

--	--

**Draft Approval Extension 39T-00519
Alanna Riley**

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	G. KOTSIFAS P.ENG. MANAGING DIRECTOR DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	KAPE DEVELOPMENTS LIMITED 2280 WICKERSON ROAD 39T-00519 – WICKERSON WOODS SUBDIVISION EXTENSION TO DRAFT PLAN OF SUBDIVISION APPROVAL MEETING ON APRIL 25, 2016

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the Draft Plan of Subdivision application of Kape Developments Limited File No. 39T-00519, relating to the property located at 2280 Wickerson Road:

- a) The Approval Authority **BE ADVISED** that Municipal Council **SUPPORTS** a one (1) year extension of draft approval for draft approved plan 39T-00519 prepared by AGM Surveying and certified by Bruce Baker (dated April 1, 2001, drawing No. 1058 dwg Wickerson-3.dwg), as red line amended, which shows 86 single detached dwelling lots and a park block, served by three (3) local public streets, the extension of a secondary collector road and Wickerson Road **SUBJECT TO** the previously imposed conditions; and
- b) The applicant **BE ADVISED** that the Director of Development Finance has summarized claims and revenues information in the attached Schedule "B".

PREVIOUS REPORTS PERTINENT TO THIS MATTER

August 26, 2002 – Draft Approval recommendation report and public participation meeting at Planning Committee

April 3, 2006 – Report to Planning Committee recommending a two (2) year extension to Draft Plan of Subdivision Approval.

April 7, 2008 – Report to Planning Committee recommending a one (1) year extension to Draft Plan of Subdivision Approval.

April 6, 2009 – Report to Planning Committee recommending a two (2) year extension to Draft Plan of Subdivision Approval.

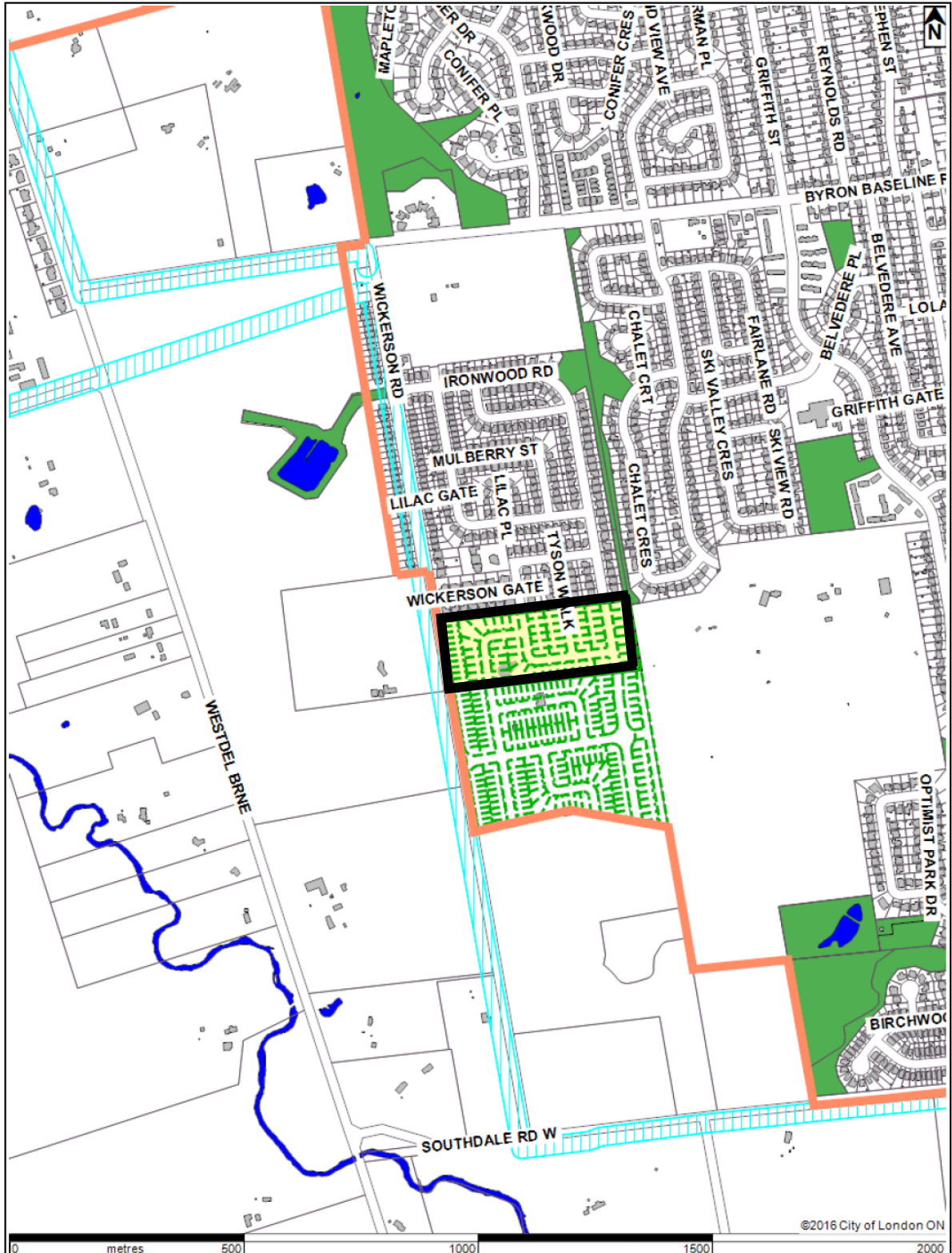
April 11, 2011 – Report to Built and Natural Environment Committee recommending a one (1) year extension of Draft Approval to July 8, 2012.

October 15, 2012 – Report to Built and Natural Environment Committee recommending a two (2) year extension of Draft Approval to November 8, 2015.

December 14, 2015 - Report to Planning Committee recommending Special Provisions for the Subdivision Agreement.

--	--






**Draft Approval Extension 39T-00519
Alanna Riley**



LOCATION MAP

Subject Site: Pretenjaca - Plan of Residential Subdivision
 Applicant: 947131 Ontario Inc
 File Number: 39T-00519
 Planner: Alanna Riley
 Created By: Alanna Riley
 Date: 2016-04-06
 Scale: 1:10100

LEGEND

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



Agenda Item #	Page #

Draft Approval Extension 39T-00519
Alanna Riley

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The effect of the recommendation is to allow for a further one (1) year extension of the draft approval for the Wickerson Woods subdivision.

BACKGROUND

The original application for draft plan of subdivision approval was accepted on October 6, 2000 and the public meeting was held on August 26, 2002. Draft approval was granted on October 30, 2002, subject to conditions and red-line modifications to the plan. There were no appeals received in response to the Notice of Draft Approval.

The following is a history of the draft approval extensions granted to date:

- September 29, 2005, - Administrative six (6) month extension
- April 27, 2006 - Two (2) year extension, subject to revised conditions.
- April 22nd, 2008 – One (1) year extension
- April 6, 2009 - a further two (2) year extension
- April 2011 - Extension July 8, 2012, intended to align the lapse date with the adjacent Meddaoui subdivision located at 2332 Wickerson Road (39T-08507).
- June 26, 2012 - Administrative six (6) month extension.
- November 2012 – Three (3) year extension granted
- October 15, 2015 – Six (6) month emergency extension granted.

An extension was granted in April 2011(on the recommendation of City Council) resulting in a lapse date of July 8, 2012, which was the same lapse date as the adjacent Meddaoui subdivision located at 2332 Wickerson Road (39T-08507). A further three (3) year extension was granted in November 2012 to reflect the proposed 2014 timing of construction of the permanent stormwater facility servicing both subdivisions.

Proposed Extension

A further one (1) year extension has been requested for this subdivision since the last extension progressed through to accepted servicing drawings and approved special provisions. Still, additional time is required to fulfill all the conditions of draft approval for final registration.

The funding for the Storm Water SWM facility servicing this development was committed in 2014. Currently, requests are being made through the GMIS process to extend Storm Water Management (SWM) facility funding to other lands in the City. At the same time, the DC SWM fund is in a financially challenged position to respond positively to such requests (2017 GMIS report will be tabled in May). Considering the funding constraints, extension of the draft approval for a single year is appropriate in that in the event the Kape & Meddaoui subdivisions (or a phase thereof) are not registered within a year, Administration will in all likelihood be recommending to rescind the funding commitment previously made, and reallocate the SWM funding to another location in the City. It is staff’s position that any further requests for extensions will not be recommended.

The Conditions of Draft Approval are attached as Appendix “39T-00519-1”. Condition No. 2 has been updated to reflect the one year extension. All other conditions remain unchanged.

--	--

**Draft Approval Extension 39T-00519
Alanna Riley**

CONCLUSION

A one year extension to the lapse date of Draft Plan 39T-00519 is appropriate as it will provide sufficient time to progress this plan of subdivision to final approval and registration.

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 & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

April 15, 2016
AR/ar

"Attach."

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2000\39T-00519 947131 Ontario Inc (Prtenjaca)\2016 extension\Report to PEC - Extension Report (Final).doc

Agenda Item #	Page #

Draft Approval Extension 39T-00519
Alanna Riley

Appendix 39T-00519-1

THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-00519 ARE AS FOLLOWS:

- | NO. | CONDITIONS |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | This approval applies to the draft plan submitted by 947131 Ontario Inc. (S. Prtenjaca), prepared by AGM Surveying and certified by Bruce Baker (drawing No. 1058 dwg Wickerson-3.dwg, dated April 1, 2001), as red-line amended, which shows 86 single detached dwelling lots, and a park block, served by 3 local public streets and the extension of a secondary collector road. |
| 2. | This approval of the draft plan applies until May 8, 2017 , and if final approval is not given within that time, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority. |
| 3. | The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways. |
| 4. | The Owner shall within 90 days of draft approval, submit proposed street names to the satisfaction of the City. |
| 5. | The Owner shall request that municipal addresses be assigned to the satisfaction of the City. |
| 6. | The Owner, prior to final approval, shall submit to the Approval Authority a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program. |
| 7. | Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision. |
| 8. | The Owner shall 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 once the plan of subdivision has been registered. |
| 10. | In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications (eg. 0.3 metre reserve blocks) 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. | This plan of subdivision shall be developed in one phase. |
| 12. | The Owner shall not commence construction or install any services (eg. Clearing or servicing of land) in this plan prior to obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the |

Agenda Item #	Page #

**Draft Approval Extension 39T-00519
Alanna Riley**

subdivision, unless otherwise approved by the City in writing (eg. MOE certificates; City/Ministry/Agency permits: Approved Works, water connection, water-taking, navigable waterways; approvals: UTRCA, MNR, MOE, City; etc; etc.). No construction involving installation of services requiring an EA is to be undertaken prior to fulfilling the obligations and requirements of the Province of Ontario's Environmental Assessment Act and the City of London.

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

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

14. Prior to any work on the site, the Owner shall determine if there are any abandoned wells in this plan and shall decommission and permanently cap any abandoned wells located in this plan, in accordance with current Provincial legislation, regulations and standards. It is the responsibility of the Owner to determine if any abandoned wells exist in this plan.

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

15. 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.
16. 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.
17. The Owner's professional engineer shall provide inspection services ~~for all work~~ during construction for all work to be assumed by the City, and have its professional engineer supply the City with a certificate of compliance upon completion in accordance with the plans approved by the City.
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.
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 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

Agenda Item #	Page #

**Draft Approval Extension 39T-00519
Alanna Riley**

by the Approval Authority, 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, reports, data, information or detailed engineering drawings, all to the satisfaction of the City. The Owner acknowledges that, in the event that a submission does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.
21. 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.
22. The Owner shall obtain and submit to the 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.

PARKLAND:

23. The Owner shall convey 5% of the lands included in this plan to the City of London for park purposes. This shall include Block 96 and cash-in-lieu payment for the balance of the 5% parkland dedication requirement.
24. As part of the Design Studies submission the Owner shall submit a concept plan of the park block (Block 96) to the satisfaction of the City.
25. Within one year of final registration, the Owner shall construct all park amenities for this subdivision, in accordance with the approved designs and to the satisfaction of the City.
26. The Owner shall grade, service and seed Block 96 within one year of registration of the plan, to the satisfaction of the City.
27. The Owner shall not grade into any open space area. Where lots or blocks abut lands zoned as open space, 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.
28. Within one year of registration of the plan, the Owner shall fence all lots adjacent to open space areas to be assumed by the City, with a 1.5 metre chain link fence SPO4.8 with no gates. Any other fencing arrangements shall be to the satisfaction of the City Planner.

PLANNING:

29. The owner shall be required to comply with the City's tree planting policy with respect to provisions of street trees for this subdivision.
30. Prior to final approval, the Owner shall remove, or demolish any accessory structures that exist on the subject lands.

Agenda Item #	Page #

**Draft Approval Extension 39T-00519
Alanna Riley**

SANITARY:

31. 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, related easement information and the external areas to be serviced to the satisfaction of the City.
 - ii) Propose a suitable routing for the trunk sanitary sewer to be constructed through this plan and to the outlet.
 - iii) Provide an analysis of the water table level of the lands within the subdivision with respect to the depth of the sanitary sewers and an evaluation of additional measures, if any, which need to be undertaken and in order to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407.

32. 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 250 mm (10") diameter sanitary sewer located on Ski View Road or alternative outlet, as approved by the City.
 - ii) Make the necessary arrangements with the affected property owner(s) for construction of the downstream sanitary sewer situated on private lands outside this plan and provide satisfactory easements over the sewers, as necessary, all to the specifications and satisfaction of the City.
 - iii) Construct a maintenance access road and provide a standard municipal easement, or as otherwise approved by the City, for any section of the sewer not located within the road allowance, to the satisfaction of the City.
 - iv) 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.
 - v) 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. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City.

33. Prior to registration of this Plan, the Owner shall obtain consent from the City to reserve capacity at the Oxford 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.

34. 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 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;

Agenda Item #	Page #

**Draft Approval Extension 39T-00519
Alanna Riley**

- ii) Not allow any weeping tile connections into the sanitary sewers within this Plan; and
- iii) Permit 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 sewer.
- iv) Have his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407.

WATER:

- 35. Should this draft plan of subdivision proceed in advance of Plan 39T-08507, the Owner shall extend the existing watermain on Wickerson Road to the south limit of this plan of subdivision, to the satisfaction of the City. The Owner shall obtain authorization from the City prior to proceeding with the work.
- 36. The owner shall connect the water system through the proposed subdivision to the north for the water supply.
- 37. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following water servicing design information:
 - i) A water servicing report which addresses the following:
 - Identify external water servicing requirements;
 - Confirm capacity requirements are met;
 - Identify need to the construction of external works;
 - Identify the effect of development on existing water infrastructure – identify potential conflicts;
 - Water system area plan(s)
 - Water network analysis/hydraulic calculations for subdivision report;
 - Phasing report;
 - Oversizing of watermain, if necessary and any cost sharing agreements.
 - 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:
 - valving to shut off future connections which will not be used in the near term; and/or
 - 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.

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, at no cost to the City.

TRANSPORTATION:

- 38. All through intersection and connections with existing streets and internal to this subdivision shall align with the opposing streets based on the centrelines of the street aligning through their intersections thereby having these streets centred with each other, unless otherwise approved by the City.
- 39. The owner shall design and construct the following traffic calming measures to the satisfaction of the City:

Agenda Item #	Page #

**Draft Approval Extension 39T-00519
Alanna Riley**

- a) curb extensions on the east side of Wickerson Road within the limits of the proposed draft plan of subdivision and reduced curb radii, 3.0 metres (10'), on Wickerson Road at the inbound approach to local roads;
 - b) curb extensions on the east side of Street 'D' within the limits of the proposed draft plan of subdivision and reduced curb radii, 3.0 metres (10'), on Street 'D' at the inbound approach to local roads;
 - c) or other alternatives approved by the City.
40. The Owner shall construct a 1.5 metre (5') sidewalk on the following streets:
- i) on the outside boulevard of Street 'A';
 - ii) on the west boulevard of Street 'B', from Street 'A' northerly to the north limit, of this draft plan of subdivision;
 - ii) on both sides of Street 'D'.
 - iii) on Wickerson Road – along frontage of plan of subdivision
41. The Owner shall install street lighting on all streets in this plan to the satisfaction of the City, at no cost to the City.
42. The Owner shall install street lighting along Wickerson Road abutting this subdivision, as warranted, and to the satisfaction of the City.
43. The owner shall dedicate sufficient land to widen Wickerson Road to 10.75 metres (35') from the centreline of the original road allowance.
44. The owner shall establish and maintain a Traffic Management Plan (TMP), when directed by the City, in conformance with City guidelines and to the satisfaction of the City for any construction activity that will occur on existing public roadways needed to provide services for this plan of subdivision. The TMP is a construction scheduling tool intended to harmonize a construction project's physical requirements with the operational requirements of the City of London, the transportation needs of road users and access concerns of area property owners. The Owner's contractor(s) shall undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted with and become a requirement of the subdivision servicing drawings acceptance for this plan of subdivision.
45. The owner shall direct all construction and trades traffic associated with this draft plan of subdivision to the access routes as designated by the City.
46. The Owner shall construct a temporary turning facility for vehicles at the following location(s), to the specifications of the City:
- i) at the southerly limit of Street 'A';
- Temporary turning circles for vehicles shall be provided to the City as required by the City, complete with any associated easements. When the temporary turning circles(s) are no longer needed, the City will quit claim the easements which are no longer required, at no cost to the City.
47. Should any temporary turning circle exist on the abutting streets at the time this plan is registered, the Owner shall remove any existing temporary turning circles and restore the road including sidewalks to the satisfaction of the City, at no cost to the City.
48. In conjunction with the Design Studies submission, the Owner shall have its professional consulting engineer confirm that all streets in the subdivision have centreline radii which

Agenda Item #	Page #

**Draft Approval Extension 39T-00519
Alanna Riley**

conforms to the City of London Standard “Minimum Centreline Radii of Curvature of Roads in Subdivisions:”

49. In conjunction with the submission of detailed design drawings, the Owner shall have his consulting engineer provide a proposed layout of the tapers for streets in this plan that change right-of-way widths with minimum 30 metre tapers (eg. from 20.0 metre to 19.0 metre road width), all to the satisfaction of the City. The roads shall be tapered equally aligned based on the alignment of the road centrelines.
50. The Owner shall construct Wickerson Road, adjacent to this plan, to secondary collector road standards, all to the specifications of the City. This reconstruction should ensure that there is adequate decision sight distance on Wickerson Road to accommodate any temporary access required to service the proposed development, all to the satisfaction of the City. The Owner shall be responsible for the entire cost of a fully serviced road, including construction of a major supply watermain where this subdivision abuts Wickerson Road, all at no cost to the City.

If this plan of subdivision is developed prior to the draft plan of subdivision 39T-08507, then the Owner shall reconstruct Wickerson Road to secondary collector road standards from the south property line, northerly to the southerly limit of the portion of Wickerson Road that has already been reconstructed to the satisfaction of the City, all at no cost to the City.

51. The Owner shall have it’s professional engineer design the roadworks in accordance with the following road widths:
 - a) Street ‘D’ is to have a minimum road pavement width (*excluding gutters*) of 9.5 metres (31.2’) with a minimum road allowance of 21.5 metres (70’), incorporating curb extensions on the east side for a parking lane;
 - b) Streets ‘A’ and ‘B’ (north of Street ‘A’) are to have a minimum road pavement width (*excluding gutters*) of 8.0 metres (26.2’) with a minimum road allowance of 20 metres (66’);
 - c) Streets ‘B’ (between Street ‘A’ and Street ‘C’) and Street ‘C’ are to have a minimum road pavement width (*excluding gutters*) of 7.0 metres (23’) with a minimum road allowance of 19 metres (62’).

The Owner agrees, that should the minimum road allowance on the said portion of Street ‘B’ be amended from 20 metres (66’) to 19 metres (62’), to maintain the present westerly street line alignment of Street ‘B’, north and south of Street ‘A’. Hence, any difference in the minimum road allowance of Street ‘B’, north and south of Street ‘A’, is to be accommodated on the easterly street line of Street ‘B’, all to the satisfaction of the City;

STORM/STORMWATER MANAGEMENT:

52. Prior to final approval, the Owner shall obtain and dedicate to the City all required lands for the proposed Wickerson Permanent Regional Municipal SWM Facility S-B and associated servicing corridor and/or easements, identified in the Municipal Class EA Study, Schedule ‘B’ for Storm/Drainage and SWM Servicing Works for Wickerson Road.
53. The Owner shall construct storm sewers to serve this plan, located within the Dingman Creek Subwatershed, and outletting to the Dingman Creek via the proposed Regional Wickerson Stormwater Management (SWM) Facility SWMF # S-B located to the south and external to this plan.
 - a) The Owner shall have its consulting professional engineer prepare the Storm/Drainage and SWM Servicing Letter/Report for the proposed

Agenda Item #	Page #

**Draft Approval Extension 39T-00519
Alanna Riley**

storm/drainage and SWM servicing works for the subject lands, all to the satisfaction of the City, and in accordance with the following requirements:

- i) The SWM criteria and environmental targets for the Dingman Creek Subwatershed Study Update (DCSSU 2005) and any addendums/amendments;
 - ii) The accepted Municipal Class Environmental Assessment (EA) Study, Schedule 'B' for Storm/Drainage and Stormwater Management (SWM) Servicing Works for Wickerson Road Development Area (2008);
 - iii) The approved Wickerson Functional Design Report for Storm/Drainage and SWMF # S-B Servicing Works that will be consistent with the recommendations of the Municipal Class EA and any applicable addendums/amendments;
 - iv) The City of London Design Specifications and Requirements (2003) for Storm/Drainage and SWM Servicing Works, as revised;
 - v) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
 - vi) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and
 - vii) All Applicable Acts, Policies, Guidelines, Standards and Requirements of all applicable approval agencies.
- b) At the time of the Design Studies submission, the Owner shall have its consulting professional engineer identify the major and minor storm flow routes for the entire catchment area(s), to the satisfaction of the City.
- c) Prior to the submission of Design Studies, the Owner's professional geotechnical engineer shall address all geotechnical issues, including the functionality and operational requirements of all inlet/outlet systems and erosion, maintenance and structural setbacks related to slope stability, all to the satisfaction of the City and the Upper Thames River Conservation Authority.
54. Should the subdivision proceed in advance of the ultimate SWM Facility S-B, the Owner shall construct storm sewers, located within the Dingman Creek Subwatershed, and outletting to the Dingman Creek via a temporary proposed Stormwater Management (SWM) Facility located on the subject lands that will be operational until the proposed Permanent Regional Wickerson SWM Facility S-B located to the south and external to this plan being constructed by the City.
- a) Prior to the Owner having its professional engineer design and construct a proposed temporary SWM solution including all proposed storm/drainage and SWM servicing works, to serve the subject lands, an Addendum to the Municipal Class EA Study, Schedule 'B' for Storm/Drainage and SWM Servicing Works for Wickerson Road Development Area (2008) must be completed and accepted by City Council, all applicable approval agencies and the public. The City shall be identified as the proponent for this Addendum, subject to City Council approval and all costs associated with the Addendum to the Wickerson Road Development Area shall be borne by the Owner. The final design, prepared by the Owner's professional engineer, must be in compliance with the recommended preferred servicing option of the accepted Addendum to the Municipal Class EA Study for the Wickerson Road Development Area, all to the satisfaction of the City.
 - b) The Owner shall have its professional engineer develop the Functional Design Servicing Report for the proposed storm/drainage and temporary SWM solution servicing works for the subject lands, all to the satisfaction of the City, and in accordance with the following requirements:

Agenda Item #	Page #

**Draft Approval Extension 39T-00519
Alanna Riley**

- i) The SWM criteria and environmental targets for the Dingman Creek Subwatershed Study Update (DCSSU 2005) and any addendums/amendments;
 - ii) The recommended preferred servicing option of the accepted Addendum to the Municipal Class EA Study, Schedule 'B', for Storm/Drainage and SWM Servicing Works for Wickerson Road Development Area (2008);
 - iii) The City Conceptual/Functional Design for the proposed Storm/Drainage and Wickerson Permanent Municipal SWM Facility S-B that will be consistent with the recommended servicing option of the accepted Wickerson Municipal Class EA Study;
 - iv) The City of London Design Specifications and Requirements (2003) for Storm/Drainage and SWM Servicing Works, as revised;
 - v) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
 - vi) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and
 - vii) All Applicable Acts, Policies, Guidelines, Standards and Requirements of all applicable approval agencies.
- c) At the time of Design Studies submission, the Owner shall have its consulting professional engineer identify the major and minor storm flow routes for the entire catchment area(s), to the satisfaction of the City.
- d) The Owner shall construct and operate the temporary SWM solution for a period that will not exceed three (3) years in accordance with the MOE's Environmental Compliance Approval (ECA), or any future extensions by the MOE, and associated storm/drainage servicing works until said works are required to be decommissioned upon the Wickerson Permanent Municipal SWM Facility S-B is constructed and operational to the satisfaction of the City.
- e) The Owner shall complete the following with respect to the temporary SWM solution, all to the satisfaction of the City, and at no cost to the City:
- i) Have its consulting engineer design, construct, operate, monitor and maintain the temporary SWM solution, all to the satisfaction of the City, at no cost to the City.
 - ii) In the event that the works include a SWM Facility, have their professional engineer submit semi-annual monitoring reports to the City demonstrating that the works are performing in accordance with the approved design criteria. The monitoring reports are to provide the sampling analysis of storm water quality and quantity control for the constructed works. The timing and content of the monitoring reports is to be in accordance with the City's "Monitoring and Operational Procedure for Stormwater Management Facilities" Policy. The Owner shall ensure that the monitoring program commences when building permits have been issued on fifty percent (50%) of the lots in the plan and shall continue until the temporary works are decommissioned;
 - iii) Remove, test and dispose of sediment to an approved site;
 - iv) Address forthwith any deficiencies of the temporary SWM solution and/or monitoring program;
- f) At such time as the permanent SWM Facility (Wickerson Municipal SWM Facility S-B) is constructed and operational, the Owner shall redirect all the storm conveyance system to this permanent Municipal SWM solution and undertake the decommissioning of the temporary works. The Owner is responsible for all costs related to the design and construction of the temporary works including

Agenda Item #	Page #

**Draft Approval Extension 39T-00519
Alanna Riley**

decommissioning and any redirection of storm sewers and overland flow routes, all to the satisfaction of the City .

- g) Prior to the submission of Design Studies, the Owner's professional geotechnical engineer shall address all geotechnical issues, including the functionality and operational requirements of the temporary SWM solution, all inlet/outlet systems and erosion, maintenance and structural setbacks related to slope stability, all to the satisfaction of the City and the Upper Thames River Conservation Authority.
- 55. Prior to the issuance of a Certificate of Conditional Approval for lots and blocks in this plan and all applicable external lands, or as otherwise approved by the City, all storm servicing and drainage works, including major and minor storm flow routes, and the temporary SWM solution and SWM related works to serve this plan, shall be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City.
- 56. Prior to the acceptance of engineering drawings, the Owner's consulting engineer shall certify the development 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 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.
- 57. The Owner shall 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.
- 58. The Owner shall provide all adequate easements, if required, at no cost to the City, in relation to storm/drainage and SWM servicing works for the subject lands, all to the satisfaction of the City.
- 59. The Owner shall provide a security in the amount of \$60,000 for this Plan to ensure that the Erosion and Sediment Control Plan (ESCP) be executed in accordance with the City approval procedure and criteria. In the event of failure to properly implement and maintain the require ESCP, the ESCP security will be used by the City to undertake all necessary clean-up work for the Wickerson Regional Municipal SWMF # S-B and Dingman Creek's tributary as the receiving watercourse, all to the satisfaction of the City.
- 60. 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. 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. *(formerly Condition # 12)*

OTHER SERVICING:

- 61. Prior to the submission of engineering drawings, the Owner shall demonstrate that necessary arrangements have been made for the services required to service this development, which services are located outside this plan, or demonstrate other alternative acceptable arrangements have been made to the City.

Agenda Item #	Page #

**Draft Approval Extension 39T-00519
Alanna Riley**

- 62. 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.
- 63. The Owner shall not burn any materials on site.
- 64. 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.
- 65. The Owner shall construct sanitary, storm and water private drain connections to serve the lots in this plan fronting Wickerson Road and connect the proposed drain connections to outlet through the proposed site servicing, to the satisfaction of the City and at no cost to the City.
- 66. 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.
- 67. 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.
- 68. The Owner shall have it's 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".
- 69. 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.

- 70. The Owner agrees that the development of this draft plan of subdivision shall cooperate and coordinate with other land owners and developers in the area with respect to the provision of municipal services, to implement the approved servicing scheme for the overall area, all to the satisfaction of the City.

Further, the Owner shall make arrangements for an interim road connection from the subject lands to Wickerson Road, should this development proceed prior to the development of adjacent lands, all to the specifications of the City and at no cost to the City.

- 71. 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

Agenda Item #	Page #

**Draft Approval Extension 39T-00519
Alanna Riley**

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, 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

72. 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 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, 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.

- 73. The Owner shall decommission any abandoned infrastructure, at no cost to the City, including cutting the water service and capping it at the watermain, all to the specifications and satisfaction of the City.
- 74. 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.
- 75. 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.
- 76. The Owner shall submit confirmation that they have complied with any requirements of Union Gas Pipeline with regards to the buffer at the western limit of this plan of subdivision.
- 77. Should the current or any future Owner come in with a revised development proposal for these lands, the applicant may be required to complete a design studies submission as per the File Manager process.
- 78. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
- 79. 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.

--	--

SCHEDULE 'B'

39T-00519

Related Estimated Costs and Revenues

Estimated DC Funded Servicing Costs^(Note 1)	Estimated Cost^(Note 3) (excludes HST)
Claims for developer led construction from CSRF ^{Note 4, 5} - Sanitary sewer oversizing - 130m of 300mm (DC14-WW02001) - Watermain oversizing - 151m of 450mm (DC14-WD01001) - Open space network (DC14-PR00067) - Engineering fees for the open space network (DC14-PR00067)	\$3,250 \$36,995 \$85,279 \$12,792
Claims for developer led construction from UWRF - None identified.	\$0
Claims for City led construction from CSRF ^{Note 6} - Wickerson SB SWMF (DC14-MS00041)	\$3,227,000
Total	\$3,365,316
Estimated Total DC Revenues^(Note 2)	Estimated Revenue^(Note 3)
CSRF	\$1,986,908
UWRF	\$178,563
TOTAL	\$2,165,471

- 1 Estimated Costs are based on approximations provided by the applicant and include engineering, construction and contingency costs without HST. Final claims will be determined based on actual costs incurred in conjunction with the terms of the final subdivision agreement and the applicable By-law.
- 2 Estimated Revenues are calculated using 2015 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. The City employs a "citywide" approach to recovery of costs of growth – any conclusions based on the summary of Estimated Costs and Revenues (above table) should be used cautiously.
- 4 New requirements of developer constructed works were incorporated into the 2014 DC By-law. The developer led construction work above will require a work plan to be provided and approved by the City. The work plan should include summary of work completed and costs incurred prior to the passage of the 2014 DC study, as well as estimated costs of all Engineering and construction of the works in question.
- 5 Oversizing costs identified are based on preliminary estimates through the design study phase. The various pipe sizes and length of oversized sewers and watermain will be finalized through the detailed design process.
- 6 Wickerson SB SWMF construction and design will be led and constructed by the City and is a required component of the Wickerson Hills 39T-08507 abutting this development. This budget item includes the value of land purchased from the host property owners under a separate by-law. Sources of Financing for this project will be brought forward by EES as part of engineering and construction awards as the work proceeds.

Reviewed by:

April 14 / 16

Date

P. Christiaans

Peter Christiaans
Director, Development Finance