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**L. Mottram  
39T-07508**

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES and CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>REQUEST FOR EXTENSION OF DRAFT APPROVAL APPLICATION BY: GREENGATE VILLAGE LIMITED NORTH SIDE OF BRADLEY AVENUE BETWEEN JACKSON ROAD AND MEADOWGATE BOULEVARD MEETING ON MAY 27, 2014</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Senior Planner – Development Services, the following actions be taken with respect to the application of Greengate Village Limited relating to the property located on the north side of Bradley Avenue, between Jackson Road and Meadowgate Boulevard, legally described as Part of Lots 13 and 14, Concession 1 (geographic Township of Westminster) and Part of Asima Drive and Part of Block 116 and all of Lots 60 to 73, both inclusive, and all of Lots 113 and 114 on Plan 33M-533:

- (a) the Approval Authority **BE REQUESTED** to approve a three (3) year extension to Draft Plan Approval for the residential plan of subdivision File No. 39T-07508, as red-line amended, **SUBJECT TO** the revised conditions contained in the attached Schedule “A” 39T-07508; and
- (b) the applicant **BE ADVISED** that the Director of Development Finance has projected the attached claims and revenues information (Schedule “B” 39T-07508).

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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May 16, 2011 – Report to Built and Natural Environment Committee – Request for Extension of Draft Approval - Jackson Land Corp. (Agenda Item #8) (File No. 39T-07508)

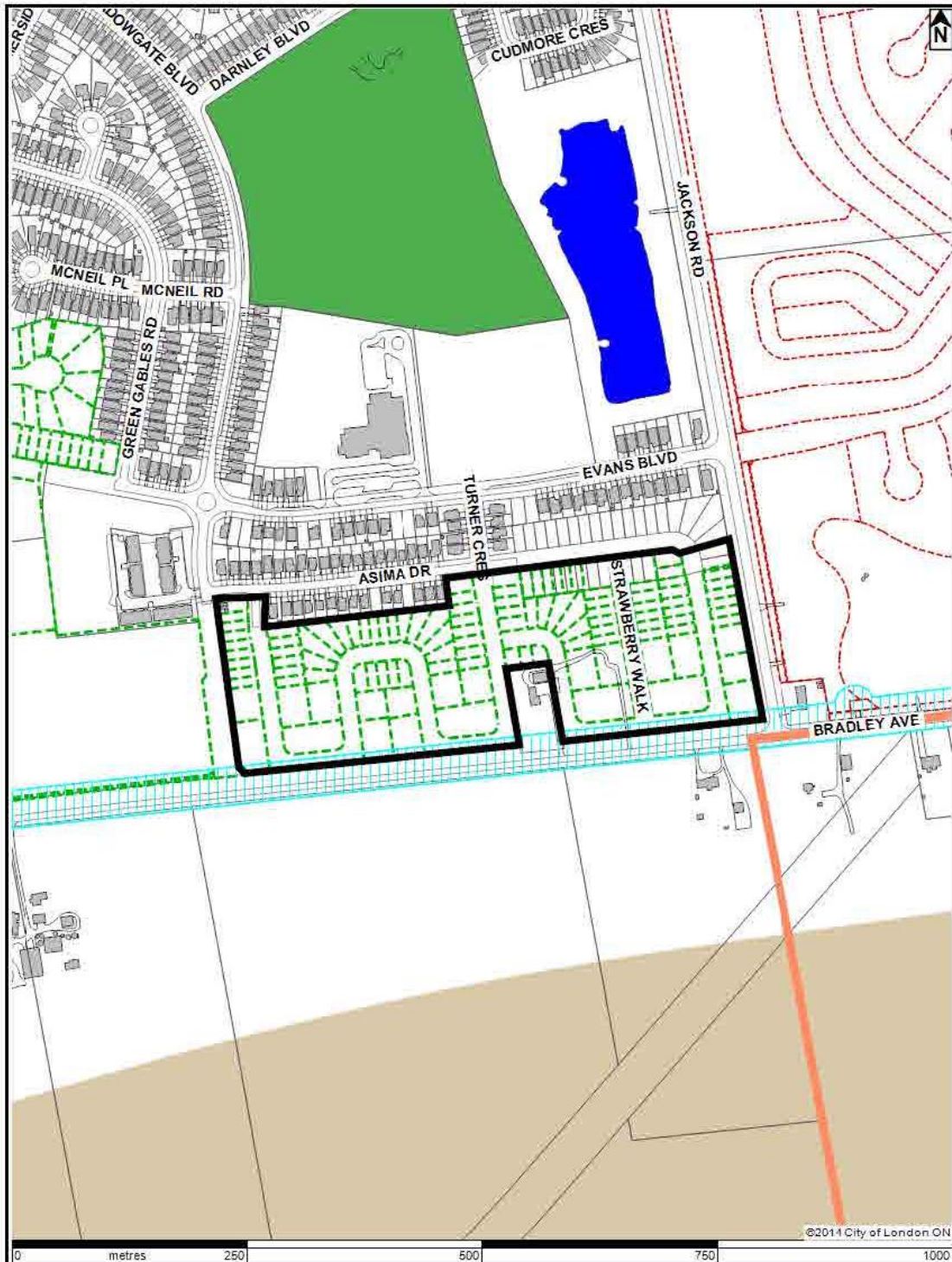
<b>RATIONALE</b>
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


1. The requested three year extension of draft plan approval is reasonable to allow sufficient time for the registration of this plan.
2. The land use pattern and road alignments in this subdivision phase comprise an integral part of the overall Summerside plan and an extension should therefore be supported, provided the conditions of draft approval are updated to reflect current City standards and regulatory requirements.

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**Location map**



<p><b>LOCATION MAP</b></p> <p>Subject Site: <b>Summerside Subdivision Phase 12B</b> Applicant: <b>Greengate Village Limited</b> File Number: <b>39T-07508</b> Planner: <b>L.Mottram</b> Created By: <b>LM</b> Date: <b>2014-03-10</b> Scale: <b>1:5000</b></p>	<p><b>LEGEND</b></p> <ul style="list-style-type: none"><li> Subject Site</li><li> Parks</li><li> Assessment Parcels</li><li> Buildings</li><li> Address Numbers</li></ul>
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Corporation of the City of London  
Prepared By: Planning and Development

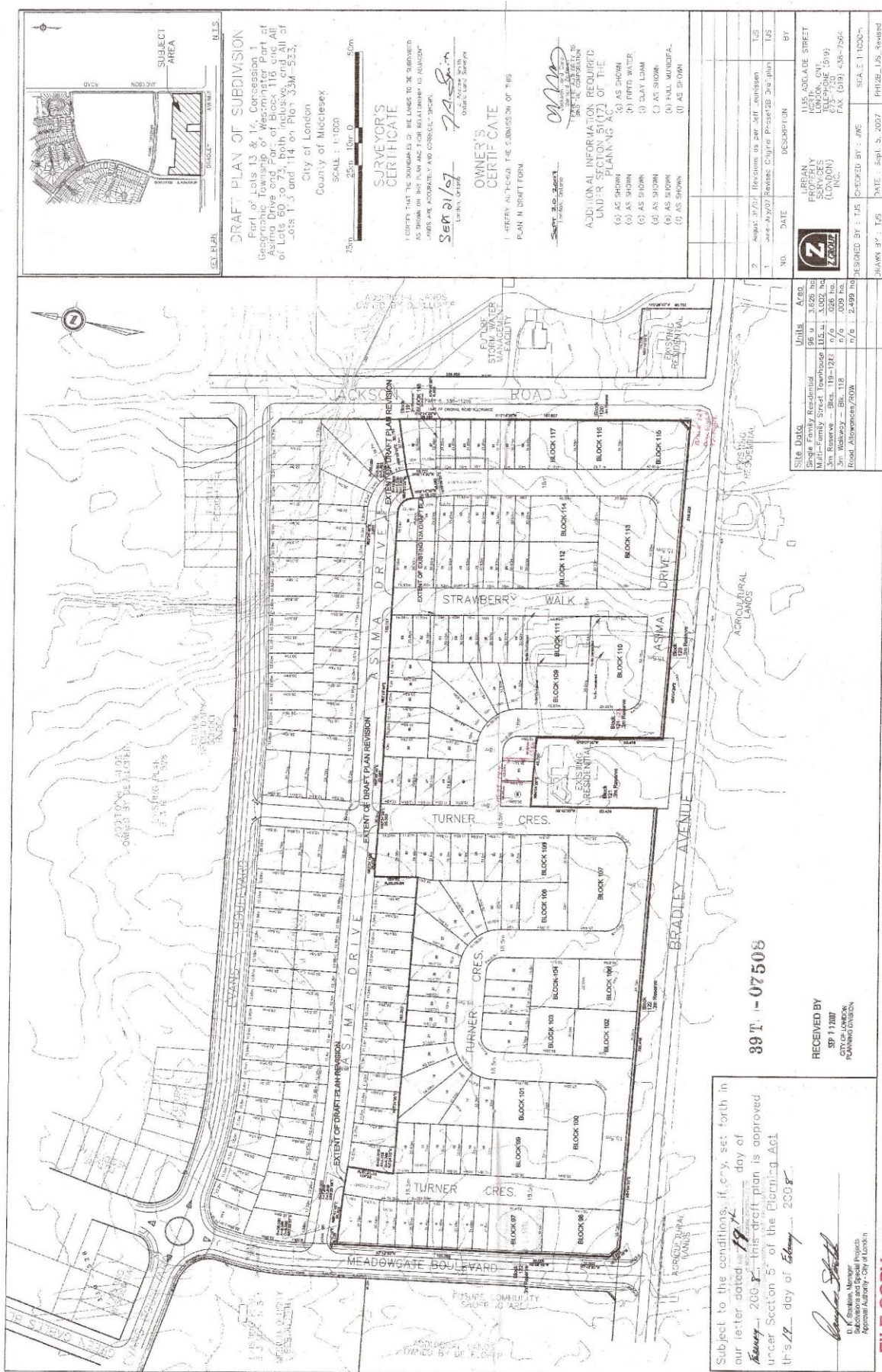






L. Mottram  
39T-07508

Draft Approved Plan 39T-07508



**DRAFT PLAN OF SUBDIVISION**  
 Part of Lots 13 & 14, Concession 1  
 Geographic Township of Westminster Part of  
 Section 5 of Range 73, Path of Block 100, All  
 of Lots 109, 110, 111, 112, 113, 114, 115,  
 Lots 1, 3 and 114 on Plan 33M-523,  
 City of London  
 County of Middlesex

SCALE: 1:1000  
 75m 25m 10m 0 50m  
**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT THE BOUNDARIES OF THE LOTS TO BE SUBDIVIDED  
 SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT  
 LOTS ARE ACCURATE AND CORRECT SHOWN.  
 SEP 21/07 *7AS*  
 LONDON, ONTARIO  
 OVERSEAS SURVEYOR

**OWNER'S CERTIFICATE**  
 I HEREBY AUTHORISE THE SUBMISSION OF THIS  
 PLAN IN DRAFT FORM  
*MM*  
 THE SUBMITTER TO  
 TAKE THE SUBDIVISION  
 UNDER SECTION 5(1) OF THE  
 PLANNING ACT

ADDITIONAL INFORMATION REQUIRED  
 UNDER SECTION 5(1) OF THE  
 PLANNING ACT  
 (1) AS SHOWN (2) AS SHOWN (3) AS SHOWN (4) AS SHOWN  
 (5) AS SHOWN (6) AS SHOWN (7) AS SHOWN (8) AS SHOWN  
 (9) AS SHOWN (10) AS SHOWN (11) AS SHOWN (12) AS SHOWN  
 (13) AS SHOWN (14) AS SHOWN (15) AS SHOWN (16) AS SHOWN  
 (17) AS SHOWN (18) AS SHOWN (19) AS SHOWN (20) AS SHOWN

NO.	DATE	DESCRIPTION	BY
1	2007-07-19	Revised: City of Westminster	LJS
2	2007-07-21	Revised: City of Westminster	LJS

**RECEIVED BY**  
 SEP 11 2007  
 CITY OF LONDON  
 PLANNING DIVISION

Subject to the conditions, if any, set forth in  
 our letter dated 19 2007 day of February, 2007, this draft plan is approved  
 under Section 5 of the Planning Act  
 14<sup>th</sup> day of February, 2007  
*Richard Smith*  
 D. K. Williams, Manager  
 Approval Authority - City of London

FILE COPY

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**L. Mottram  
39T-07508**

**BACKGROUND**

This request is for a three (3) year extension on the Draft Approval for Phase 12B of the Summerside subdivision (39T-07508) located on the north side of Bradley Avenue, between Jackson Road and Meadowgate Boulevard. The proposed plan of subdivision, which was draft approved on February 19, 2008, shows 96 single detached dwelling lots, an estimated 115 street townhouse dwellings on 21 multi-family blocks, one walkway block, and several reserve blocks on the extension of Asima Drive, the extension of Turner Crescent, and one new street.

The current draft plan approval lapses on June 19, 2014. The applicant is not proposing any revisions to the draft approved plan as part of this extension request. A reduced copy of the draft plan is attached for reference purposes.

History

The subject lands were originally included in a 1992 subdivision application submitted by Jackson Land Corp. for lands bounded by Commissioners Road East, Jackson Road, Bradley Avenue, and Highbury Ave South (also referred to as Summerside Subdivision). When the Ministry of Municipal Affairs granted draft approval in September 1993 the lands were shown as high density residential, medium density residential, and a commercial block bisected by a secondary collector road.

In October 2003 Jackson Land Corp requested significant revisions to 14.2 ha (35 acres) of lands within the draft approved Summerside subdivision, specifically the lands bounded by Evans Boulevard, Jackson Road, Bradley Avenue and Meadowgate Boulevard. The changes from the 1993 draft plan were of such significance a new draft plan application was required (our file 39T-03513). Revisions included replacement of high and medium density residential blocks with 264 single detached dwelling lots and exchanging Turner Road as a secondary collector road with 6 new local roads. One abutting property owner expressed concerns with the proposed road configuration and revisions to the plan were made to address these concerns. Municipal Council adopted the Official Plan and Zoning By-law Amendments in May 2004 and at the same time recommended the City of London Approval Authority grant draft plan of subdivision approval to a revised plan subject to conditions. There were no appeals to the amendments and on June 23, 2004 the Approval Authority granted draft plan of subdivision approval.

On October 21, 2005, the City of London Approval Authority granted final approval to the first phase of draft plan 39T-03513. This phase contained 114 single detached dwelling blocks served by the extension of Meadowgate Boulevard and two new local streets being Turner Crescent and Asima Drive. This phase, commonly referred to as Phase 12a, was registered on October 27<sup>th</sup>, 2005 as Plan 33M-533.

Jackson Land Corp. requested a three year extension to the draft approved plan of subdivision 39T-03513 on December 14, 2006. The Owner did not request final approval for the remaining 150 lots because the lands had not been serviced and they still had an inventory of serviced lots from the first phase. The request for an extension was circulated to municipal departments and commenting agencies in January 2007 and there were no objections raised to the request. A report recommending approval of an extension to a red-line amended plan of subdivision was submitted to the Planning Committee on May 28, 2007. Included with the revision was a recommended 3.0m walkway be added to the draft plan. The walkway would extend from Asima Drive to Jackson Road to provide for improved pedestrian connections. Planning Committee, on May 28, 2007, and Municipal Council, on June 11, 2007, recommended the Approval Authority grant a three year extension to plan of subdivision as red-line amended. On June 20, 2007 the City of London Approval Authority granted a three year extension to the draft plan of subdivision consisting of 150 single detached dwelling lots and 1 walkway block all served by the extension of Asima Drive and Turner Crescent and 2 new local streets. There were no appeals to the extension granted by the Approval Authority.

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In September 2007, Jackson Land Corp. submitted a third draft plan (the current file 39T-07508) to replace the existing registered and draft approved plan of subdivision consisting of 150 single detached lots, with a new plan consisting of 96 single detached lots and 21 multi-family blocks containing approximately 115 street townhouse dwellings all served by 3 local streets, portions of which would be developed as “window streets” on reduced right-of-ways. The new proposal allowed for intensification of residential uses which was more functional and aesthetically pleasing, and eliminated the need for a continuous noise wall along much of the interface with Bradley Avenue.

In 2012, the London Consent Authority granted a provisional consent to Jackson Land Corp. (File No. B.019/12) to sever the lands within this draft plan from the remaining Summerside subdivision land holdings and to create essentially two new parcels (divided east and west of the future southerly extension of Turner Crescent). A Consent Agreement was subsequently entered into which included provisions for the transfer of the 3.0 m wide pedestrian walkway connection between Asima Drive and Jackson Road to the City. There was also a condition providing for installation of a temporary turnaround bulb at the easterly end of Asima Drive.

Jackson Land Corp. recently sold all the lands within this draft plan of subdivision and the remaining lots on Asima Drive within Registered Plan 33M-533 to Greengate Village Limited.

Extension Request:

The applicant has applied for a three (3) year extension beyond the June 2014 expiration date in order to allow more time as they are the new owner getting started on this subdivision and would like to be able to continue with future phases. Servicing of the first phase along Asima Drive, east of Turner Crescent has already commenced and is expected to be finished with base asphalt by Spring 2014.

A Draft Approval extension period of three (3) years is being recommended in accordance with standard City practice. If final approval has not been provided within the three year period, there will be an opportunity to formally review the Conditions and ensure that they are relevant to current Planning policies, municipal servicing requirements and the projects listed in the updated Growth Management Implementation Strategy (GMIS).

Draft Approved Plan:

The applicant has not proposed any changes to the lotting configuration, road pattern or zoning that applies to the draft approved plan. The red-line revisions that have previously been applied to this draft approved plan are proposed to continue. It should be noted that the 3.0 metre walkway, daylight triangle, and 0.3 metre (1 foot) reserve blocks along Bradley Ave and Jackson Road, as shown on the draft plan, have already been transferred to the City in order to satisfy conditions of the recent Consent application. As part of this current draft plan extension, it is recommended that the draft plan be red-line revised to reflect these minor changes, and that the draft plan conditions be revised and updated accordingly.

Estimated Costs and Revenues:

The estimated costs and revenues information has been broken down in the chart attached as Schedule “B” to this report. Revenues are based on January 2014 Development Charge rates. The City’s share of the capital works cost for extension of storm and sanitary PDC’s to service the external property at 1680 Bradley Avenue (Jackson Pools) is estimated at \$10,000 (see D.P. Condition #33). There are no anticipated claims against the Urban Works Reserve Fund.

Conditions of Draft Approval:

The draft approval conditions issued on June 16, 2011 have been re-circulated and reviewed with municipal departments and agencies to determine their relevance within the context of

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**L. Mottram  
39T-07508**

current regulatory requirements. As a result, there are minor wording modifications and revisions, as well as a number of new clauses added reflecting current municipal standards and requirements.

The proposed modifications and new conditions are briefly highlighted below:

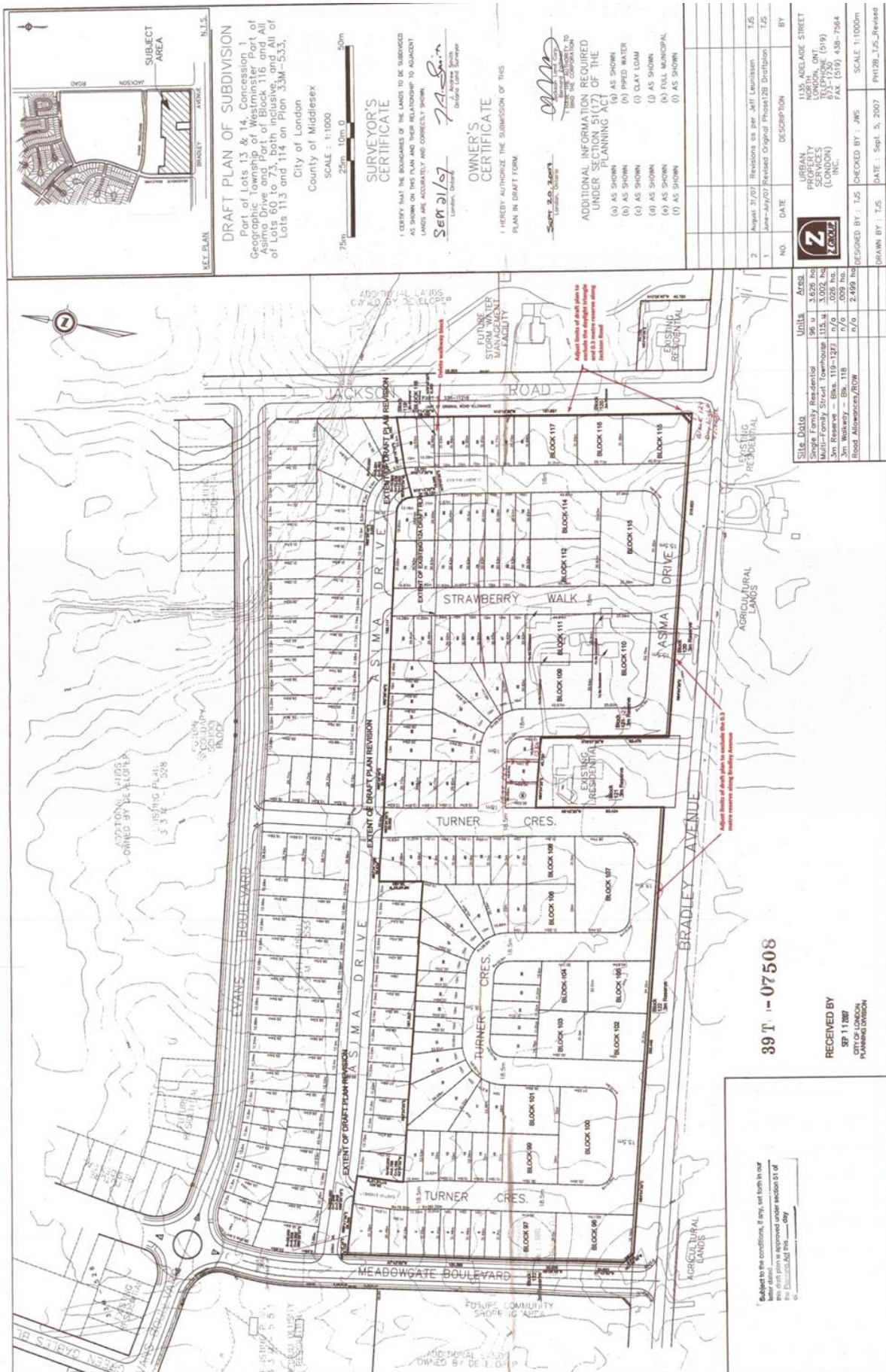
1. Conditions 1 through 25 are substantively the same as those of the previous draft approval with some minor tweaking and wording modifications. One of the challenges of crafting conditions is keeping current with changing job titles and protocols. Applying the use of the generic term “City” rather than individual’s specific job title has been found to be the most practical alternative wherever possible.
2. Condition 26 relating to a pedestrian connection between Asima Drive and Jackson Road has been deleted as the proposed block(s) for a pedestrian walkway were recently transferred to the City, as well as securities received for completion of the design and construction of the walkway, in order to satisfy the conditions of a Consent application (B.019/12).
3. Condition 29 has been replaced with an updated condition confirming the location and sizing of storm sewer connections to the existing municipal stormwater sewer system.
4. Condition 31 has been replaced with an updated condition confirming the location and sizing of watermain connections to the existing municipal water system.
5. Condition 35 relating to the installation of traffic signals at the intersections of Bradley Avenue and Chelton Road, Bradley Avenue and Meadowgate Boulevard, and Bradley Avenue and Jackson Road has been deleted. Traffic signals at Bradley Avenue and Chelton Road and Bradley Avenue and Meadowgate Boulevard are included in the current draft plan conditions of another phase of the Summerside subdivision (Phase E), located to the west of this draft plan.
6. Condition 37 has been replaced with an updated list of local street sidewalks and where they are to be installed.
7. Condition 39, relating to the provision of a site triangle at the corner of Bradley Avenue and Jackson Road, has been deleted as the site triangle block was recently transferred to the City in order to satisfy the conditions of a Consent application (B.019/12).
8. Conditions 49 through 52 have been replaced with updated clauses reflecting current municipal standards for stormwater management servicing requirements.
9. Condition 54 has been replaced with updated clauses reflecting current municipal standards for water servicing requirements.
10. Condition 55 has been replaced with an updated condition relating to provision for connecting links from this subdivision to a future sidewalk along Bradley Avenue.
11. Condition 70 has been replaced with a clause reflecting current municipal standards for subdivision phasing, including the requirement for a phasing plan identifying all required temporary measures, and land and/or easements required for the routing of services which are necessary to service upstream lands outside this draft plan to be provided at the time of registration of each phase.
12. Conditions 75 through 91 have been added to the General Conditions and reflect updated municipal standards, including updated standards for stormwater management, roads and transportation infrastructure.





**L. Mottram**  
**39T-07508**

**Recommended Red Line Revisions**



Subject to the conditions, if any, set forth in our letter dated 11/11/07, we approved under section 51 of the Planning Act 1990 this plan as shown on the attached plan.

**89 T. - 07508**

RECEIVED BY  
SP 11/18/07  
CITY OF LONDON  
PLANNING DIVISION

NO.	DATE	DESCRIPTION	BY
2	August 31/07	Revisions on per Jeff Leunissen	TJS
1	June-May/07	Revised Original Photos/208 Drettingham	TJS

Units	Area
Single Family Residential	96 u. 3,526 ha.
Multi-Family Street Townhouse	115 u. 3,002 ha.
3m Reserve - Blks. 119-121	0/0 .026 ha.
3m Walkway - Blk. 118	0/0 .009 ha.
Flood Allowances/ROW	0/0 2,499 ha.

DESIGNED BY : TJS CHECKED BY : JWS  
SCALE 1:1000m  
DRAWN BY : TJS DATE : Sept. 5, 2007 PH129...TJS\_Revised

**URBAN PROPERTY SERVICES (LONDON) INC.**  
1135 ASHLADE STREET  
NORTH YORKSHIRE  
LEADSHIRE LS19  
673-7350  
FAX: (519) 438-7864

**SURVEYOR'S CERTIFICATE**  
I HEREBY AUTHORIZE THE SUBMISSION OF THIS PLAN IN DRAFT FORM

**OWNER'S CERTIFICATE**  
I HEREBY AUTHORIZE THE SUBMISSION OF THIS PLAN IN DRAFT FORM

**SURVEYOR'S CERTIFICATE**  
I CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SURVEYED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

Sept 21/07  
LONDON, ONTARIO  
Outside Land Surveyor

**ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT**  
(a) AS SHOWN (g) AS SHOWN  
(b) AS SHOWN (h) PIPED WATER  
(c) AS SHOWN (i) CLAY LOAM  
(d) AS SHOWN (j) AS SHOWN  
(e) AS SHOWN (k) FULL MUNICIPAL  
(f) AS SHOWN (l) AS SHOWN

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Public Notice:

Notice was not circulated to the public regarding the request for extension of draft approval given that no significant changes are being proposed to the zoning, lotting pattern or roadway alignments in the draft approved plan (39T-07508). In accordance with Section 50(45) of the *Planning Act* notice will be provided to the applicant, as well as any persons or public bodies who are prescribed under the Act and anyone who previously requested notification.

<b>CONCLUSION</b>
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Staff are recommending a three year extension to the Draft Approval for this plan of subdivision, subject to the revised conditions as attached. The proposed plan and recommended conditions of Draft Approval will ensure that development proceeds in conformity with the Official Plan. A three year extension is being recommended to allow sufficient time for the registration of this plan. The recommended conditions of draft approval are attached to this report as Schedule "A" 39T-07508.

<b>PREPARED and RECOMMENDED BY:</b>	<b>REVIEWED BY:</b>
<b>LARRY MOTTRAM, MCIP, RPP SENIOR PLANNER – DEVELOPMENT SERVICES</b>	<b>BRUCE HENRY MANAGER, DEVELOPMENT PLANNING</b>
<b>REVIEWED BY:</b>	<b>SUBMITTED BY:</b>
<b>TERRY GRAWAY, MCIP, RPP MANAGER, DEVELOPMENT SERVICES AND PLANNING LIAISON</b>	<b>GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>

May 15, 2014  
GK/TG/BH/LM/lm  
"Attach."



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**L. Mottram  
39T-07508**

**Schedule "A" 39T-07508  
Conditions of Draft Approval**

**THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-07508, ARE AS FOLLOWS:**

**\* Denotes Deleted, Revised or New Condition**

NO.	CONDITIONS
1.	This approval applies to the draft plan submitted by Jackson Land Corp. (File No. 39T-07508), prepared by Urban Property Services (London) Inc., certified by J. Andrew Smith (Drawing No. PH12B_TJS_Revised, dated Sept 5, 2007), as red-line amended which shows 96 single detached dwellings, 21 multi-family blocks, one walkway block and several reserve and road widening blocks on the extension of Asima Drive, the extension of Turner Crescent and one new street.
2.*	This draft approval and these conditions replace the conditions of draft approval granted on <del>February 19, 2008</del> June 16, 2011 for plan 39T-07508 as it applies to the lands within the plan described in Condition No. 1.
3.	This approval of the draft plan applies for a three year period and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
4.	The road allowances included in this draft plan shall be shown and dedicated as public highways.
5.*	The Owner shall request that the streets in this subdivision be named to the satisfaction of the <del>Director of Development Planning</del> City.
6.*	The Owner shall request municipal addresses be assigned to the satisfaction of the <del>Director of Development Planning</del> City.
7.*	Prior to final approval, the Owner shall submit to the <del>Director of Development Planning</del> 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.
8.*	<del>Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.</del>
9.*	<del>That</del> the Owner shall satisfy all requirements, financial and otherwise, of the City of London <del>in order to implement the conditions of this draft approval</del> including, but not limited to, surfacing of roads, installation and maintenance of services, drainage or grading, tree planting and tree preservation.
10.*	<del>That</del> the subdivision agreement between the Owner and the City of London shall be registered against the lands to which it applies <del>once the plan of subdivision has been registered.</del>
11.*	<del>In conjunction with the registration of the plan, the Owner shall provide to the appropriate authorities such easements 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 Engineer and at no cost to the City.</del>

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In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements 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.

- 12.\* Phasing of this subdivision (if any) shall be to the satisfaction of the ~~Director of Development Planning and City Engineer~~ City.
- 13.\* For the purpose of satisfying any of the conditions of draft approval herein contained, the Owner shall file, with the City, complete submissions consisting of all required studies, reports, data, information or detailed engineering drawings, all to the satisfaction of the ~~Director of Development Planning and the City Engineer~~ City. The Owner acknowledges that, in the event that a submission does not include the complete information required by the ~~Director of Development Planning and the City Engineer~~ City, such submission will be returned to the Owner without detailed review by the City.
- 14.\* Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the ~~Director of Development Planning~~ City a complete submission consisting of all required clearances, fees, and final plans, and to advise the ~~Director of Development Planning~~ City in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the ~~Director of Development Planning~~ City, such submission will be returned to the Owner without detailed review by the City.
15. The Owner shall implement the requirements of the City of London concerning sedimentation and erosion control measures during all phases of construction. The Owner's professional engineer shall have these requirements established and approved by the City Engineer prior to any work on the site. Prior to the commencement of any grading or alteration on site, the Owner shall enter into a site alteration agreement or a subdivision agreement and post the required security.
- 16.\* The Owner shall not commence construction or installations of any services kind (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.)
- 17.\* ~~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 effect of the construction associated with this subdivision on the existing ground water elevations, private domestic or farm wells in the area and to assess the impact on the water balance of the subject plan, identifying all required mitigation measures, to the satisfaction of the City Engineer. If necessary, the report is to also address any contamination impacts that may be anticipated or experienced as a result of the said construction. Any recommendations outlined in the report are to be reviewed and approved by the City Engineer, prior to any work on the site. Any remedial works recommended in the report shall be constructed or installed by the Owner, prior to the issuance of any Certificate of Conditional Approval, to the satisfaction of the City Engineer, at no cost to the City.~~

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Should the current or any future Owner revise the development proposal for these lands, the current or any future Owner shall provide an update to the existing hydrogeological report (LNGE00007669A), if applicable, or have a report prepared by a qualified consultant, and if necessary, a detailed hydrogeological 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 springs, water wells (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, any remedial or other works as recommended in the above accepted hydrogeological report shall be implemented by the Owner, to the satisfaction of the City, at no cost to the City.

- 18.\* That no 5% parkland dedication is required with for this plan of subdivision. Parkland dedication has been satisfied by Block 59 (Meadowgate Park) in Plan 33M-528.
- 19.\* The Owner shall ensure construct a fence is constructed of similar design, material and height along the rear lot line of Lots 86 to 93 both inclusive and Blocks 115, 116 and 117 where they abut Jackson Road.
- 20.\* The Owner shall ensure construct a fence is constructed of similar design, material and height along the rear lot lines of Lots 1 to 9, both inclusive, and Blocks 97 and 97 98 where they abut Meadowgate Boulevard.
21. Approval from the London Fire Department is required should any burning of materials on-site be contemplated.
- 22.\* The Owner shall implement the recommendations of the Noise Assessment for Phase 12B Summerside Subdivision, prepared by Development Engineering (London) Limited, dated September 11, 2007 to the satisfaction of the Director of Development Planning City. If necessary, the Owner shall update the Noise Assessment to meet current City policies and noise criteria.
23. All noise attenuation features required in this subdivision shall be maintained by the Owner of the lot or block in the plan.
- 24.\* Prior to the submission of engineering drawings, the Owner shall submit an on-street parking plan to the satisfaction of the Director of Development Planning City. The approved parking plan will form part of the subdivision agreement for the registered plan.
- 25.\* In conjunction with the engineering drawing submission, the Owner shall submit a street tree plan to the City. The street tree plan shall show one street tree per lot or a minimum spacing of one per 15 metres (49.2 feet), whichever is the lesser, except where it can be demonstrated that the location of driveways and underground utilities necessitates a greater separation. If there are long stretches where boulevard street trees are not possible because of driveways and utilities, the Owner shall provide street trees in alternate locations including flanking lots, front yards of lots and blocks, and window street landscaping areas all to satisfaction of the Managing Director of Development Approvals Business Unit City.
- 26.\* The Owner shall design and construct a pedestrian connection from Asima Drive to Jackson Road within Block 118 to the satisfaction of the City at no cost to the City.

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39T-07508**

- 27.\* ~~Prior to any work on the site, the Owner shall determine if there are any abandoned wells in this Plan and shall decommission and permanently cap any abandoned wells located in this Plan, in accordance with current provincial legislation, regulations and standards. It is the responsibility of the Owner to determine if any abandoned wells exist in this Plan.~~

~~In the event that an existing well in this Plan is to be kept in service, the Owner shall protect the well head and the underlying aquifer from any development activity.~~

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.

28. The Owner shall construct the proposed sanitary sewers to serve this plan and connect them to the existing municipal sewer system, a 200 mm (8") sanitary sewer on the west leg of Asima Drive, a 200 mm (8") sanitary sewer on the east leg of Asima Drive and a 200 mm (8") sanitary sewer on Turner Crescent, all to the specifications and satisfaction of the City.

- 29.\* ~~The Owner shall construct the proposed storm sewers to serve this plan and connect them to the existing municipal sewer system, a 525 mm (21") storm sewer on the west leg of Asima Drive, a 600 mm (24") storm sewer on the east leg of Asima Drive and a 900 mm (36") storm sewer on Turner Crescent, all to the specifications and satisfaction of the City.~~

The Owner shall construct the proposed storm sewers to serve this plan and connect them to the existing municipal sewer system, namely, the 375 mm (15") diameter storm sewer on the east leg of Asima Drive, the 600 mm (24") storm sewer stub on Turner Crescent, the 525 mm (21") diameter storm sewer stub 50 metres south of the existing MH R14 on Asima Drive and the 675 mm (27") diameter storm sewer on Asima Drive 140 metres east of Turner Crescent, all to the specifications and satisfaction of the City.

30. Notwithstanding other conditions for stormwater management covered herein, the Owner shall promote implementation of SWM soft measure BMP's in the design construction of this subdivision. The acceptance of these measures by the City will be dependent on adequate geotechnical conditions being present on the site, all as approved by the City.

- 31.\* ~~The Owner shall construct the proposed watermains to serve this plan and connect them to the existing municipal sewer system, a 200 mm (8") watermain on the west leg of Asima Drive, a 200 mm (8") watermain on the east leg of Asima Drive and a 200 mm (8") watermain on Turner Crescent, all to the specifications and satisfaction of the City.~~

The Owner shall construct the proposed watermains to serve this plan and connect them to the existing municipal water system, namely, the 200 mm (8") diameter watermain on the west leg of Asima Drive, the 200 mm (8") diameter watermain on the east leg of Asima Drive, the 200 mm (8") diameter watermain on Turner Crescent and the 200 mm (8") diameter watermain on Asima Drive 150 metres east of Turner Crescent, all to the specifications and satisfaction of the City.

- 32.\* ~~The Owner shall provide "looping" of the water main system constructed for this subdivision when eighty (80) units or more are to be built in the internal watermain infrastructure, all to the specifications of the City Engineer. The Owner shall extend the existing main on Meadowgate Boulevard at Darnley Blvd to Bradley Avenue at no cost to the city when looping is required.~~



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The Owner shall provide "looping" of the watermain system constructed for this subdivision when eighty (80) units or more are to be built in the internal watermain infrastructure, all to the specifications of the City Engineer.

- 33.\* ~~The Owner shall design and install sanitary and storm private drain connections to serve 1680 Bradley Avenue to the satisfaction of the City Engineer. Any claim submitted against the City's Capital Works Budget (Wastewater and Drainage Engineering Division) for the reimbursement of the Capital Works Budget share of the cost of construction of sanitary and storm private drain connections to service external properties such as 1680 Bradley Avenue (Jackson Pools) shall be limited to a maximum amount of \$8,000.00 upon completion of these works.~~

The Owner shall design and install sanitary and storm private drain connections to serve 1680 Bradley Avenue to the satisfaction of the City Engineer. Any claim submitted against the City's Capital Works Budget (Wastewater and Drainage Engineering Division) for the reimbursement of the Capital Works Budget share of the cost of construction of sanitary and storm private drain connections to service external properties such as 1680 Bradley Avenue (Jackson Pools) shall be limited to a maximum amount of \$10,000.00 upon completion of these works.

The Owner acknowledges that notwithstanding submission of such a claim or the assumption of the works by the City, the City is under no obligation or promise under the terms of this approval, or otherwise, to reimburse the Owner. The amounts of any capital funding are subject to separate Council Approval. Any amounts considered in this draft plan approval are to be viewed as general estimates only and not approved claims. Any or all claims may be refused at the full discretion of Council.

The Owner acknowledges that City Council may consider inclusion of an item for reimbursement of it's share in the Capital Works Budget for the year immediately following completion of construction, but the inclusion of such item shall not be taken to be an acknowledgement by the City of any obligation or promise by the City to make such reimbursement. With that intention, the cost of construction of the works shall be at all times, notwithstanding the assumption of the works by the City, at the sole expense and risk of the Owner.

- 34.\* As part of the engineering drawing submission the Owner shall submit a landscaping plan for the window streets to the satisfaction of the ~~Managing Director of Development Approvals Business Unit~~ City for review and acceptance.

- 35.\* ~~The Owner shall install traffic signals at the following intersections when determined warranted by the City: Bradley Avenue and Chelton Road, Bradley Avenue and Meadowgate Boulevard, and Bradley Avenue and Jackson Road.~~

- 36.\* ~~The Owner shall direct all construction traffic associated with this plan to access the site from Evans Boulevard via Bradley Avenue and Jackson Road.~~

The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Evans Boulevard via Bradley Avenue and Jackson Road or other routes as designated by the City.

- 37.\* The Owner shall construct sidewalks within this subdivision as follows:
  - i) ~~Strawberry Walk west boulevard;~~
  - ii) ~~Asima Drive east boulevard from Lot 86 to Block 115, inclusive;~~
  - iii) ~~Asima Drive south boulevard from Lot 94 to Lot 96, inclusive;~~
  - iv) ~~Asima Drive west boulevard from Lot 94 and across lands external to this plan at 1680 Bradley Avenue, inclusive;~~

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- v) ~~Asima Drive – north boulevard – Block 110;~~
- vi) ~~Asima Drive – north boulevard – Block 113;~~
- vii) ~~Turner Crescent – west boulevard – from Lots 1 to Block 98, inclusive;~~
- viii) ~~Turner Crescent – south boulevard – from Lot 32 to Lot 36, inclusive;~~
- ix) ~~Turner Crescent – east boulevard – Lot 32, and Block 102 & 103, inclusive;~~
- x) ~~Turner Crescent – west boulevard – Lot 36 and Block 104 & 105, inclusive;~~
- xi) ~~Turner Crescent – east boulevard – Lot 45 to Lot 49, inclusive;~~
- xii) ~~Turner Crescent – east boulevard – from Lot 96 and across lands external to this plan at 1680 Bradley Avenue, inclusive;~~
- xiii) ~~Turner Crescent – north boulevard – Block 100; and~~
- xiv) ~~Turner Crescent – north boulevard – Block 107.~~

The Owner shall construct a 1.5 m (5') sidewalk on one side of the following streets:

- i) Strawberry Walk – west boulevard;
- ii) Asima Drive – east boulevard – from Lot 86 to Block 115, both inclusive;
- iii) Asima Drive – south boulevard – from Lot 94 to Lot 96, both inclusive;
- iv) Asima Drive – west boulevard – from Lot 94 and across lands external to this plan at 1680 Bradley Avenue, inclusive;
- v) Turner Crescent – west boulevard – from Lot 1 to Block 98, both inclusive;
- vi) Turner Crescent – south boulevard – from Lot 32 to Lot 36, both inclusive;
- vii) Turner Crescent – east boulevard – Lot 32, and Block 102 and 103, all inclusive;
- viii) Turner Crescent – west boulevard – Lot 36, and Block 104 and 105, all inclusive;
- ix) Turner Crescent – east boulevard – Lot 45 to Lot 49, both inclusive;
- x) Turner Crescent – east boulevard – from Lot 96 and across lands external to this plan at 1680 Bradley Avenue, all inclusive;

- 38. The Owner shall dedicate all 0.3 m reserve blocks to the City at no cost.
- 39.\* ~~The Owner shall transfer Block 124 as a site triangle to the city at no cost. Upon registration of the plan, the City shall dedicate Block 124 as part of the existing road allowance.~~
- 40.\* ~~Prior to final approval of this plan and subject to the satisfaction of the Thames Valley District School Board, the Board may require the owner to agree in the subdivision agreement to include a suitable clause to advise future purchasers that this area has been designated a "Holding Zone" for school accommodation purposes and students will be accommodated at a "Holding School".~~  

Prior to final approval of this plan and subject to the satisfaction of the local School Boards, the Owner shall include in the subdivision agreement a suitable warning clause advising future purchasers of residential units that students may be accommodated in temporary or holding facilities and/or bused outside the neighbourhood for their education.
- 41.\* ~~Prior to final approval of this Plan and subject to the satisfaction of the London District Catholic School Board, the Owner shall include in the subdivision agreement a suitable warning clause advising future purchasers of residential units that students may be accommodated in temporary facilities and/or bused outside the neighbourhood for their education.~~
- 42. Prior to final approval the requirements of Union Gas Limited with respect to easements and/or agreements for the provision of gas services shall be met.
- 43.\* ~~Prior to final approval, the Owner shall pay in full all financial obligations/encumbrances owing to the City on the said lands, including property taxes and local improvement charges.~~

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44. The Owner shall not connect any weeping tiles into the sanitary sewers within this plan.
45. Throughout the duration of construction within this draft plan of subdivision, the Owner shall undertake measures within this draft plan to control and prevent any inflow and infiltration and silt from being introduced to the sanitary sewer system during and after construction, satisfactory to and at no cost to the City.
46. Following construction, the Owner shall have its consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407. Also, if requested, the Owner shall permit the City to undertake smoke testing of the system at any time prior to assumption of the subdivision.
47. The Owner shall service these lands by the existing Summerside SWM Facility located north of this plan in accordance with the Summerside District Stormwater and SWM Master Plan, all to the specifications and satisfaction of the City Engineer.
48. The Owner shall have its consulting professional engineer direct, by grading, some major overland flows from a small area of the subject lands to the existing Summerside SWM Facility. Any modifications to directions of these overland flows are subject to specifications and satisfaction of the City Engineer.
- 49.\* ~~The Owner shall have its consulting professional engineer design and subsequently construct proposed storm/drainage servicing works for the subject lands, all to the satisfaction and specification of the City Engineer and according to the requirements of the following:~~
  - ~~i) The SWM criteria and Environmental targets for the Dingman Creek Subwatershed Study Update (2005);~~
  - ~~ii) The Summerside District Stormwater and Stormwater Management Master Plan (updated 2004);~~
  - ~~iii) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;~~
  - ~~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 (2003); and~~
  - ~~vi) Applicable Acts, Policies, Guidelines, Standards and Requirements of all relevant SWM agencies.~~

The Owner shall have its consulting professional engineer design and subsequently construct the proposed storm/drainage servicing works for the subject lands, all to the satisfaction and specifications of the City Engineer and according to the requirements of the following:

- i) The SWM targets and criteria for the Dingman Creek Subwatershed Study Update (2005);
- ii) The Summerside District Stormwater and Stormwater Management Master Plan (updated 2004);
- iii) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;
- iv) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the file manager process;
- v) The City's Waste Discharge and Drainage By-laws, lot grading standards, policies, requirements and practices;
- vi) The Ministry of the Environment's Practices Planning and Design Manual (2003);

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- vii) All applicable Acts, Policies, Guidelines, Standards and Requirements of the City of London, Ministry of the Environment and all other relevant agencies.
- 50.\* ~~The Owner's professional engineer shall identify major and minor storm flow routes for the subject lands, to the satisfaction of the City.~~
- The Owner's professional engineer shall identify all major and minor storm flow routes for the subject lands, all to the satisfaction and specifications of the City Engineer.
- 51.\* ~~Prior to the issuance of a Certificate of Conditional Approval for lots and blocks in this plan or as otherwise approved by the City Engineer, all storm/drainage and SWM related works, including overland flow routes, to serve this plan must be constructed and operational in accordance with the approved design criteria, all to the satisfaction of the City Engineer.~~
- Prior to the issuance of any Certificates of Conditional Approval for lots and blocks in this plan or as otherwise approved by the City Engineer, the Owner shall construct and have operational all storm/drainage and SWM related works, including major and minor storm flow routes, to serve this plan in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City Engineer.
- 52.\* ~~Prior to final approval, the Owner's consulting engineer shall certify 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 the City, or any approval given by the City Engineer, 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.~~
- Prior to the issuance of any Certificates of Conditional Approval, 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 and/or any approvals 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.
53. The Owner shall develop an erosion/sediment control plan (ESCP) 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 Engineer. This Plan is to include measures to be used during all phases on construction. Prior to any work on the site, the Owner shall submit these measures as a component of the functional SWM and/or Drainage Servicing Report for these lands and shall implement these measures satisfactory to the City Engineer. The Owner shall correct any deficiencies of the erosion and sediment control measures forthwith.
- 54.\* ~~Prior to acceptance of engineering drawings, the Owner shall have it's professional engineer determine if there is sufficient water turnover to ensure water quality and determine how many homes need to be built and occupied to maintain water quality in the water system. If the water quality cannot be maintained in the short term, the Owner shall install automatic blow offs, where necessary, to the satisfaction of the City Engineer, or make suitable arrangements with Water Operations for the maintenance of the system in the interim.~~



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Should the current or any future Owner revise the development proposal for these lands, the current or any future Owner shall have his consulting engineer provide a letter of confirmation that the Water Report dated November 2007 meets the following water servicing design information and criteria, or the Owner shall have his consulting engineer prepare and submit the following water servicing design information, all to the satisfaction of the City Engineer:

- i) A water servicing report which addresses the following:
  - a) Identify external water servicing requirements;
  - b) Confirm capacity requirements are met;
  - c) Identify need to the construction of external works;
  - d) Identify the effect of development on existing water infrastructure – identify potential conflicts;
  - e) Water system area plan(s)
  - f) Water network analysis/hydraulic calculations for subdivision report;
  - g) Phasing report;
  - h) Oversizing of watermain, if necessary and any cost sharing agreements.
  - i) Water quality
  - j) Identify location of valves and hydrants
  
- ii) Design calculations which demonstrate there is adequate water turnover to address water quality requirements for the watermain system or recommend the use of the following:
  - a) valving to shut off future connections which will not be used in the near term; and/or
  - b) automatic flushing devices to maintain water quality, with it being noted that the water flushed by the device is to be measured (by a water meter in a meter pit) and the cost of water charged to the Owner; and/or
  - c) make suitable arrangements with Water Operations for the maintenance of the system in the interim.

Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the accepted recommendations to address the water quality requirements for the watermain system, to the satisfaction of the City Engineer, at no cost to the City.

- 55.\* ~~The Owner shall provide sidewalk links from Turner Crescent and Asima Drive to the proposed sidewalk on Bradley Avenue in accordance with the City of London Window Street Standard Guidelines UCC-2M to the satisfaction of the Director of Development Planning, at no cost to the City. Breaks in the 0.3 metre reserve are to be identified on the plan to be registered.~~

The Owner shall install sidewalk links from Turner Crescent and Asima Drive to the proposed sidewalk on Bradley Avenue in accordance with the City of London Window Street Standard Guidelines UCC-2M, to the satisfaction of the City, at no cost to the City.

56. The Owner shall construct and be responsible for costs related to any temporary works necessary to construct this draft plan, if applicable.
57. 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 Engineer for any construction activity that will occur on existing public roadways. The Owner shall have it's 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.

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- 58.\* ~~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 Engineer. Any deviations from the City's standards, guidelines or requirements shall be satisfactory to the Managing Director of Development Approvals Business Unit.~~

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.

- 59.\* ~~Prior to the issuance of a Certificate of Conditional Approval for each construction stage of this subdivision, all servicing works for the stage must be completed and operational, to the satisfaction of the City.~~

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 specifications and satisfaction of the City.

- 60.\* 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 ~~Managing Director of Development Approvals Business Unit~~ City.

- 61.\* The Owner shall connect to all existing services and extend all 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.

62. In the event the draft plan develops in phases, upon registration of any phase of this subdivision, the Owner shall provide land and/or easements along the routing of services which are necessary to service upstream lands outside of this draft plan to the limit of the plan.

63. The Owner shall have the common property line of Bradley Avenue graded in accordance with the City of London Standard "Subdivision Grading Along Arterial Roads", at no cost to the City.

Further, the grades to be taken as the centreline line grades on Bradley Avenue are the future centreline of road grades as determined by the Owner's professional engineer. From these, the Owner's professional engineer is to determine the elevations along the common property line which will blend with the reconstructed road.

64. The Owner shall advise the City in writing at least two weeks prior to connecting, either directly or indirectly, into any unassumed services constructed by a third party, and to save the City harmless from any damages that may be caused as a result of the connection of the services from this subdivision into any unassumed services.

Prior to connection being made to an unassumed service, the following will apply:

- i) In the event discharge is to unassumed services, the unassumed services must be completed and Conditionally Accepted by the City;
- ii) The Owner must provide a video inspection on all affected unassumed sewers;

Any damages caused by the connection to unassumed services shall be the responsibility of the Owner.

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65. 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.
66. 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 Engineer and Chief Building Official immediately, and if required by the City Engineer and Chief Building Official, the Owner shall, at his 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 Engineer and Chief Building Official. 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 Engineer and Chief Building Official shall be implemented and carried out under the supervision of the professional engineer, to the satisfaction of the City Engineer and Chief Building Official 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 Engineer 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 Engineer, and that the Owner's 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.
67. The Owner's professional engineer shall provide inspection services for all work during construction for all work to be assumed by the City, and have its professional engineer supply the City with a Certificate of Completion of Works upon completion in accordance with the plans accepted by the City.
68. The Owner shall have it's professional engineer, prior to acceptance of engineering drawings, provide an opinion of the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this Plan.
69. The Owner shall have its 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".
- 70.\* ~~In the event the Owner wishes to phase this plan of subdivision, the Owner shall submit a phasing plan to the satisfaction of the Managing Director of Development Approvals Business Unit.~~

In the event the Owner wishes to phase this plan of subdivision, the Owner shall submit a phasing plan identifying all required temporary measures, and identify land and/or easements required for the routing of services which are necessary to service upstream lands outside this draft plan to the limit of the plan to be provided at the time of registration of each phase, all to the specifications and satisfaction of the City.
71. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
72. The Owner shall remove any temporary works when no longer required and restore the land, to the satisfaction of the City Engineer, at no cost to the City.

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73. The Owner shall decommission any abandoned infrastructure, at no cost to the City, including cutting the water service and capping it at the watermain, all to the specifications of the City Engineer.

74. The Owner shall remove all existing accesses to boundary roads to the satisfaction of and at no cost to the City.

75.\* Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Pottersburg Pollution Control Plant for this subdivision. This treatment capacity shall be reserved by the City Engineer subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.

Failure to register the Plan within the specified time may result in the Owner forfeiting the allotted treatment capacity and, also, the loss of his right to connect into the outlet sanitary sewer, as determined by the City Engineer. In the event of the capacity being forfeited, the Owner must reapply to the City to have reserved sewage treatment capacity reassigned to the subdivision.

76.\* 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.

77.\* 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) Implement all geotechnical recommendations with respect to all geotechnical issues, including erosion, maintenance and structural setbacks related to slope stability, if necessary, and ensure they are adequately addressed for the subject lands, to the satisfaction of the City;
- ii) Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan;
- iii) 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; and
- iv) Address forthwith any deficiencies of the stormwater works and/or monitoring program.

78.\* The Owner shall ensure the post-development discharge flow from the subject site must not exceed the capacity of the stormwater conveyance system. In an event, where the above condition cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirement for Permanent Private Stormwater Systems.

79.\* 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.

80.\* The Owner shall pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if applicable) to third parties that have constructed the services and/or facilities to which the Owner is connecting. The above-noted proportional share of the cost shall be based on design



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flows, to the satisfaction of the City, for sewers or on storage volume in the case of a SWM facility. The Owner's payments to third parties shall:

- i) commence upon completion of the Owner's service work, connections to the existing unassumed services; and
- ii) continue until the time of assumption of the affected services by the City.

81.\* Should any temporary turning circle exist on any abutting street at the time this plan is registered, the Owner shall remove any existing temporary turning circles and restore the road including sidewalks to the satisfaction of the City, at no cost to the City.

82.\* If any temporary measures are required to support the interim conditions in conjunction with the phasing, the Owner shall construct temporary measures and provide all necessary land and/or easements, to the specifications and satisfaction of the City Engineer, at no cost to the City.

83.\* Should the current or any future Owner revise the development proposal for these lands, the current or any future Owner may be required to complete a design studies submission as per the File Manager process.

84.\* The Owner shall ensure that no vehicular access will be permitted to any lots or blocks from Bradley Avenue or Jackson Road, except as otherwise noted elsewhere in these conditions. 0.3 metre reserves shall be identified on the plan to implement this requirement.

85.\* All through intersection and connections with existing streets and internal to this subdivision shall align with the opposing streets based on the centrelines of the street aligning through their intersections thereby having these streets centred with each other, unless otherwise approved by the City Engineer.

86.\* Should the current or any future Owner revise the development proposal for these lands, the current or any future 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", to the satisfaction of the City. Streets that do not meet the City standards may need to be revised.

87.\* The Owner shall be required to make minor boulevard improvements on Bradley Avenue and Jackson Road adjacent to this plan, to the specifications of the City Engineer, and at no cost to the City, consisting of interim ditching (to maintain existing drainage), clean-up grading and sodding as necessary.

88.\* The Owner shall install street lighting on all streets and walkway lighting on any walkways in this plan to the satisfaction of the City, at no cost to the City.

89.\* The Owner shall design and install street light poles and luminaires, along the street being extended in accordance with this draft plan of subdivision and where a street from an abutting development or developing area is being extended, which match the style of street light already existing or approved along the developed portion of the street, to the satisfaction of the City.

90.\* 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

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property adjacent to the contamination. Should the site be free of contamination, the geotechnical engineer shall provide certification to this effect to the City.

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**Schedule "B"**

**Related Estimated Costs and Revenues**

<b>Estimated Costs – This Draft Plan</b>	
Claims from Urban Works Reserve Fund – General	<b>Nil</b>
Claims from Urban Works Reserve Fund - Stormwater Management	<b>Nil</b>
Capital Expense - storm & sanitary PDC's	<b>\$10,000</b>
Other	<b>Nil</b>
<b>Total</b>	<b>\$10,000</b>
<b>Estimated Revenues - This Draft Plan (2014 rates)</b>	
CSRF	<b>\$3,625,406</b>
UWRF	<b>\$607,825</b>
<b>Total</b>	<b>\$4,233,231</b>

1. Estimated Costs are based on approximations provided by the applicant. Final claims will be determined based on actual costs in conjunction with the terms of the subdivision agreement and the applicable By-law.
2. Estimated Revenues are calculated using January 2014 DC rates and may take many years to recover. The revenue estimates include DC cost recovery for "soft services" (fire, police, parks and recreation facilities, library, growth studies). There is no comparative cost allocation in the Estimated Cost section of the report, so the reader should use caution in comparing the Cost with the Revenue section.
3. The revenues and costs in the table above are not directly comparable. This subdivision, like others in the area, also relies on recently constructed roadwork and SWM facilities, the cost of which is not reported above. Other growth related costs (like wastewater treatment plant and road capacity expansion) incurred to serve this subdivision and surrounding areas are not reported above, though the revenue for those service components is included in the "Estimated Revenues – This Draft Plan" section above. As a result, the revenues and costs reported above are not directly comparable. The City employs a "citywide" approach to recovery of costs of growth – any conclusions based on the summary of Estimated Costs and Revenues (above table) should be used cautiously.
4. New requirements of developer constructed works will be incorporated into the new DC By-law. The new requirements generally involve greater application of City procurement practices to work completed under agreements under the Planning Act and greater documentation prior to initiation of work.

Reviewed By:

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Peter Christiaans  
Director, Development Finance