

то:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES and CHIEF BUILDING OFFICIAL
SUBJECT:	REQUEST FOR EXTENSION OF DRAFT APPROVAL APPLICATION BY: DREWLO HOLDINGS INC. SUMMERSIDE DRAFT PLAN 39T-92020-D LANDS WEST OF MEADOWGATE BOULEVARD & EAST OF HIGHBURY AVENUE SOUTH MEETING ON FEBRUARY 6, 2017

## **RECOMMENDATION**

That, on the recommendation of the Senior Planner – Development Services, the following actions be taken with respect to the application of Drewlo Holdings Inc. relating to the property located on the south side of Evans Boulevard, west of Meadowgate Boulevard, and east of Highbury Avenue South, legally described as Part of Lots 15 and 16, Concession 1 (former Geographic Township of Westminster and now in the City of London):

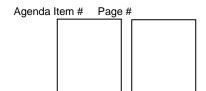
- (a) the Approval Authority **BE ADVISED** that Municipal Council supports issuing a three (3) year extension to Draft Plan Approval for the residential plan of subdivision, as red-line amended, **SUBJECT TO** the conditions contained in the <u>attached</u> Appendix "A" #39T-92020-D; and
- (c) the applicant **BE ADVISED** that the Director of Development Finance has summarized the estimated costs and revenues information as attached in Appendix "B".

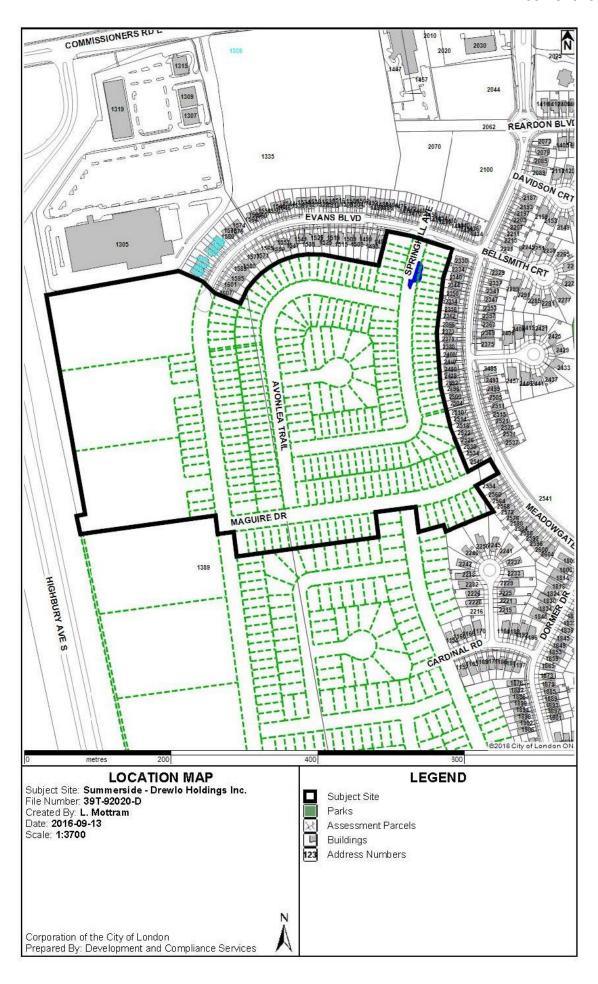
## PREVIOUS REPORTS PERTINENT TO THIS MATTER

**September 10, 2013** – Report to Planning and Environment Committee – Request for Extension of Draft Approval – Jackson Land Corp. (Agenda Item #6) (File No. 39T-92020-D)

## **RATIONALE**

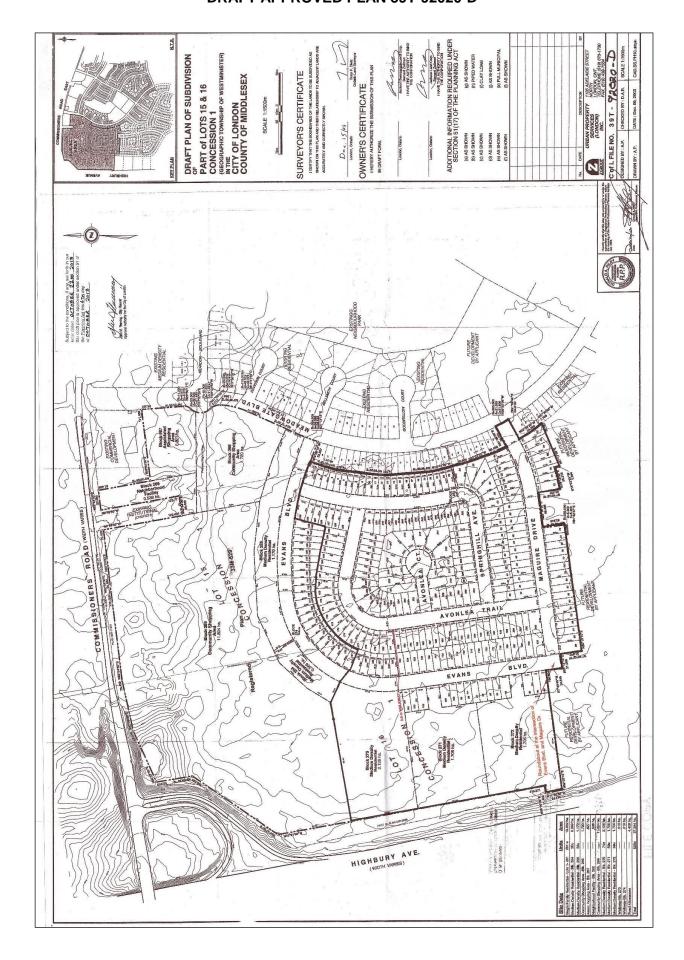
- 1. The requested three year extension is reasonable to allow sufficient time for the registration of this plan.
- The land use pattern and road alignments in this subdivision phase comprise an integral
  part of the overall Summerside plan and an extension should therefore be supported,
  provided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

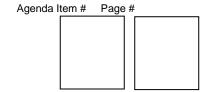




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## **DRAFT APPROVED PLAN 39T-92020-D**





#### **BACKGROUND**

This application is a request for a three (3) year extension of Draft Approval for the area known as Phase 10B of the Summerside Subdivision (City File # 39T-92020-D). This phase is generally bounded by Evans Boulevard on the north, Maguire Drive on the south, Meadowgate Boulevard on the east, and Highbury Avenue on the west.

## History:

The City of London initiated an area plan for the lands bounded by Commissioners Road East, Jackson Road, Bradley Avenue and Highbury Avenue South in the late 1980's. The area plan for the area now known as Summerside was adopted as an Appendix to the Official Plan on September 18, 1990. In August 1992, Jackson Land Corp. submitted an application for draft plan of subdivision on 256 hectares (632 acres) of land bounded by Commissioners Road East, Jackson Road, Bradley Avenue and Highbury Avenue South (File No. 39T-92020). The Ministry of Municipal Affairs granted draft approval to the Summerside subdivision on September 28, 1993. Since that time, the Conditions of Draft Approval have been revised and several phases have been registered.

The lands that are the subject of this extension request comprise Phase 10B of the Summerside subdivision. Revisions to this phase of the draft plan were approved in 2004, and subsequently the northerly portion of the plan was registered on August 5, 2005 as Plan 33M-529. Upon the expiry of the draft approval period the applicant requested a three year extension because the remaining lands are at the top of the watershed for the westerly half of the Summerside area, and will be the last phase of the development to be registered. A three (3) year extension was approved on April 23, 2007, subject to revised conditions of draft approval and updated municipal requirements.

Subsequent three (3) extensions were granted by the Approval Authority on October 23, 2010 and October 4, 2013 with a lapse date of October 23, 2016. A 120 day extension was granted by the Approval Authority extending the lapse date to February 23, 2017.

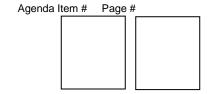
### **Extension Request:**

The applicant has applied for a three (3) year extension in order to allow more time until services can be extended to this phase. The remaining undeveloped lands in Summerside drain from north to south and development phasing will occur from Bradley Avenue northward. Based on this servicing constraint, Phase 10B will be one of the last areas of Summerside to be developed.

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

## **Draft Approved Plan:**

The applicant has not proposed any changes to the lotting configuration, road pattern or zoning that currently applies to the draft approved plan. The red-line revisions approved in the previous (April 23, 2007 and October 4, 2013) draft approval extensions for a three (3.0) metre walkway and associated lotting adjustments, and for a roundabout at the intersection of Evans Boulevard and Maguire Drive, have been carried over and are identified on the Draft Plan and reflected in the revised Conditions of Draft Approval.



#### The London Plan:

The subject lands are located within a "Neighbourhood" Place Type and Evans Boulevard is classified as a "Neighbourhood Connector" in the London Plan. While the proposed form and intensity of development, as currently zoned and draft approved, are substantially consistent with the policy framework of the London Plan, there are some elements of the London Plan that could affect the pattern of development if future draft plan extensions are requested including, but not limited to, a requirement for a second sidewalk on two roads within this phase, and restrictions on fourplexes, stacked townhouses and low-rise apartments within multi-family Blocks 270, 271 and 272. The proposed development is consistent with the policy regime of the Official Plan in effect at the time the application for draft plan extension was accepted.

#### Estimated Costs and Revenues:

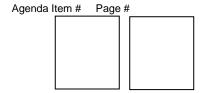
The estimated costs and revenues information has been broken down in the chart attached as Schedule "B" to this report. Estimated revenues are based on 2016 Development Charge rates. Development costs for this phase have been estimated at 'nil' with no anticipated claims against the Urban Works Reserve Fund.

#### Conditions of Draft Approval:

The draft approval conditions issued on October 4, 2013 have been re-circulated and reviewed with municipal departments and agencies to determine their relevance within the context of current regulatory requirements. As a result, there are minor wording modifications and revisions, as well as a number of new clauses added reflecting current municipal standards and requirements.

The proposed modifications and new conditions are briefly summarized below:

- 1. Conditions 1-13, 15-24, 31–35, 37-39, 42–70, 72–75, and 77-82 are substantively the same as those of the previous draft approval with minor wording modifications.
- 2. Condition 14 is replaced with updated wording outlining requirements for hydrogeological investigation studies, including assessing the impact on water balance and identifying mitigation measures such as Low Impact Development (LID) solutions.
- 3. Condition 25 requiring the confirmation of watermain looping has been deleted and this requirement is now included in revised Condition 40.
- 4. Condition 27 has been revised to include any necessary lot adjustments associated with the construction of a roundabout at the intersection of Evans Boulevard and Maguire Drive.
- 5. Conditions 29 and 30 are replaced with updated wording related to preventative measures for inflow and infiltration to the sanitary sewers, and arrangements being made with affected property owners for construction of any portions of services or grading situated on private lands outside the draft plan.
- 6. Condition 36 has been replaced with updated wording reflecting current municipal standards for stormwater servicing requirements.
- 7. Conditions 40 and 41 have been replaced with updated clauses reflecting current municipal standards for water servicing requirements
- 8. Condition 71 has been deleted as security required in the event of failure of erosion and sediment and control works has been included in the City's updated Security Policy.



- 9. Condition 76 has been replaced with an updated clause reflecting current municipal standards for street lighting requirements.
- 10. Conditions 83 through 93 have been added and reflect updated municipal standards for various servicing, grading, drainage, roads and transportation infrastructure.

## Public Notice:

Notice was not circulated to the public regarding the request for extension of draft approval given that no significant changes are being proposed to the zoning, lotting pattern or roadway alignments in the draft approved plan (39T-92020-D). In accordance with Section 51(45) of the *Planning Act* notice will be provided to the applicant, as well as any persons or public bodies who are prescribed under the Act and anyone who previously requested notification.

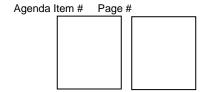
CONCLUSION	
CONCLUSION	

Staff are recommending a three year extension to the Draft Approval for this plan of subdivision, subject to the revised conditions as attached. The proposed plan and recommended conditions of Draft Approval will ensure that development proceeds in conformity with the Official Plan. A three year extension is being recommended to allow sufficient time for the registration of this plan. The recommended conditions of draft approval are attached to this report as Schedule "A" 39T-92020-D.

PREPARED and RECOMMENDED BY:	REVIEWED BY:
LARRY MOTTRAM, MCIP, RPP SENIOR PLANNER – DEVELOPMENT	ALLISTER MACLEAN
SERVICES	MANAGER, DEVELOPMENT PLANNING
REVIEWED BY:	SUBMITTED BY:
NEVIEWED BY:	CODMITTED DT.
TERRY GRAWEY, MCIP, RPP	GEORGE KOTSIFAS, P. ENG.
MANAGER, DEVELOPMENT SERVICES	MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES
AND PLANNING LIAISON	AND CHIEF BUILDING OFFICIAL

January 30, 2017 GK/TG/AM/LM/lm "Attach."

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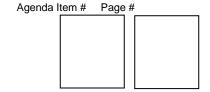
# APPENDIX "A" (Conditions to be included for draft plan approval)

THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-92020-D, ARE AS FOLLOWS:

NO. CONDITIONS

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

- 1. That this approval applies to Phase D of the draft plan submitted by Jackson Land Corp. (File No. 39T-92020-D), prepared by Urban Properties Services (London) Inc., certified by Terry P. Dietz, Ontario Land Surveyor (Drawing No. CAD:SSPH10.dftpln, dated Dec 09, 2003), as red-line amended, which shows 239 single detached dwelling lots, 3 medium density residential blocks, two walkway blocks all served by the extension of Evans Boulevard and four new streets. (NOTE: Phase 1 of this draft approved plan was registered on August 5, 2005 as Plan 33M-529)
- 2. That this draft approval and these conditions replace the conditions of draft approval granted on June 12, 1997 for plan 39T-92020 as it applies to the lands bounded by Commissioners Road East, Meadowgate Boulevard, Maguire Drive and Highbury Avenue South.
- 3.\* That this approval of the draft plan applies until February 23, 2020 October 23, 2016 and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
- 4. That the road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.
- 5. The Owner shall request that the street(s) be named to the satisfaction of the City.
- 6. The Owner shall request that the municipal addresses be assigned to the satisfaction of the City.
- 7. That 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.
- 8. That the Owner shall 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.
- 9. That the subdivision agreement between the Owner and the City of London be registered against the lands to which it applies once the plan of subdivision has been registered.
- 10. In conjunction with the registration of the plan, the Owner shall provide easements and/or land dedications as necessary for municipal works and services associated with the development of the subject lands including, but not limited to, roads, utilities, water, sanitary, storm/drainage and SWM servicing works, to the satisfaction of the City, and at no cost to the City.



- 11. Phasing of this subdivision (if any) shall be to the satisfaction of the City.
- 12. The Owner shall implement the requirements of the City of London concerning sedimentation and erosion control measures during all phases of construction. The owner's consulting engineer shall have these requirements established and approved by the City Engineer, prior to any work on the site. Prior to the commencement of any grading or alteration on site, the owner shall enter into a site alteration agreement or a subdivision agreement and post the required security.
- 13. No construction or installations of any kind (eg. Clearing or servicing of land) involved with this plan shall be undertaken 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 City in writing; (eg. MOE Certificates, City/Ministry/Agency permits: Approved Works, water connection, water-taking, navigable waterways, approvals, UTRCA, MNR, MOE, City, etc.)
- 14.\* 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, including but not limited to, the following:
  - i) the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area
  - ii) identify any abandoned wells in this plan
  - iii) assess the impact on water balance in the plan
  - iv) any fill required in the plan
  - v) provide recommendations for foundation design should high groundwater be encountered
  - vi) identify all required mitigation measures including Low Impact Development (LIDs) solutions
  - vii) address any contamination impacts that may be anticipated or experienced as a result of the said construction
  - ix) provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.

## all to the satisfaction of the City.

Prior to the issuance of any Certificate of Conditional Approval, the Owner's professional engineer shall certify that any remedial or other works as recommended in the accepted hydro geological report are implemented by the Owner, 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 springs, water wells 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.

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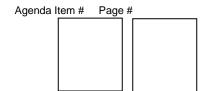
- 15. That no 5% parkland dedication is required, as these lands were taken/are to be taken in conjunction with the registration of lands in the original draft plan 39T-92020.
- 16. Approval from the London Fire Department is required should any burning of materials on-site be contemplated.
- 17. That 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.
- 18. Prior to the submission of an application for site plan approval for Blocks 270, 271 and 272, the Owner shall have a noise report prepared and accepted by the City and further, the recommended noise attenuation measures will be incorporated into the approved site plan and development agreement between the Owner and the City of London.
- 19.\* In conjunction with Design Studies submission, That, in order to address the issue of onstreet parking within small lot developments, the Owner shall prior to the submission of engineering drawings, design and implement an on-street parking plan 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 City. The approved parking plan is required for each registered phase of development and it will form part of the subdivision agreement for the registered plan.
- 20. The owner shall convey walkway Block 273 to the City of London. The Owner shall provide a 3.0 m walkway between Avonlea Trail and Evans Boulevard in accordance with City standards, at no cost to the City, in the vicinity of Lots 124 and 182.
- 21. Prior to any work on the site, the Owner shall decommission and permanently cap any abandoned wells located in this Plan, in accordance with current provincial legislation, regulations and standards. In the event that an existing well in this Plan is to be kept in service, the Owner shall protect the well and the underlying aquifer from any development activity.
- 22.\* In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
  - i) Construct sanitary sewers to serve this plan and connect them to the existing municipal sewer system, namely, the existing 250 mm (10") 200 mm (8") diameter sewer located on Meadowgate Boulevard, the existing 250 mm (10") diameter sewer located on Evans Boulevard and the future sewer to be constructed on Evans Boulevard to the south;
  - 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 Engineer;
  - 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 Engineer. 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 Engineer.

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- 23. The Owner shall maintain the water balance in the Summerside wetland by constructing a "third pipe" system to direct water flows to the wetland. Design and construction of the third pipe system shall be to the satisfaction of the City Engineer and the Ministry of Natural Resources.
- 24. Should this subdivision be completed before the downstream part of the third pipe system is constructed, the Owner shall direct stormwater to a stormwater management facility to the satisfaction of the City Engineer.
- 25.\* In accordance with City standards or as otherwise required by the City Engineer, the Owner shall deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development of this plan of subdivision is proposed to proceed beyond 80 units.- MAY BE REMOVED INCLUDED IN CONDITION 40.
- 26. In conjunction with the Design Studies submission, the Owner shall have it's professional engineer provide a conceptual design of the proposed traffic calming measures in this plan, including parking bays, curb extensions and other measures, in the context of the road network established for the Jackson District Area Plan which identifies the traffic calming measures required along the secondary collector road network to discourage through traffic and excessive vehicle speeds, to the satisfaction of the City.
- 27.\* The Owner shall construct a roundabout at the intersection of Evans Boulevard and Maguire Drive and make any necessary lot adjustments, to the satisfaction of the City.
- 28. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Pottersburg Pollution Control Plant for this subdivision. This treatment capacity shall be reserved by the City Engineer subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.

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

- 29.\* In order to prevent any inflow and infiltration from being introduced to the sanitary sewer system, the Owner shall, throughout the duration of construction within this plan, 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, including but not limited to the following:
  - i) Not allowing any weeping tile connections into the sanitary sewers within this Plan;
  - ii) Permitting the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer.
  - iii) Installing Parson Manhole Inserts (or approved alternative satisfactory to the City Engineer) in all sanitary sewer maintenance holes at the time the maintenance hole(s) are installed within the proposed draft plan of subdivision. The Owner shall not remove the inserts until sodding of the boulevard and the top lift of asphalt is complete, all to the satisfaction of the City Engineer.
  - iv) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and



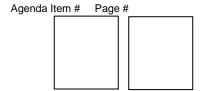
v) Implementing any additional measures recommended through the Design Studies stage.

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 Engineer, at no cost to the City;
- ii) Not allowing any weeping tile connections into the sanitary sewers within this Plan:
- iii) Permitting the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewers; and
- iv) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407.
- 30.\* 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.

Prior to final approval, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of the outlet sewers situated on private lands outside this phase and shall provide satisfactory easements over the sewers as necessary, all to the specifications of the City, at no cost to the City.

- 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 sanitary sewer routing and the external areas to be serviced to the satisfaction of the City Engineer;
  - ii) Provide a hydrogeological report which includes an analysis of the water table level of the lands within the subdivision with respect to the depth of the local sanitary sewers and an evaluation of additional measures, if any, which need to be undertaken in order to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407.
- 32. The Owner shall construct the proposed storm sewers serving this plan and connect them to an outlet tributary to both the South Thames and Dingman Creek via proposed and/or existing storm/drainage servicing work and the existing Summerside Stormwater management (SWM) Facility located within the Dingman Creek Subwatershed study area.
- 33. The Owner shall ensure that the storm outlet for the subject lands is via the existing Summerside SWM Facility, in which the majority of the storm flows from the facility outlet through the existing Summerside Tunnel System to the Thames River and a minority of the storm flows outlet to the Hampton Scott Drain to maintain the baseflow conditions of the drain.
- 34. The Owner shall ensure that the "third pipe" system for the subject site conveys drainage from rear yards within and exterior to these lands specified in the Summerside District Stormwater and Stormwater Management Master Plan (updated 2004) to the wetland area in the southwest portion of this plan.



- 35.\* The Owner shall have it's professional consulting engineer design and construct the proposed third pipe system, storm/drainage and SWM servicing works for the subject lands, all to the satisfaction of the City Engineer and according to the requirements of the following:
  - i) The SWM targets and criteria for the Dingman Creek Subwatershed Study Update (2005):
  - ii) The Summerside District Stormwater and Stormwater Management Master Plan (updated 2004);
  - iii) Final Stormwater Management Report for the Summerside Subdivision;
  - iv) The Biological Evaluation of Summerside Wetland, London, Ontario (February 1991)
  - v) The City's Design Requirements for Permanent Private Stormwater Systems approved by City Council and effective as of January 1, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.;
  - vi) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
  - vii) The City's Drainage By-law and lot grading standards, policies, requirements and practices;
  - viii) The Ministry of the Environment <u>and Climate Change's (MOECC)</u> Practices Planning and Design Manual (2003); and
  - ix) All applicable Acts, Policies, Guidelines, Standards and Requirements of the City of London, Ministry of the Environment and all other relevant agencies.
- 36.\* Prior to the issuance of any Certificates of Conditional Approval for any lot in this plan, the Owner shall complete the following:
  - i) For lots and blocks in this plan or as otherwise approved by the City Engineer, all storm/drainage and SWM related works to serve this plan must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
  - ii) The Regional SWM Facility to serve this plan must be constructed and operational;
  - iii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City; and
  - iv) Implement all geotechnical/slope stability recommendations made by the geotechnical report accepted by the City.

Prior to the issuance of a Certificate of Conditional Approval for lots and blocks in this plan, or as otherwise approved by the City, all storm servicing and drainage works, including major and minor storm flow routes, and stormwater management (SWM) related works, including the proposed Regional SWM Facility, 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.

- 37. The Owner shall construct all components of the required third pipe system for the subject site that would accommodate any upstream flows from the existing third pipe system and maintain the water balance in the existing wetland area located at the southwest corner of the Summerside lands, all to the satisfaction of the City Engineer.
- 38. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation to address the following, and to the satisfaction of the City:

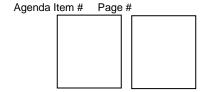
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- i) Identifying the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;
- ii) Identifying major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;
- iii) Designing the "third pipe" system to direct water flows to the wetlands;
- iv) Providing or updating 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;
- v) Developing 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; and
- vi) Implementing SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City Engineer.
- 39. 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 and/or any approvals given by the City, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.
- 40.\* Prior to the issuance of any Certificate of Conditional Approval and 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 existing existing 200 mm (8") diameter watermain on Meadowgate Boulevard and the existing 250 mm (10") diameter watermain on Evans Boulevard.
  - ii) 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
  - iii) The available fireflow and appropriate hydrant colour code (in accordance with the City of London Design Criteria) are to be shown on engineering drawings;

    The fire hydrant colour code markers will be installed by the City of London at the time of Conditional Approval

The Owner shall construct the proposed watermains to serve this plan and connect them to a municipal water system, namely, to the existing 200 mm (8") diameter watermain on Meadowgate Boulevard and the existing 250 mm (10") diameter watermain on Evans Boulevard.

- 41.\* In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following water servicing design information, all to the satisfaction of the City Engineer:
  - i) A water servicing report which addresses the following:
    - Identify external water servicing requirements;



- <u>Identify fireflows available from each hydrant proposed to be constructed and identify appropriate hydrant colour code markers;</u>
- Confirm capacity requirements are met;
- Identify need to the construction of external works;
- <u>Identify the effect of development on existing water infrastructure identify potential conflicts;</u>
- Water system area plan(s)
- Water network analysis/hydraulic calculations for subdivision report;
- Phasing report and identify how water quality will be maintained until full built-out;
- Oversizing of watermain, if necessary and any cost sharing agreements.
- Water quality
- Identify location of valves and hydrants
- Identify location of automatic flushing devices as necessary
- Looping strategy

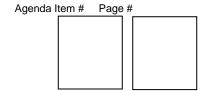
Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the accepted recommendations to address the water quality requirements for the watermain system, to the satisfaction of the City Engineer, at no cost to the City. The requirements or measure which are necessary to meet water quality requirements shall also be shown clearly on the engineering drawings.

In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following water servicing design information, all to the satisfaction of the City Engineer:

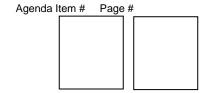
- i) A water servicing report which addresses the following:
  - a) Identify external water servicing requirements;
  - b) Confirm capacity requirements are met;
  - c) Identify need to the construction of external works;
  - d) Identify the effect of development on existing water infrastructure identify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

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

42.\* The cul-de-sac on Avonlea Court shall be constructed in accordance with the City of London Standard DWG. SR-5.0. The Owner shall provide a raised circular centre island (R=8.0 m) within the cul-de-sac or as otherwise directed by the City Engineer.



- 43. Evans Boulevard and Maguire Drive are 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').
- 44. Avonlea Trail and Springhill Avenue 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').
- 45. Avonlea Court is to have a minimum road pavement width (excluding gutters) of 6.0 metres (19.7') with a minimum road allowance of 18 metres (60').
- 46. The Owner shall construct 1.5 metre (5') sidewalks on both sides of the following streets:
  - i) Evans Boulevard
  - ii) Maguire Drive
- 47. The Owner shall construct a 1.5 metre (5') sidewalk on one side of the following streets:
  - i) Avonlea Trail outside boulevard
  - ii) Springhill Avenue south and east boulevards
- 48. No vehicular access will be permitted to Blocks 270, 271 and 272 from Highbury Avenue. All vehicular access is to be via the internal subdivision street, Evans Boulevard.
- 49. The Owner shall utilize construction access routes designated by the City Engineer.
- 50. The Owner shall ensure any emergency access required is satisfactory to the City Engineer with respect to all technical aspects, including adequacy of site lines, provision of channelization, adequacy of road geometries and structural design, etc.
- 51. Blocks for 0.3 m (1') reserves will be required at the following locations:
  - i) Block 270 west limit, abutting Highbury Avenue
  - ii) Block 271 west limit, abutting Highbury Avenue
  - iii) Block 272 west limit, abutting Highbury Avenue
  - iv) Maguire Drive south limit, between Lots 72 & 73
  - v) Evans Boulevard west and south limits
- 52. In the event any work is undertaken on an existing street, the Owner shall establish and maintain a Traffic Management Plan (TMP) in conformance with City guidelines and to the satisfaction of the City Engineer for any construction activity that will occur on existing public roadways. The Owner shall have it's contractor(s) undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted in conjunction with the subdivision servicing drawings for this plan of subdivision.
- 53. The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan and all required engineering drawings, to the satisfaction of the City Engineer. Any deviations from the City's standards, guidelines or requirements shall be satisfactory to the City Engineer.
- 54. Prior to the issuance of a Certificate of Conditional Approval for each construction stage of this subdivision, all servicing works for the stage and downstream works must be completed and operational, in accordance with the approved design criteria and accepted drawings, all to the specification and satisfaction of the City.
- 55. In the event that relotting of the plan is undertaken, the Owner shall relocate and construct services to standard location, all to the specifications and satisfaction of the City Engineer.



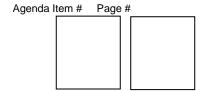
- 56. The Owner shall connect to all existing services and extend all services to the limits of the draft plan of subdivision, at no cost to the City, all to the specifications and satisfaction of the City Engineer.
- 57. Once construction of any private services, ie: water storm or sanitary, to service the lots and blocks in this plan is completed and any proposed relotting of the plan is undertaken, the Owner shall reconstruct all previously installed services in standard location, in accordance with the approved final lotting and approved revised servicing drawings all to the specification of the City Engineer and at no cost to the City.
- 58. 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.

- 59. The Owner shall pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if applicable) to third parties that have constructed the services and/or facilities, to which the Owner is connecting. The above-noted proportional share of the cost shall be based on design flows, to the satisfaction of the City Engineer, for sewers or on storage volume in the case of a SWM facility. The Owner's payments to third parties, shall:
  - i) commence upon completion of the Owner's service work connections to the existing unassumed services; and
  - ii) continue until the time of assumption of the affected services by the City.
- 60.\* 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.

The connection into and use of the subject services by an outside Owner will be conditional upon the outside Owner satisfying any requirements set out by the City, and agreement by the outside Owner to pay a proportional share of the operational maintenance and/or monitoring costs of any affected unassumed services and/or facilities.

61. 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



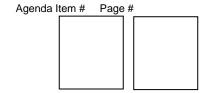
progresses in such an instance. The report shall include provision for an ongoing methane gas monitoring program, if required, subject to the approval of the City Engineer and review for the duration of the approval program.

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 Engineer, and that the Owners must maintain the installed system or facilities in perpetuity at no cost to the City. The report shall also include measures to control the migration of any methane gas to abutting lands outside the plan.

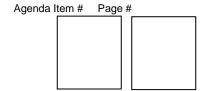
62.\* The Owner's professional engineer shall provide inspection services during construction for all work to be assumed by the City, and shall supply the City with a Certification of Completion of Works upon completion, in accordance with the plans accepted by the City Engineer.

The Owner shall be required to have its professional engineer provide inspection services for the works to be assumed by the City; including all matters, works, services and things required to be constructed, installed or done by the Owner in accordance with the plans accepted by the City Engineer.

- 63. 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.
- 64. The Owner shall have its engineer notify existing property owners in writing, regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision, all in accordance with Council policy for "Guidelines for Notification to Public for Major Construction Projects".
- 65. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
- 66. If any temporary measures are required to support the interim conditions in conjunction with the phasing, the Owner shall construct temporary measures and provide all necessary land and/or easements, to the specifications and satisfaction of the City Engineer, at no cost to the City.
- 67. 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.
- 68. In the event the draft plan develops in phases, upon registration of any phase of this subdivision, the Owner shall provide land and/or easements along the routing of services which are necessary to service upstream lands outside of this draft plan to the limit of the plan.
- 69. In conjunction with the Design Studies submission, in the event the Owner wishes to phase this plan of subdivision, the Owner shall submit a phasing plan identifying all required temporary measures, and identify land and/or easements required for the routing of services which are necessary to service upstream lands outside this draft plan to the limit of the plan to be provided at the time of registration of each phase, all to the specifications and satisfaction of the City.



- 70.\* In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of stormwater management (SWM) and stormwater services for this draft plan of subdivision:
  - i) Construct storm sewers to serve this plan, located within the Dingman Creek Subwatershed, and connect them to the existing municipal storm sewer system, namely, the 300 mm diameter storm sewer located on Evans Boulevard and the 300 mm diameter storm sewer located on Meadowgate Boulevard;
  - ii) Implement all geotechnical recommendations with respect to erosion, maintenance and structural setbacks related to slope stability and ensure they are adequately addressed for the subject lands, to the satisfaction of the City and the Upper Thames River Conservation Authority;
  - iii) Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan;
  - iii) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith; and
  - iv) Address forthwith any deficiencies of the stormwater works and/or monitoring program.
- 71.\* The Owner shall provide a security in the amount of \$60,000 for this Plan to ensure that the Erosion and Sediment Control Plan (ESCP) be executed in accordance with the City approval procedure and criteria. In the event of failure to properly implement and maintain the require ESCP, the ESCP security will be used by the City to undertake all necessary clean-up work, all to the satisfaction of the City. MAY BE REMOVED INCLUDED IN UPDATED SECURITY POLICY
- 72. In conjunction with the Design Studies submission, the Owner shall have its professional consulting engineer confirm that all streets in the subdivision have centreline radii which conforms to the City of London Standard "Minimum Centreline Radii of Curvature of Roads in Subdivisions", to the satisfaction of the City. Streets that do not meet the City standards may need to be revised.
- 73. In conjunction with the Design Studies submission, the Owner shall provide a conceptual layout of the roads and rights-of-way of the plan to the City for review and acceptance with respect to road geometries, including but not limited to, right-of-way widths, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots.
- 74. All through intersection and connections with existing streets and internal to this subdivision shall align with the opposing streets based on the centrelines of the street aligning through their intersections thereby having these streets centred with each other, unless otherwise approved by the City Engineer.
- 75. The Owner shall construct traffic calming measures, including parking bays, curb extension and other measures to the satisfaction of the City.
- 76.\* Within one year of registration of the plan, the Owner shall install street lighting on all streets and walkways in this plan to the satisfaction of the City, at no cost to the City. Where an Owner is required to install street lights in accordance with this draft plan of subdivision and where a street from an abutting developed or developing area is being extended, the Owner shall install street light poles and luminaires, along the street being extended, which match the style of street light already existing or approved along the developed portion of the street, to the satisfaction of the London Hydro for the City of London.



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

77. 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.

If funds have been provided to the City by the Owner(s) of adjacent lands for the removal of the temporary turning circle(s) and the construction of this section of road(s) and all associated works, the City shall reimburse the Owner for the substantiated cost of completing these works, up to a maximum value that the City has received for this work.

- 78. The Owner shall be required to make minor boulevard improvements on Highbury Avenue South adjacent to this Plan, to the specifications of the City and at no cost to the City, consisting of clean-up, grading and sodding as necessary.
- 79.\* The Owner shall have the common property line of Highbury Avenue South graded in accordance with the City of London Standards, to the satisfaction of the City Engineer, "Subdivision Grading Along Arterial Roads", at no cost to the City.

Further, the grades to be taken as the centreline line grades on Highbury Avenue South are the future ultimate 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 ultimate elevations along the common property line which will blend with the ultimate reconstructed road, all to the satisfaction of the City.

80.\* Should any contamination or anything suspected as such, be encountered during construction, the Owner shall report the matter to the City Engineer and the Owner shall hire a geotechnical engineer to provide, in accordance with the Ministry of the Environment "Guidelines for Use at Contaminated Sites in Ontario", "Schedule A – Record of Site Condition", as amended, including "Affidavit of Consultant" which summarizes the site assessment and restoration activities carried out at a contaminated site, in accordance with the requirements of latest Ministry of Environment and Climate Change "Guidelines for Use at Contaminated Sites in Ontario" and file appropriate documents to the Ministry in this regard with copies provided to the City. The City may require a copy of the report should there be City property adjacent to the contamination.

Should any contaminants be encountered within this Plan, the Owner shall implement the recommendations of the geotechnical engineer to remediate, removal and/or disposals of any contaminates within the proposed Streets, Lot and Blocks in this Plan forthwith under the supervision of the geotechnical engineer to the satisfaction of the City at no cost to the City.

In the event no evidence of contamination is encountered on the site, the geotechnical engineer shall provide certification to this effect to the City.

The Owner hereby agrees that, should any contamination or anything suspected as such, be encountered during construction, the Owner shall report the matter to the City Engineer and the Owner shall hire a geotechnical engineer to provide, in accordance with the Ministry of the Environment "Guidelines for Use at Contaminated Sites in Ontario", "Schedule A — Record of Site Condition", as amended, including "Affidavit of Consultant" which summarizes the site assessment and restoration activities carried out at a contaminated site. The City may require a copy of the report should there be City property adjacent to the contamination. Should the site be free of contamination, the geotechnical engineer shall provide certification to this effect to the City.

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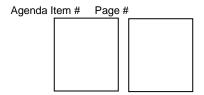
- 81. The Owner shall decommission any abandoned infrastructure, at no cost to the City, including cutting the water service and capping it at the watermain, all to the specifications and satisfaction of the City.
- 82. The Owner shall remove all existing accesses and restore all affected areas, all to the satisfaction of the City, at no cost to the City.
- 83.\* In conjunction with Design Studies submission, the Owner shall provide a plan and profile and cross-section of Highbury Avenue adjacent to the plan of subdivision showing the existing and ultimate centreline of Highbury Avenue and how the grades tie in with the plan of subdivision.
- 84\* The Owner shall ensure the post-development discharge flow from the subject site must not exceed capacity of the stormwater conveyance system. In an event where the condition cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirements for permanent Private Stormwater Systems.
- 85.\* The Owner shall ensure that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specifications and satisfaction of the City Engineer.
- Prior to the issuance of a Certificate of Conditional Approval, the Owner shall install and commission temporary automatic flushing devices and meters at all dead ends and/or other locations as deemed necessary by the hydraulic modelling results to ensure that water quality is maintained during build out of the subdivision. These devices are to remain in place until there is sufficient occupancy use to maintain water quality without their use. The location of the temporary automatic flushing devices as well as their flow settings are to be shown on engineering drawings. The Owner is responsible to meter and pay billed cost of the discharged water from the time of their installation until their assumption. Any incidental and/or ongoing maintenance of the automatic flushing devices is/are the responsibility of the Owner.
- 87.\* With respect to the proposed blocks, the Owner shall include in all agreements of purchase and sale, and/or lease of Blocks in this plan, a warning clause advising the purchaser/transferee that should these develop as a Vacant Land Condominium or in a form that may create a regulated drinking water system under O.Reg. 170/03, the Owner shall be responsible for meeting the requirements of the legislation.
  - If deemed a regulated system, there is potential the City of London could be ordered to operate this system in the future. As such, the system would be required to be constructed to City standards and requirements.
- 88.\* The Owner shall obtain all necessary approvals from the City Engineer for individual servicing of blocks in this subdivision, prior to the installation of any water services for the blocks.
- 89.\* At 'tee' intersections, the projected road centreline of the intersecting street shall intersect the through street at 90 degrees with a minimum 6 metre tangent being required along the street lines of the intersecting road, to the satisfaction of the City.
- 90.\* The Owner shall provide a minimum of 5.5 metres (18') along the curb line between the projected property lines of irregular shaped lots around the bends and/or around the culde-sacs on streets in this plan of subdivision.
- 91.\* Should the Owner direct any servicing within the walkway or the walkway is to be used as a maintenance access, the Owner shall provide a 4.6 metre wide walkway designed to the maintenance access standard, to the specifications of the City.

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- 92.\* In conjunction with the Design Studies submission, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, the following:
  - i) servicing, grading and drainage of this subdivision
  - ii) road pavement structure
  - iii) dewatering
  - iv) foundation design
  - v) removal of existing fill (including but not limited to organic and deleterious materials)
  - vi) the placement of new engineering fill
  - vii) any necessary setbacks related to slope stability for lands within this plan
  - viii) identifying all required mitigation measures including Low Impact Development (LIDs) solutions.

and any other requirements as needed by the City, all to the satisfaction of the City.

93.\* The Owner shall implement all geotechnical recommendations to the satisfaction of the City.



# APPENDIX "B" Related Estimated Costs and Revenues

Summerside Ph. 10B Draft Plan Extension 39T-92020D

## Related Estimated Costs and Revenues

Estimated DC Funded Servicing Costs Note 1)	Estimated Cost (excludes HST)
Claims for developer led construction from CSRF	
- None identified.	\$0
Claims for developer led construction from UWRF	
- None identified.	\$0
Claims for City led construction from CSRF	
- None identified.	\$0
Total	\$0
Estimated Total DC Revenues (Note 2) (2016 Rates)	Estimated Revenue
CSRF	\$8,460,315
UWRF	\$761,653
TOTAL	\$9,221,968

- 1 There are no claims for DC funded works associated with this application.
- 2 Estimated Revenues are calculated using 2016 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.

	Reviewed by:
Jan 25/17	P. Christ
Date	Peter Christiaans Director, Development Finance