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Draft Approval Extension 39T-05508  
A. MacLean

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>G. KOTSIFAS DIRECTOR OF BUILDING CONTROLS AND CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: SUNNINGDALE GOLF CLUB LIMITED  800 SUNNINGDALE ROAD WEST  MEETING ON JUNE 11, 2012</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Sunningdale Golf Club Limited relating to the property located at 800 Sunningdale Road West;

- a) Council **SUPPORTS** the Approval Authority granting a 3 year extension of the draft plan of residential subdivision, submitted by Sunningdale Golf Club Limited, prepared by Stantec Consulting Limited, certified by J. Andrew Smith, O.L.S., File No. 39T-05508, drawing no. DP-01, as redline amended which shows a total of 14 single detached residential lots, one (1) multi-family block, served by one (1) arterial road and two (2) local streets **SUBJECT TO** the revised conditions contained in the attached Appendix "39T-05508";

### Related Estimated Costs and Revenues

Estimated Costs – This Agreement - Developer Built	
Claims from Urban Works Reserve Fund – General	
- Sanitary Sewer – subsidy for oversizing	
- Storm sewer – subsidy for oversizing	
- Roadworks – channelization	\$NIL
- Roadworks – pavement widening (internal street)	\$NIL
Urban Works Reserve Fund – Stormwater Management	\$NIL
Capital Expense	\$NIL
Other	\$NIL
<b>Total</b>	<b>\$NIL</b>
Estimated Revenues This Agreement	
CSRF	\$ 1,043,058
UWRF	\$ 420,224
<b>Total</b>	<b>\$1,463,282</b>

**\*\* Revenues and claims reflect remaining Lots/Blocks and works in this draft plan and no longer include the lands in the Phase 1 Registered Plan.**

NOTE:

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- i) Estimated Revenues are calculated using 2012 DC rates. The revenue estimate 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.
- ii) Estimated claims are based on information provided by the applicant. Actual claims will be determined in conjunction with the subdivision agreement and the applicable by-law.
- iii) The Owner should take note that there are currently significant delays in payment of claims from the Urban Works Reserve Fund.

**PREVIOUS REPORTS PERTINENT TO THIS MATTER**

**39T-05508/Z-6907** – Report to Planning Committee on Draft Plan and Zoning By-law amendment – June 2006.

**Draft Approval Extension Report to Planning Committee – June 2009**

**PURPOSE AND EFFECT OF RECOMMENDED ACTION**

The effect of the applicant's request is to allow for a further 3 year extension of the draft approval which was originally granted on July 21, 2006 and subsequently extended on July 14, 2009 for this plan of subdivision to allow the owner sufficient time to have all phases of this plan registered.

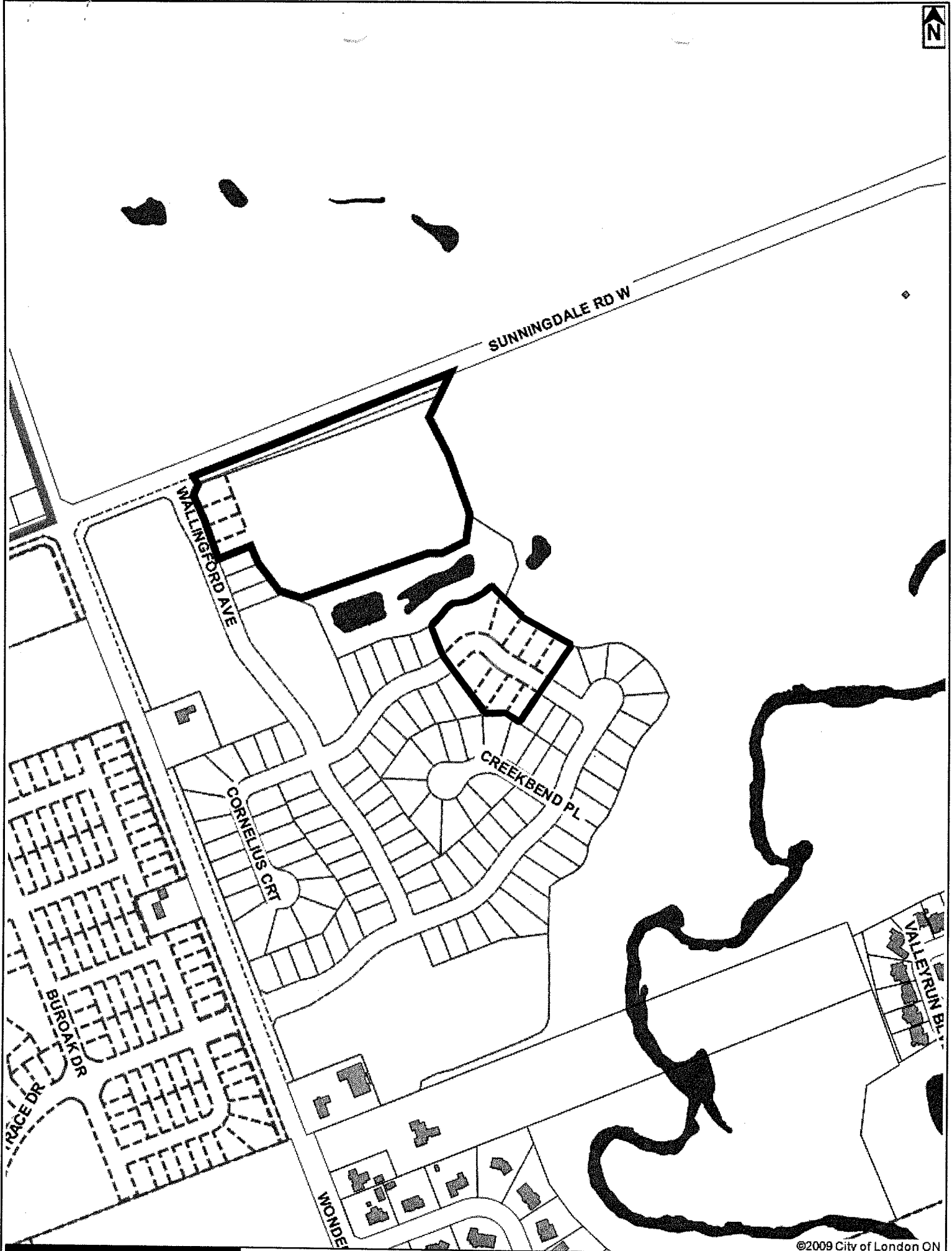
**BACKGROUND**

This extension of draft approval request for three years is being considered by Council, consistent with the Council's delegation By-law (CP-17) for plan of subdivision approval.

On July 21, 2006 this draft plan was approved by the Approval Authority. The first phase of this subdivision which was comprised of 100 single detached residential lots, two multi-family blocks, one stormwater management block, one park block, and four road widening blocks, and one road re-alignment block, all served by 4 new streets, being Wallingford Avenue, Eagletrace Drive, Creekbend Place and Cornelius Court was registered on June 27, 2008 33M-593). On July 14, 2009 a three (3) year extension to the original draft approval was granted.

The Owner has advised that he cannot provide a definitive timeline as to when the remaining draft approved lands will develop as it hinges on the future relocation of the golf facilities to the north side of Sunningdale Road. As a result, he is requesting a further three year extension to the draft approval to allow sufficient time to complete the development.

<b>Date Request Accepted:</b> January 11, 2012	<b>Agent:</b> Dave Schmidt, Corlon Properties Inc.
<b>REQUESTED ACTION:</b> Request for a 3 year extension to draft approval.	








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### LOCATION MAP

Subject Site: 800 Sunningdale Rd W  
Applicant: Sunningdale Golf Club Ltd.  
File Number: 39T-05508  
Planner: Larry Mottram  
Created By: Allister Maclean  
Date: 2009-03-18  
Scale: 1:5000

### LEGEND

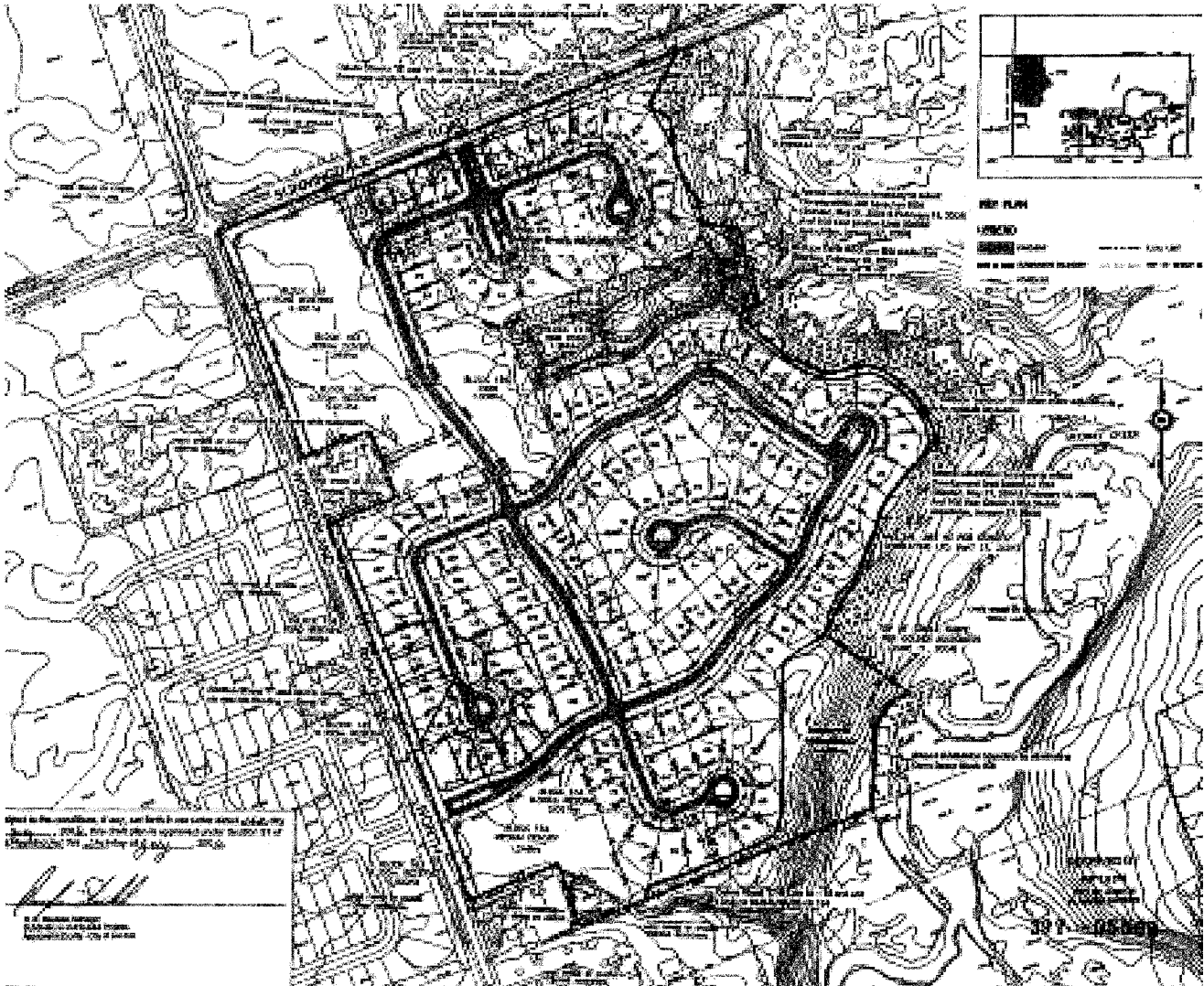
-  Subject Site
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers



Two empty rectangular boxes for agenda item and page numbers.

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Draft Approved Plan



**ANALYSIS**

The attached amendments to the conditions of draft approval are required to ensure that these lands are developed to today's standards. The changes to conditions are to address engineering issues. The amendments to the conditions of draft approval are shown as strikeouts(deletions) and shaded areas(additions) on the attached Appendix. If granted, the new draft approval lapse date would be July 21, 2015.




As a result of these minor changes to the conditions of draft approval, an extension may be granted and there is no requirement for public notice of the changes (in accordance with Section 50 (33) & (47) of the Planning Act).

**CONCLUSION**

The attached revised conditions of draft approval are appropriate to ensure that this subdivision is developed under current standards.

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<b>PREPARED and RECOMMENDED BY:</b>	<b>REVIEWED BY:</b>
	
<b>ALLISTER MACLEAN SENIOR PLANNER</b>	<b>BRUCE HENRY MANAGER – DEVELOPMENT PLANNING</b>
<b>SUBMITTED BY:</b>	
	
<b>G. KOTSIFAS DIRECTOR – DEVELOPMENT CONTROLS</b>	

May 24, 2012  
AM/am  
"Attach."

Y:\Shared\Sub&Spec\SUBDIV\2005\39T-05508 - 800 Sunningdale Rd WDA Extension 2012\Report to PEC.doc

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**Additions/Deletions**

**THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THE SUBDIVISION, FILE NO. 39T-05508 ARE AS FOLLOWS:**

**No. CONDITIONS**

1. This draft approval applies to the draft plan, **as red-line amended**, submitted by Sunningdale Golf Club Limited, prepared by Stantec Consulting Limited, certified by J. Andrew Smith, O.L.S., File No. 39T-05508, drawing no. DP-01, which shows a total of 14 single detached residential lots, one (1) multi-family block, served by one (1) arterial road and two (2) local streets.
2. This approval of the draft plan applies for three years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
3. This draft approval supercedes the draft approval granted by the Approval Authority on July 21, 2006.
4. The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.
5. ~~The street(s) shall be named to the satisfaction of the Manager of Subdivision and Special Projects.~~
6. ~~The municipal address shall be assigned to the satisfaction of the Manager of Subdivision and Special Projects.~~ **The Owner shall request that addresses be assigned to the satisfaction of the City in conjunction with the request for the preparation of the subdivision agreement.**
7. Prior to final approval, the Owner shall submit to the Approval Authority a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
8. ~~Prior to final approval, the Approval Authority shall be advised by the City Clerk of the City of London that appropriate zoning is in effect for this proposed subdivision.~~ **Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.**
9. The Owner shall in an agreement satisfy all the requirements, financial and otherwise, of the City of London including, but not limited to, surfacing of roads, installation and maintenance of services, drainage and grading, tree planting and tree preservation.
10. The subdivision agreement between the Owner and the City of London shall be registered against the lands to which it applies.
11. ~~The Owner shall provide to the appropriate authorities such easements as may be required for road, utility or drainage purposes.~~ **In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications (eg. 0.3m reserves) 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.**

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12. The subdivision agreement between the Owner and the City of London may contain phasing arrangements to the satisfactory to the ~~City General Manager of Planning and Development and the City Engineer.~~
13. 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.
14. The Owner shall not commence construction or install of *any* services (eg. Clearing or servicing of land) involved with this plan prior to entering into a site alteration agreement or subdivision agreement and obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the ~~City General Manager of Planning and Development~~ in writing; (eg. MOE certificates; City/Ministry/Agency permits: Approved Works, water connection, water-taking, navigable waterways; approvals: UTRCA, MNR, MOE, City; etc.).
15. ~~In conjunction with the Design Studies submission, the Owner shall have its professional engineer provide any recommended Environmental Assessment under the Class EA requirements for the provision of any services related to this plan or a written recommendation that an Environmental Assessment is not required, acceptable to the City Engineer. No construction involving installation of services requiring an EA shall be undertaken prior to fulfilling the obligations and requirements of the Province of Ontario's Environmental Assessment Act. In conjunction with the submission of engineering drawings, 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.~~
16. The Owners professional engineer shall provide inspection services for all work during construction by its professional engineer for all work to be assumed by the City, and have its professional engineer supply the City with a certificate of compliance upon completion in accordance with the plans approved by the City Engineer.
17. The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan including required engineering drawings. Any deviation to the City's standards, guidelines, or requirements shall be completed to the satisfaction of the ~~City Engineer and General Manager of Planning and Development.~~
18. Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the Approval Authority a complete submission consisting of all required clearances, fees, and final plans, and to advise the Approval Authority in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the Approval Authority, such submission will be returned to the Owner without detailed review by the City.
19. 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 ~~General Manager of Planning and Development and the City Engineer.~~ The Owner acknowledges that, in the event that a submission does not include the complete

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information required by the ~~General Manager of Planning and Development and the City Engineer~~, such submission will be returned to the Owner without detailed review by the City.

20. ~~That prior to final approval the Owner shall pay in full all financial obligations/encumbrances on the said lands, including property taxes and local improvement charges. Prior to final approval for the registration of the subdivision the Approval Authority, is to be advised in writing by the City that all financial obligations/encumbrances on the said lands have been paid in full, including property taxes and local improvement charges.~~
21. Prior to the submission of engineering drawings, the Owner shall have its professional engineer certify that sufficient sewage treatment and conveyance capacity is available to service the subdivision, to the satisfaction of the City Engineer.

Sanitary Servicing

22. ~~The Owner shall construct and connect the proposed sanitary sewers to serve this plan to the existing Medway sanitary trunk sewer, Subtrunk 'B' as identified in the Medway Trunk Sanitary Sewer EA Addendum. The Owner shall construct sanitary private drain connections to the existing municipal sanitary sewers on Wallingford Avenue and Eagletrace Drive to service the Lots and Blocks in the plan, all to the satisfaction of the City.~~
23. ~~The Owner shall undertake measures within this draft plan to control and prevent any inflow and infiltration and silt from being introduced to the sanitary sewer system during construction, all at the Owner's cost. Quality control measures are also required to prevent inflow and infiltration from entering the sanitary sewer system after construction, all satisfactory to the City Engineer and all at no cost to the City.~~

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

- ~~i) Throughout the duration of construction within this draft plan of subdivision, undertake measures within this draft plan to control and prevent any inflow and infiltration and silt from being introduced to the sanitary sewer system during and after construction, satisfactory to the City, at no cost to the City;~~
  - ~~ii) Not allow any weeping tile connections into the sanitary sewers within this Plan; and~~
  - ~~iii) 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. The City may require smoke testing to be undertaken until such time as the sewer is assumed by the City.~~
24. Prior to registration of this plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Adelaide/Greenway 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.



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- 25. The Owner agrees that sanitary sewers are to be sized to provide for any external drainage areas as identified in the Medway EA Addendum.

Stormwater Management

- 26. ~~The Owner shall construct and connect the proposed storm private drain connections sewers to serve this plan to the existing municipal storm sewers on Wallingford Avenue and Eagletrace Drive to service the lots and Blocks in the plan, all to the satisfaction of the City. The Owner shall drain minor and major storm water from this plan to acknowledge the storm outlet is the main channel of the Medway Creek, located within the Medway Creek Subwatershed, via the Sunningdale 6B Stormwater Management Facility and storm water conveyance systems within this plan and adjacent lands in accordance with the Medway Creek Subwatershed Study and to the satisfaction of the City Medway Creek through the existing ravine/tributary.~~
  
- 27. The Owner shall have its consulting professional engineer design and supervise the construction of the stormwater servicing works, including any temporary works, to service the total catchment area and connect to the existing SWMF, to the satisfaction of the City Engineer and according to the recommendations and requirements of the following:
  - a. The Medway Creek Subwatershed Study and any addendums/amendments;
  - b. The Sunningdale Area Storm Drainage and Stormwater Management Servicing for Undeveloped Lands Schedule B Municipal Class Environmental Assessment and any addendums/amendments;
  - c. The stormwater report/plan (functional report where facilities are proposed) for the works, as revised, satisfactory to the City Engineer.
  - d. The City of London Environmental and Engineering Services Department Design Specifications and Requirements as revised.
  - e. The Ministry of the Environmental SWM Practices Planning and Design Manual, as revised, and
  - f. ~~Applicable Policies, Guidelines and Standards. The City's Waste Discharge and Drainage By-Laws, lot grading standards, policies, requirements and practices;~~
  - g. ~~Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.~~
  
- 28. ~~Prior to the issuance of any Certificate of Conditional Approval for this plan, the Owner shall construct and have operational all relevant storm/drainage and SWM servicing works to the satisfaction of the City Engineer. 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/drainage and stormwater management (SWM) works, including major and minor storm flow routes, shall be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City.~~
  
- 29. ~~In conjunction with registration of the plan, the Owner shall provide, to the City, adequate land dedications/easements and deed(s), as required, for storm servicing purposes, at no cost to the City, to the specifications and satisfaction of the City Engineer.~~
  
- 30. The Owner shall have its professional engineer, prior to final approval, design and construct the major and minor storm flow system for the total identified catchment area to the satisfaction of the City Engineer, the Manager of Parks Planning & Design and the UTRCA.

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- 31. The Owner shall promote the implementation of SWM soft measure Best Management Practices (BMP's) within the plan, where possible, to the satisfaction of the City Engineer. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this plan and the approval of the City Engineer.
- 32. ~~In conjunction with the Design Studies, the Owner shall develop an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject lands in accordance with City of London and Ministry of the Environment standards and requirements, all to the satisfaction of the City Engineer. This plan is to include measures to be used during all phases of construction. Prior to any work on the site, the Owner's professional engineer shall submit these measures as a component of the servicing drawings for these lands and shall implement these measures satisfactory to the City Engineer.~~ In conjunction with the submission of engineering drawings, the Owner shall develop an erosion/sediment control plan (ESCP) that will identify all erosion and sediment control measures for the subject lands in accordance with the Functional SWM and/or Drainage Servicing Report for these lands, the City of London and Ministry of the Environment standards and requirements, for review and acceptance by the City (SWM unit). This Plan is to include measures to be used during all phases of construction. Prior to any work on the site, the Owner shall implement these measures satisfactory to the City. The Owner shall correct any deficiencies of the erosion and sediment control measures forthwith.

Watermains

- 33. ~~The Owner shall construct and connect the proposed watermains to serve this plan to the existing municipal watermains on Wallingford Avenue and Eagletrace Drive. The Owner shall construct private water services to the existing municipal watermains on Wallingford Avenue and Eagletrace Drive to service the lots and Blocks in the plan, all to the satisfaction of the City Engineer.~~

Transportation

- 34. ~~The Owner agrees that No direct~~ vehicular access will be permitted to any lots or blocks within this plan of subdivision from Sunningdale Road West. All vehicular access is to be via the internal subdivision streets.
- 35. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Sunningdale Road West or Wonderland Road North or other routes as designated by the City Engineer.
- 36. ~~Street 'D' Eagletrace Drive is to~~ shall have a minimum road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20 metres (66').
- 37. The Owner shall construct a 1.5 metre (5') sidewalk on one side of the following streets:
  - i) Eagletrace Drive – outside boulevard
  - ii) along the entire frontage of Sunningdale Road West
- 38. ~~The Owner shall be required to install street lighting along Sunningdale Road West abutting this subdivision as determined to be warranted by and to the specifications of the City Engineer.~~

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- 39. In conjunction with the submission of engineering drawings, the Owner shall have its professional consulting engineer provide confirmation that all streets in this plan have centreline radii which conforms to the City of London Standard "Minimum Centreline Radii of Curvature of Roads in Subdivisions."
- 40. Prior to the issuance of any certificate of conditional approval, the Owner shall construct Eagletrace Drive to a fully serviced road and make any necessary adjustments to existing infrastructure (eg. MH adjustments, water valve adjustments etc.), in accordance with the accepted plans all to the satisfaction of the City.
- 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.

Wells

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

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

Parks & Open Space

- 43. ~~The balance of the required 5% parkland dedication for this plan shall be dedicated to the City through plan 39T-10502 above and beyond the dedication of Block 155 to the City, based on a total land area of 27.145 hectares, be dedicated to the City as part of a future plan of subdivision on lands owned by the Owner or by Corlon Properties Inc.~~
- 44. All abutting property lines of all lots and blocks adjacent to the public park, and the abutting property lines of all lots adjacent to the ESA/open space lands associated with the Medway Valley shall be fenced as per current City of London standards within 6 months of the registration of the plan of subdivision or prior to rough grading of the lands. Any other fencing arrangements shall be to the satisfaction of the Manager of Parks Planning & Design.
- 45. All block lines adjacent to the ESA/open space lands associated with the Medway Valley shall be fenced as per current City of London standards prior to the commencement of construction on those blocks or prior to rough grading of the lands. Any other fencing arrangements shall be to the satisfaction of the Manager of Parks Planning & Design.
- 46. The Owner shall agree to prepare and deliver to the all homeowners adjacent to the open space, an education package which explains the stewardship of the natural area, the value of existing tree cover, and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of Manager of Parks Planning and Design.
- 47. The Owner shall, prior to the initial submission of engineering drawings for Lot 43, have a qualified consultant prepare a detailed Tree Preservation Plan to the satisfaction of the Manager of Parks Planning and Design. Where lot grading conflicts arise in the subdivision, the grading as recommended in the detailed Tree Preservation Plan shall be

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implemented where possible to the satisfaction of the City Engineer and the Manager of Parks Planning and Design.

48. ~~The Owner and the City agree that the Owner and the Environmental and Engineering Services Department shall have regard for saving as many trees as possible across the entire subdivision including the multi-family sites, when preparing and approving lot/block grading plans.~~
49. The Owner shall not grade into any open space area. Where Lots or Blocks abut an open space area, all grading of the developing Lots or Blocks at the interface with the open space areas are to match grades to maintain existing slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the Manager of Parks Planning and Design.
50. The recommendations of the approved EIS and addendum (Stantec, May 21, 2004 and February 18, 2005) shall be implemented to the satisfaction of the Manager of Parks Planning and Design through the engineering drawings and clauses in the subdivision agreement.

Agencies

51. ~~The Owner agrees that shall at the site plan stage, design Block 165 shall be designed such so that pedestrian access from the blocks to nearby transit stops on the arterial road network is provided.~~
52. ~~The Owner agrees to shall provide the grading drawings to the UTRCA with sufficient lead time for review and comment prior to the final submission of engineering drawings to the City for approval.~~
53. ~~The Owner agrees to shall provide the digital layers for the slope assessment prepared by Golder Associates (January 27, 2006) to the UTRCA in an acceptable digital format prior to the submission of engineering drawings.~~

Planning

54. ~~The single detached lots abutting and in proximity to Sunningdale Road West (as redlined) are subject to the following requirements for the provision of appropriate noise attenuation measures:~~
  - i) ~~A noise report and supporting documentation be submitted to the satisfaction of the City, prior to the first submission of engineering drawings, that meets MoE criteria, the Noise Attenuation policies of the City of London Official Plan, and City standards for the construction of a noise attenuation barrier;~~
  - ii) ~~the noise attenuation barrier and any other noise attenuation measures be designed and constructed in accordance with the recommendations of the accepted report.~~
  - iii) ~~The noise wall to be constructed, including masonry pillars, be located on private lands, on the lots identified in the noise report to be accepted, adjacent to the municipal road allowance and with returns as required.~~
  - vi) ~~The subdivision agreement to be registered on title contains all warning clauses recommended in the noise report to be accepted.~~

~~All subject to the final terms of the agreement to satisfy Condition 34 being reached.~~

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In conjunction with the Design Studies submission, the Owner shall have a qualified acoustical consultant prepare a noise study concerning the impact of traffic noise on future single detached lots abutting Sunningdale Road which considers noise abatement measures that are to be applied in accordance with the requirements of the M.O.E. and City Official Plan policy to be reviewed and accepted by the City. The final accepted recommendations shall be constructed or installed by the Owner or may be incorporated into the subdivision agreement.

55. ~~The Owner agrees that~~ Prior to an application for site plan approval and the execution of a development agreement for Block 165, the Owner shall have a qualified acoustical consultant prepare a noise study concerning the impact of traffic noise between Sunningdale Road West and Block 165, and apply alternative site design, building orientations and noise abatement measures that do not require a continuous noise attenuation barrier. Such measures ~~will~~ shall be in accordance with the requirements of the M.O.E. to be reviewed and accepted by the ~~City General Manager of Planning and Development~~. The final accepted recommendations shall be incorporated into the development agreement with the City of London.
56. ~~The Owner shall,~~ Prior to an application for site plan approval or an application for a plan of condominium for Block 165, ~~the Owner shall~~ prepare a building orientation plan which demonstrates that the front façade of the dwelling units can be oriented to all abutting streets (except where a noise barrier has been approved), acceptable to the ~~City General Manager of Planning and Development~~. The recommended building orientation ~~will~~ shall be incorporated into the approved site plan and executed development agreement.
57. The Owner shall obtain approval from the London Fire Department prior to any burning of materials on-site be contemplated.
- ~~58. Prior to final approval of this plan and subject to the satisfaction of the London District Catholic School Board, the Owner shall agree in the subdivision agreement to include a suitable warning clause advising future purchasers of residential units that students may be accommodated in temporary facilities and/or bused outside the neighbourhood for their education.~~
- ~~59. Prior to final approval of this plan and subject to the satisfaction of the Thames Valley District School Board, the Board may require the Owner to agree in the subdivision agreement to include a suitable clause to advise future purchasers that this area has been designated a "Holding Zone" for school accommodation purposes and students will be accommodated at a "Holding School".~~

General

60. Prior to the issuance of a Certificate of Conditional Approval for each construction stage of this subdivision, all servicing works for the stage must be completed and operational, all to the specification and satisfaction of the City Engineer.
61. Prior to final approval, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of services situated on private lands outside this plan, and shall provide satisfactory easements over the sewers as necessary, all to the specifications and satisfaction of the City Engineer.
62. 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

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City Engineer.

- 63. 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.
- 64. 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.
- 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. The Owner shall remove any temporary works when no longer required and restore the land, at no cost to the City, to the specifications and satisfaction of the City Engineer.
- 67. ~~In the event the Owner wishes to phase this plan of subdivision, in conjunction with the Design Studies submission, the Owner shall submit a phasing plan, all to the specifications and satisfaction of the City of London.~~
- 68. ~~The Owner agrees that No weeping tile connections will be permitted into the sanitary sewers within this plan.~~
- 69. 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 Engineer 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 and become a requirement of the subdivision servicing drawings for this plan of subdivision.
- 70. ~~Blocks for 0.3 m (1') reserves will be required along entire frontage of Sunningdale Road West~~
- 71. Any access to the multi-family block 165, excluding individual accesses to street oriented dwelling units, shall be located a minimum of 30 metres from the intersection of Sunningdale Road West with Street "B". Individual driveway accesses shall be located a minimum of 20 metres east of Wonderland Road North or south of Sunningdale Road West.
- 72. The Owner shall have the common property line of Sunningdale Road West graded in accordance with the City of London Standard "Subdivision Grading Along Arterial Roads" at no cost to the City.  
  
Further, the grades to be taken as the centerline line grades on Sunningdale Road West are the future centerline of road grades as determined by the Owner's professional engineer and accepted by the City Engineer. From these, the Owner's professional engineer is to determine the elevations along the common property line which will blend with the reconstructed road.
- 73. 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

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connection of the services from this subdivision into any unassumed services.

- 74. Prior to connection being made to an unassumed service, the following will apply:
  - i) The unassumed services must be completed and Conditionally Accepted by the City;
  - ii) The subdivider must have a video inspection completed on all affected unassumed sewers;
  
- 75. 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 contributing flows 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.
  
- 76. 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.
  
- 77. ~~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.~~
  
- 78. The Owner shall construct all municipal services for the subject lands at the sole expense of the Owner. The details of the services required will be established by the City Engineer after particulars of engineering design are provided by the Owner, in accordance with the policies and standards of the City prevailing at the time the Subdivision Agreement is approved by City Council. ~~The provisions of all general by-laws, policies and guidelines, as amended from time to time, including those pertaining to development charges and other levies, shall continue to apply to the subject lands and shall not be affected by any subdivision requirements respecting services.~~
  
- 79. ~~The Owner agrees that 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, these deposits must be reported to the City Engineer/Chief Building Official immediately, and if required by the City Engineer/Chief Building Official, the Owner/contractor will, 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/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/Chief Building Official shall be implemented and carried out under the supervision of the professional engineer, to the satisfaction of the City Engineer/Chief Building Official and at the expense of the Owner/contractor, 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.~~

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~~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.~~

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- 80. Minimum side yard setbacks will be required as specified by the City Engineer for buildings which are adjacent to rear yard catch basin leads which are not covered by an easement on lots in this plan.
- 81. 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".
- 82. The Owner shall be required to comply with the City's tree planting policy with respect to provisions of trees for this subdivision.
- 83. In conjunction with the submission of engineering drawings, the Owner shall have his consulting professional engineer provide confirmation that the watermains that were constructed under 33M-593 are adequate to service the Lots and Blocks in this plan (eg. capacity requirements, effect on existing water infrastructure, hydraulics, water quality etc.), all to the satisfaction of the City Engineer.
- 84. The Owner shall decommission and remove any abandoned infrastructure and restore all affected areas, at no cost to the City, including but not limited to cutting the water service and capping it at the watermain, private irrigation systems, electrical systems, private pathways, temporary retaining walls etc. all to the specifications and satisfaction of the City.



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85. 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.
86. 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 or any approval given by the City, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.
87. The Owner shall provide a security in the amount of \$60,000 to ensure that the ESCP be executed in accordance with the City Engineer approval procedure and criteria. In the event of failure in properly implement and maintained the required ESCP, the ESCP security will be used by the City to undertake all necessary clean-up work, all to the satisfaction of the City. This security shall not be reduced or released until such time as the Owner can demonstrate to the satisfaction of the City that the site has been adequately stabilized.
88. In conjunction with the submission of engineering drawings, the Owner shall have a qualified consultant provide confirmation that the existing hydrogeological investigation is adequate to determine the effects of the construction associated with this plan on existing ground water elevations, private wells in the area, and to assess the impact on the water balance of the subject plan, identifying all required mitigation measures to the satisfaction of the City. The Owner shall implement all hydrogeological measures outlined in the accepted report to the satisfaction of the City.
89. In conjunction with the submission of engineering drawings, the Owner's professional geotechnical engineer shall provide confirmation that the existing geotechnical report is adequate to address all geotechnical issues including erosion, maintenance and structural setbacks related to slope stability, all to the satisfaction of the City and the Upper Thames Conservation Authority (UTRCA). The Owner shall implement all geotechnical recommendations with respect to slope stability to the satisfaction of the City and the UTRCA.