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39T-07507
Alanna Riley

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE MEETING ON MONDAY SEPTEMBER 9, 2014
FROM:	GEORGE KOTSIFAS P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: 1640209 ONTARIO LIMITED REQUEST FOR EXTENSION - DRAFT PLAN 39T-07507 1959 WHARNCLIFFE ROAD SOUTH(FOXWOOD CROSSING – PHASE 2)

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, regarding a draft approval extension request for the Plan of Subdivision application of 1640209 Ontario Limited relating to the property located at 1959 Wharncliffe Road South:

- (a) The Approval Authority **BE ADVISED** that Municipal Council **SUPPORTS** a three (3) year extension of draft approval for draft approved plan 39T-07507 prepared by AGM Surveys certified by Bruce S. Baker, OLS, drawing no. DP-3, dated September 4, 2007, as red-line amended, which shows a total of 52 single detached residential lots and 1 walkway block, served by 2 new local streets and 3 street extensions (Westpoint Heights, Savoy Street and Westwick Walk) **SUBJECT TO** the revised conditions contained in the attached Appendix “39T-07507-1”.
- (b) The Applicant **BE ADVISED** that the Director of Development Finance has summarized claims and revenues information in the attached Appendix “A”.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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April 24, 2014 – Report to the Approval Authority for approval of an extension to the draft plan for 180 days.

April 4, 2011 – Report to the Approval Authority for approval of an extension to the draft plan for three years.

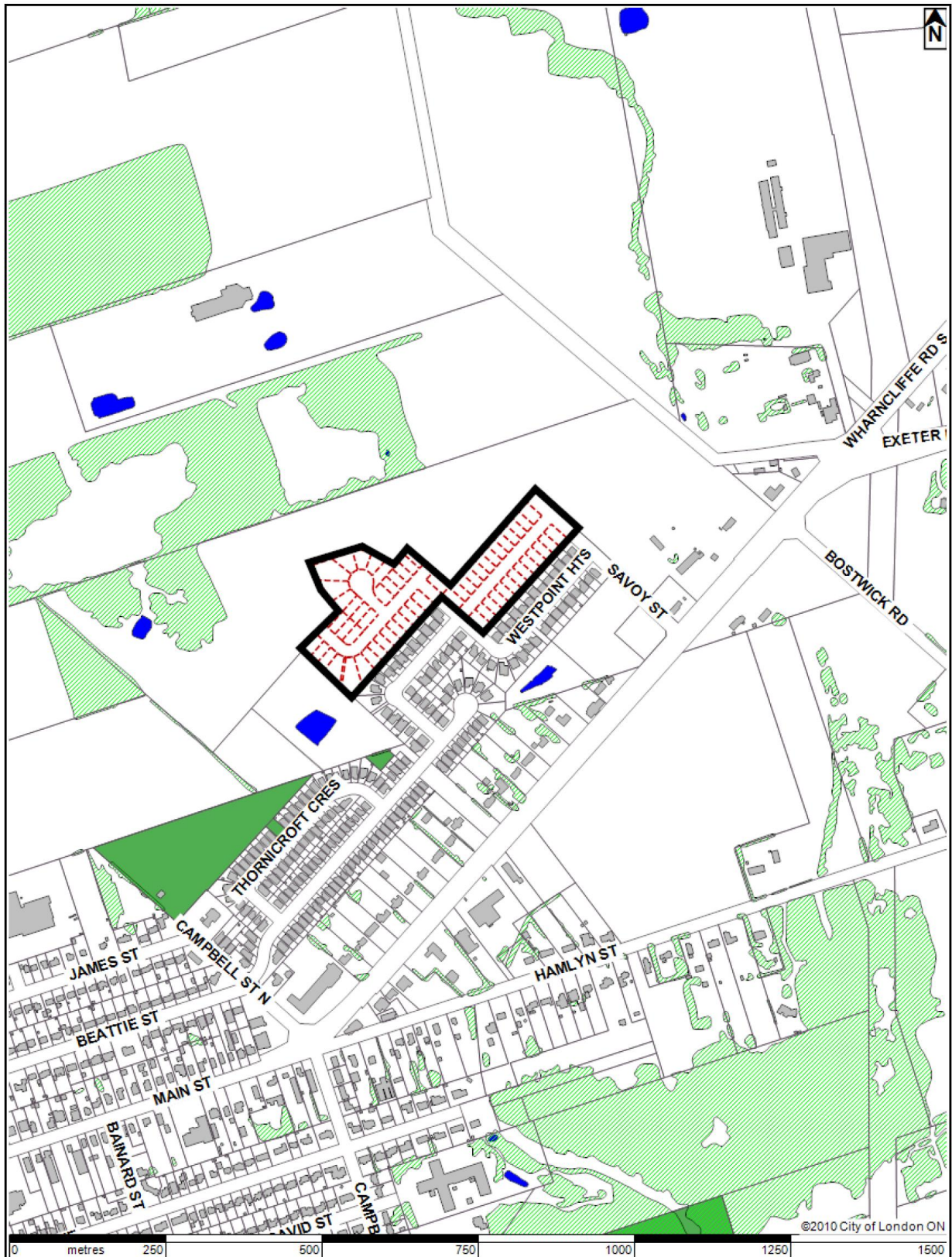
December 10, 2010 – Report to Planning Committee on application for Draft Plan of subdivision approval and associated Zoning By-law amendment.

RATIONALE

1. An extension for three (3) years will provide a reasonable timeframe within which to complete the process for final approval and registration of this plan.
2. The revised conditions of draft approval will ensure that the subdivision is serviced and developed in accordance with current municipal design standards.

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LOCATION MAP

Subject Site: Plan of Subdivision
 Applicant: 1640209 Ontario Limited
 File Number: 39T-07507
 Planner: Terry Grawey
 Date: 2010-11-23
 Scale: 1:7500

Corporation of the City of London
 Prepared By: Planning and Development



LEGEND

- Subject Site
- Parks
- Assessment Parcels
- Buildings
- Address Numbers

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BACKGROUND

This application for Draft Plan of Subdivision Approval was accepted by the City on September 17, 2007. It was published in "Living in the City" on November 3, 2007 and circulated to the required agencies and municipal departments on November 15, 2007. An updated notice was published in "Living in the City" on September 25, 2010 and circulated to area landowners on September 27, 2010. A notice of public meeting was sent out to area landowners on November 24, 2010 and published in Living in the City on November 27, 2010. The public meeting was held on December 13, 2010.

Subsequent to the public meeting on December 13th the applicant requested a minor modification to the lotting pattern in the draft plan. This modification resulted in a slight shift in the location of lots but the overall number of lots in the draft approved plan remained unchanged. The implementation of this change required additional conditions of draft approval, to address the lotting adjustment and corresponding change in the zoning for this area. The revised plan was draft approved on April 5, 2011, subject to conditions and red line revisions.

The application did not initially progress beyond draft plan approval due to sewage treatment capacity constraints at the Southland Pollution Control Plant. The conditions of draft approval required the owner to pay for the design and construction of upgrades to the Southland PCP. However, subsequent to the completion of the Southwest Area Plan, the City initiated and completed the Southwest Area Sanitary Servicing Master Plan (Stantec, February 2014). In accordance with the recommendations of the Master Plan, this draft plan is no longer tributary to the Southland Plant. The sanitary outlet for this plan will be the trunk sewer to be constructed by the City from the Wonderland Pumping Station to the intersection of Main and Campbell Streets in 2015 as a GMIS project.

In May, the City received a request from the owner for an extension to the original draft approval to allow sufficient time for final approval and registration of the plan. A six month Administrative extension was granted by the Approval Authority to allow sufficient time for a full review of the request.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Development Engineering

Development Engineering has no objection to the extension of draft approval for this subdivision. Several modifications and new conditions of draft approval, which reflect updated City of London servicing standards, have been included in the amended conditions of draft approval.

EVALUATION

The subject lands are designated Low Density Residential which permits single detached dwellings and other forms of low rise residential development. The draft plan of subdivision was previously reviewed in conjunction with the 2005 Provincial Policy Statement and was considered to be consistent with those policies. The plan has also been reviewed in conjunction with the 2014 PPS and is also considered to be consistent with the new policies.

Recommended Actions:

Recommended modifications include the replacement of several conditions with updated requirements that reflect current servicing design terminology and engineering standards.

Some new conditions have been added, including conditions that require the following:

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- i) the sanitary trunk sewer to be completed, operational and connected
- ii) updates to existing studies and reports, layouts and plans be provided;
- iii) information be provided to address contamination if required;
- iv) information be provided on the decommissioning of any abandoned infrastructure; and
- v) information on zoning be provided.

The attached amendments to the conditions of draft approval are required to ensure that these lands are developed to today's standards. The changes to conditions of draft approval are to address engineering and planning issues. The amendments to the conditions of draft approval are shown as ~~strikeouts~~ (deletions) and underlined (additions) on the attached Appendix "39T-07507". If granted, the new draft approval lapse date would be April 4, 2017.

These changes to the conditions of draft approval are considered to be minor in nature. As a result, draft approval extension may be granted and there is no requirement for public notice of the changes to the conditions (in accordance with Section 51 (33) & (47) of the Planning Act).

CONCLUSION

The plan of subdivision was draft approved in 2011 and servicing drawings are currently under review. The request for extension of draft approval is being made by the owner to allow sufficient time within which to complete the servicing drawings review and final registration of the plan. A three year extension is being recommended, together with modifications to the conditions of draft approval which will update terminology and implement current municipal servicing standards. These modifications do not affect the approved zoning or lotting pattern.

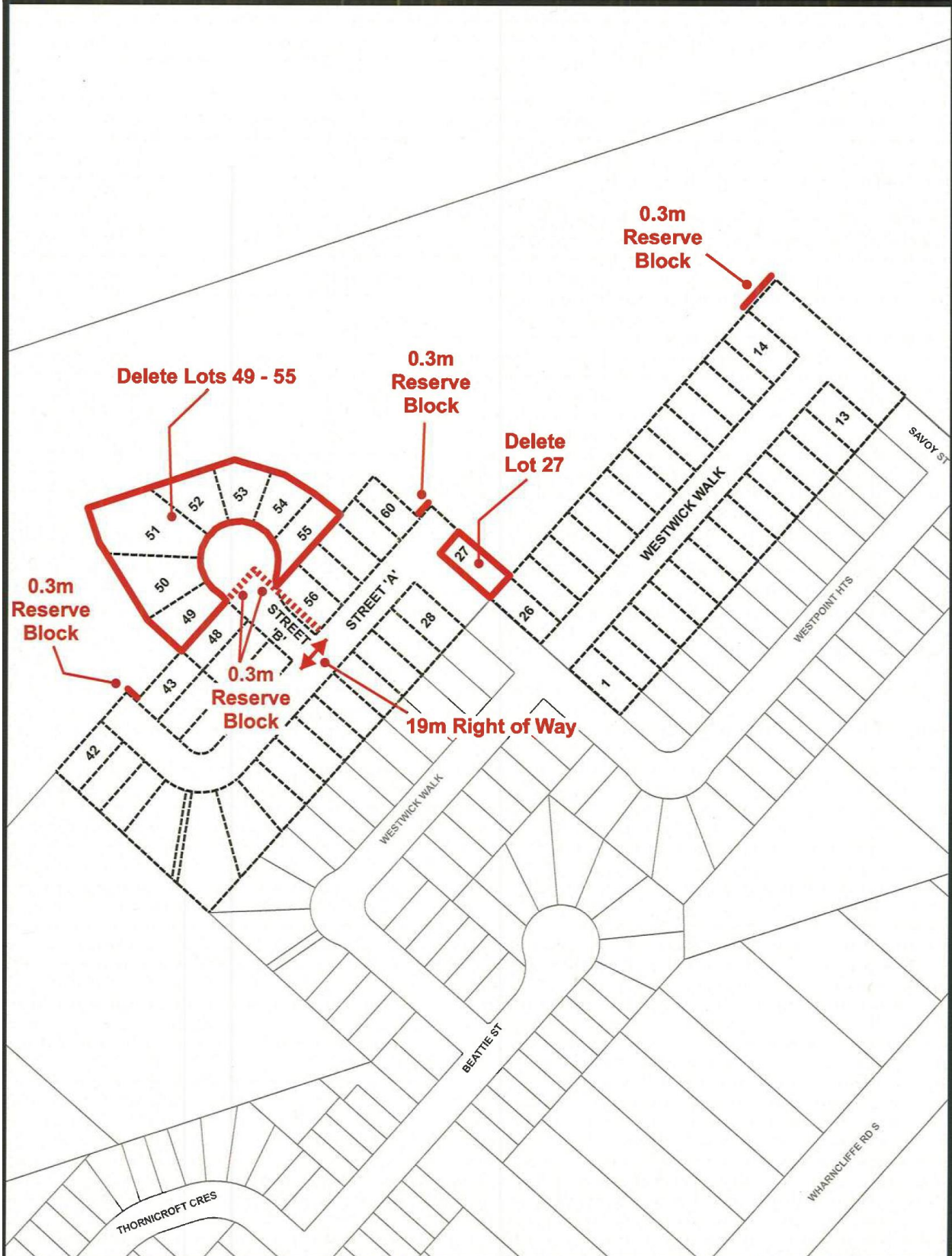
PREPARED AND RECOMMENDED BY:	REVIEWED BY:
ALANNA RILEY, MCIP, RPP SENIOR PLANNER DEVELOPMENT SERVICES	ALLISTER MACLEAN MANAGER DEVELOPMENT PLANNING
REVIEWED BY:	SUBMITTED BY:
TERRY GRAWAY, MCIP, RPP MANAGER DEVELOPMENT SERVICES & PLANNING LIAISON	GEORGE KOTSIFAS P.ENG. MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

August 28, 2014

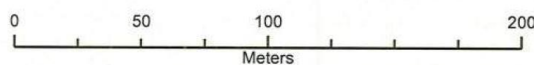
AR/ar y:\shared\Dev. Services\Subdivision\2007\39T-07507\2010 Documents\2014 Extension\Sept. 9, 2014 PEC Report

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FOXWOOD CROSSING PHASE II (39T-07507) REDLINE AMENDED DRAFT PLAN



1:2,500



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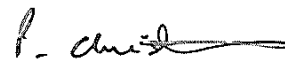
Appendix "A"

Related Estimated Costs and Revenues

Estimated Costs – This Draft Plan	
Claims from CSRF - storm sewer oversizing subsidy	\$43,500
Claims from Urban Works Reserve Fund - stormwater management	\$158,000
Capital Expense	Nil
Other	Nil
Total	\$201,500
Estimated Revenues - This Draft Plan (Aug 2014 rates)	
CSRF	\$1,322,672
UWRF	\$118,872
Total	\$1,441,544

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 August 2014 DC rates and may take many years to recover. The revenue estimates includes 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.

Reviewed By:



Peter Christiaans
Director, Development Finance

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“Appendix 39T-07507-1”

THE CORPORATION OF THE CITY OF LONDON’S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-07507 ARE AS FOLLOWS:

NO. CONDITIONS

Standard:

1. This draft approval applies to the draft plan submitted by 1640209 Ontario Limited, prepared by AGM Surveys certified by Bruce S. Baker, OLS, File No. 39T-07507, drawing no. DP-3, dated September 4, 2007, **as red-line amended**, which shows a total of 52 single detached residential lots and 1 walkway block, served by 2 new local streets and 3 street extensions (Westpoint Heights, Savoy Street and Westwick Walk).
2. This approval of the draft plan applies until ~~October 5, 2014~~ April 4, 2017, 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.
3. The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.
4. The Owner shall request that the street(s) be named to the satisfaction of the ~~Director of Development Planning~~ City.
5. The Owner shall request that the municipal addresses be assigned to the satisfaction of the ~~Director of Development Planning~~ City.
6. Prior to final approval, the Owner 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 satisfy all the requirements, financial and otherwise, of the City of London in order to implement the conditions of this draft approval.~~
9. The subdivision agreement between the Owner and the City of London shall be registered against the lands to which it applies.
10. ~~The Owner shall grant to the appropriate authorities such easements and/or land dedications as may be required for utility, road, drainage or other municipal purposes.~~

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. ~~Phasing of this subdivision (if any) shall be to the satisfaction of the Director of Development Planning and the City Engineer.~~

This subdivision shall be developed in one phase.

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12. Prior to Final Approval, all required connections from this plan to municipal services shall be available.
13. ~~Prior to the acceptance of engineering drawings, the Owner shall have its professional engineer confirm that sufficient sewage treatment and conveyance capacity is available to serve the subdivision, to the satisfaction of the City Engineer.~~
14. ~~The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan including required engineering drawings. Any deviation to the City's standards, guidelines, or requirements shall be completed to the satisfaction of the City Engineer and Managing Director of the 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.

15. Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the Approval Authority a complete submission consisting of all required clearances, fees, and final plans, and to advise the Approval Authority 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 Approval Authority, such submission will be returned to the Owner without detailed review by the City.
16. 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~~. 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~~, such submission will be returned to the Owner without detailed review by the City.
17. 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.
18. ~~The~~ Prior to any work on the site the Owner shall obtain and submit to the ~~Director of Development Planning City~~ prior to any work on the site a letter of archaeological clearance from the Southwestern Regional Archaeologist of the Ministry of Culture. 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.

Sanitary:

19. ~~Prior to final approval the Owner shall enter into an agreement with the City which provides that Owner shall pay for the design and construction of the upgrades required to the Southland Pollution Control Plant, to service 52 single detached dwelling lots in Foxwood Crossing (39T-07507) Phase 2 and 23 units in Block 80, Plan 33M-546, all to the specifications and satisfaction of the City Engineer.~~
20. ~~Prior to final approval, the Owner shall provide confirmation that there is sufficient capacity in the Southland Pollution Control Plant to service the approved lots in Foxwood Crossing Phase 2 and the approved units in Block 80, Plan 33M-546, to the satisfaction of the City Engineer. The City Engineer shall allocate sanitary servicing for up to a maximum of 75 equivalent units in accordance with the resulting capacity determined by the commissioning of the Southland Pollution Control Plant.~~

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21. ~~The Owner shall construct sanitary sewers to serve this plan and connect them to the existing municipal sewer system, namely, the 375 mm (15") diameter sanitary sewer on Westpoint Heights for the westerly street, the existing 250 mm (10") diameter sanitary sewer on Savoy Street in Plan 33M-546 and the existing 375 mm (15") diameter sanitary sewer on Westwick Walk for the easterly street.~~
 22. ~~In conjunction the Design Studies submission, the Owner shall have its professional engineer determine if there is sufficient capacity in the existing downstream sewers to serve the proposed subdivision or identify the downstream improvements which will need to be undertaken to accommodate the increased flow, to the satisfaction of the City Engineer. Any improvements to the downstream conveyance system will be at the cost of the Owner. The capacity study, including a sanitary drainage plan, will be required as part of the design studies submission.~~
 23. ~~Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.~~
 24. ~~The Owner shall not allow any weeping tile connections into the sanitary sewers within this plan.~~
 25. ~~Prior to the issuance of any Certificates of Conditional Approval, the Owner shall construct sewers within this plan at an appropriate size and depth to accommodate flows from upstream lands which are tributary to this system and external to this plan~~
 26. ~~Throughout the duration of construction within this draft plan of subdivision, The Owner shall take measures to control and prevent any inflow and infiltration and silt from being introduced to the sanitary sewer system, all at the Owner's cost. Quality control measures are also required to prevent inflow and infiltration from entering the sanitary sewer system after construction, all satisfactory to the City Engineer an all at no cost to the City.~~
 27. ~~In conjunction with the Design Studies submission, the Owner shall provide an analysis which shall indicate the water table level of lands within the subdivision and an evaluation of additional measures, if any, which need to be undertaken in order to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407.~~
- # In conjunction with the Design Studies submission or any future update to the existing Design Studies, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:
- i) Provide a sanitary drainage area plan, including the sanitary sewer routing and the external areas to be serviced to the satisfaction of the City Engineer and;
 - ii) Provide a hydrogeological report which includes an analysis of the water table level of the lands within the subdivision with respect to the depth of the local sanitary sewers and an evaluation of additional measures, if any, which need to be undertaken in order to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407.
- # In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
- i) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 375 mm (15") diameter sewer located on

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Westwick Walk and the 375 mm (15") diameter sewer located on Westpoint Heights;

- ii) Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the specifications of the City Engineer. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and
- iii) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City Engineer. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.

In order to prevent any inflow and infiltration from being introduced to the sanitary sewer system, the Owner shall undertake the following:

- i) Throughout the duration of construction within this draft plan of subdivision, undertaking 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 the City Engineer, at no cost to the City;
- ii) Not allowing any weeping tile connections into the sanitary sewers within this Plan;
- iii) Permitting the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewers and
- iv) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407.

Prior to the registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Greenway Wastewater Treatment Centre 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.

Storm & Stormwater Management:

- 28. The Owner shall construct storm sewers to serve this plan and connect them to the existing municipal sewer system, namely, the existing 600 mm (24") diameter storm sewer on Westwick Walk and the proposed inlet to proposed Cell # 2 of Lambeth Meadows Stormwater Management (SWM) Facility # 1, located outside this plan and within the Dingman Creek Subwatershed, to the satisfaction of the City Engineer.
- 29. In conjunction with the submission of the design studies, the Owner shall have their consulting engineer submit a stormwater servicing report/letter (functional report where facilities are proposed) to include all proposed storm/drainage servicing works and confirm availability of the SWM capacity within the proposed SWM system, satisfactory to the City Engineer. This report shall include identification of the major and minor stormwater overland flow routes for the entire catchment area to the satisfaction of the City Engineer.
- 30. In conjunction with the Design Studies submission, the Owner shall 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 Environment

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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.

31. The Owner shall have its consulting professional engineer design and supervise the construction of the storm/drainage and Stormwater Management (SWM) servicing works for the subject lands, to the satisfaction of the City Engineer and according to the recommendations and requirements of the following:
 - i) The SWM criteria and environmental targets for the Dingman Creek Subwatershed Study Update (2005) and any addendums/amendments;
 - ii) The approved Functional Stormwater Management Plan for Lambeth Meadows East Subdivision, as revised;
 - iii) Ontario Water Resource Act Section 53 for Stormwater quality control;
 - iv) The City's Waste Discharge and Drainage By-laws, lot grading standards, policies, requirements and practices;
 - v) The City of London Environmental and Engineering Services Department Design Specifications and Requirements as revised;
 - vi) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised and;
 - vii) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.

32. Prior to the issuance of any Certificate of Conditional Approval for lots and blocks in this plan or as otherwise approved by the City Engineer, the Owner shall construct and make operational Cell # 2 of Lambeth SWM Facility # 1 in correlation with the existing Cell # 1 of the Lambeth SWM Facility # 1 (within Plan 33M-546), stormwater quality control measures and all storm/drainage and SWM related works to serve this plan in accordance with the approved design criteria and with the Subdivision Agreement between the City and the subdivision of Plan 33M-546, all to the satisfaction of the City Engineer.

33. ~~Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct and make operational the major and minor storm flow routes for the subject lands, 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.

34. ~~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 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 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.

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35. In conjunction with the design studies submission, the Owner shall promote the implementation of SWM soft measure Best Management Practices (BMP's) within the plan, where possible, to the satisfaction of the City Engineer. 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.

Water Mains:

36. The Owner shall construct watermains to serve this plan and connect them to the existing municipal watermain system, namely, the 200 mm (8") diameter watermain on Westpoint Heights and the existing 300 mm (12") diameter watermain on Savoy Street.

37. ~~In conjunction with the Design Studies submission, the Owner shall have its professional engineer provide a water servicing report which addresses the following:~~

- ~~i) identify external water servicing requirements;~~
- ~~ii) confirm capacity requirements are met;~~
- ~~iii) identify need for the construction of external works;~~
- ~~iv) identify the effect of development on existing water infrastructure/identify potential conflicts;~~
- ~~v) water system area plan(s);~~
- ~~vi) water network analysis/hydraulic calculations for subdivision report;~~
- ~~vii) phasing report;~~
- ~~viii) oversizing of water main/cost sharing agreements.~~

In conjunction with the Design Studies submission or provide an update to the existing Design Studies, 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.

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38. ~~In conjunction with the Design Studies submission, the Owner shall have its 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.~~
39. The Owner shall align the centerlines of the following streets in accordance with the requirements as specified below:
- i) Savoy Street in this plan with Savoy Street in Plan 33M-546
 - ii) Westpoint Heights in this plan with Westpoint Heights in Plan 33M-546
 - iii) Westwick Walk in this plan with Westwick Walk in Plan 33M-546
40. ~~The Owner shall ensure that all streets in the subdivision have centerline radii which conform to the City of London Standard "Minimum Centreline Radii of Curvature of Roads in Subdivisions."~~

In conjunction with the Design Studies submission or any future update to the Design Studies, 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", to the satisfaction of the City. Streets that do not meet the City standards may need to be revised.

41. The Owner shall have its professional engineer design the roadworks in accordance with the following road widths:
- i) Savoy Street has a minimum road pavement width (excluding gutters) of 9.5 metres (31.2') with a minimum road allowance of 21.5 metres (70').
 - ii) Westpoint Heights, Westwick Walk 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').
 - iii) ~~Street 'B' has a minimum road pavement width (excluding gutters) of 6.0 metres (19.7') with a minimum road allowance of 18 metres (60').~~

Street 'B' has a minimum road pavement width (excluding gutters) of 7.0 metres (23') with a minimum road allowance of 19 metres (62').

Sidewalks/Bikeways:

42. The Owner shall construct a 1.5 metres (5') sidewalk on both sides of the following streets:
- i) Savoy Street
43. The Owner shall construct a 1.5 metre (5') sidewalk on one side of the following streets:
- i) Westpoint Heights – west boulevard
 - ii) Westwick Walk – north boulevard
 - iii) Street 'A' – outside boulevard (south and west boulevard)
44. The Owner shall ~~ensure that~~ construct the pedestrian walkway, Block 61, ~~is to be constructed~~ to the "City Standard for Pedestrian Walkways", in accordance with City requirements and standards and at no cost to the City. Should the Owner direct any servicing within the walkway or the walkway is to be used as a maintenance access, the Owner shall revise the face of the draft plan and provide a 4.6 metre wide walkway designed to the maintenance access standard, to the specifications of the City.

Traffic Calming:

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- 45. The Owner shall install curb extensions on the east side of Savoy Street with the parking bay removed for utilities (fire hydrants) and transit stop locations as identified by the London Transit Commission, to the satisfaction of the City Engineer, at no cost to the City.
- 46. The Owner shall install reduced curb radii (7.5 metres) on the inbound approach to Westwick Walk intersecting Savoy Street, to the satisfaction of the City Engineer.

Construction Access/Temporary Access Roads:

- 47. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Wharncliffe Road South via Savoy Street or other routes as designated by the City Engineer.
- 48. 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 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.
- 49. The Owner shall construct a temporary turning facility for vehicles at the following locations:
 - i) Street 'A' – north limit
 - ii) Street 'B' – north limit
- 50. Temporary turning circles for vehicles shall be provided to the City as required by the City Engineer, complete with any associated easements. When the temporary turning circle(s) are no longer needed, the City will quit claim the easements which are no longer required, at no cost to the City.

Planning, Parks & Open Space:

- 51. The Owner shall monument all residential lots and blocks adjacent to SWM Block 82 (Lots 38-42) within one year of registration of the plan of subdivision. Property boundary monuments shall be in accordance with current City of London standards to the satisfaction of the Manager of Parks Planning and Design.
- 52. Walkway Block 61 shall be connected to the existing pathways within the SWM Block 82, Plan 33M-546 to the satisfaction of the Managing Director of the Development Approvals Business Unit and the City Engineer.

GENERAL CONDITIONS:

- 53. The Owner shall provide to Union Gas Limited the necessary easements and/or agreements required for the provision of gas services to this subdivision.
- 54. ~~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, all to the specification and satisfaction of the City Engineer.~~

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.

- 55. ~~Prior to final approval, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of services situated on private lands outside this plan, and shall provide satisfactory easements over the sewers as necessary, all to~~

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~~the specifications and satisfaction of the City Engineer.~~

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.

56. 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.
57. 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 Engineer.
58. ~~In the event the draft plan develops in phases, prior to final approval 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.~~
59. 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.
60. 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 flows, to the satisfaction of the City Engineer, 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.
61. 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.
62. 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 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 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

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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 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.

- 63. ~~The Owner's professional engineer shall provide inspection services for all work during construction by its professional engineer 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 Engineer.~~

The Owner's professional engineer shall provide inspection services during construction for all work to be assumed by the City, and shall supply the City with a Certification of Completion of Works upon completion, in accordance with the plans accepted by the City Engineer.

- 64. 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.

- 65. 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".

- 66. 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 Environment, City; etc.)

- 67. ~~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, 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 site. Any remedial works recommended in the report shall be constructed or installed by the Owner, prior to the issuance of a Certificate of Conditional Approval, to the satisfaction of the City, at no cost to the City.~~

In conjunction with the Design Studies submission, the Owner shall provide an update to an existing hydrogeological report or 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 springs, water wells and domestic or farm wells in the area and identify any abandoned wells in this plan, assess the impact on water

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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.

68. ~~If this plan is developed in phases and any temporary measures are required, these temporary measures shall be constructed to the specifications and satisfaction of the City Engineer, at no cost to the City.~~
69. ~~Prior to any work on 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 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.

70. ~~In conjunction with registration of the plan, the Owner shall provide to the appropriate authorities such easements as may be required for road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City Engineer, at no cost to 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, at no cost to the City, to the specifications and satisfaction of the City Engineer.
73. ~~In the event the Owner wishes to phase this plan of subdivision, in conjunction with the Design Studies submission, the Owner shall submit a phasing plan, all to the specifications and satisfaction of the City of London.~~
74. During construction, the Owner shall preserve the ability of lands to the south (Plan 33M-546) of this draft plan to drain appropriately.
75. The Owner shall advise purchasers that despite the best efforts of the London District Catholic School Board, there is no commitment by the Board to construct permanent educational facilities within the development area at this time. Sufficient pupil accommodation will not be available for all anticipated Catholic students residing within the development area. The London District Catholic School Board reserves the right to accommodate Catholic students in temporary (holding) facilities and/or bus students to educational facilities outside of the development area, and further, such students may later be transferred to a neighbourhood school should one be constructed.
76. The Owner shall inform all purchasers of residential lots and blocks by including a condition in a purchase agreement stating that there are no plans for the construction of an educational facility by the Thames Valley District School Board to serve the area in the

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forseeable future. Educational facilities in the immediate vicinity are presently at capacity. The Board has designated the area a holding zone and students will be assigned to a holding school(s).

- 77. Rear yard fencing on Lots 38 to 42, adjacent to the stormwater management facility shall be limited to chain link fencing that is consistent in design to the satisfaction of the City of London. ~~and subject to approval by the General Manager of Planning and Development.~~
- 78. ~~The lotting pattern for this subdivision shall be modified on the final plan to delete Lot 60 and add a new lot immediately north of Lot 43; and, adjust the configuration of Lots 56 to 59 inclusive so that the easterly boundary of Lot 59 is aligned with the westerly boundary of Westpoint Heights, to the specifications and satisfaction of the Approval Authority.~~
- 79. ~~Prior to final approval the Owner shall apply for a rezoning to reflect and implement the changes referred to in Condition 78, and this rezoning shall be in effect.~~

Prior to the issuance of a Certificate of Conditional Approval, the Owner shall obtain confirmation from the City Engineer that the outlet sanitary trunk sewer, to be constructed by the City from the Wonderland Pumping Station to the intersection of Main Street and Campbell Street is completed and operational and the existing sanitary sewer on Campbell Street is connected, all to the satisfaction of the City Engineer.

In conjunction with the Design Studies submission or or any future Design Studies, 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, and to the satisfaction of the City:
i) Identifying the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;

In conjunction with the Design Studies submission, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, servicing, grading and drainage of this subdivision, road pavement structure, dewatering and any other requirements as needed by the City.

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.

In conjunction with the Design Studies submission or any future Design Studies, 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, right-of-way widths, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots.

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The Owner shall provide a minimum of 5.5 metres (18') along the curb line between the projected property lines of irregular shaped lots around the bends on the streets in this Plan.

If not possible, the Owner shall limit the bulge in the curb line on Street 'A' to only a maximum offset from the standard radius required to achieve the minimum curb distance for driveways, as approved by the City Engineer. Further, the bulge in the street line is only to be to the extent required to achieve the minimum frontage for the abutting lots.

The Owner shall design and install street lighting on all streets and walkways in this plan to the satisfaction of the City, at no cost to the City. Where a street from an abutting development or developing area is being extended, the street lighting shall match the style of street light already existing or approved along the developed portion of the street, to the satisfaction of the City.

Should the Owner's professional engineer revise the conceptual design of the proposed traffic calming measures along Savoy Street and Westwick Walk, including parking bays, curb extensions and other measures, the Owner shall have it's professional engineer provide a revised conceptual design to the City, all to the satisfaction of the City.

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.

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.

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 and satisfaction of the City.

The Owner shall provide the purchasers of all lots in the subdivision with a zoning information package pertaining to residential driveway locations and widths. The Owner shall obtain and provide to the City written acknowledgement from each purchaser that their driveway will be installed and maintained in accordance with the requirements of the Zoning By-law. The information package and written acknowledgement shall be in a form satisfactory to the City.