and environmental targets and any addendums/amendments;
- ii) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands and any addendums/amendments;
- iii) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
- iv) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
- v) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and
- vi) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.

47. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall complete the following:

- i) For lots and blocks in this plan or as otherwise approved by the City Engineer, all storm/drainage and SWM related works to serve this plan must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
- ii) Construct the storm water system, including the outlet, and maintenance access to the outlet on Block____, and on any easmentss as needed over Lots 2, 3 and 6, to City Standards, to the satisfaction of the City Engineer. The maintenance access shall be fenced where it abuts Lots 2 and 3.
- iii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City;

- iv) Implement all geotechnical/slope stability recommendations made by the geotechnical report accepted by the City; and
 - v) Implement SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City Engineer.
48. Prior to the acceptance of engineering drawings, the Owner's consulting engineer shall certify the subdivision has been designed such that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this subdivision. Notwithstanding any requirements of, or any approval given by the City, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.
49. The Owner shall provide a security in the amount of \$60,000 for this Plan to ensure that the Erosion and Sediment Control Plan (ESCP) be executed in accordance with the City approval procedure and criteria. In the event of failure to properly implement and maintain the require ESCP, the ESCP security will be used by the City to undertake all necessary clean-up work, all to the satisfaction of the City Engineer.
50. The Owner shall ensure the post-development discharge flow from the subject site must not exceed the capacity of any existing stormwater conveyance system. In any event where the above condition cannot be met, prior to the issuance of any Certificate of Conditional Approval for the Lots, the Owner shall provide on-site controls that comply to the accepted Design Requirement for Permanent Private Stormwater Systems (eg. storm water infiltration trenches).
51. The Owner provide, maintain and allocate adequate setbacks in accordance with the City Council approved Official Plan Policies relating to open watercourse setbacks (Dingman Creek) in accordance with the MOE and City's requirements.
52. The Owner's consulting Engineer shall provide the additional geotechnical evaluation and recommendations that specifically will address the required erosion, maintenance and structural setbacks, including the engineering slope stability analyses to ensure the slope's stability under the proposed construction and post-development conditions, all to the satisfaction of the City Engineer.

STREETS, TRANSPORTATION & SURVEYS

Roadworks

53. The Owner shall construct City of London Standard (20.0 metre radii) cul-de-sacs on the west limit of South Winds Drive and the west limit of Street 'A' in accordance with Standard DWG. SR-5.0. At the time this plan is registered, the Owner shall deed sufficient lands (eg. Blocks 20 to 23) to the City for this purpose, to the satisfaction of the City. The Owner shall provide raised circular centre island (R=8.0m) within the cul-de-sac(s) or as otherwise directed by the City Engineer.
54. The Owner shall provide cash-in-lieu for the removal of the cul-de-sacs and the construction of fully-serviced roads should the roads be extended in the future, to the satisfaction of the City.
55. Should South Winds Drive and Street 'A' be extended in the future, the lands deeded to the City for the cul-de-sacs shall be conveyed to the owners of the abutting lots to be combined with the abutting lots, at no cost to the City.
56. In conjunction with the Design Studies submission, the Owner shall adjust Lots 6, 7, 8, 11 and 14 to accommodate the City standard cul-de-sacs to avoid conflicts between septic systems and the cul-de-sacs. The final plan is to be revised to the satisfaction of the City prior to the plan being registered.
57. The Owner shall align the right-of-way of South Winds Drive in this plan with the existing South Winds Drive in Plan 34M-64 based on the centrelines of the streets, unless otherwise approved by the City.

58. In conjunction with the Design Studies submission, the Owner shall provide a conceptual layout of the roads and rights-of-way of the plan to the City for review and acceptance with respect to road geometries, including but not limited to, road radii of Street 'A' and cul-de-sacs on Street 'A' and South Winds Drive, etc., and include any associated adjustments to the abutting lots.
59. In conjunction with the Design Studies submission, the Owner shall have its professional consulting engineer confirm that all streets in the subdivision have centreline radii which conforms to the City of London Standard "Minimum Centreline Radii of Curvature of Roads in Subdivisions:" The Owner shall make revisions to the road radii at the west limit of Street 'A'.
60. The Owner shall construct, as designed by its professional engineer, the roadworks in accordance with the following road widths:
 - i) South Winds Drive and Street 'A' have a minimum road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20 metres (66').

Street Lights

61. The Owner shall install street lighting on all streets in this plan to the satisfaction of the City, at no cost to the City.

Construction Access/Temporary/Second Access Roads

62. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Kilbourne Road via South Winds Drive or other routes as designated by the City.
63. Prior to commencing any construction on this site, the Owner shall notify the City of London Police Services of the start of construction of this plan of subdivision.
64. In the event any work is undertaken on an existing street, the Owner shall establish and maintain a Traffic Management Plan (TMP) in conformance with City guidelines and to the satisfaction of the City for any construction activity that will occur on existing public roadways. The Owner shall have its contractor(s) undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted in conjunction with the subdivision servicing drawings for this plan of subdivision.
65. Should any temporary turning circle exist on the abutting street at the time this plan is registered, the Owner shall remove any existing temporary turning circle on the existing South Winds Drive in Plan 33M-64 and restore the road, including sidewalks, to the satisfaction of the City, at no cost to the City.

GENERAL CONDITIONS

66. In conjunction with Design Studies submission, the Owner shall have its geotechnical engineer investigate and provide any necessary recommendations (including cross-section drawings) regarding the steep slopes in relation to the development of Lots 1 to 6 and the proposed storm sewer systems, outlet and maintenance access and the construction of Street 'A' in this plan
67. The Owner shall register and develop this plan in one phase.
68. The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan and all required engineering drawings, to the satisfaction of the City. Any deviations from the City's standards, guidelines or requirements shall be satisfactory to the City Engineer.
69. Prior to the issuance of a Certificate of Conditional Approval for each construction stage of this subdivision, all servicing works for the stage and downstream works must be completed and operational, in accordance with the approved design criteria and accepted drawings, all to the specification and satisfaction of the City.

70. Prior to final approval, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of services or grading situated on private lands outside this plan, and shall provide satisfactory easements over these works, as necessary, all to the specifications and satisfaction of the City, at no cost to the City.
71. In the event that relotting of the Plan is undertaken, the Owner shall relocate and construct services to standard location, all to the specifications and satisfaction of the City Engineer.
72. The Owner shall connect to all existing services and extend all applicable services to the limits of the draft plan of subdivision, at no cost to the City, all to the specifications and satisfaction of the City Engineer.
73. With respect to any services and/or facilities constructed in conjunction with this Plan, the Owner shall permit the connection into and use of the subject services and/or facilities by outside owners whose lands are served by the said services and/or facilities, prior to the said services and/or facilities being assumed by the City.
74. If, during the building or constructing of all buildings or works and services within this subdivision, any deposits of organic materials or refuse are encountered, the Owner shall report these deposits to the City immediately, and if required by the City, the Owner shall, at his own expense, retain a professional engineer competent in the field of methane gas to investigate these deposits and submit a full report on them to the City. Should the report indicate the presence of methane gas then all of the recommendations of the engineer contained in any such report submitted to the City shall be implemented and carried out under the supervision of the professional engineer, to the satisfaction of the City and at the expense of the Owner, before any construction progresses in such an instance. The report shall include provision for an ongoing methane gas monitoring program, if required, subject to the approval of the City and review for the duration of the approval program.

If a permanent venting system or facility is recommended in the report, the Owner shall register a covenant on the title of each affected lot and block to the effect that the Owner of the subject lots and blocks must have the required system or facility designed, constructed and monitored to the specifications of the City, and that the Owners must maintain the installed system or facilities in perpetuity at no cost to the City. The report shall also include measures to control the migration of any methane gas to abutting lands outside the Plan.

75. The Owner hereby agrees that, should any contamination or anything suspected as such, be encountered during construction, the Owner shall report the matter to the City Engineer and the Owner shall hire a geotechnical engineer to provide, in accordance with the Ministry of the Environment "Guidelines for Use at Contaminated Sites in Ontario", "Schedule A – Record of Site Condition", as amended, including "Affidavit of Consultant" which summarizes the site assessment and restoration activities carried out at a contaminated site. The City may require a copy of the report should there be City property adjacent to the contamination. Should the site be free of contamination, the geotechnical engineer shall provide certification to this effect to the City.
76. The Owner's professional engineer shall provide inspection services during construction for all work to be assumed by the City, and supply the City with a Certification of Completion of Works upon completion, in accordance with the plans accepted by the City Engineer.

With respect to any services and/or facilities constructed in conjunction with this Plan, the Owner shall permit the connection into and use of the subject services and/or facilities by outside owners whose lands are served by the said services and/or facilities, prior to the said services and/or facilities being assumed by the City.

77. In conjunction with the Design Studies submission, the Owner shall have its professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this Plan. All class EA's must be completed prior to the submission of engineering drawings.

78. The Owner shall have its professional engineer notify existing property owners in writing, regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision, all in accordance with Council policy for "Guidelines for Notification to Public for Major Construction Projects".
79. The Owner shall not commence construction or installations of any services (eg. clearing or servicing of land) involved with this Plan prior to obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the City in writing (eg. Ministry of the Environment Certificates, City/Ministry/Government permits: Approved Works, water connection, water-taking, crown land, navigable waterways, approvals: Upper Thames River Conservation Authority, Ministry of Natural Resources, Ministry of the Environment, City, etc.)
80. The Owner shall remove any temporary works when no longer required and restore the land, at no cost to the City, to the specifications and satisfaction of the City Engineer.
81. The Owner shall decommission any abandoned infrastructure, at no cost to the City, all to the specifications and satisfaction of the City Engineer.
82. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
83. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall relocate and/or remove the existing driveway and restore the affected area, including a new driveway connection from Lot 5 to Street 'A', to the satisfaction of the City and at no cost to the City.
84. Should there be any construction access and regrading on Lot 5, the Owner shall ensure that the steep slopes adjacent to Lot 5 are not to be disturbed.
85. Blocks for 0.3 metre (1') reserves shall be required at the following locations:
 - i) west limit of South Winds Drive
 - ii) west limit of Street 'A'
86. The Owner shall include notices on the titles of the lots in this plan that the septic systems and water wells are private systems. It is each property owner's responsibility to monitor and maintain these systems.
87. The Owner shall include a notice on the title of Lot 6 in this plan that the steep slopes in the Open Space area, including the storm system and maintenance access, are not to be disturbed.
88. The Owner shall not make a request to the City to assume any portion of this Plan of subdivision until such time that all Lots in this Plan are fully developed with the following being completed on each Lot:
 - i) a constructed residential dwelling;
 - ii) a fully functioning private septic system;
 - iii) all storm/drainage and SWM related works; and
 - iv) final lot grading on each Lot is completed.All to the satisfaction of the City, unless otherwise approved by the City.
89. The Owner shall advise all purchasers of the existing emergency access on Blocks G and H in Plan 33M-64, approximately 280 metres south of this Plan of Subdivision, should the existing Southwinds Drive, between Kilborne Road and this plan be restricted in an emergency.