

File: 39T-12502
Planner: Nancy McKee

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS DIRECTOR OF DEVELOPMENT & COMPLIANCE DIVISION AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: THE SHREW SPORTS CORPORATION 2310, 2330, 2350, 2362 DUNDAS STREET MEETING ON JUNE 11, 2012 NOT BEFORE 4:00 PM

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the Plan of Subdivision application of The Shrew Sports Corporation relating to the properties located at 2310, 2330, 2350, and 2362 Dundas Street:

- (a) on the advice of the Administrative Planning Advisory Group, the Approval Authority **BE REQUESTED** to approve the draft plan of subdivision, as submitted by The Shrew Sports Corporation (File No. 39T-12502) prepared by Zelinka Priamo Ltd. and certified by David Bianchi, Holstead & Redmond Ltd. (Drawing No. SMK/LON/11-01, dated January, 2012), as redlined, which shows eight (8) commercial lots served by two local roads, **SUBJECT TO** the conditions contained in the attached Appendix "39T-12502";
- (b) on the advice of the Administrative Planning Advisory Group, the Draft Approval of the commercial plan of subdivision as submitted by The Shrew Sports Corporation (File No. 39T-12502) **BE APPROVED, SUBJECT TO** the City's conditions contained in the attached Appendix "39T-12502 - B"; and
- (c) the applicant **BE ADVISED** that the Director of Development Finance has summarized claims and revenues information as attached in Appendix "39T-12502 - A".

PREVIOUS REPORTS PERTINENT TO THIS MATTER

OZ – 7283 - The purpose and effect of this application was to change the Official Plan land use designation from "General Industrial" and "Restricted Service Commercial" to "Restricted/Highway Service Commercial" and to rezone the subject lands from a Restricted Service commercial (RSC1/RSC5) Zone and a Holding General Industrial (h*GI1) Zone to a Holding Highway Service Commercial Restricted Service Commercial (h*HS1 /HS4/RSC2/RSC3/RSC4/RSC5) Zone. Report and Public Meeting on February 26, 2007. This application was approved.

OZ – 7919 - The purpose and effect of this application was to permit the development of an Auto Mall – Report and Public Meeting on August 15, 2011. This application was approved.

39T-12502 - The purpose and effect of the proposal is to develop a commercial subdivision (Auto Mall) with 8 blocks served by 2 new public streets. – Report and Public Meeting on May 28, 2012. This application was referred back for further discussion.

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PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the proposal is to develop a commercial subdivision (Auto Mall) with 8 blocks served by 2 new public streets.

RATIONALE

1. The proposed redlined draft plan of subdivision is consistent with the Provincial Policy Statement.
2. The recommended redline plan conforms to the policies of the Official Plan for Auto Oriented Commercial Corridor and the approved zoning for the site.
3. The recommended redline draft plan and conditions of draft approval ensures appropriate municipal infrastructure as well as future roadway connections to vacant lands to the west.
4. The recommended conditions of draft approval will ensure appropriate urban design considerations at the site plan stage.

BACKGROUND

The subject lands are located on the northwest corner of Dundas Street and Crumlin Sideroad and abut the Canadian Pacific Railway to the north. The lands consist of three separate parcels of land with an overall land area of approximately 14.65 hectares. The lands have approximately 334 metres of frontage along Dundas Street and approximately 395 metres of frontage along Crumlin Sideroad. Currently, the site is relatively flat and vacant with a portion being farmed. A small automotive use was located on the most eastern portion of the lands (2350 Dundas Street) but has since been removed.

At the Planning and Environment Committee on May 28, the agent for the applicant put forth a letter which outlined four outstanding issues to be resolved.

PEC asked that Staff reconvene with representatives for the applicant and the adjacent neighbour at 2284 Dundas Street (Dean Hattim). Discussions have occurred, and several changes have been made. They are described below.

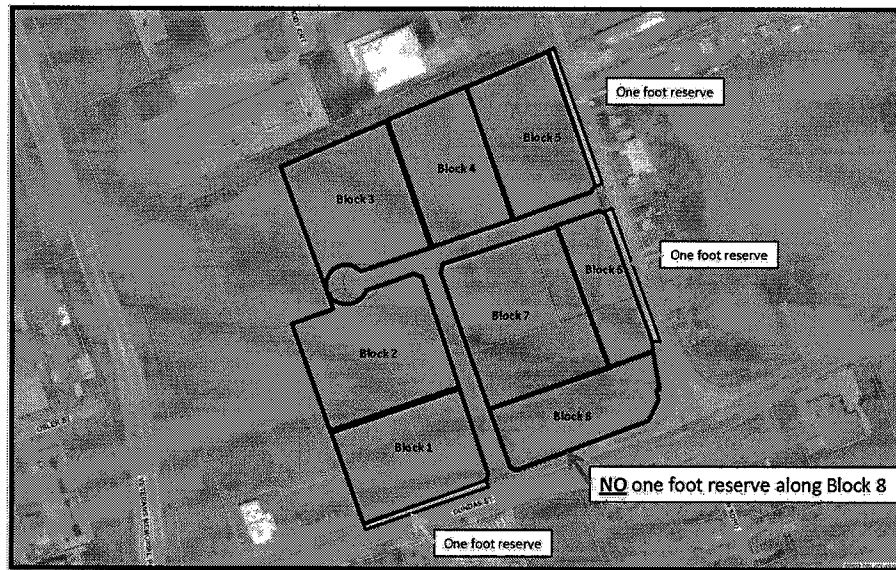
ANALYSIS

1. Access Restrictions & One-Foot Reserves

Transportation Division maintains that they do not support any direct access to Dundas Street or Crumlin Sideroad. The applicant has indicated that if Lot 8 has no direct access to the arterial, then it would be impossible to develop any complimentary commercial uses such as gas station and car wash, financial institutions or restaurants. After discussions with the applicant and Transportation, Staff are generally agreeable to removing the one foot reserve (0.3 m) from the Dundas Street frontage of Lot 8. In order to allow for the possibility of an access while still ensuring design standards are met, Conditions 1, 50 and 51 have been amended to reflect the removal of the 0.3m reserve for Lot 8 on the Dundas Street frontage and the requirement for sufficient information and works to ensure a safe ingress/egress.

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1. This draft approval applies to the draft plan as submitted by The Shrew Sports Corporation (File No. 39T-12502), prepared by Zelinka Priamo Limited and certified by Holstead & Redmond Limited (Drawing SMK/LON/11-01, dated January, 2012), as redlined, which shows eight (8) commercial lots, two (2) road widening blocks, and **three (3)** 0.3 metre reserve blocks, all served by two new local streets.
50. A 0.3 metre reserve will be added along the arterial road frontage of **Blocks 1, 5, 6 and the Crumlin Sideroad frontage of Block 8**. These reserves will be shown on the face of the final plan and will be dedicated to the City.
51. No vehicular access will be permitted to Lots 5, 6 & 8 directly from Crumlin Sideroad and Lot 1 directly from Dundas Street. **Through the site plan application, restricted vehicular access may be considered for the Dundas Street frontage of Lot 8, subject to the applicant submitting the necessary supporting analysis to confirm safe access and the provision of all necessary constructed measures to ensure restricted access, such as a raised median, to the satisfaction of the City.**

2. **Left Turn lane/Access Restrictions**

A follow up traffic study was submitted by LEA Consulting on behalf of the applicant on May 25. At the time of the PEC meeting, Transportation Staff had not had a chance to review this report. The traffic study indicated that from a volume perspective, a left turn lane on Crumlin Sideroad into the proposed development is not warranted. Staff continues to require the construction of a left turn lane and contend that although it may not be warranted from a volume perspective, it is necessary from a safety perspective. DC's have been collected to ensure safe turning movements at this location, so the engineering and construction works for this left turn lane are covered by the DC funds and are 100% claimable. The applicant is concerned that the design and construction of the left turn lane will delay the final approval for the plan of subdivision, as timing is imperative for this development. A new condition is proposed that will reflect a staged engineering approval so as to not hold up the advancement of the subdivision.

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43. NEW In conjunction with engineering servicing drawings, the Owner shall have its professional consulting engineer provide detailed designs associated with the Dundas Street left turn lane. Detailed engineering drawings for the Crumlin Sideroad left turn lane shall be provided prior to issuance of Certificate of Conditional Approval, all to the satisfaction of the City.

45. Prior to the issuance of any Certificates of Conditional Approval, The Owner shall construct a left turn lane on Crumlin Sideroad at Street "A" with sufficient storage and taper to accommodate traffic anticipated by the full build out of the subdivision, within one year of registration of the plan, to the satisfaction of the City.

3. Urban Design

It has been clarified by Community Planning & Urban Design Staff that once the urban design guidelines for the subdivision as a whole are provided and approved by CPUD staff, additional Urban Design Briefs and review by the Urban Design Peer Review Panel will be required for those Lots adjacent to the arterial roads, as per the Urban Design Guidelines and Official Plan policies. The development of the specific urban design guidelines will help to scope the review of the development further at site plan. Therefore, Condition #73 will remain.

4. Extension of Street "A"

After considerable discussion with the applicant, it was determined that the road will be provided to the westerly limit of the plan; however, services are not necessary to be extended to the western edge, as both adjacent properties can be fully serviced from Dundas Street. Therefore, the applicant has agreed to provide the extension of the road, provided that the City will ensure that a public road is constructed across 2284 Dundas Street to service the City lands. Several conditions will be removed (Condition 17 iii), 21 ii), 61, 72) and several will be changed.
31 i) tweak

17. In accordance with City standards or as otherwise required by the City, the Owner shall complete the following for the provision of sanitary services for this draft plan of

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subdivision:

- i) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 300 mm (12") diameter sanitary sewer stub located in the north boulevard of the Dundas Street East road allowance;
 - ii) Construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the City;
 - iii) ~~Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the satisfaction of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and~~
21. In accordance with City standards or as otherwise required by the City, the Owner shall complete the following for the provision of stormwater services for this draft plan of subdivision:
- i) Construct storm sewers, located within the Crumlin Drain Subwatershed, and connect them to the existing municipal storm sewer system, namely, the 1950 mm (78") diameter storm sewer located on Dundas Street;
 - ii) ~~Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan, all to the specifications of the City;~~
- ~~61. With respect to any services and/or facilities constructed in conjunction with this Plan, the Owner shall permit the connection into and use of the subject services and/or facilities by outside owners whose lands are served by the said services and/or facilities, prior to the said services and/or facilities being assumed by the City.~~
- ~~72. The Owner shall construct and oversize servicing within this Plan at an appropriate depth so as to service the lands which are ultimately tributary to the system for these areas which are outside this Plan, to the satisfaction of the City.~~
- 52. A 0.3 metre reserve will be added along the west limit of Street "A", to be lifted only for the purpose of extending a public road across 2284 Dundas Street to service external lands to the west. These reserves will be shown on the face of the final plan and will be dedicated to the City.**

All of the above noted changes have been incorporated into the conditions attached in Appendix "39T-12502" and have been renumbered accordingly.

CONCLUSION

Approval and development of these lands is consistent with Provincial Policy, and the recently approved Official Plan policy and zoning by-law. The recommended redline draft plan and conditions of draft approval ensures appropriate municipal infrastructure and future roadway and servicing connections to vacant lands to the west. The recommended conditions of draft approval will ensure appropriate urban design considerations at the site plan stage. Overall, the redline draft plan of subdivision with associated conditions represents good land use planning and is an appropriate form of development.

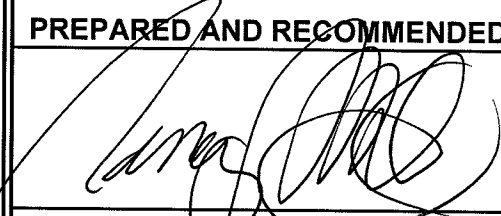
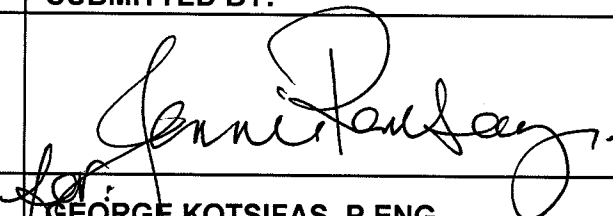
ACKNOWLEDGMENTS

This report was prepared and reviewed with the assistance of Jeff Leunissen, Manager of Development Planning, and Jennie Ramsay, Manager of Development Services.

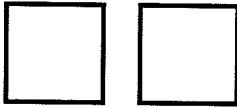
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PREPARED AND RECOMMENDED BY:	SUBMITTED BY:
	
NANCY MCKEE, MCIP, RPP SENIOR PLANNER DEVELOPMENT SERVICES	GEORGE KOTSIFAS, P.ENG. DIRECTOR OF BUILDING CONTROLS AND CHIEF BUILDING OFFICIAL DEVELOPMENT & COMPLIANCE DIVISION

June 1, 2012
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Dundas 11Jun12.docx
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Schedule "B"

Related Estimated Costs and Revenues

Estimated Costs – This Agreement	
Claims from Urban Works Reserve Fund – General - Roadworks – channelization (see note 1)	\$668,000
Stormwater Management	NIL
Capital Expense	Nil
Other	Nil
Total	\$668,000
Estimated Revenues This Agreement (2012 rates)	
CSRF	\$4,272,648
UWRF	\$2,386,422
Total	\$6,659,070

1. This is an estimate based on the 2009 DC Background Study. The applicant has not provided the estimated claim. Actual claims will be determined upon submission by the Owner in conjunction with the terms of the subdivision agreement and the applicable By-law.
2. Estimated Revenues are calculated using 2012 DC rates and assuming 30% coverage/lot. 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 Owner should take note that there are currently significant delays in payment of claims from the Urban Works Reserve Fund.
4. The revenues and costs in the table above are not directly comparable. This subdivision, like others in the area, relies on existing trunk sanitary sewers, road capacity expansion on Veterans Memorial Parkway, the cost of which is not reported above. Other growth related costs (like wastewater treatment plant and water distribution trunk lines) incurred to serve this subdivision and surrounding areas are not reported above, though the revenue for those service components is included in the "Estimated Revenues – This Agreement" section above. As a result, the revenues and costs reported above are not directly comparable. The City employs a "citywide" approach to recovery of costs of growth – any conclusions based on the summary of Estimated Costs and Revenues (above table) should be used cautiously.

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Appendix "39T-12502 - B"
Conditions of Draft Approval

THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-12502 ARE AS FOLLOWS:

NO. CONDITIONS

1. This draft approval applies to the draft plan as submitted by The Shrew Sports Corporation (File No. 39T-12502), prepared by Zelinka Priamo Limited and certified by Holstead & Redmond Limited (Drawing SMK/LON/11-01, dated January, 2012), as redlined, which shows eight (8) commercial lots, two (2) road widening blocks, and three (3) 0.3 metre reserve blocks, all served by two new local streets.
2. This approval applies for three years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
3. The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.
4. The Owner shall request that street(s) shall be named to the satisfaction of the City.
5. The Owner shall request that the municipal address shall be assigned to the satisfaction of the City.
6. Prior to final approval, the Owner shall submit to the City a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
7. The Owner shall satisfy all the requirements, financial and otherwise, of the City in order to implement the conditions of this draft approval.
8. The subdivision agreement between the Owner and the City shall be registered against the lands to which it applies. Prior to final approval the Owner shall pay in full all municipal financial obligations/encumbrances on the said lands, including property taxes and local improvement charges.
9. In conjunction with registration of the plan, the Owner shall provide to the appropriate authorities such easements as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City.
10. The plan of subdivision shall be registered in one phase.
11. 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.

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12. Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with City a complete submission consisting of all required clearances, fees, and final plans, and to advise the City 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 City, such submission will be returned to the Owner without detailed review by the City.
13. Prior to final approval for the purpose of satisfying any of the conditions of draft approval herein contained, the Owner shall file, with the City, complete submissions consisting of all required studies, reports, data, information or detailed engineering drawings, all to the satisfaction of the City. The Owner acknowledges that, in the event that a submission does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.
14. The Owner shall pay cash-in-lieu for parkland consistent with the City of London's parkland dedication by-law CP-9 and Council Policy manual. The required parkland dedication for the proposed draft plan of subdivision is calculated at 2% of the total site area or approximately 0.29 hectares.
15. The Owner shall make a cash-in-lieu payment for the required number of street trees.

Sewers - Sanitary:

16. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:
 - i) Provide a sanitary drainage area plan, including the preliminary sanitary sewer routing and the external areas to be serviced, to the satisfaction of the City;
 - ii) Propose a suitable routing for the trunk sanitary sewer to be constructed through this plan. Further to this, the consulting engineer shall be required to provide an opinion for the need for an Environmental Assessment under the Class EA requirements for this sanitary trunk sewer; and
 - iii) Provide an analysis of the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and an evaluation of additional measures, if any, which need to be undertaken in order to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407.
17. In accordance with City standards or as otherwise required by the City, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
 - i) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 300 mm (12") diameter sanitary sewer stub located in the north boulevard of the Dundas Street East road allowance;
 - ii) Construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the City;
 - iii) ~~Make provisions for oversizing of the internal sanitary sewers in this draft plan to~~

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~~accommodate flows from the upstream lands external to this plan, all to the satisfaction of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and~~

- iv) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City.

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

- i) Throughout the duration of construction within this plan of subdivision, undertake measures within this 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 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; and
- iii) Prior to the issuance of a Certificate of Conditional Approval, have his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407.

19. 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.

Sewers – Stormwater Management:

20. 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/Letter of Confirmation to address the following:

- i) Identify 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) Identify major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;
- iii) Develop an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject lands in accordance with City of London and Ministry of the Environment standards and requirements, all to the satisfaction of the City. This plan is to include measures to be used during all phases on construction; and,

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- iv) Implement SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City.
21. In accordance with City standards or as otherwise required by the City, the Owner shall complete the following for the provision of stormwater services for this draft plan of subdivision:
- i) Construct storm sewers, located within the Crumlin Drain Subwatershed, and connect them to the existing municipal storm sewer system, namely, the 1950 mm (78") diameter storm sewer located on Dundas Street;
 - ii) ~~Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan, all to the specifications of the City;~~
 - iii) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report/Letter of Confirmation for these lands satisfactory to the City 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.
22. In conjunction with the Design Studies submission, the Owner shall provide a geotechnical report to address all geotechnical issues for lands within this plan, to the satisfaction and specifications of the City.
23. In conjunction with the Design Studies submission, the Owner shall have a report prepared by a qualified consultant, and if necessary, a detailed hydro geological investigation carried out by a qualified consultant, to determine the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area and identify any abandoned wells in this plan 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.
24. The above-noted Storm/Drainage and SWM Servicing Functional Report/Letter of Confirmation, prepared by the Owner's consulting professional engineer, shall be in accordance with the recommendations and requirements of the following:
- i) The SWM criteria and environmental targets for the Pottersburg Creek and Crumlin Drain Subwatershed Study and any addendums/amendments;
 - ii) The approved Storm/Drainage and SWM Servicing Functional Report/Letter of Confirmation for the subject lands and any addendums/amendments;
 - iii) The design requirements for Permanent Private Stormwater Systems approved by Council on January 18, 2012 and fully in effect January 1, 2012;
 - iv) The City of London Planning and Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
 - v) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
 - vi) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and,
 - vii) Applicable Acts, Policies, Guidelines, Standards and Requirements of all

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required approval agencies.

25. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall complete the following:

- i) For lots and blocks in this plan or as otherwise approved by the City 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) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City;
- iii) Implement all geotechnical recommendations made by the geotechnical report accepted by the City; and,
- iv) Any remedial or other works as recommended in the accepted hydro geological report shall be implemented by the Owner, to the satisfaction of the City, at no cost to the City.

26. Prior to the acceptance of engineer 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.

27. In conjunction with the Design Studies submission, the Owner shall provide a grading plan for all the Blocks in this plan. The Owner shall maintain the Blocks in this plan in an undisturbed condition, except where interim grading is required, until individual Blocks are developed through a Site Plan application. The Owner shall design site grading for individual Blocks in this plan in conformity with the accepted subdivision grading plan.

28. At the time of development of individual Blocks in this plan, security in the amount of \$10,000 shall be provided under each Development Agreement 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.

29. The Owner shall ensure the post-development discharge flow from the subject site must not exceed the capacity of the stormwater conveyance system. In an event, where the above condition cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirement for Permanent Private Stormwater Systems.

30. The Owner shall provide a letter/report confirming the status of the existing portion of the Crumlin Drain located on the subject lands and determine how this drain will be incorporated in or decommissioned as part of this plan of subdivision, all in accordance with all applicable Acts, Policies, Guidelines, Standards and Requirements of all required approved agencies.

Watermains:

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31. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following water servicing design information:

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

32. 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 300 mm (12") diameter watermain on Dundas Street and the 450 mm (18") diameter watermain on Crumlin Sideroad.

33. 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.

Roadworks:

34. The Owner shall extend Street "A" to the westerly limit of the draft plan of subdivision to provide access for lands to the west.

35. The Owner shall construct Street "A" and Street "B" to secondary collector standards.

36. The Owner shall have its professional engineer design the roadworks in accordance with the following road widths:

- i) Street "A" and Street "B" have a minimum road pavement with (excluding gutters) of 9.5 metres (31.2') with a minimum road allowance of 21.5 metres (70');
- ii) Street "A" from Crumlin Sideroad to 45 metres (150') west has a minimum road pavement width (excluding gutters) of 11.0 metres (36.1') with a minimum road

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allowance of 22.5 metres (75'). The widened road on Street "A" shall be equally aligned from the centreline of the road and tapered back to the 9.5 metres (31.2') of road pavement width (excluding gutters) and 21.5 metres (70') of road allowance width for this street with 30 metre (100') long tapers on both street lines; and,

- iii) Street "B" from Dundas Street to 45 metres (150') north has a minimum road pavement width (excluding gutters) of 11.0 metres (36.1') with a minimum road allowance of 28.0 metres (91.8'). The widening road on Street "B" shall be equally aligned from the centreline of the road and tapered back to the 9.5 metres (31.2') of road pavement width (excluding gutters) and 21.5 metres (70') of road allowance width for this street with 30 metre (100') long tapers on both street lines.

Sidewalks/Bicycles:

37. The Owner shall construct a 1.5 (5') sidewalk on one side of the following streets:

- i) Street "A" – south boulevard; and
- ii) Street "B" – east boulevard

Street Lights:

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

39. The Owner shall install street lighting at the intersection of Dundas Street and Street "B" and Crumlin Sideroad and Street "A", to the specifications of the City, at no cost to the City.

40. The Owner shall install street lighting along Crumlin Sideroad between the existing street lighting and Street "A", to the satisfaction of the City and at no cost to the City.

Boundary Road Works:

41. In conjunction with the Design Studies submission, the Owner shall update the Transportation Impact Study submitted with this application to the satisfaction of the City. The TIS shall determine the length of turn lanes on Crumlin Sideroad or Dundas Street required to accommodate development and also requires modification/sensitivity analysis regarding trip distribution based on the commercial land uses for individual blocks on the proposed plan. The Owner shall undertake any recommendations of the study, to the satisfaction of the City and at no cost to the City.

42. In conjunction with the Design Studies submission, the Owner shall verify the adequacy of the decision sight distance on Dundas Street at the Street "B" and Crumlin Sideroad at the Street "A". If the sight lines are not adequate, these accesses are to be relocated and/or road work undertaken to establish adequate decision sight distance.

43. In conjunction with engineering servicing drawings, the Owner shall have its professional consulting engineer provide detailed designs associated with the Dundas Street left turn lane. Detailed engineering drawings for the Crumlin

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Sideroad left turn lane shall be provided prior to issuance of Certificate of Conditional Approval, all to the satisfaction of the City.

44. In conjunction with the Design Studies submission, the Owner shall have its professional consulting engineer submit design criteria for the left turn lanes on Dundas Street at Street "B" and on Crumlin Sideroad at Street "A" for review and acceptance by the City.
45. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall construct a left turn lane on Dundas Street at the Street "B" with sufficient storage and taper to accommodate traffic anticipated by the full build-out of the subdivision to the satisfaction of the City.
46. The Owner shall construct a left turn lane on Crumlin Sideroad at Street "A" with sufficient storage and taper to accommodate traffic anticipated by the full build out of the subdivision, **within one year of registration of the plan, to the satisfaction of the City.**
47. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall make minor boulevard improvements on Dundas Street and Crumlin Sideroad 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.

Road Widening:

48. The Owner shall dedicate sufficient land to widen Dundas Street and Crumlin Sideroad to 18.0 metres (59.06') from the centreline of the original road allowance.
49. The Owner shall dedicate 6.0 m x 6.0 m "daylighting triangles" at the intersection of Street "B" with Dundas Street and Street "A" with Crumlin Sideroad in accordance with the Z.-1 Zoning By-law, Section 4.24.
50. The Owner shall dedicate 3.0 m x 3.0 m "daylighting triangles" at the intersection of Streets "A" and "B" in the Plan (i.e. Where 21.5 m r.o.w.'s meet) to satisfy requirements necessary for servicing bus transit routes, as specified by the City.

Vehicular Access:

51. A 0.3 metre reserve will be added along the arterial road frontage of **Blocks 1, 5, 6 and the Crumlin Sideroad frontage of Block 8.** These reserves will be shown on the face of the final plan and will be dedicated to the City.
52. No vehicular access will be permitted to Lots 5, **6 & 8 directly from Crumlin Sideroad and Lot 1 directly from Dundas Street.** **Through the site plan application, restricted vehicular access may be considered for the Dundas Street frontage of Lot 8, subject to the applicant submitting the necessary supporting analysis to confirm safe access and the provision of all necessary constructed measures to ensure restricted access, such as a raised median, to the satisfaction of the City.**
53. **A 0.3 metre reserve will be added along the west limit of Street "A", to be lifted only for the purpose of extending a public road across 2284 Dundas Street to**

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service external lands to the west. These reserves will be shown on the face of the final plan and will be dedicated to the City.

Construction Access/Temporary/Second Access Roads:

54. The Owner shall utilize construction access routes designated by the City Engineer.
55. 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 for any construction activity that will occur on existing public roadways. The Owner shall have its contractor(s) undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted in conjunction with the subdivision servicing drawings for this plan of subdivision.
56. The Owner shall construct a temporary turning facility for vehicles at the following location(s), to the specifications of the City:
 - i) Street "A" – west limit.

Temporary turning circles for vehicles shall be provided to the City as required by the City, complete with any associated easements. When the temporary turning circles(s) are no longer needed, the City will quit claim the easements which are no longer required, at no cost to the City.

General Engineering Conditions:

57. 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.
58. 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.
59. 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.
60. 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.
61. The Owner shall have the common property line of Dundas Street and Crumlin Sideroad graded in accordance with the City of London Standard "Subdivision Grading Along Arterial Roads", at no cost to the City.

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Further, the grades to be taken as the centreline line grades on Dundas Street and Crumlin Sideroad are the future centreline of road grades as determined by the Owner's professional engineer, satisfactory to 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, all to the satisfaction of the City Engineer.

62. 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; and
- 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.

- ~~63. 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.~~

64. 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.

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

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66. 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.
67. The Owner shall have its professional engineer notify existing property owners in writing, regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision, all in accordance with Council policy for "Guidelines for Notification to Public for Major Construction Projects".
68. The Owner shall not commence construction or installations of any services (eg. clearing or servicing of land) involved with this Plan prior to obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the City in writing (eg. Ministry of the Environment Certificates, City/Ministry/Government permits: Approved Works, water connection, water-taking, crown land, navigable waterways, approvals: Upper Thames River Conservation Authority, Ministry of Natural Resources, Ministry of the Environment, City, etc.)
69. The Owner shall decommission and permanently cap any abandoned wells located in this Plan, in accordance with current provincial legislation, regulations and standards. In the event that an existing well in this Plan is to be kept in service, the Owner shall protect the well and the underlying aquifer from any development activity.
70. 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.
71. 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.
72. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
73. 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.
- ~~74. The Owner shall construct and oversize servicing within this Plan at an appropriate depth so as to service the lands which are ultimately tributary to the system for these areas which are outside this Plan, to the satisfaction of the City.~~
75. In conjunction with the Design Studies submission, the Owner shall prepare urban design guidelines for this subdivision and implementation processes, to be appended to the subdivision agreement to the satisfaction of the City. The urban design guidelines will look at: site organization, built form, pedestrians and cyclists, vehicles and parking, landscaping, signage, and Dundas Street considerations.
76. Within one year of registration of this plan, the Owner shall construct for all blocks adjacent to the Canadian Pacific Railway a 1.83 metre chain link fence with no gates along the common property line. Any other fencing arrangements shall be to the satisfaction of the General Manager of Planning and Development.