

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING &amp; ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES &amp; CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>REQUEST FOR EXTENSION OF DRAFT APPROVAL</b>  <b>APPLICANT: KAPE DEVELOPMENTS LIMITED</b> <b>LOCATION: 2280 WICKERSON ROAD</b> <b>PLAN: 39T-00519</b>  <b>MEETING ON MONDAY OCTOBER 15, 2012</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Manager, Development Services and Planning Liaison, the following actions **BE TAKEN** with respect to the Draft Plan of Subdivision application of Kape Developments Limited relating to the property located at 2280 Wickerson Road:

- a) the Approval Authority **BE ADVISED** that Municipal Council supports a three (3) year extension of draft approval for plan 39T-00519, prepared by AGM Surveying and certified by Bruce Baker (dated April 1, 2001, drawing No. 1058 dwg Wickerson-3.dwg), as red line amended, which shows 86 single detached dwelling lots and a park block, served by 3 local public streets, the extension of a secondary collector road and Wickerson Road, **SUBJECT TO** the Council endorsement of proposed changes to the Growth Management Implementation Strategy (GMIS) and Development Charges Background Study for stormwater management facilities SWMF SA-2 & SWMF-SB, and the revised conditions contained in attached Appendix "39T-00519-1"; and
- b) The applicant **BE ADVISED** that the Director of Development Finance has summarized claims and revenues information in the attached Appendix "A".

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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**August 26, 2002** – Draft Approval recommendation report and public participation meeting at Planning Committee

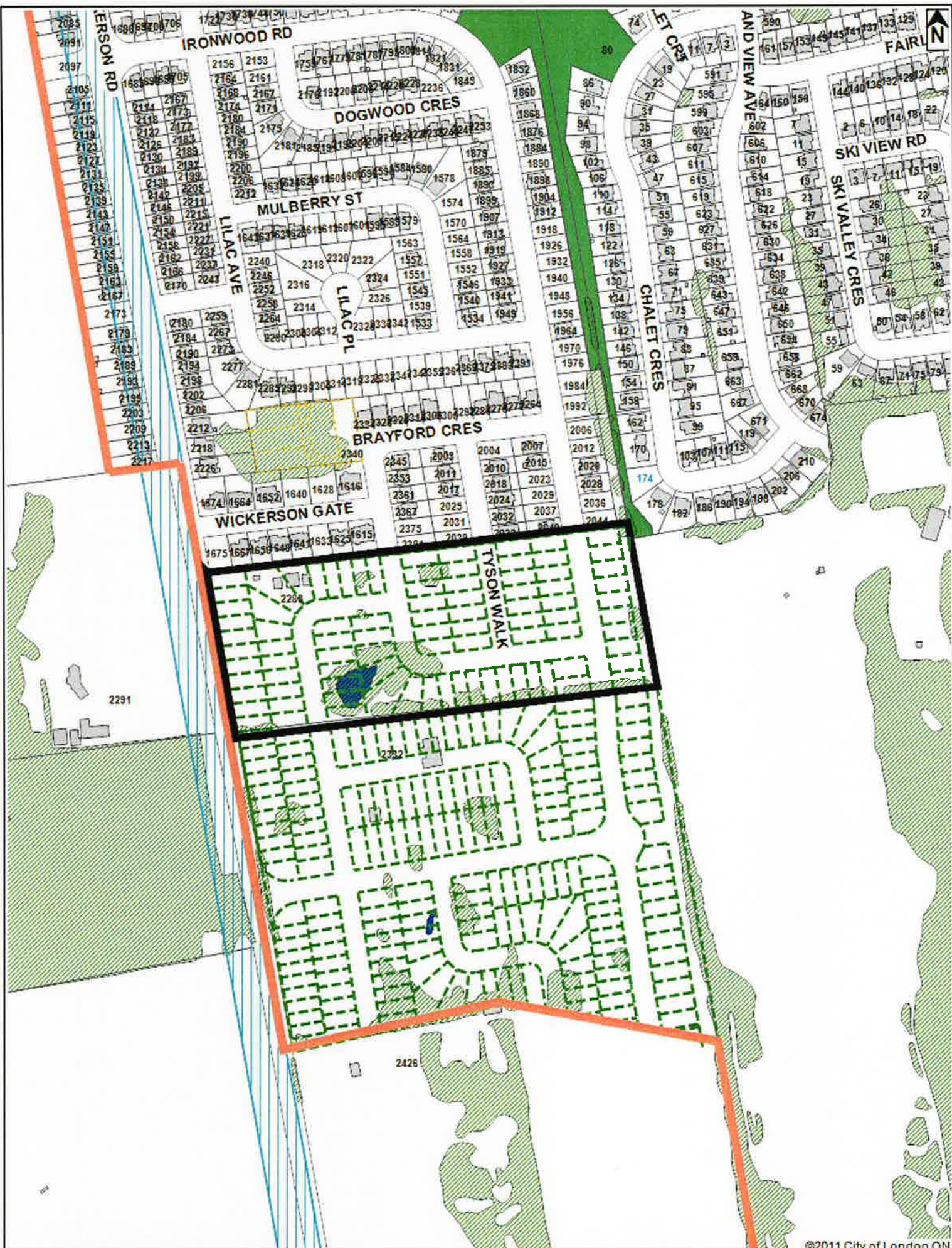
**April 3, 2006** – Report to Planning Committee recommending a two (2) year extension to Draft Plan of Subdivision Approval.

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

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

**April 11, 2011** – Report to Built and Natural Environment Committee recommending an extension of Draft Approval to July 8, 2012.





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### LOCATION MAP






Subject Site: **2280 Wickerson Road**  
**Plan of Residential Subdivision**

Applicant: **Kape Developments Limited**

File Number: **39T-00519**

Planner: **Terry Grawey**  
 Date: **2011-03-24**  
 Scale: **1:4500**

### LEGEND

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





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**BACKGROUND**

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

On August 16, 2005, a request for extension of draft approval was submitted as draft approval was due to expire on October 30, 2005. On September 29, 2005, an administrative extension was granted for a six (6) month period to allow sufficient time for a thorough review of the request. A report was presented to Planning Committee on April 3, 2008 requesting a two year extension and recommending new conditions of draft approval. The extension was granted on April 27, 2006 for a two (2) year period, subject to revised conditions. There were no appeals received in response to the Notice of Draft Approval.

A second extension to draft approval was granted on April 22<sup>nd</sup>, 2008 for a one (1) year period with no significant changes to the conditions and a new lapse date of April 30, 2009. A report was presented to Planning Committee on April 6, 2009 and a further two (2) year extension was granted, resulting in the current lapse date of April 30<sup>th</sup>, 2011. In considering this request the Municipal Council indicated that a further request would only be considered if at least a portion of the plan was registered by April 1, 2011.

In April 2011, on the recommendation of City Council Kape was granted an extension of draft approval to July 8, 2012, which is the same lapse date as the adjacent Meddaoui subdivision located at 2332 Wickerson Road (39T-08507). An administrative extension was recently granted to both subdivisions, to allow sufficient time for a comprehensive review of the two draft plans within the context of updated municipal servicing standards, including changes in the requirements for permanent and temporary stormwater management infrastructure in the Wickerson Road area. Both plans are currently scheduled to lapse on November 8<sup>th</sup>, 2012.

The Kape subdivision is designated Low Density Residential in the Official Plan, and zoned R1-6 and R1-4 to permit single family development, based on the draft approved lotting pattern. The Zoning that applies to lots fronting on Wickerson Road also includes an "h-37" holding provision, which requires an adjacent livestock facility to be removed or decommissioned in accordance with Provincial Minimum Distance Separation (MDS) Requirements.

**Current Extension Request:**

A three year extension to the current draft approval lapse date was requested by Kape. The stated reason for the request was "...for the purpose of allowing further reports to be prepared and conditions of draft approval prepared to reflect the construction of the final ultimate SWM Facility S-B with CSRF funding in 2014 subject to Council approval in that year's budget, the requirement for dedication of certain lands to the City to construct the ultimate SWMF S-B and servicing corridors across the "Stanley lands" subject to conditions and such further matters as may be relevant to describing requirements for an addendum to the Wickerson Road Development Area SWM EA."

A similar extension request was received from the owner of the adjacent subdivision (Meddaoui) located at 2332 Wickerson Road.

In June, a four month administrative extension was granted to both the Kape subdivision and the adjacent draft approved plan, to allow sufficient time for a full review and consideration of the revisions that would be required to address current municipal servicing standards, and updated requirements for stormwater management infrastructure in the Wickerson Road area. In particular, updated conditions are required to identify the long-term requirements and potential interim measures that will address stormwater flows from the subdivisions. A separate report has been prepared which addresses the changes required to the Growth Management

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Implementation Strategy (GMIS) in order to confirm the location and timing of stormwater management infrastructure in the Wickerson Road area.

Kape is not proposing any changes to the lotting configuration, road pattern or zoning that currently applies to the draft approved plan.

<b>ANALYSIS</b>
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Section 19.6.3 of the Official Plan provides that if an applicant has requested an extension to draft plan approval the Approval Authority, in considering this request, may apply new conditions or amend existing conditions of draft approval, based on new or updated policies, guidelines and community standards. The request for a three year extension has been reviewed and modifications are being recommended to ensure that this draft plan satisfies current municipal requirements and standards

**Stormwater Management Requirements:**

Stormwater management infrastructure to service development in the Wickerson Road area is provided for in the Development Charges (DC) Study adopted by Council on August 9, 2009. Based on this document, SWMF SA-2 was initially identified as the City Services Reserve funded stormwater management facility that would serve Kape and the adjacent subdivision. Facility SWMF-SB was initially identified as an Urban Works funded project.

The Environmental Assessment for Storm Drainage and Stormwater Management Servicing Works in the Wickerson Road Area was finalized shortly after the completion of the DC Background Study. This EA clarified that facility SWMF SB would service Kape and the adjacent plan of subdivision, and that facility SWMF SA-2 would service only future development areas outside the Urban Growth Boundary.

A separate report on stormwater management infrastructure in the Wickerson Road area is recommending a correction to the DC Background Study, by clarifying that the Wickerson Road subdivisions will be serviced by pond SWMF SB rather than pond SWMF SA-2. The report also recommends that due to the high level of sensitivity of the downstream hydrological system, the design and construction of pond SWMF-SB should be a 2014 City Services Reserve Fund project, managed by the City. These recommendations are reflected in the revised conditions of draft approval for Kape (attached) and the adjacent draft plan. The revised conditions also identify the criteria that would apply in the event the owners choose to proceed with development prior to construction of the permanent SWM facility in 2014 through the use of a temporary stormwater management facility.

**Updated Municipal Requirements:**

In addition to the updated Stormwater Management conditions, revisions are being recommended to several other conditions of draft approval which will clarify servicing design standards so that they are clearly stated and consistent with current municipal standards. This includes requirements to address sanitary treatment and conveyance, water services, roadworks and other utilities.

Most of the recommended modifications are considered to be minor clarifications and will not substantively affect the ultimate servicing requirements for the subdivision. Changes being recommended to the current conditions are hi-lited on attached Appendix "39T-00519-1 with ~~strikeout~~ and underline.

The current zoning will continue to apply to the lands in the subdivision and no substantive changes are proposed to the road alignments or lotting configuration in the draft plan, as red line amended. A three (3) year extension is being recommended for the Kape subdivision s well

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as the adjacent draft plan of subdivision to the south. This should provide a sufficient timeframe to allow for construction of the permanent stormwater facility in 2014, and satisfy the other conditions of draft approval that are recommended for this plan.

**Notice of Draft Approval Extension:**

Notice was not circulated to the public regarding the request for extension of draft approval given that no revisions are being proposed to the zoning, lotting pattern or roadway alignments in this draft approved plan. If approved, notice of the extension and revised conditions will be provided to the applicant, to persons or public bodies who are prescribed under the *Planning Act* and to anyone who previously requested notification, in accordance with Section 50(45) of the *Planning Act*.

<b>CONCLUSION</b>
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Draft Approval for the Kape subdivision and the adjacent subdivision to the south lapses on November 8<sup>th</sup>, 2012. Requests for extension have been received from the owners of both subdivisions and are being reviewed together, to ensure that future servicing and development can be proceed in a co-ordinated manner. Both plans are affected by changes that are being proposed to the provision of stormwater management facilities in the Wickerson Road area, which are addressed in a separate report. Revised conditions of Draft Approval are proposed which will implement these changes, and other updated municipal servicing requirements for the subdivision. The three year extension that is being recommended, provides a reasonable timeframe within which to satisfy the Draft Plan conditions and advance the plan of subdivision to final approval.

<b>PREPARED AND RECOMMENDED BY:</b>	<b>REVIEWED BY:</b>
	
<b>TERRY GRAWEY MANAGER, DEVELOPMENT SERVICES &amp; PLANNING LIAISON</b>	<b>BRUCE HENRY MANAGER, DEVELOPMENT PLANNING</b>
<b>REVIEWED BY:</b>	<b>SUBMITTED BY:</b>
	
<b>JENNIE A. RAMSAY, P.ENG. MANAGER, DEVELOPMENT SERVICES</b>	<b>GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES &amp; CHIEF BUILDING OFFICIAL</b>

October 4, 2012  
TG/tg

Y:\shared\sub&spec\subdiv\39T-00519\2012 Extension Request Report to BNEC

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**Appendix "A"**

**Related Estimated Costs and Revenues  
(see also "notes" below)**

<b>Estimated Costs – This Agreement</b>	
Claims from Urban Works Reserve Fund – General - Storm sewer oversizing subsidy – note 4)	<b>\$221,600</b>
Claims from Urban Works Reserve Fund - Stormwater Management – note 8)	<b>Nil</b>
Capital Expense – watermain extension on Wickerson Rd - - note 7) - parks pathway system	<b>\$0</b> <b>\$22,600</b>
Cost of Pond Construction and Land – CSRF funding Engineering fees – note 5) & 6)	<b>\$2,186,800</b> <b>\$40,000</b>
Other	<b>Nil</b>
<b>Total</b>	<b>\$2,471,000</b>
<b>Estimated Revenues - This Agreement (2012 rates)</b>	
CSRF	<b>\$1,414,700</b>
UWRF	<b>\$569,922</b>
<b>Total</b>	<b>\$1,984,622</b>

Notes:

1. Estimated Costs are based on approximations provided by the applicant. Final claims will be determined based on actual costs in conjunction with the terms of the subdivision agreement and the applicable By-law.
2. Estimated Revenues are calculated using 2012 DC rates and may take many years to recover. The revenue estimates includes DC cost recovery for "soft services" (fire, police, parks and recreation facilities, library, growth studies). There is no comparative cost allocation in the Estimated Cost section of the report, so the reader should use caution in comparing the Cost with the Revenue section.
3. The revenues and costs in the table above are not directly comparable. This subdivision, like others in the area, also relies on the recently constructed roadwork and SWM facilities, the cost of which is not reported above. Other growth related costs (like wastewater treatment plant and road capacity expansion) 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.
4. The Owner should take note that there are currently significant delays in payment of claims from the Urban Works Reserve Fund.
5. The cost estimate for the value of the SWM Facility Land is a gross approximation of the fair market value of the land. This line item also includes an estimate of the engineering fees that were incurred prior to discussions with the proponent's engineer that disclosed the City's intention to construct the ponds as CSRF funded ponds. The City is intending to reclassify the SWM Facility Construction costs from UWRF (per the 2009 DC Study) to the CSRF funding


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source in the 2014 DC Study. Payment of this claim, and financing for the eventual construction of the pond will be subject to:

- a. Future approval of the SWM pond costs in the 2014 Development Charges Study,
  - b. Future approval of the Capital Budget for the project in question, and
  - c. Future approval of the actual engineering invoices related to claimable work.
6. The SWMF construction and land cost are also reported in the 39T-08507 agreement.
  7. The watermain required to service this development (estimated cost \$82,800) is not currently included in the Development Charge Background Study. The required watermain will be considered as part of the cost shareable work in the 2014 DC Study; however, its inclusion is subject to Council approval. In the event that the watermain project is not accepted by Council, the entire cost would be borne by the Developer as outlined in the draft plan conditions.
  8. The claims for pond construction and land have been classified as CSRF funded works in anticipation of their reclassification (see also note 5) in 2014 DC Study.

Reviewed By:

  
Peter Christiaans  
 Director, Development Finance





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stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City.

11. ~~Phasing of this subdivision (if any) shall be to the satisfaction of the Managing Director, Development Approvals Business Unit and the City Engineer (see condition 30).~~

This plan of subdivision shall be developed in one phase.

12. ~~(see condition 59)~~

13. The Owner shall not commence construction or install **any** services (eg. Clearing or servicing of land) in this plan prior to obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the City Director of Development Planning in writing (eg. MOE certificates; City/Ministry/Agency permits: Approved Works, water connection, water-taking, navigable waterways; approvals: UTRCA, MNR, MOE, City; etc; etc.). No construction involving installation of services requiring an EA is to be undertaken prior to fulfilling the obligations and requirements of the Province of Ontario's Environmental Assessment Act and the City of London.

14. ~~Prior to the submission of engineering drawings, the Owner shall have a report prepared by a qualified consultant, and if necessary a detailed hydro geological investigation carried out by a qualified consultant, to determine the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area, to the satisfaction of the City Engineer. If necessary, the report shall also address any potential contamination impacts that may be anticipated or experienced as a result of the said construction. Any recommendations outlined in the report shall be reviewed and approved by the City Engineer, included in the pertinent agreement(s) with the City of London prior to any work on the site. Should any remedial works be recommended in the report, the Owner shall complete these works prior to issuance of Certificate of Approval, to the satisfaction of the City, at no cost to the City.~~

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

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

15. ~~Prior to any grading on the site, the Owner shall decommission and permanently cap any abandoned water wells located on the property, in accordance with the Ontario Water Resources Act and the Ministry of Environment requirements and file the necessary reports with the Ministry of the Environment and the City of London.~~

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

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

16. 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.
17. ~~Prior to the submission of engineering drawings, the Owner shall have its professional engineer determine the need for an Environmental Assessment 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.~~

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.

18. 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 certificate of compliance upon completion in accordance with the plans approved by the City.
19. 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.~~
20. 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.
21. 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 Managing Director, Development Approvals Business Unit. ~~The Owner acknowledges that, in the event that a submission does not include the complete information required by the City Managing Director, Development Approvals Business Unit, such submission will be returned to the Owner without detailed review by the City.~~
22. Prior to final approval the Owner shall pay in full all financial obligations/encumbrances owing to the City on the said lands, including property taxes and local improvement charges.
23. The Owner shall obtain and submit to the City Director of Development Planning and Development prior to any work on the site a letter of archaeological clearance from the Southwestern Regional Archaeologist of the Ministry of Culture. No final approval shall be given, and no grading or other soil disturbance shall take place on the subject property prior to the letter of release from the Ministry of Culture.

**PARKLAND:**

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- 24. The Owner shall convey up to 5% of the lands included in this plan to the City of London for park purposes. This shall include Block 96 and cash-in-lieu payment for the balance of the 5% parkland dedication requirement.
  - 25 As part of the Design Studies submission the Owner shall submit a concept plan of the park block (Block 96) to the satisfaction of the City.
  - 26 Within one year of final registration, the Owner shall construct all park amenities for this subdivision, in accordance with the approved designs and to the satisfaction of the City.
  - ~~25~~ 27. ~~In conjunction with the submission of engineering drawings, the owner shall submit grading plans of the open space block, for review and approval by the City Managing Director, Development Approvals Business Unit.~~
- The Owner shall grade, service and seed Block 96 within one year of registration of the plan, to the satisfaction of the City.
- 26 ~~28.~~ The Owner shall not grade into any open space area. Where lots or blocks abut lands zoned as open space, all grading of the developing lots or blocks at the interface with the open space areas are to match grades to maintain existing slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the City Managing Director, Development Approvals Business Unit.
  - ~~27~~ 29. Within one year of registration of the plan, the Owner shall fence all lots adjacent to open space areas to be assumed by the City, with a 1.5 metre chain link fence SPO4.8 with no gates. Any other fencing arrangements shall be to the satisfaction of the City Planner Director of Development Planning.

**PLANNING:**

- 28. The owner shall be required to comply with the City's tree planting policy with respect to provisions of street trees for this subdivision.
- 29. Prior to final approval, the Owner shall remove, or demolish any accessory structures that exist on the subject lands.
- ~~30. Prior to the submission of engineering drawings, the Owner shall make the necessary arrangements with adjacent property owners, or make modifications to the draft plan of subdivision, to provide an emergency access to this subdivision should the plan be registered in phases.~~
- ~~31. In conjunction with the Design Studies submission, the Owner shall design any required emergency access, to the satisfaction of the City.~~

**SANITARY:**

- ~~32. Prior to registration of this plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Oxford 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~~

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~~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.~~

- ~~33. Should this subdivision proceed prior to development/construction of any portion of the outletting sanitary sewer system, prior to the submission of engineering drawings, the Owner will be required to make the necessary arrangements with the affected property owner(s) for the construction of any portion of the outlet sewers extending to this subdivision and situated on private and public lands outside this plan, and to provide satisfactory easements over the sewers as necessary, all to the specifications of the City Engineer. Also, any sewer constructed as part of the outlet for the subject lands must be oversized to accommodate any other external lands tributary to the sanitary sewer system, as directed by the City Engineer.~~
- ~~34. The Owner shall be required to make any provisions necessary for oversizing of internal sanitary sewers in the subdivision plan to accommodate flows from upstream lands external to this plan. This includes oversizing to provide for future servicing of lots on the west side of Wickerson Road (adjacent to the Meddaoui property south of these lands), to the specifications and satisfaction of the City Engineer.~~
- ~~35. In conjunction with the Design Studies submission, the Owner shall have its professional engineer provide a sanitary servicing report that at the minimum shall include a sanitary drainage area plan confirming drainage area limits, and identify and confirm in writing the residual capacity limit for the existing downstream sewer system (to the trunk sewer), all to the satisfaction of the City Engineer.~~
- ~~36. The Owner shall not connect any weeping tile connections into the sanitary sewers within this plan.~~
- ~~37. 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.~~
- 30. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:
  - i) Provide a sanitary drainage area plan including the preliminary sanitary sewer routing, related easement information and the external areas to be serviced to the satisfaction of the City.
  - ii) Propose a suitable routing for the trunk sanitary sewer to be constructed through this plan and to the outlet.
  - iii) Provide an analysis of the water table level of the lands within the subdivision with respect to the depth of the sanitary sewers and an evaluation of additional measures, if any, which need to be undertaken and in order to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407.
- 31. In accordance with City standards or as otherwise required by the City, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
  - i) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 250 mm (10") diameter sanitary sewer located on Ski View Road or alternative outlet, as approved by the City.
  - ii) Make the necessary arrangements with the affected property owner(s) for construction of the downstream sanitary sewer situated on private lands outside this plan and provide satisfactory easements over the sewers, as necessary, all to the specifications and satisfaction of the City.



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- iii) Construct a maintenance access road and provide a standard municipal easement, or as otherwise approved by the City, for any section of the sewer not located within the road allowance, to the satisfaction of the City.
- iv) Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the specifications of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands.
- v) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City.

32 Prior to registration of this Plan, the Owner shall obtain consent from the City to reserve capacity at the Oxford Pollution Control Plant for this subdivision. This treatment capacity shall be reserved by the City subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.

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

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

- i) Throughout the duration of construction within this plan of subdivision, undertake measures within this draft plan to control and prevent any inflow and infiltration and silt from being introduced to the sanitary sewer system during and after construction, satisfactory to the City, at no cost to the City;
- ii) Not allow any weeping tile connections into the sanitary sewers within this Plan; and
- iii) Permit the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer.
- iv) Have his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407.

**WATER:**

~~38. Prior to the issuance of any building permits (including no-connect permits), the owner shall agree that the water main infrastructure on Wickerson Road must be in service.~~

34. Should this draft plan of subdivision proceed in advance of Plan 39T-08507, the Owner shall extend the existing watermain on Wickerson Road to the south limit of this plan of subdivision, to the satisfaction of the City. The Owner shall obtain authorization from the City prior to proceeding with the work.

~~39. The Owner shall have its professional engineer deliver confirmation that the watermain system has been looped to the satisfaction of the City when development is proposed to be proceed beyond 80 units.~~

~~40~~ 35. The owner shall extend connect the water system through the proposed subdivision to the north for the water supply.

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- ~~41. In conjunction with the Design Studies submission, the Owner shall have its professional engineer provide a water servicing report which addresses the following:~~
- ~~i) identify external water servicing requirements;~~
  - ~~ii) confirm capacity requirements are met;~~
  - ~~iii) identify need for the construction of external works;~~
  - ~~iv) identify the effect of development on existing water infrastructure/identify potential conflicts;~~
  - ~~v) water system area plan(s);~~
  - ~~vi) water network analysis/hydraulic calculations for subdivision report;~~
  - ~~vii) phasing report;~~
  - ~~viii) oversizing of water main/cost sharing agreements.~~

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

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

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

- ~~42. In conjunction with the Design Studies submission, the Owner shall have its professional engineer determine if there is sufficient water turnover to ensure water quality and determine how many homes need to be built and occupied to maintain water quality in the water system. If the water quality cannot be maintained in the short term, the Owner shall install automatic blow offs, where necessary, to the satisfaction of the City Engineer, or make suitable arrangements with Water Operations for the maintenance of the system in the interim.~~

**TRANSPORTATION:**

37. All through intersection and connections with existing streets and internal to this subdivision shall align with the opposing streets based on the centrelines of the street aligning through their intersections thereby having these streets centred with each other, unless otherwise approved by the City.

43 38. The owner shall design and construct the following traffic calming measures at the following locations to the satisfaction of the City:

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

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48. In conjunction with the submission of detailed design drawings, the Owner shall have his consulting engineer provide a proposed layout of the tapers for streets in this plan that change right-of-way widths with minimum 30 metre tapers (eg. from 20.0 metre to 19.0 metre road width), all to the satisfaction of the City. The roads shall be tapered equally aligned based on the alignment of the road centrelines.

44 49. The Owner shall construct Wickerson Road, adjacent to this plan, to secondary collector road standards, all to the specifications of the City. This reconstruction should ensure that there is adequate decision sight distance on Wickerson Road to accommodate any temporary access required to service the proposed development, all to the satisfaction of the City. The Owner shall be responsible for the entire cost of a fully serviced road, including construction of a major supply watermain where this subdivision abuts Wickerson Road, all at no cost to the City.

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

50. The Owner shall have it's professional engineer design the roadworks in accordance with the following road widths:

- a) Street 'D' is to have a minimum road pavement width (excluding gutters) of 9.5 metres (31.2') with a minimum road allowance of 21.5 metres (70'), incorporating curb extensions on the east side for a parking lane;
- b) Streets 'A' and 'B' (north of Street 'A') are to have a minimum road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20 metres (66');
- c) Streets 'B' (between Street 'A' and Street 'C') and Street 'C' are to have a minimum road pavement width (excluding gutters) of 7.0 metres (23') with a minimum road allowance of 19 metres (62');

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

**STORM/STORMWATER MANAGEMENT:**

~~48.~~ The Owner shall design the proposed storm sewers to serve this plan to outlet to the Dingman Creek via the proposed Regional Stormwater Management (SWM) Facility SB located external to this plan and all related storm/drainage servicing.

~~49.~~ The Owner shall, in the event the permanent stormwater management facility is not available prior to the commencement of the construction of works within this subdivision and having shown diligence to the Managing Director, Development Approvals Business Unit, have its consulting professional engineer design and construct the storm/drainage servicing, including any temporary works, to accommodate the total catchment area to the satisfaction of the City Engineer and according to the requirements of the following:

- ~~i) The SWM targets and criteria for the Dingman Creek Subwatershed Study Update (2005);~~
- ~~ii) The Storm/Drainage and Stormwater Management (SWM) Servicing Works for the Wickerson Road Development Area Municipal Class Environmental Assessment.~~
- ~~iii) The approved functional SWM Servicing Report for these lands.~~



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- iv) ~~The approved functional SWM plan, to be completed by others for the proposed permanent regional SWM Facility SB;~~
  - v) ~~The City's Drainage and Waste Discharge By-laws, lot grading standards, policies, requirements and practices;~~
  - vi) ~~Ministry of the Environment SWM Practices Planning and Design Manual (2003);~~
  - vii) ~~Applicable Acts, Policies, Guidelines, Standards and Requirements of the City, the Ministry of the Environment and all other relevant agencies.~~
50. ~~In the event that the Owner constructs temporary storm servicing works on land owned by others, and until said temporary works are decommissioned, as required by agreement with the City, the Owner shall complete the following to the satisfaction of the City Engineer, and at no cost to the City:~~
- i) ~~Have its consulting engineer design and implement a liner in any temporary stormwater detention facility, to the satisfaction of the City Engineer.~~
  - ii) ~~Operate, monitor and maintain the temporary works.~~
  - iii) ~~In conjunction with the design studies submission, provide a baseline groundwater monitoring report on the predevelopment condition of groundwater in the area, to the satisfaction of the City Engineer.~~
  - iv) ~~In the event that the works include a detention and/or treatment facility, have their professional engineer submit semi-annual monitoring reports to the City Engineer demonstrating that the works perform in accordance with the approved design criteria. The reports are to provide test results on the volume and nature of the sediment accumulating in the works. The timing and content of the monitoring reports is to be in accordance with the City's "Monitoring and Operational Procedure for Stormwater management Facilities" guidelines. The Owner shall ensure that the monitoring program commences when building permits have been issued on fifty percent (50%) of the lots in the plan and shall continue until the temporary works are decommissioned.~~
  - v) ~~Remove and dispose of sediment to an approved site.~~
  - vi) ~~Address forthwith any deficiencies of the temporary works and/or monitoring program.~~
  - vii) ~~The Owner shall decommission the temporary works within six months of the permanent works being constructed and operational.~~
  - viii) ~~The Owner is responsible for all costs related to the temporary works including decommissioning and any redirection of sewers and overland flow routes.~~
51. ~~Prior to or in conjunction with the Design Studies and servicing design for this site, the Owner shall have its professional engineer identify the major and minor storm flow routes for the entire catchment area(s) to the satisfaction of the City Engineer.~~
52. ~~As part of the submission of engineering drawings, 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.~~
53. ~~In conjunction with the submission of the design studies, the Owner shall have their consulting engineer prepare a report satisfactory to the City Engineer, that will identify all erosion and sediment control measures to be used during all phases of construction and implementation of the plan.~~
54. ~~Prior to the issuance of any Certificates of Conditional Approval for this plan, the Owner shall construct and have operational all stormwater servicing works and major overland flow routes satisfactory to the City Engineer, and the SWM Facility SB, to be constructed by others, unless a temporary facility is approved on lands owned by others, to the satisfaction and specifications of the City Engineer.~~

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- ~~55. Prior to final approval, the Owner's consulting engineer shall certify that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this subdivision. Notwithstanding any requirements of the City, or any approval given by the City Engineer, 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.~~
- ~~56. Prior to final approval, the Owner shall implement storm water drainage controls for this subdivision satisfactory to City Engineer.~~
51. Prior to final approval, the Owner shall obtain and dedicate to the City all required lands for the proposed Wickerson Permanent Regional Municipal SWM Facility S-B and associated servicing corridor and/or easements, identified in the Municipal Class EA Study, Schedule 'B' for Storm/Drainage and SWM Servicing Works for Wickerson Road.
52. The Owner shall construct storm sewers to serve this plan, located within the Dingman Creek Subwatershed, and outletting to the Dingman Creek via the proposed Regional Wickerson Stormwater Management (SWM) Facility SWMF # S-B located to the south and external to this plan.
- a) The Owner shall have its consulting professional engineer prepare the Storm/Drainage and SWM Servicing Letter/Report for the proposed storm/drainage and SWM servicing works for the subject lands, all to the satisfaction of the City, and in accordance with the following requirements:
- i) The SWM criteria and environmental targets for the Dingman Creek Subwatershed Study Update (DCSSU 2005) and any addendums/amendments;
  - ii) The accepted Municipal Class Environmental Assessment (EA) Study, Schedule 'B' for Storm/Drainage and Stormwater Management (SWM) Servicing Works for Wickerson Road Development Area (2008);
  - iii) The approved Wickerson Functional Design Report for Storm/Drainage and SWMF # S-B Servicing Works that will be consistent with the recommendations of the Municipal Class EA and any applicable addendums/amendments;
  - iv) The City of London Design Specifications and Requirements (2003) for Storm/Drainage and SWM Servicing Works, as revised;
  - v) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
  - vi) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and
  - vii) All Applicable Acts, Policies, Guidelines, Standards and Requirements of all applicable approval agencies.
- b) At the time of the Design Studies submission, the Owner shall have its consulting professional engineer identify the major and minor storm flow routes for the entire catchment area(s), to the satisfaction of the City.
- c) Prior to the submission of Design Studies, the Owner's professional geotechnical engineer shall address all geotechnical issues, including the functionality and operational requirements of all inlet/outlet systems and erosion, maintenance and structural setbacks related to slope stability, all to the satisfaction of the City and the Upper Thames River Conservation Authority.
53. Should the subdivision proceed in advance of the ultimate SWM Facility S-B, the Owner shall construct storm sewers, located within the Dingman Creek Subwatershed, and outletting to the Dingman Creek via a temporary proposed Stormwater Management (SWM) Facility located on the subject lands that will be

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operational until the proposed Permanent Regional Wickerson SWM Facility S-B located to the south and external to this plan being constructed by the City.

- a) Prior to the Owner having it's professional engineer design and construct a proposed temporary SWM solution including all proposed storm/drainage and SWM servicing works, to serve the subject lands, an Addendum to the Municipal Class EA Study, Schedule 'B' for Storm/Drainage and SWM Servicing Works for Wickerson Road Development Area (2008) must be completed and accepted by City Council, all applicable approval agencies and the public. The City shall be identified as the proponent for this Addendum, subject to City Council approval and all costs associated with the Addendum to the Wickerson Road Development Area shall be borne by the Owner. The final design, prepared by the Owner's professional engineer, must be in compliance with the recommended preferred servicing option of the accepted Addendum to the Municipal Class EA Study for the Wickerson Road Development Area, all to the satisfaction of the City.
- b) The Owner shall have its professional engineer develop the Functional Design Servicing Report for the proposed storm/drainage and temporary SWM solution servicing works for the subject lands, all to the satisfaction of the City, and in accordance with the following requirements:
- i) The SWM criteria and environmental targets for the Dingman Creek Subwatershed Study Update (DCSSU 2005) and any addendums/amendments;
  - ii) The recommended preferred servicing option of the accepted Addendum to the Municipal Class EA Study, Schedule 'B', for Storm/Drainage and SWM Servicing Works for Wickerson Road Development Area (2008);
  - iii) The City Conceptual/Functional Design for the proposed Storm/Drainage and Wickerson Permanent Municipal SWM Facility S-B that will be consistent with the recommended servicing option of the accepted Wickerson Municipal Class EA Study;
  - iv) The City of London Design Specifications and Requirements (2003) for Storm/Drainage and SWM Servicing Works, as revised;
  - v) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
  - vi) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and
  - vii) All Applicable Acts, Policies, Guidelines, Standards and Requirements of all applicable approval agencies.
- c) At the time of Design Studies submission, the Owner shall have its consulting professional engineer identify the major and minor storm flow routes for the entire catchment area(s), to the satisfaction of the City.
- d) The Owner shall construct and operate the temporary SWM solution for a period that will not exceed three (3) years in accordance with the MOE's Environmental Compliance Approval (ECA), or any future extensions by the MOE, and associated storm/drainage servicing works until said works are required to be decommissioned upon the Wickerson Permanent Municipal SWM Facility S-B is constructed and operational to the satisfaction of the City.
- e) The Owner shall complete the following with respect to the temporary SWM solution, all to the satisfaction of the City, and at no cost to the City:
- i) Have its consulting engineer design, construct, operate, monitor and maintain the temporary SWM solution, all to the satisfaction of the City, at no cost to the City.
  - ii) In the event that the works include a SWM Facility, have their professional engineer submit semi-annual monitoring reports to the City

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demonstrating that the works are performing in accordance with the approved design criteria. The monitoring reports are to provide the sampling analysis of storm water quality and quantity control for the constructed works. The timing and content of the monitoring reports is to be in accordance with the City's "Monitoring and Operational Procedure for Stormwater Management Facilities" Policy. The Owner shall ensure that the monitoring program commences when building permits have been issued on fifty percent (50%) of the lots in the plan and shall continue until the temporary works are decommissioned;

- iii) Remove, test and dispose of sediment to an approved site;
- iv) Address forthwith any deficiencies of the temporary SWM solution and/or monitoring program;

f) At such time as the permanent SWM Facility (Wickerson Municipal SWM Facility S-B) is constructed and operational, the Owner shall redirect all the storm conveyance system to this permanent Municipal SWM solution and undertake the decommissioning of the temporary works. The Owner is responsible for all costs related to the design and construction of the temporary works including decommissioning and any redirection of storm sewers and overland flow routes, all to the satisfaction of the City .

g) Prior to the submission of Design Studies, the Owner's professional geotechnical engineer shall address all geotechnical issues, including the functionality and operational requirements of the temporary SWM solution, all inlet/outlet systems and erosion, maintenance and structural setbacks related to slope stability, all to the satisfaction of the City and the Upper Thames River Conservation Authority.

54. Prior to the issuance of a Certificate of Conditional Approval for lots and blocks in this plan and all applicable external lands, or as otherwise approved by the City, all storm servicing and drainage works, including major and minor storm flow routes, and the temporary SWM solution and SWM related works to serve this plan, shall be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City.

55. Prior to the acceptance of engineering drawings, the Owner's consulting engineer shall certify the development has been designed such that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this subdivision. Notwithstanding any requirements of any approval given by the City, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.

56. The Owner shall implement SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City.

57. The Owner shall provide all adequate easements, if required, at no cost to the City, in relation to storm/drainage and SWM servicing works for the subject lands, all to the satisfaction of the City.

58. The Owner shall provide a security in the amount of \$60,000 for this Plan to ensure that the Erosion and Sediment Control Plan (ESCP) be executed in accordance with the City approval procedure and criteria. In the event of failure to properly implement and maintain the require ESCP, the ESCP security will be used by the City to undertake all necessary clean-up work for the Wickerson



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Regional Municipal SWMF # S-B and Dingman Creek's tributary as the receiving watercourse, all to the satisfaction of the City.

59. In conjunction with the Design Studies, the Owner shall develop an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject lands in accordance with City of London and Ministry of Environment standards and requirements, all to the satisfaction of the City. This plan is to include measures to be used during all phases of construction. Prior to any work on the site, the Owner shall submit these measures as a component of the Functional SWM and/or Drainage Servicing Report for these lands and shall implement these measures satisfactory to the City. *(formerly Condition # 12)*

**OTHER SERVICING:**

~~57~~ 60. Prior to the submission of engineering drawings, the Owner shall demonstrate that necessary arrangements have been made for the services required to service this development, which services are located outside this plan, or demonstrate other alternative acceptable arrangements have been made to the City.

~~58~~ 61. 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.

~~59.~~ ~~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 and downstream lands outside of this draft plan to the limit of the plan.~~

~~60.~~ ~~The Owner shall agree not to apply to remove the Holding Provision for Lots 1 to 19 inclusive until the potential to house livestock is removed to address Minimum Distance Separation (MDS) from an identified livestock operation.~~

~~64~~ 62. The Owner shall not burn any materials on site.

63. 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.

64. The Owner shall construct sanitary, storm and water private drain connections to serve the lots in this plan fronting Wickerson Road and connect the proposed drain connections to outlet through the proposed site servicing, to the satisfaction of the City and at no cost to the City.

65. 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.

66. 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.

67. The Owner shall have it's professional engineer notify existing property owners in writing, regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision, all in accordance with Council policy for "Guidelines for Notification to Public for Major Construction Projects".

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68. The Owner shall advise the City in writing at least two weeks prior to connecting, either directly or indirectly, into any unassumed services constructed by a third party, and to save the City harmless from any damages that may be caused as a result of the connection of the services from this subdivision into any unassumed services.

Prior to connection being made to an unassumed service, the following will apply:

- i) In the event discharge is to unassumed services, the unassumed services must be completed and conditionally accepted by the City;
- ii) The Owner must provide a video inspection on all affected unassumed sewers;

Any damages caused by the connection to unassumed services shall be the responsibility of the Owner.

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

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

70. The Owner shall pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if applicable) to third parties that have constructed the services and/or facilities to which the Owner is connecting. The above-noted proportional share of the cost shall be based on design flows, to the satisfaction of the City, 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

71. If, during the building or constructing of all buildings or works and services within this subdivision, any deposits of organic materials or refuse are encountered, the Owner shall report these deposits to the City Engineer and Chief Building Official immediately, and if required by the City Engineer and Chief Building Official, the Owner shall, at his own expense, retain a professional engineer competent in the field of methane gas to investigate these deposits and submit a full report on them to the City Engineer and Chief Building Official. Should the report indicate the presence of methane gas then all of the recommendations of the engineer contained in any such report submitted to the City Engineer and Chief Building Official shall be implemented and carried out under the supervision of the professional engineer, to the satisfaction of the City Engineer and Chief Building Official and at the expense of the Owner, before any construction progresses in such an instance. The report shall include provision for an ongoing methane gas monitoring program, if required, subject to the approval of the City engineer and review for the duration of the approval program.

If a permanent venting system or facility is recommended in the report, the Owner shall register a covenant on the title of each affected lot and block to the effect that the Owner of the subject lots and blocks must have the required system or facility designed, constructed and monitored to the specifications of the City, and that the Owners must maintain the installed system or facilities in perpetuity at no cost to the City. The report shall also include measures to control the migration of any methane gas to abutting lands outside the Plan.

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- 72. 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.
- 73. 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.
- 74. 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.
- 75. The Owner shall submit confirmation that they have complied with any requirements of Union Gas Pipeline with regards to the buffer at the western limit of this plan of subdivision.
- 76. Should the current or any future Owner come in with a revised development proposal for these lands, the applicant may be required to complete a design studies submission as per the File Manager process.
- 77. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
- 78. 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.



