

2ND REPORT OF THE

PLANNING AND ENVIRONMENT COMMITTEE

Meeting held on January 10, 2012, commencing at 4:00 PM, in Committee Room #3, Second Floor, London City Hall.

PRESENT: Councillor B. Polhill (Chair), Councillors J.P. Bryant, D.G. Henderson, J.B. Swan and S. White and H. Lysynski (Secretary).

ALSO PRESENT: Mayor J. F. Fontana, D. Ailles, J. Leunissen, N. McKee and D. Stanlake.

I. DISCLOSURES OF PECUNIARY INTEREST

1. None are disclosed

II. CONSENT ITEMS

III. SCHEDULED ITEMS

IV. ITEMS FOR DIRECTION

Councillor J. Swan - Drewlo Holdings Inc. re properties located at 1522 Killaly Road, 1654 Highbury Avenue North and a portion of 1782 Killaly Road

2. That, on the recommendation of the Director of Development Planning and the Managing Director of Development Approvals Business Unit, the following actions be taken with respect to the applications by Drewlo Holdings Inc. relating to the properties located at 1522 Killaly Road, 1654 Highbury Avenue North, and a portion of 1782 Killaly Road:

- a) the Planning and Environment Committee **BE REQUESTED**, on behalf of the Approval Authority, to conduct a public meeting for the proposed revised draft plan of subdivision (39T-05505) submitted by Drewlo Holdings Inc. and to report to the Approval Authority the issues, if any, raised at the public meeting with respect to the revised application for draft plan of subdivision;
- b) the Approval Authority **BE ADVISED** that the Municipal Council has no objection to the granting of the revised draft plan approval, as submitted by Drewlo Holdings Inc. (File No. 39T-05505), prepared by Whitney Engineering, (dated March 2011), as redlined, which shows 128 single detached dwelling lots, 5 medium density blocks, 1 high density block, 1 stormwater management block, 1 open space block, 2 park blocks, and several road allowance/reserve/widening blocks, all served by the extension of Edgevalley Road, Agathos Street and Purser Street and 2 new local streets **SUBJECT TO** the conditions contained in the attached Appendix "39T-05505-1";
- c) the proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on January 31, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property:
 - **FROM** a Holding Residential R1 (h*R1-13) Zone, which permits single detached dwellings, and a Holding Residential R5/R6 (h*R5-7/R6-5) Zone, which permits townhouses and cluster housing, **TO** a Holding Residential R1 (h*h-100*R1-4) Zone to permit single detached dwellings with a minimum lot frontage of 12 m and a lot area of 360m², a Holding Residential R1 Special Provision (h*h-100*R1-3(7)) Zone to permit single detached dwellings with a minimum lot frontage of 11 m and a lot area of 300m², and an Open Space (OS1) Zone to permit a public park;

- **FROM** a Holding Residential R5/R6 (h*h-54*R5-7/R6-5) Zone and a Holding Residential R5/R6 (h*R5-7/R6-5) Zone **TO** a Holding Residential R5/R6 (h*h-54*h-100*R5-7/R6-5) Zone to add holding provisions for a noise study (h-54) and a maximum 80 units until water is looped (h-100);
 - **FROM** a Holding Residential R6/R9 (h*h-54*R6-5/R9-7) Zone **TO** a Holding Residential R6/R9 (h*h-54*h-100*R6-5/R9-7) Zone to add a holding provision for a maximum 80 units until water is looped (h-100);
 - **FROM** a Holding Residential R4/R5 (h*R4-6/R5-7) Zone which permits street townhouses and cluster townhouses **TO** a Holding Residential R5/R6 (h*h-100*R5-7/R6-5) Zone which permits townhouses and cluster housing at a density of 50 units per hectare;
 - **FROM** an Open Space (OS1) Zone **TO** a Holding Residential R1 Special Provision (h*h*100*R1-3(7)) Zone and a Holding Residential R1 (h*h-100*R1-4) Zone;
 - **FROM** a Holding Residential R1 Special Provision (h*R1-3(7)) Zone **TO** an Open Space (OS1) Zone; and
 - **FROM** an Urban Reserve (UR4) Zone **TO** an Open Space (OS1) Zone for additional lands for the stormwater management pond;
- d) the applicant **BE ADVISED** that the Director, Development Finance, has projected the claims and revenues related to this development as outlined on the attached Appendix “39T-05505-2”;
- e) Drewlo Holdings Inc. **BE REQUESTED** to create additional single family lots, improve the storm water management pond and change the road design subject to:
- the applicant undertaking to host a community meeting with the Ward Councillor and residents for site plan matters on block number 135 high density residential;
 - a future public participation meeting being held at the site plan stage for the medium density development within block numbers 130 and 134, when an application for development is received by the City. Site plan review on these blocks would include public input on natural areas, buffering, fencing, urban design and landscaping; and,
 - a copy of the environmental assessment on the natural areas be provided to the residents’ association representatives;
- f) the Civic Administration **BE REQUESTED** to review possible amendments to Official Plan and Zoning By-law processes:
- to improve the zoning change mapping to prevent the use of “ghost” mapping of lands at a single family low density when in fact the lands are zoned for much higher density uses, such as townhouses, condominiums and medium density uses;
 - to improve signage at entrance ways into a subdivision through the use of visual aids that show land use plans in new subdivisions to assist purchasers in understanding the zoning of properties within the subdivision;
 - circulation notices to residents by expanding the circulation to a wider area to include existing subdivisions and new homes that are adjacent to proposed new subdivisions; and,
 - Civic Administration to work with industry partners at the LDI, London Home Builders and the Urban League to consider and recommend improvements in land use designations language, mapping and communication tools used in the Official Plan, zoning and planning process.

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

VI. ADJOURNMENT

The meeting adjourned at 4:16 p.m.

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APPENDIX "39T-05505-1"

(Conditions to be included for Draft Plan Approval)

THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-05505 ARE AS FOLLOWS:

NO.	CONDITIONS
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Standard

1. ~~This draft approval applies to the draft plan submitted by Drewlo Holdings Inc., prepared by Development Engineering (London) Ltd., certified by Archibald Gray & McKay, File No. 39T-05505, drawing no. D2087 as redline amended which shows a total of seven low density residential blocks, six multi-family medium density residential blocks, one multi-family high density residential block, one open space block, one storm water management block, one park block, a road widening block and several reserve blocks, served by one secondary collector road and four local streets.~~
This draft approval applies to the draft plan submitted by Drewlo Holdings Inc., prepared by Whitney Engineering Inc., certified by Archibald Gray & McKay, File No. 39T-05505, drawing Edge Valley East Subdivision, as redline amended which shows 128 single detached dwelling lots, 5 medium density blocks, 1 high density block, 1 stormwater management block, 1 open space block, 2 park blocks, and several road allowance/reserve/widening blocks, all served by the extension of Edgevalley Road, Agathos Street and Purser Street and 2 new local streets
2. This approval of the draft plan applies for three years, 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 street(s) shall be named to the satisfaction of the Manager of Subdivision and Special Projects. Street "A" shall be named Webster Street.~~
The Owner shall require that streets shall be named to the satisfaction of the Director of Development Planning.
5. ~~The municipal address shall be assigned to the satisfaction of the Manager of Subdivision and Special Projects.~~
The municipal address shall be assigned to the satisfaction of the Director of Development Planning.
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, the Approval Authority shall be advised by the City Clerk of the City of London that appropriate zoning is in effect for this proposed subdivision.~~
Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.
8. ~~The Owner shall in an agreement satisfy all the requirements, financial and otherwise, of the City of London including, but not limited to, surfacing of roads, installation and maintenance of services, drainage and grading, tree planting and tree preservation.~~
The Owner shall satisfy all requirements, financial and otherwise, of the City of London, in order to implement the conditions of this draft approval.

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9. ~~The subdivision agreement between the Owner and the City of London shall be registered against the lands to which it applies.~~
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 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. ~~The subdivision agreement between the Owner and the City of London may contain phasing arrangements to the satisfactory to the General Manager of Planning and Development and the City Engineer.~~
Phasing of this subdivision (if any) shall be to the satisfaction of the Director of Development Planning and City.

12. ~~In conjunction with the Design Studies, 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 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.~~
In conjunction with the Design Studies submission, 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. This Plan is to include measures to be used during all phases of 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. The Owner shall correct any deficiencies of the erosion and sediment control measures forthwith.

13. ~~The Owner shall not commence construction or install of any services (eg. Clearing or servicing of land) involved with this plan prior to entering into a site alteration agreement or subdivision agreement and 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 General Manager of Planning and Development in writing; (eg. MOE certificates; City/Ministry/Agency permits: Approved Works, water connection, water-taking, navigable waterways; approvals: UTRCA, MNR, MOE, City; etc; etc.).~~
The Owner shall not commence construction or installations of any services (eg. clearing or servicing of land) involved with this Plan prior to obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the City in writing (eg. Ministry of the Environment Certificates, City/Ministry/Government permits: Approved Works, water connection, water-taking, crown land, navigable waterways, approvals: Upper Thames River Conservation Authority, Ministry of Natural Resources, Ministry of the Environment, City, etc.).

14. ~~Prior to the submission of engineering drawings, 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 shall also address any contamination impacts that may be anticipated or experienced as~~

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~~a result of the said construction. Any recommendations outlined in the report shall be reviewed and approved by the City Engineer, included in the pertinent agreement(s) with the City of London prior to any work on the site. Should any remedial works be recommended in the report, the Owner shall complete these works to the satisfaction of the City, at no cost to the City.~~

In conjunction with the Design Studies submission, the Owner shall have a report prepared by a qualified consultant, and if necessary, a detailed hydro geological investigation carried out by a qualified consultant, to determine the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area and identify any abandoned wells in this plan, 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.

15. 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.

16. ~~In conjunction with the Design Studies submission, the Owner shall have its professional engineer provide any recommended Environmental Assessment under the Class EA requirements for the provision of any services related to this plan or a written recommendation that an Environmental Assessment is not required, acceptable to the City Engineer. No construction involving installation of services requiring an EA shall be undertaken prior to fulfilling the obligations and requirements of the Province of Ontario's Environmental Assessment Act.~~
In conjunction with the Design Studies submission, the Owner shall have its professional engineer provide an opinion for the need for an Environmental Assessment (EA) 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.

17. ~~The Owners 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 compliance upon completion in accordance with the plans approved by the City Engineer.~~
The Owners 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 compliance upon completion in accordance with the plans approved by the City Engineer.

18. ~~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 General Manager of Planning and Development.~~
The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan, registered 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.

19. 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 Director of Development Planning a complete submission consisting of all required clearances, fees, and final plans, and to advise the Approval Authority Director of Development Planning 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 Director of Development Planning, such submission will be returned to the Owner without detailed review by the City.

20. 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,

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reports, data, information or detailed engineering drawings, all to the satisfaction of the Director of Development Planning and the 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, such submission will be returned to the Owner without detailed review by the City.

- 21. ~~That~~ Prior to final approval the Owner shall pay in full all financial obligations/encumbrances on the said lands, including property taxes and local improvement charges.
- 22. ~~Prior to the submission of engineering drawings, the Owner shall have its professional engineer certify that sufficient sewage treatment and conveyance capacity is available to service the subdivision, to the satisfaction of the City Engineer.~~

Sanitary Servicing

- 23. In conjunction with the Design Studies submission, 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 preliminary sanitary sewer routing and the external areas to be serviced east of this plan and south of Kilally Road, to the satisfaction of the City;
 - ii) Propose a suitable routing for the trunk sanitary sewer to be constructed through this plan. Further to this, the consulting engineer shall be required to provide an opinion for the need for an Environmental Assessment under the Class EA requirements for this sanitary trunk sewer; and
 - iii) 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.
- 24. Prior to the submission of Engineering Drawings, the Owner shall obtain consent from the City to reserve capacity at the Adelaide Pollution Control Plant for this subdivision. This treatment capacity shall be reserved by the City 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. 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.

- 25. 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, 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 the City, at no cost to the City;
 - ii) Not allow any weeping tile connections into the sanitary sewers within this Plan; and
 - iii) Following construction, the Owner shall have his 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 agrees to permit the City to undertake smoke testing of the sanitary system at any time prior to assumption of the subdivision.

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26. In accordance with City standards or as otherwise required by the City, 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 1050 mm (42") diameter Kilally Trunk Sanitary Sewer located on Edgevalley Road at Highbury Avenue North at the western limit of this plan;
- ii) Construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the City;
- iii) 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. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and
- iv) 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.

~~The Owner shall identify a utility corridor (conforming to City of London specifications for easements within open space — e.g. 9.1 m minimum) for the trunk sanitary sewer through the open space to the eastern limits of the development. The utility corridor must be adequate for the maintenance, repair and replacement of the sanitary trunk sewer. This utility corridor is subject to the requirements of slope stability for the SWMF and the Thames River. For any portion of the corridor not within lands being conveyed to the City, the owner shall dedicate a multiple services easement acceptable to the General Manager of Planning and Development and the City Engineer.~~

~~The Owner shall complete an Environmental Assessment, if determined necessary by the General Manager of Planning and Development and the City Engineer, based on the location of the utility corridor or for any other reason that may trigger an Environmental Assessment, all at no cost to the City.~~

~~Prior to the submission of engineering drawings, the Owner shall be required to address any issues of potential high groundwater and its effect on the sanitary trunk sewer design and construction, eg. groundwater infiltration or sewage exfiltration/contamination in the groundwater table.~~

~~The Owner shall extend the sanitary trunk sewer to the eastern limit of the development. The construction of the sanitary trunk sewer must comply with all requirements of the City Engineer and the U.T.R.C.A.~~

~~The Owner's consulting engineer for the subject lands is required to address the following requirements prior to the submission of engineering drawings, and all to the specifications and satisfaction of the City Engineer:~~

- ~~a) identify the structural setbacks associated with the proposed location of the SWMF and the proposed alignment of the sanitary sewer;~~
- ~~b) provide more detail information related to the potential encroachment of the proposed sanitary sewer alignment within the erosion and maintenance setbacks; and~~
- ~~c) identify the method of construction to ensure that any potential ground/subsurface water seepages will not create any adverse impacts on the required slope stability.~~

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Stormwater Management

28. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and SWM Servicing Functional Report and a SWM Servicing Letter/Report of Confirmation to address the following:
- i) Identify the storm/drainage and SWM servicing works for the subject lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;
 - ii) Identify major and minor storm flow routes for the subject lands, to the satisfaction of the City Engineer;
 - iii) Develop an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject lands in accordance with City of London and Ministry of the Environment standards and requirements, all to the satisfaction of the City. This Plan is to include measures to be used during all phases on construction;
 - iv) Implement SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City; and
 - v) Incorporates the revisions to the geotechnical report and/or revisions to the EIS must be submitted to the satisfaction of the City.
29. In conjunction with the Design Studies submission, the Owner shall provide a geotechnical report to address all geotechnical issues and all required (structural, maintenance and erosion) setbacks related to slope stability for lands within this plan, to the satisfaction and specifications of the City. The Owner shall provide written acceptance from the Upper Thames River Conservation Authority for the final setback.
30. In accordance with City standards or as otherwise required by the City, the Owner shall complete the following for the provision of stormwater services for this draft plan of subdivision:
- i) Construct storm sewers to serve the westerly portion of this Plan, located within the North Thames Subwatershed, and connect them to the existing municipal storm sewer system, namely, the 825 mm (21") diameter storm sewer located within an easement on 1708 Benjamin Drive (Lot 54, Plan 33M-443). The Owner shall make all necessary arrangements, financial and otherwise, to construct a storm sewer within an easement over lands known as 1625 Purser Street, from the existing 825 mm storm sewer located within an easement on 1708 Benjamin Drive (Lot 54, Plan 33M-443) to this Plan, to the satisfaction of the City, at no cost to the City;
 - ii) Construct storm sewers to serve the easterly portion of this Plan, located within the North Thames Subwatershed, and connect them to the proposed Stormwater Management Facility (SWMF) located on Block 140 of this draft plan which will then outlet to the Thames River, to the satisfaction of the City;
 - iii) Construct the proposed SWM Facility on Block 140 of this draft plan, to the satisfaction of the City;
 - iv) Make provisions to oversize the internal storm sewers and the SWM Facility in this plan to accommodate flows from upstream lands external to this plan, all to the specifications of the City;
 - v) Construct and implement erosion and sediment control measures as accepted in the Functional SWM and/or Drainage Servicing Report for these lands satisfactory to the City and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith; and
 - vi) Address forthwith any deficiencies of the stormwater works and/or monitoring program.
31. Should the proposed Storm/Drainage and SWM servicing works vary from the approved

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Functional SWM Plan for Edge Valley East Subdivision (July 2007), an updated Functional SWM Plan may be required to address the above, in lieu of a SWM Servicing Letter/Report of Confirmation.

32. Should it be necessary to enlarge SWM Block 140 based on the accepted SWM functional report, the Owner shall provide sufficient additional lands as may be required from adjacent lots and blocks in this plan, to the satisfaction of the City.

33. As part of the submission for engineering drawings the required SWM maintenance access pathways shall be incorporated with the Thames Valley Parkway recreational pathway system. The design of these pathways shall be completed to the satisfaction of City.

34. The required Storm/Drainage and SWM Functional Design Studies submission prepared by the Owner's consulting professional engineer shall be in accordance with the recommendations and requirements of the following:
 - i) The SWM criteria and environmental targets for the North Thames Subwatershed Study and any addendums/amendments;
 - ii) The accepted Kilaly South Stormwater Management Study – Class EA Schedule B – Environmental Screening Report (McCormick Rankin Corporation, Sept. 2003).
 - iii) The approved Functional Stormwater Management Plan for Kilally Phase 1 (Kilally Glen) July 1996, prepared by DelCan or any updated Functional Stormwater Management Plan;
 - iv) The approved Functional Stormwater Management Plan for Edge Valley East Subdivision July 2007, prepared by Development Engineering (London) Limited or any updated Functional Stormwater Management Plan;
 - v) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
 - vi) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
 - vii) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised;
 - viii) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies; and
 - ix) The Final Environmental Impact Study (EIS), to be submitted and approved by the UTRCA and the City. This Final EIS will consolidate the information received to date and provides additional information to ensure that the proposed SWM outlet location does not disrupt the Species at Risk in this vicinity. The SWM plans shall incorporate the results of the Final EIS. The owner will require a permit from the UTRCA for the construction of the storm water management outlet.

35. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall complete the following:
 - i) For lots and blocks in this plan or as otherwise approved by the City, all storm/drainage and SWM related works to serve this plan must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
 - ii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City;
 - iii) Implement all geotechnical/slope stability recommendations made by the geotechnical report accepted by the City; and
 - iv) submit a Monitoring and Operational Procedure Manual for the maintenance and monitoring program for each of the SWM Facilities within this plan, in accordance with the City's "Monitoring and Operational Procedures for Stormwater Management Facilities" requirements to the City for review and approval. The program will include, but not be limited to, the following:

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- a. A work program manual for the maintenance and monitoring of these facilities;
 - b. Protocol of sediment sampling and recording of sediment accumulation volumes;
 - c. Storage and discharge monitoring.
36. Following construction and prior to the assumption of the SWMF(s), the Owner shall complete the following, at no cost to the City, all to the satisfaction of the City:
- i) Operate, maintain and monitor the SWMF(s) in accordance with the approved maintenance and monitoring program and the City's "Monitoring and Operational Procedure for Stormwater Management Facilities";
 - ii) Have it's consulting professional engineer submit semi-annual monitoring reports in accordance with the approved maintenance and monitoring program and the City's "Monitoring and Operational Procedure for Stormwater Management Facilities" to the City for review and approval; and
 - iii) Ensure that any removal and disposal of sediment is to an approved site satisfactory to the City.
37. 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, 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.

~~The Owner shall make provisions to oversize the internal storm sewers in the subdivision plan to accommodate flows from upstream lands external to this plan, all to the specifications of the City Engineer.~~

~~The Owner shall construct all storm sewers, the SWM facility, storm outlet and all required maintenance access roads in conjunction with this plan; provide adequate land dedication to the City of the SWM facility to service this subdivision and the total identified catchment area in accordance with the accepted SWM facility design, and ensure that all storm sewers and the SWM facility are constructed and operational prior to any development taking place in this plan, all to the specifications of the City Engineer and at no cost to the City unless specified herein.~~

~~Prior to any development taking place for the lots and blocks in this plan or as otherwise approved by the City Engineer, the Owner shall have his professional engineer submit the design of the storm/drainage and SWM system; ensure that all geotechnical issues including, but not limited to, (maintenance, erosion and structural) setbacks related to slope stability are adequately addressed for the subject lands to the satisfaction of the City Engineer and the MOE and at no cost to the City.~~

~~The Owner shall have his professional engineer submit a maintenance and operational program/procedure for the SWM facility that is developed in accordance with the MOE Stormwater Management Planning and Design Manual to the satisfaction of the City.~~

~~In conjunction with the Design Studies, 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 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 of construction. Prior to any work on this site, the Owner's professional engineer 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 amend the boundary of the plan for registration to include additional lands to the east approved as part of the design of the SWM facility to allow for the development of the~~

~~regional SWM facility within one block.~~

Water Services

38. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following water servicing design information that includes:
- i) A water servicing report which addresses the following:
 - Identify external water servicing requirements;
 - Confirm capacity requirements are met;
 - Identify need to the construction any external works;
 - Identify existing water infrastructure – any conflicts;
 - Water system area plan(s);
 - Water network analysis/hydraulic calculations for subdivision report;
 - Phasing report; and
 - Oversizing of watermain, if necessary and any cost sharing agreements.
 - ii) To address water quality requirements for the watermain system by the use of the following:
 - design calculations which demonstrate there is adequate water turnover to maintain water quality; and/or
 - the use of valving to shut off future connections which will not be used in the near term; and/or
 - the use of 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
 - make suitable arrangements with Water Operations for the maintenance of the system in the interim.
39. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water services for this draft plan of subdivision:
- i) Construct watermains to serve this Plan and connect them to the existing municipal system, namely, the 200 mm (8") diameter watermain on Purser Street, the 200 mm (8") diameter watermain on Agathos Street, the 400 mm (15") diameter watermain on Highbury Avenue North and the 300 mm (12") diameter watermain on Kilally Road;
 - ii) Extend the existing 300 mm (12") watermain on Kilally Road from the west limit of this plan and across the frontage of this Plan to the easterly limit of this plan, at no cost to the City;
 - iii) Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units; and
 - iv) Have its consulting engineer confirm to the City that the watermain system has been constructed, is operational and looped from the watermain on Purser Street in Plan 33M-443 to the watermain system on Highbury Avenue North through this plan such that the City shall make arrangements with the owner of 1625 Purser Street to convert the existing temporary municipal watermain within 1625 Purser Street to a private watermain.
40. 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.
41. 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.

~~The Owner shall connect the proposed watermains to serve this plan to the existing municipal 400 mm (16") diameter watermain on Highbury Ave. N., the existing municipal 200 mm (8") diameter watermain on Purser Street, the existing municipal 200 mm (8") diameter on Agathos Street and the proposed 300 mm (12") diameter on Kilally Road.~~

~~The Owner shall extend the existing municipal 300 mm (12") water main on Kilally Road to the easterly property limit of this plan of subdivision.~~

~~The Owner shall provide "looping" of the water main system constructed for this subdivision prior to 80 or more units being developed, all to the specifications of the City Engineer.~~

Transportation

Roadworks

- 42. The Owner shall align the right-of-way of Edgevalley Road in this plan with Edgevalley Road to the west of this plan, to the satisfaction of the City.
- 43. The Owner shall align the right-of-way of Edgevalley Road in this plan with Webster Street, to the satisfaction of the City.
- 44. All through intersections and connections with existing streets and internal to this subdivision shall align with the opposing streets based on the centerlines of the street aligning through their intersections thereby having these street centered with each other, unless otherwise approved by the City.
- 45. In conjunction with the Design Studies submission, the Owner shall have its professional engineer provide a proposed layout of Purser Street from the north limit of Plan 33M-443 to Street A, including but not limited to, the right-of-way requirements, road requirements, 90 degree bend, accesses, servicing, utilities and land requirements.
- 46. The Owner shall make all necessary arrangements, financial and otherwise, to combine Part 5 of Plan 33R-17547 and Part 7 of Plan 33R-17289 with Purser Street in this plan to establish Purser Street with a minimum 20.0 metre right-of-way width or provide an alternative alignment of Purser Street on the final plan to accommodate a minimum 20.0 metre right-of-way, to the satisfaction of the City.
- 47. The Owner shall construct Purser Street, from the north limit of Plan 33M-443 to Street A, including Part 5 of Plan 33R-17547 and Part 7 of Plan 33R-17289 in accordance with the accepted layout of Purser Street, including the removal of all existing works and services, as needed, to the satisfaction of the City, at no cost to the City.
- 48. The Owner shall have its professional engineer design the roadworks in accordance with the following road widths:
 - i) Edgevalley Road has a minimum road pavement with (excluding gutters) of 9.5 metres (31.2') with a minimum road allowance of 21.5 metres (70');
 - ii) Agathos Street, Street A and Purser Street (together with lands north of Plan 33M-443 (Part 5 of Plan 33R-17547 and Part 7 of Plan 33R-17289) shall be combined with the right-of-way in this draft plan) have a minimum

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- road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20 metres (66');
- iii) Drew Street has a minimum road pavement width (excluding gutters) of 7.0 metres (23') with a minimum road allowance of 19 metres (62');
 - iv) Edgevalley Road from Highbury Avenue North to 45 metres (150') east has a minimum road pavement width (excluding gutters) of 11.0 metres (36.1') with a minimum road allowance of 22.5 metres (75'). The widened road on Edgevalley Road shall be equally aligned from the centreline of the road and tapered back to the 9.5 metres (31.2') of road pavement width (excluding gutters) and 21.5 metres (70') of road allowance width for this street with 30 metre (100') long tapers on both street lines;
 - v) A gateway treatment on Edgevalley Road at the intersection of Kilally Road with a right-of-way width of 28.0 metres for a minimum length of 55.0 metres (180') tapered back over a distance of 30 metres to the standard secondary collector road right-of-way width of 21.5 metres.
49. The Owner shall provide cash-in-lieu to construct a fully-serviced road on Edgevalley Road from Agathos Street to Kilally Road, including the construction of a gateway treatment on Edgevalley Road at the intersection of Kilally Road. Alternatively, the Owner shall construct a portion of Edgevalley Road between Agathos Street and Kilally Road with cash-in-lieu for the construction of the remainder of this section of Edgevalley Road as a fully serviced road, to the satisfaction of the City. This portion of Edgevalley Road will be construction when Edgevalley Road is constructed as part of the Kilally Road reconstruction project to be completed by the City.
50. The Owner shall not develop Blocks 132 and 133 until Kilally Road is improved to its ultimate profile and Edgevalley Road is constructed to ultimate. If the Owner can demonstrate a portion of Blocks 132 and 133 can be developed without impacting the future construction of adjacent portions of Kilally Road and Edgevalley Road, the Owner may develop those portions of Blocks 132 and 133, to the satisfaction of the City.
51. The Owner shall place a barricade on Edgevalley Road, south of Agathos Street, to the satisfaction of the City Engineer.
52. The Owner shall provide temporary working easement along Kilally Road and Edgevalley Road for Blocks 132 and 133 in order to allow for the reconstruction of Kilally Road, which shall be released by the City when it is no longer needed, at no cost to the City.
53. In conjunction with the Design Studies submission, the Owner shall have its professional engineer provide a conceptual design layout of the proposed gateway design on Edgevalley Road, including the alignment of that street with Webster Street for the purpose of providing a cash-in-lieu estimate.
54. In conjunction with the Design Studies submission, the Owner shall provide a conceptual design and the location of the temporary access from this plan to Kilally Road, with a rural cross-section, including appropriate drainage and turning geometry, to the satisfaction of the City, at no cost to the City. The Owner shall also have its professional engineer verify the adequacy of decision sight distance on Kilally Road at the temporary access road, to the satisfaction of the City. If the sight lines are not adequate, the temporary access is to be relocated and/or road work undertaken to establish adequate decision sight distance at the intersection, to the satisfaction of the City.
55. The Owner shall construct and maintain (including snow clearing) a temporary access from this plan to Kilally Road in a location satisfactory to the City, provide and necessary easements and include a temporary left turn lane on Kilally Road at no cost to the City.
56. The Owner shall install temporary street lighting at the intersection of Kilally Road and the temporary access, to the specifications of the City Engineer, at no cost to the City.

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Sidewalks/Bikeways

57. The Owner shall construct a 1.5 metre (5') sidewalk on both sides of Edgevalley Road or provide a cash-in-lieu for the portion of sidewalk not constructed on Edgevalley Road, south of Agathos Street, to the satisfaction of the City.
58. The Owner shall construct a 1.5 (5') sidewalk on one side of the following streets:
- i) Agathos Street – north boulevard;
 - ii) Street A – west boulevard;
 - iii) Purser Street – north and west boulevard;
 - iv) Drew Street – outside boulevard;
 - v) Highbury Avenue North – along entire frontage and extend this sidewalk southerly to Kilally Road, subject to availability of sufficient right-of-way.

Street Lighting

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

Boundary Road Works

60. The Owner shall modify existing pavement markings to provide left turn channelization on Highbury Avenue North at Edgevalley Road, with sufficient storage, parallel and taper to accommodate the traffic demand anticipated as a result of full build out of this plan of subdivision and the Kilally North Planning Area. If the existing roadway is insufficient to accommodate this left turn lane, additional roadwork will be required, to be completed by the Owner, to the specifications of the City.
61. The Owner shall install traffic signals at the intersection of Highbury Avenue North at Edgevalley Road when determined warranted by the City.
62. The Owner shall make minor boulevard improvements on Highbury Avenue North and Kilally Road adjacent to this plan, to the specifications of the City, at no cost to the City, consisting of clean-up, grading and sodding as necessary.
63. The Owner shall reconstruct the driveway for 1625 Purser Street, if necessary, to accommodate the alignment of Purser Street, to the satisfaction of the City, at no cost to the City.
64. The Owner shall either dedicate sufficient land for the Purser Street road allowance to permit access for 1625 Purser Street or realign Purser Street to permit access, to the satisfaction of the City, at no cost to the City.
65. The Owner shall have the common property line of Highbury Avenue North and Kilally Road 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 grades on Highbury Avenue North and Kilally Road are the future centreline of road grades as determined by the Owner's professional engineer, satisfactory to the City. From these, the Owner's professional engineer is to determine the elevations along the common property line which will blend with the reconstructed road, all to the satisfaction of the City.

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Road Widening

66. The Owner shall be required to dedicate sufficient land to widen Highbury Avenue North and Kilally Road to 18.0 metres (59.06') from the centreline of the original road allowance.
67. The Owner shall be required to dedicate 6.0 m x 6.0 m "daylighting triangles" at the intersection of Highbury Avenue North with Edgevalley Road and Kilally Road with Edgevalley Road in accordance with the Z-1 Zoning By-law, Section 4.24.

Vehicular Access

68. The Owner shall provide 0.3 metre reserve along the frontage of all blocks on Highbury Avenue North and Kilally Road and will dedicate these reserves to the City.

Traffic Calming

69. The Owner shall install the following traffic calming measures along the secondary collector road network:
 - i) Curb extensions along the east side of Edgevalley Road with the parking bay removed for utilities (fire hydrants), pedestrian crossing and for transit stop locations as defined by the London Transit Commission;
 - ii) Reduced curb radii (7.5 m) on the inbound approach to all local roads intersecting Edgevalley Road.

Construction Access/Temporary/Second Access Roads

70. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Highbury Avenue North or other routes as designated by the City.
71. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall have its consulting engineer confirm to the City that the roads in this Plan have been constructed and operational to provide a public access to Plan 33M-443 such that the City shall make arrangements with the owner of Plan 33M-443 for the removal of the temporary road over Blocks 52 and 53 in Plan 33M-443 and with the owner of Plan 33M-492 for the removal of the temporary emergency access over Lot 22 in Plan 33M-492.
72. At the time the above-noted temporary road and emergency access are blocked from public access and roads in this plan are constructed to Plan 33M-443, the Owner shall remove the existing barricades to the north limit of Purser Street and at the east limit of Agathos Street in Plan 33M-443, as necessary, and restore these road(s) to the specifications of the City, all at no cost to the City.
73. The Owner shall advise all purchasers of land within this subdivision that any traffic to and from this plan will not be permitted to pass the barricade(s) until the removal of the barricade(s) is authorized by the City.
74. The Owner shall ensure any emergency access required is satisfactory to the City with respect to all technical aspects, including adequacy of site lines, provisions of channelization, adequacy of road geometries and structural design etc.
75. In the event any work is undertaken on an existing street, the Owner shall establish and

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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.

~~The Owner shall construct Street 'A' at Highbury Ave. N. in alignment with Edgevalley Road and Street 'A' at Kilally Road in alignment with Webster Street. (EESD)~~

~~The Owner shall align Street 'B' at the westerly limit of the plan of subdivision with Agathos Street in plan of subdivision M-443 and Street 'E' with Purser Street in plan of subdivision M-443. (EESD)~~

~~The Owner shall have a reference plan prepared and deposited by an Ontario Land Surveyor, satisfactory to the City Engineer and at no cost to the City, depicting the southerly extension of Street 'E' in this plan, across lands outside this plan, and connecting to the northerly limit of Purser Street in Plan 33M-443. The City shall prepare and present a by-law to name this portion of Street "E".~~

~~The Owner shall construct a fully serviced road, to the specifications of the City Engineer and at no cost to the City for the extension of Street 'E' outside this Plan, from the southerly limit of Street 'E' in this plan to the northerly limit of Purser Street in Plan 33M-443.~~

~~The Owner shall construct a gateway treatment on Street 'A' at the intersection of Kilally Road with a right-of-way width of 28 metres for a minimum length of 55 metres tapered back over a distance of 30 metres to the standard secondary collector road right-of-way width of 21.5 metres. A portion of the widened road will be claimable from the Urban Works Reserve Fund, consistent with the City's standard practice for paying claims where a secondary collector road is widened by 1.5 metres at an arterial road (or primary collector) for a distance of 45 metres with a 30 metre taper, to accommodate a turning lane. The costs of the gateway treatment, over and above the claimable portion, will be at the Owner's expense. (EESD)~~

~~The Owner shall construct a 1.5 metres (5') sidewalk on both sides of Street 'A'; and on one side of the following streets:~~

- ~~i. Street 'B' — north boulevard~~
- ~~ii. Street 'C' — outside boulevard~~
- ~~iii. Street 'D' — outside boulevard~~
- ~~iv. Street 'E' — west boulevard~~
- ~~v. Kilally Road — along entire frontage and extend this sidewalk, subject to availability of sufficient right-of-way, westerly to the existing sidewalk; and,~~
- ~~vi. Highbury Ave. N. — along entire frontage and extend this sidewalk, subject to the availability of sufficient right-of-way, southerly to Kilally Road. (EESD)~~

~~The Owner shall dedicate sufficient land to widen Highbury Ave. N. and Kilally Road to 18.0 metres (59.06') from the centerline of the original road allowance. (EESD)~~

~~The Owner shall dedicate 6.0 m x 6.0 m "daylighting triangles" at the intersection of Street 'A' with Highbury Avenue and Street 'A' with Kilally Road in accordance with the Z-1 Zoning By-law, Section 4.24. (EESD)~~

~~The Owner shall provide the following traffic calming measures: construct curb extensions along the east side of Street 'A' with the parking bay removed for utilities (fire hydrants) and for transit stop locations as defined by the London Transit Commission and provide reduced curb radii (5.0 metre) on the inbound approach to all local roads intersecting Street 'A', all subject to the approval of the Transportation Planning & Design Division and designed and constructed to the satisfaction of the City Engineer. (EESD)~~

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~~The Owner in consultation with the LTC, shall indicate on the approved engineering drawings the possible 'Future Transit Stop Areas'. The Owner shall install signage as the streets are constructed, indicating "Possible Future Transit Stop Area" in the approximate stop locations. The exact stop locations shall be field located as the adjacent sites are built, at which time the developer shall install a 1.5 metre wide concrete pad between the curb and the boulevard at the finalized stop locations. (EESD)~~

~~The Owner shall modify existing pavement markings to provide left turn channelization on Highbury Avenue N. at Street 'A', with sufficient storage, parallel and taper to accommodate the traffic demand anticipated as a result of full build out of this plan of subdivision and the North Kilally Planning Area. If the existing roadway is insufficient to accommodate this left turn lane, additional road work will be required. (EESD)~~

~~The Owner shall install traffic signals at the intersection of Highbury Avenue N. at Street 'A' and at the intersection of Kilally Road at Street 'A' when determined warranted by the City Engineer. (EESD)~~

~~The Owner shall construct a left turn lane on Kilally Road at Street 'A' with sufficient storage and taper to accommodate the traffic demand anticipated as a result of the full build out of this plan of subdivision and the North Kilally Planning Area. The costs incurred for providing the pavement markings, left turn lane and traffic signals will be claimable from the Urban Works Reserve Fund in accordance with By law No. C.P. 1440-167. (EESD)~~

~~The Owner will be required to make minor boulevard improvements on Highbury Ave. N. and Kilally Road adjacent to this plan to the specifications of the City Engineer and at no cost to the City, consisting of clean up, grading and sodding as necessary. (EESD)~~

~~The owner is required to provide for 0.3 m (1') reserve blocks at the following locations:~~

- ~~b. along Blocks 1 and 2 on Kilally Road (Blocks 19 and 20 as shown on the plan)~~
- ~~c. along Blocks 12, 13 and 14 on Highbury Avenue North~~
- ~~d. Street 'B' east limit~~

~~The Owner shall verify the adequacy of the decision sight distance on Kilally Road at Street 'A'. If the sight lines are not adequate, this street is to be relocated and/or road work undertaken to establish adequate decision sight distance at the intersection.~~

~~The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Kilally Road or other routes as designated by the City Engineer.~~

~~In order to address the issue of on street parking within small lot developments, the Owner shall as part of the submission for engineering drawings design an on street parking plan for Streets "C" and Street "D", whereby one on street parking space for each two dwelling units is to be used as the basis for the design, to the satisfaction of the General Manager of Planning and Development. The approved parking plan required for each registered phase of development and will form part of the subdivision agreement for the registered plan. The Owner shall install parking restrictions on one side of any street that requires an on street parking plan, as identified by the General Manager of Planning & Development, to the specifications and satisfaction of the City Engineer. For the benefit of new and future homeowners, the Owner shall register on title to each affected lot the parking restrictions on Street "C" and Street "D". (Planning)~~

~~The Owner shall construct the driveways for each lot in compliance with Zoning Bylaw Z-1 and the approved on street parking plan for this subdivision. To ensure that the parking plan has been adhered to the owner shall install barrier curbs on the affected streets or as an alternative have their consulting engineer/surveyor certify for each lot /block to the satisfaction of the General Manager of Planning and Development that the location and width of the as built driveways complies with Zoning By law Z. 1 and the approved parking plan prior to assumption of the subdivision by the City.~~

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~~The Owner shall make the necessary arrangements with adjacent property Owners, or make modifications to the draft plan of subdivision, to provide a secondary access to this subdivision should the plan be registered in phases, if required, all to the satisfaction of the General Manager of Planning and Development.~~

Parks

76. In conjunction with the request for the preparation of the subdivision agreement, the Owner shall submit an appraisal of the market value of Blocks 141 and 143, to the satisfaction of the City. The City will purchase these lands at the agreed to appraised market value, subject to identification of a source of financing.
77. The Owner shall, as part of the design studies, prepare a neighbourhood park plan for Block 141 and Block 143 to the satisfaction of the City.
78. All lots adjacent to open space areas to be assumed by the City will be fenced with a 1.5 metre chain link fence with no gates consistent with City of London standards (SPO-4.8). Any other fencing arrangements shall be to the satisfaction of the City.
79. The Owner shall, as part of the design studies or prior to the submission of engineering drawings for the SWM facility, submit a Final Environmental Impact Study (EIS) to the Satisfaction of the UTRCA and the City which consolidates the information received to date and provides additional information to ensure the proposed SWM outlet location does not disrupt the Species at Risk in this vicinity. The SWM plans shall incorporate the results of the Final EIS, as approved by the City. Also the owner will require a permit from the UTRCA for the construction of the SWM outlet.
80. As part of the submission for engineering drawings the required SWM maintenance access pathways shall be incorporated with the Thames Valley Parkway recreational pathway system. The design of the pathways shall be completed to the satisfaction of the City.
81. The Owner shall, as part of the design studies, prepare a plan that demonstrates a function alignment of the Thames Valley Parkway recreational pathway system from the north portion of the plan to a planned linkage under Highbury Avenue. The alignment will be located along the Thames River, through the SWM Block, over the SWM outlet to the planned pathway under Highbury Avenue North. A temporary pathway connection will be required at the north end of the site, through Block 142 (SWM Block) to Block 141 (Park Block) prior to conditional clearance.
82. The Owner shall not grade into any open space area. Where lots or blocks abut an open space area, all grading of the developing lots or blocks at the interface with the open space areas are to match grades to maintain existing slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the City.
83. Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed and certified with site inspection reports submitted to the Parks Planning and Design Division monthly during development activity along the edge of the Kilally Forest ESA.
84. The Owner shall prepare and deliver to all homeowners an education package which explains the stewardship of natural area, the value of existing tree cover and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of the City.
85. That within one year of registration of the plan containing Park Block 141, the Owner shall service, grade and seed the park to the satisfaction of the City.
86. The Owner shall dedicate Block 142 to the City of London at no cost.

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87. The Owner shall include a portion of the laneway adjacent to the southerly limit of this plan within this draft plan. In exchange for this laneway, an equal amount of parkland will be dedicated to the City from Block 141.
88. The owner shall have the Killaly Forest ESA boundary field surveyed and provided to the City in digital form to the satisfaction of the City. This ESA boundary delineation shall be shown on all engineering drawings.

General Conditions

89. The Owner will obtain the necessary permit/approvals from the UTRCA prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to watercourse and/or interference with a wetland.
90. The Owner shall obtain and submit to the Director of Development Planning ~~General Manager of Planning and Development~~ 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.

~~The Owner agrees that prior to an application for site plan approval and the execution of a development agreement for Blocks 130-135 inclusive to submit a noise study, prepared by a qualified acoustical consultant, concerning the impact of traffic noise from the adjacent arterial roads and to apply alternative site design and noise abatement measures that do not include a noise attenuation wall. Such measures shall be in accordance with the requirements of the City of London Noise Policies contained in the Official Plan. The final accepted recommendations shall be incorporated into the development agreement with the City of London for these blocks.~~

~~That prior to the submission of engineering drawings, the owner shall submit a plan acceptable to the Manager of Subdivisions and Special Projects confirming the lotting pattern within Blocks 3 to 8 both inclusive (as applicable), which shall be consistent with the approved zoning for these blocks and provide for a variety of lots sizes in keeping with the City's Small Lot Guidelines. Lots fronting on designated collector roads shall have a minimum frontage of 11 metres. This lotting pattern shall be reflected on the submitted engineering plans and the final plan submitted for approval and registration.~~

~~The owner shall prior to final approval, adjust the boundary of the plan to be registered to include a portion of the public lane into this subdivision.~~

91. No sewers are to be constructed on easements or on lands designated for future use as a park or open space without the necessary approvals from the City City Engineer and the ~~Manager of Parks Planning and Design~~.
92. 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 construction, 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 and all at no cost to the City.
93. 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.
94. ~~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 the specifications and satisfaction of the City Engineer.~~

Prior to final approval, the Owner shall make arrangements with the affected property

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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 the specifications and satisfaction of the City.

95. 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.
96. 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.
97. 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.

98. 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.
99. 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 and Chief Building Official immediately, and if required by the City 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 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 and Chief Building Official shall be implemented and carried out under the supervision of the professional engineer, to the satisfaction of the City 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 and review for the duration of the approval program.

If a permanent venting system or facility is recommended in the report, the Owner shall register a covenant on the title of each affected lot and block to the effect that the Owner of the subject lots and blocks must have the required system or facility designed, constructed and monitored to the specifications of the City, and that the Owners must maintain the installed system or facilities in perpetuity at no cost to the City. The report shall also include measures to control the migration of any methane gas to abutting lands outside the Plan.
100. The Owner shall have its professional engineer notify existing property owners in writing, regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision, all in accordance with Council policy for "Guidelines for Notification to Public for Major Construction Projects".
101. In conjunction with the Design Studies submission, in the event the Owner wishes to

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phase this plan of subdivision, the Owner shall complete the following:

- i) Submit a phasing plan, all to the specifications and satisfaction of the City;
 - ii) If any temporary measures are required in conjunction with the phasing, these temporary measures shall be constructed to the specifications and satisfaction of the City, at no cost to the City; and
 - iii) 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, to the satisfaction of the City.
102. The Owner shall remove all existing accesses and restore all affected areas, all to the satisfaction of the City, at no cost to the City.
103. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
104. 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.

Appendix "39T-05505-2"

Related Estimated Costs and Revenues

Estimated Costs – This Agreement - Developer Built	
Urban Works Reserve Fund – General	
- Highbury Avenue – repainting lines	\$15,000
- Highbury Avenue – sidewalk	\$245,000
- Highbury Avenue – traffic signals	\$150,000
- Storm sewer oversizing	\$115,000
- Sanitary sewer trunk	\$405,000
Urban Works Reserve Fund – Stormwater Management	\$3,200,000
Capital Expense	*to be determined prior to execution of the subdivision agreement
- Parkland Acquisition	
Total	\$4,130,000
Estimated Revenues This Agreement	
CSRF	\$5,469,775
UWRF	\$2,203,599
Total	\$7,673,374

NOTE:

- i) Estimated revenues are calculated using current rates for engineering services and the information is reported all in accordance with the Development Charges By-law (C.P.- 1473-212) and any amendments hereto.
- ii) Estimated claims are based on information provided by the applicant. Actual eligibility claims will be determined in conjunction with the applicable by-law and at the time of the final subdivision agreement is approved by Council.
- iii) The Owner should take note that there are currently significant delays in payment of claims from the Urban Works Reserve Fund.
- iv) If the rules related to claimable works in the Development Charges By-law are amended before a final subdivision agreement is approved by Council, any new rules will apply to this subdivision. This may result in changes to the funding of sanitary sewers required by the draft conditions, for example.