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39T-11503  
C.Smith

**Report to Planning and Environment Committee**

**To:** Chair and Members  
Planning & Environment Committee

**From:** G. Kotsifas, P. Eng.  
Managing Director, Development & Compliance Services and  
Chief Building Official

**Subject:** Application By: Foxwood Developments (London) Inc.  
1602 Sunningdale Road West  
3 Year Extension of Draft Plan of Subdivision (39T-11503)

**Meeting on:** May 13, 2019

**Recommendation**

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the request from Foxwood Developments (London) Inc., for the property located at 1602 Sunningdale Road West that the Approval Authority **BE ADVISED** that Council supports the granting of a three (3) year extension of the draft plan of subdivision, submitted by Foxwood Developments (London) Inc. (File No. 39T-11503) prepared by Stantec Consulting Inc., certified David Bianchi, OLS (dated November 8, 2011), as redline revised which shows 18 low density residential blocks, six (6) medium density residential blocks, one (1) high density residential block, two (2) school blocks, two (2) park blocks, road widening blocks and various reserve blocks served by 14 new streets and the extension of Dyer Drive **SUBJECT TO** the conditions contained in the attached Schedule "39T-11503.

**Analysis**

**1.0 Description of Proposal**

This application for Draft Plan of Subdivision Approval was accepted on November 11, 2011. It was circulated to the required agencies and municipal departments on November 18, 2011 and advertised in the London Free Press Civic Corner on November 26, 2011. A notice of Public Meeting was advertised in the London Free Press on March 10, 2012, and a notice of Public Meeting was sent out on March 20, 2012. The Public Meeting was held on March 26, 2012.

On May 16, 2012, Old Oak Properties appealed the recommended Official Plan and Zoning By-law amendments. The basis of the Old Oak appeals related to concerns regarding staff's planning analysis and justification for the Zoning By-law amendment for the future high rise development on Foxwood's lands which provides for a maximum height of 45 metres. It was also Old Oak's position that there have been changes to the servicing scheme that would negatively impact the ability to develop their lands consistent with the Community Plan and in a cost effective and timely manner. At the January 11, 2013 prehearing conference, Old Oak Properties withdrew their appeals based on new servicing options available for their lands. The Board agreed to the withdrawal of the appeals and advised the parties that the Official Plan and Zoning By-law amendments are now in force as of January 11, 2013

Staff issued draft approval of the subdivision with conditions on January 24, 2013. Old Oak Properties Inc., the property owners of high density residential designated lands

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39T-11503

C.Smith

abutting the subdivision to the south-west at 2179 and 2201 Hyde Park Road, had concerns that the condition was insufficient to ensure the provision of full sanitary servicing for their property. Old Oak Properties Inc. appealed the draft plan of subdivision on February 15, 2013.

Staff met with representation of Old Oak Properties Inc. and Foxwood Developments (London) Inc. and based on their discussions and additional information provided by Foxwood, Old Oak was satisfied that their servicing concerns were properly addressed. On July 31, 2013, the Ontario Municipal Board issued a notice advising the City of London Approval Authority that the appeal by Old Oak Properties Inc., was withdrawn by letter dated June 25, 2013.

As per Section 51 (51) of the Planning Act, the draft approval lapse date was June 26, 2016.

On May 30, 2016 a three year extension in accordance with Section 2.2(p) of the Subdivision and Condominium Delegation and Approval By-law, to allow sufficient time for the completion of the detailed engineering review and registration of the remaining phases was granted by the Approval Authority. The current draft approved lapse date is June 26, 2019.

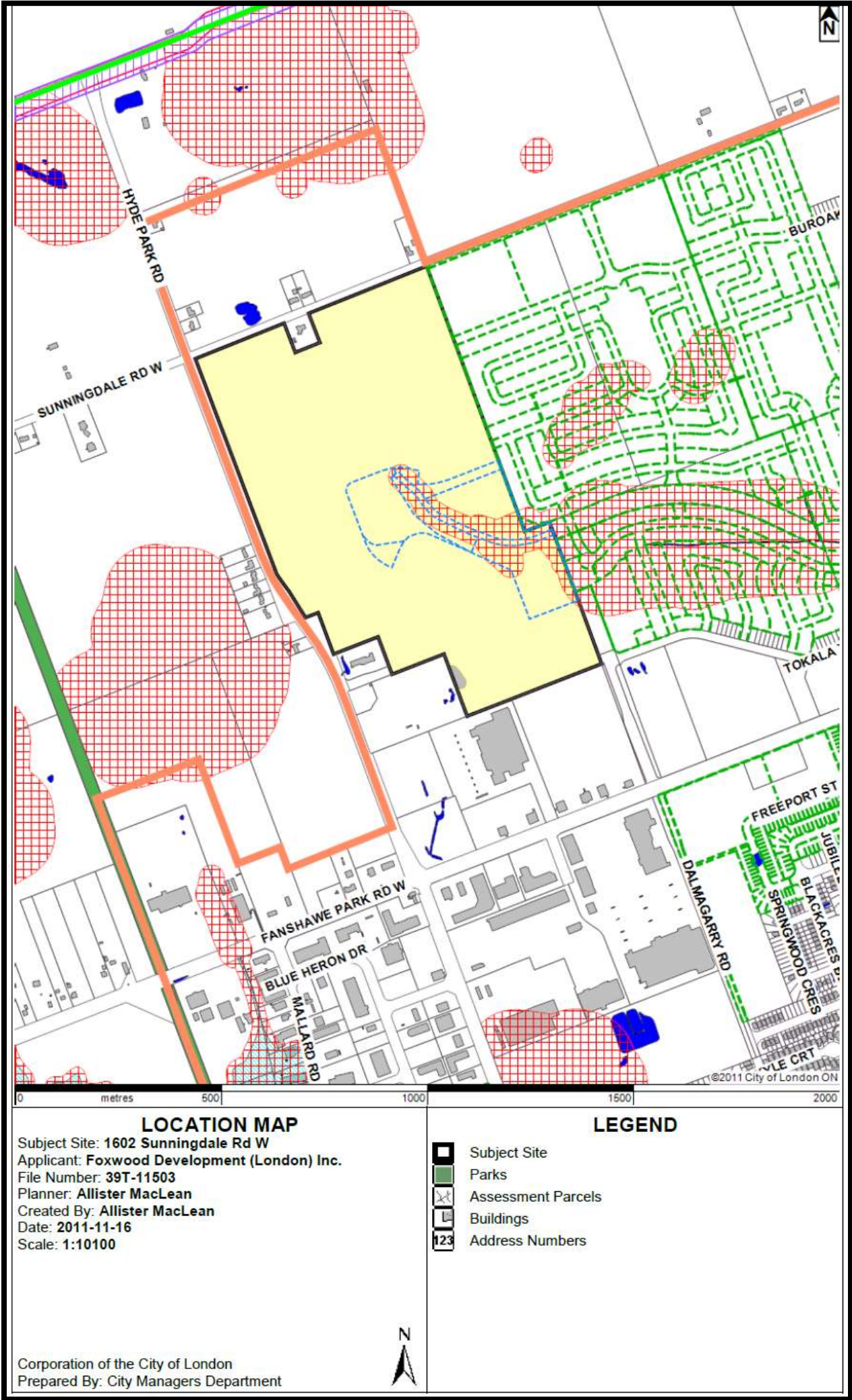
On October 6, 2015 the 1<sup>st</sup> phase of this subdivision (Plan, 33M-685) was registered, consisting of 95 single detached lots, one (1) medium density residential block, and various reserve blocks served by 1 new street and the extension of Dyer Drive and Tokala Trail. On October 18, 2018, the 2<sup>nd</sup> phase (Plan 33M-752) was registered, consisting of 110 single detached lots and 1 medium density block along with several 0.3 metre reserves, all served by the extension of a secondary collector road and five new streets.

The attached amendments to the conditions of draft approval are required to ensure that these lands are developed to today's standards and to address engineering issues. The amendments to the conditions of draft approval are shown as strikeouts (deletions) and bold italic lettering (additions) on the attached Appendix. If granted, the new draft approval lapse date would be June 26, 2022.

As a result of these minor changes to the conditions of draft approval, an extension may be granted and there is no requirement for public notice of the changes (in accordance with Section 51 (33) & (47) of the *Planning Act*).

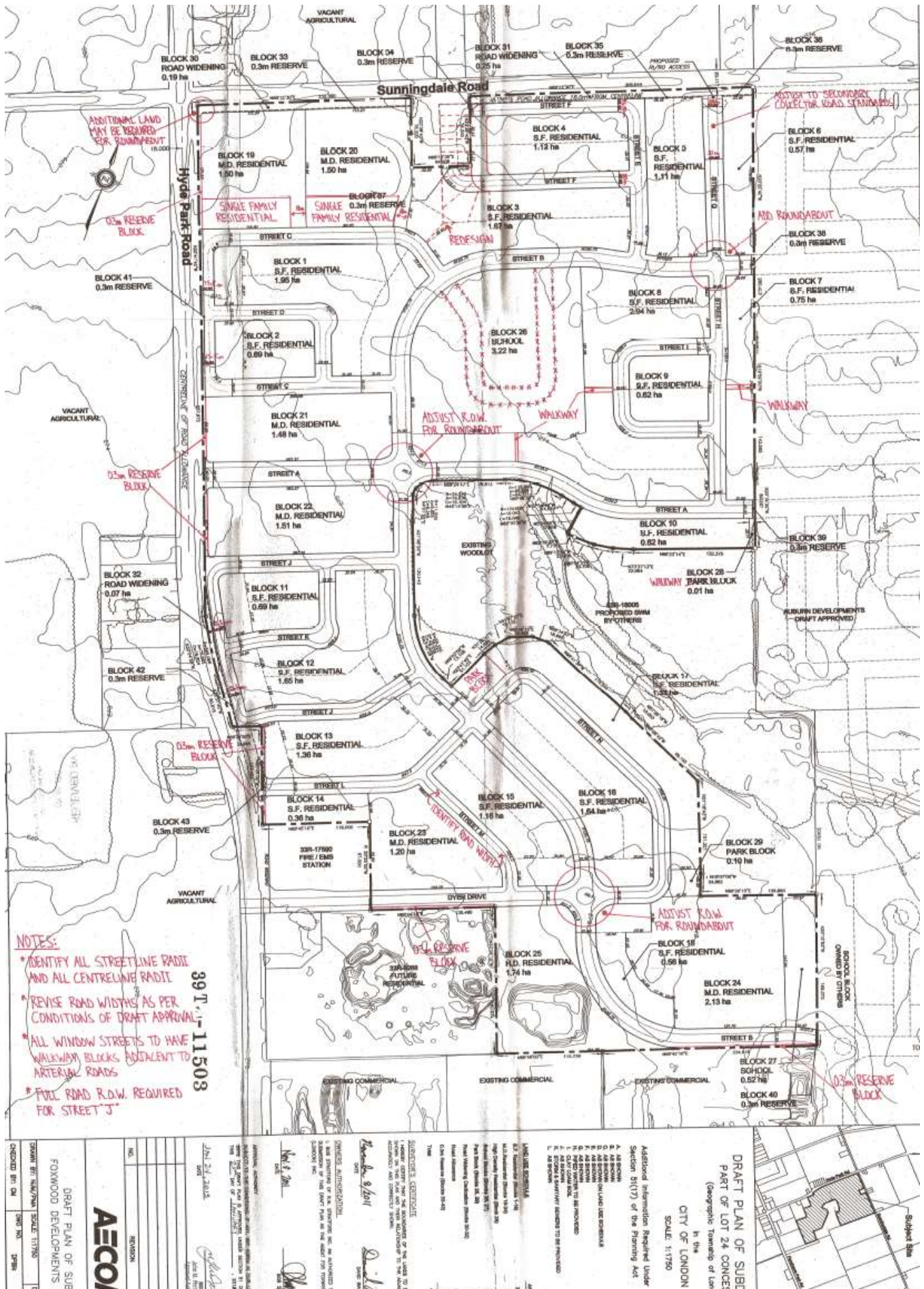
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Location Map





**Approved Draft Subdivision Plan**

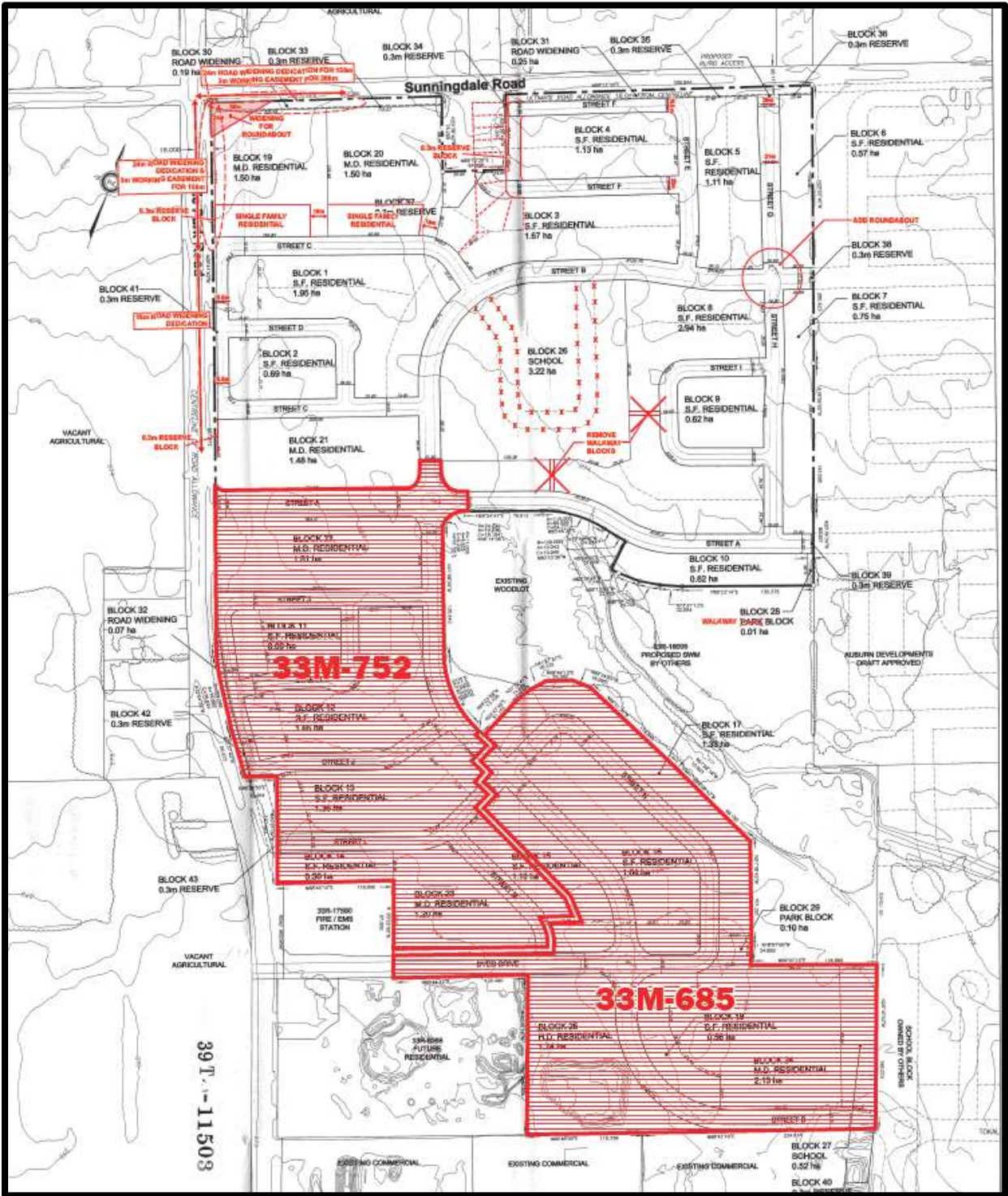




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39T-11503  
C.Smith

Proposed Updated Redlined Draft Plan



39T-11503

C.Smith

2.0 Conclusion

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

Prepared by:	C. Smith MCIP, RPP Senior Planner, Development Planning
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P. Eng. Managing Director, Development and Compliance Services and Chief Building Official
The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

CS/

CC: Matt Feldberg, Manager, Development Services  
Lou Pompilii, Manager Development Services  
Ismail Abushehada, Manager, Development Services

## Appendix 39T-11503

### THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-11503 ARE AS FOLLOWS:

#### NO. CONDITIONS

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1. This draft approval applies to the draft plan submitted by Bob Stratford (File No. 39T-11503 prepared by AECOM Ltd, certified by David Bianchi, OLS (dated November 8, 2011), as redline revised which shows 18 low density residential blocks, six(6) medium density residential blocks, one(1) high density residential block, two (2) school blocks, two (2) park blocks, road widening blocks and various reserve blocks served by 14 new streets and the extension of Dyer Drive.
2. This approval of the draft plan applies for three years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
3. The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.
4. The Owner shall within 90 days of draft approval submit proposed street names for this subdivision to the City.
5. The Owner shall request that addresses be assigned to the satisfaction of the City in conjunction with the request for the preparation of the subdivision agreement.
6. Prior to final approval, the Owner shall submit to the Approval Authority a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
7. Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.
8. The Owner shall enter into a subdivision agreement and shall satisfy all the requirements, financial and otherwise, of the City of London in order to implement the conditions of this draft approval.
9. The required subdivision agreement between the Owner and the City of London shall be registered against the lands to which it applies.
10. Phasing of this subdivision (if any) shall be to the satisfaction of the Approval Authority and the City Engineer.
11. The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan and all required engineering drawings. Any deviation to the City's standards, guidelines, or requirements shall be completed to the satisfaction of the City Engineer and the Approval Authority.
12. 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.

13. 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 Approval Authority and the City Engineer. The Owner acknowledges that, in the event that a submission does not include the complete information required by the General Approval Authority and the City Engineer, such submission will be returned to the Owner without detailed review by the City.
14. Prior to final approval for the registration of the subdivision the Approval Authority, is to be advised in writing by the City that all financial obligations/encumbrances on the said lands have been paid in full, including property taxes and local improvement charges.
15. ~~As part of the Design Studies submission, the Owner shall obtain and submit to the Director of Development Planning a letter of archaeological clearance from the Southwestern Regional Archaeologist of the Ministry of Culture. The Owner shall not grade or disturb soils on the property prior to the release from the Ministry of Culture.~~
16. The Owner shall not commence construction or installations of any services (e.g. 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; (e.g. 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 Environment, City; etc.)

#### Sanitary

17. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
  - i) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 250 mm diameter sanitary sewer located on Tokala Trail;
  - ~~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
  - 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 Engineer.
18. ~~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 identifying the preliminary sanitary sewer routing and any external areas to be serviced, to the satisfaction of the City;~~



- ~~ii) Provide an analysis which shall indicate the water table level of lands within this plan with respect to depth of the sanitary sewers and an evaluation of additional measures, if any, which will need to be incorporated in the design and construction of the sewers to ensure that the sewers will meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407. Any measures identified shall be included in the engineering drawings for the subdivision.~~
19. In order to prevent any inflow and infiltration from being introduced to the sanitary sewer system, the Owner shall, throughout the duration of construction within this plan, undertake measures within this draft plan to control and prevent any inflow and infiltration and silt from being introduced to the sanitary sewer system during and after construction, satisfactory to the City, at no cost to the City, including but not limited to the following:
- i) Not allowing any weeping tile connections into the sanitary sewers within this Plan;
  - ii) Permitting the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer;
  - iii) Installing Parson Manhole Inserts (or approved alternative satisfactory to the City Engineer) in all sanitary sewer maintenance holes at the time the maintenance hole(s) are installed within the proposed draft plan of subdivision. The Owner shall not remove the inserts until sodding of the boulevard and the top lift of asphalt is complete, all to the satisfaction of the City Engineer.*
  - iv) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and
  - v) Implementing any additional measures recommended through the Design Studies stage.
20. Prior to registration of any phase of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Greenway/Adelaide 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.
21. 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.

#### Storm and Stormwater Management

22. ~~In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and a SWM Servicing Letter/Report 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 Engineer;~~
  - ~~ii) Identify major and minor storm flow routes for the subject and external lands, to the satisfaction of the City Engineer;~~

- ~~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 Engineer. This Plan is to include measures to be used during all phases on construction; and~~
  - ~~iv) Provide a preliminary plan demonstrating how the proposed grading and road design will match the grading of the proposed Stormwater Management Facility to be built by the City.~~
  - ~~v) Implement 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.~~
- 23. The ~~above noted~~ accepted Storm/Drainage and a SWM Servicing Letter/Report of Confirmation submission 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 Medway Creek Subwatershed Study and any addendums/amendments;
  - ii) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;
  - iii) The requirements of the Hyde Park Road Road Widening and Improvements Municipal Class EA (January 2012);
  - iv) The accepted Fox Hollow Development Area Municipal Class Environmental Assessment (EA) Schedule 'C' report for the Storm/Drainage, Stormwater Management and Sanitary Servicing Works (September 2010) and any addendums/amendments;
  - v) The approved Functional Stormwater Management Plan for Fox Hollow Stormwater Management System Functional Design Report Community SWM System;
  - vi) *The City's Design Requirements for the Stormwater Permanent Private Systems approved by City Council and effective as of January 1, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.;*
  - vii) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
  - viii) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
  - ix) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and
  - x) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.
- 24. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of stormwater services for

this draft plan of subdivision:

- i) Construct storm sewers to be tributary to the Medway Creek Subwatershed and outlet to the Heard Drain via the Regional Fox Hollow Community SWM System.
  - ii) Construct sewers within this plan at an appropriate size and depth to accommodate flows from upstream lands which are tributary to this system and external to this plan, all to the specifications of the City Engineer;
  - iii) Construct and implement erosion and sediment control measures as accepted in the Functional SWM and/or Drainage Servicing Report for these lands satisfactory to the City Engineer and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith;
  - iv) Grade the boundary of the plan to blend in with the abutting SWM pond lands to the *south east* of this plan, to the satisfaction of the City Engineer, at no cost to the City.
25. Prior to the issuance of any Certificates of Conditional Approval for any lot in this plan, the Owner shall complete the following:
- i) For lots and blocks in this plan or as otherwise approved by the City Engineer, all storm/drainage and SWM related works, including the proposed regional SWM Facilities and related storm/drainage servicing, to serve this plan must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
  - ~~ii) The SWM Facility, to be built by the City, to serve this plan must be constructed and operational;~~
  - iii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City;
  - iv) Implement all geotechnical recommendations made by the geotechnical report accepted by the City;
  - v) Ensure 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;
  - vi) Ensure that all existing upstream external flows traversing this plan are accommodated within the overall minor and major storm conveyance system, all to the specifications and satisfaction of the City Engineer.
26. Prior to the issuance of any Certificate of Conditional Approval for any lot and/or block in this plan, the SWM Facility, to be built by the City, to serve this plan must be constructed and operational.
27. Prior to the acceptance of engineering drawings, the Owner's professional engineer shall certify the subdivision 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, 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.



28. The Owner shall develop the proposed plan of subdivision in accordance with the Design and Construction of Stormwater Management Facilities policies and processes identified in Appendix 'B-1' and 'B-2' Stormwater Management Facility "Just in Time" Design and Construction Process."

### Watermains

29. 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 diameter PVC watermain (high level) on Tokala Trail, ~~west of Dyer Crescent~~, and the existing 200 mm diameter watermain on Twilite Boulevard; ~~300 mm diameter PVC watermain (high level) on Hyde Park Road, north of Dyer Drive;~~
  - ii) Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units;
  - iii) Identify the available fireflows and appropriate hydrant colour code (in accordance with the City of London Design Criteria) on the engineering drawings;
  - iv) Have the City of London install the fire hydrant colour code markers at the time of Conditional Approval.
30. *In conjunction with the first submission of engineering drawings, the Owner shall have their consulting engineer prepare and submit a water servicing report including the following design information, all to the satisfaction of the City Engineer:*
- i) *Water distribution system analysis & modeling and hydraulic calculations for the Plan of Subdivision confirming system design requirements are being met;*
  - ii) *Identify domestic and fire flows for the potential ICI/medium/high density Blocks from the water distribution system;*
  - iii) *Address water quality and identify measures to maintain water quality from zero build-out through full build-out of the subdivision;*
  - iv) *Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);*
  - v) *Include a phasing report as applicable which addresses the requirement to maintain interim water quality;*
  - vi) *Develop a looping strategy when development is proposed to proceed beyond 80 units;*
  - vii) *Provide a servicing concept for the proposed street townhouse (or narrow frontage) lots which demonstrates separation requirements for all services in being achieved;*
  - viii) *Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable;*
  - ix) *Identify any need for the construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision;*
  - x) *Identify any required watermain oversizing, if necessary, and any cost sharing agreements;*
  - xi) *Identify the effect of development on existing water infrastructure – identify potential conflicts;*
  - xii) *Include full-sized water distribution and area plan(s);*
  - xiii) *Identify on the water distribution plan the location of valves, hydrants, and*

*the type and location of water quality measures to be implemented (including automatic flushing devices);*

~~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.~~
  - ~~— Identify fireflows available from each hydrant proposed to be constructed and identify appropriate hydrant colour code markers;~~
  - ~~— Water quality;~~
  - ~~— Identify location of valves and hydrants;~~
  - ~~— Identify location of automatic flushing devices, as necessary;~~
  - ~~— Looping strategy.~~~~
- ~~ii) Submit a servicing layout to the lots for the street townhouse configuration which indicates adequate separation requirements will be met for all servicing.~~

31. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the accepted recommendations of the water servicing report, noted in condition 30. 29 i), to address the water quality requirements for the watermain system, to the satisfaction of the City Engineer, at no cost to the City. The requirements or measures which are necessary to meet water quality requirements shall also be shown clearly on the engineering drawings.

32. *Prior to the issuance of any Certificates of Conditional Approval the Owner shall install and commission the accepted water quality measures required to maintain water quality within the water distribution system during build-out, all to the satisfaction of the City Engineer, at no cost to the City. The measures which are necessary to meet water quality requirements, including their respective flow settings, etc shall be shown clearly on the engineering drawings.*

~~Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install and commission temporary automatic flushing devices and meters at all dead ends and/or other locations as deemed necessary by the hydraulic modelling results to ensure that water quality is maintained during build out of the subdivision. These devices are to remain in place until there is sufficient occupancy use to maintain water quality without their use. The location of the temporary automatic flushing devices as well as their flow settings are to be shown on engineering drawings. The Owner is responsible to meter and pay billed cost of the discharged water from the time of their installation until their removal. Any incidental and/or ongoing maintenance of the automatic flushing devices is/are the responsibility of the Owner.~~

33. With respect to the proposed medium density condominium Blocks, the Owner shall include in all agreements of purchase and sale, and/or lease of Blocks in this plan a warning clause advising the purchaser/transferee that should these develop as a Vacant Land Condominium or in a form that may create a regulated drinking water system under O.Reg. 170/03, the Owner shall be responsible for meeting the requirements of the legislation.

If deemed a regulated system, there is potential the City of London could be ordered to operate this system in the future. As such, the system would be required to be constructed to City standards and requirements.

- # *The Owner shall ensure implemented water quality measures shall remain in place until there is sufficient occupancy demand to maintain water quality within the Plan of Subdivision without their use. The Owner is responsible for the following:*
- i) to meter and pay the billed costs associated with any automatic flushing devices including water discharged from any device at the time of their installation until removal;*
  - ii) any incidental and/or ongoing maintenance of the automatic flushing devices;*
  - iii) payment for maintenance costs for these devices incurred by the City on an ongoing basis until removal;*
  - iv) all works and the costs of removing the devices when no longer required;*
- and*
- v) ensure the automatic flushing devices are connected to an approved outlet.*
- # *The Owner shall ensure the limits of any request for Conditional Approval shall conform to the staging and phasing plan as set out in the accepted water servicing report and shall include the implementation of the interim water quality measures. In the event the requested Conditional Approval limits differ from the staging and phasing as set out in the accepted water servicing report, the Owner would be required to submit revised plans and hydraulic modeling as necessary to address water quality.*

## STREETS, TRANSPORTATION & SURVEYS

### Roadworks

34. ~~At the time of registration of this plan, the Owner shall dedicate to the City sufficient lands over Blocks 13 and 14 and over the west limit of Street 'L' to accommodate a future 15.5 metre realigned window street connection to Street 'J' (south leg). Alternatively, The Owner shall make all necessary arrangements to extend Street 'L' over the existing Hyde Park Road road allowance to the west and north to align with Street 'J' as a City standard window street, as shown on the plan of subdivision, including, but not limited to land needs, design construction, etc.~~

~~Prior to assumption, the Owner shall build a future 15.5 metre realigned window street connection to Street 'J' (south leg) if the Hyde Park Road road allowance is not acquired or pay to the City an amount for the construction of the road connection between Street 'L' and Street 'J' (south leg) if the abutting lands are not available.~~

~~Should the street connection be made over the external lands, the City will transfer the dedicated lands back to the Owner of this plan and/or any payment made to the City for the construction of this road.~~

35. At the time of registration of this plan, the Owner shall dedicate to the City sufficient lands over Blocks 3 and 4 to accommodate a future 19.0 metre road connection between Street 'F' (north leg) and Street 'F' (south leg) should the future development of 1550 Sunningdale Road West not include a connecting road between these streets.

Prior to assumption, the Owner shall build a future 19.0 metre road connection between Street 'F' (north leg) and Street 'F' (south leg) if the abutting lands are developed without a road connection between Street 'F' (north leg) and Street 'F' (south leg) or pay to the City an amount for the construction of the road connection between Street 'F' (north leg) and Street 'F' (south leg) if the abutting lands are not built.



Should the street connection be made over the external lands, the City will transfer the dedicated lands back to the Owner of this plan and/or any payment made to the City for the construction of this road.

36. The Owner shall construct the following streets to secondary collector road standards:
  - i) ~~Street 'A' between Hyde Park Road and Street 'B'~~
  - ii) Street 'B'
  - iii) Street G from Street 'B' to Sunningdale Rd E
37. ~~The Owner shall realign Street 'J' (south leg) on the final plan to provide a full width right of way at its intersection with the west leg of Street 'J', to the specifications of the City Engineer.~~
38. All through intersection and connections with existing and draft approved streets and internal streets to this subdivision shall align with the opposing streets based on the centrelines of the street aligning through their intersections thereby having these streets centred with each other, unless otherwise approved by the City Engineer.
39. The Owner shall ensure a minimum of 5.5 metres (18') will be required along the curb line between the projected property lines of irregular shaped lots around the bends on streets in this plan of subdivision, to the satisfaction of the City Engineer.
40. The Owner shall provide minimum 30 metre tapers at all locations in the Plan where streets are reduced in width (eg. from 20.0 metre to 19.0 metre road width, all to the satisfaction of the City Engineer. The roads shall be tapered equally aligned based on the alignment of the road centrelines.
41. The Owner shall have its professional engineer design the roadworks in accordance with the following road widths:
  - i) ~~Street 'A' (from Hyde Park Road to Street 'B')~~, Street 'B', Street G' from Sunningdale Road West to Street 'B' have a minimum road pavement width (excluding gutters) of 9.5 metres with a minimum road allowance of 21.5 metres
  - ii) Street 'A' (from Street 'B' to the east limit of the plan), Street 'C' (north and south legs), Street 'E', Street 'H', ~~Street 'J' (north and south legs), Street 'L' and Street 'M'~~ have a minimum road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20 metres (66').
  - iii) Street 'I' and Street 'F' (south leg) have a minimum road pavement width (excluding gutters) of 7.0 metres with a minimum road allowance of 19 metres;
  - iv) Street 'D' and ~~Street 'K'~~ have a minimum road pavement width (excluding gutters) of 6.0 metres (19.7') with a minimum road allowance of 18 metres (60').
  - v) Street 'C' (west leg), Street 'F' (north leg), realigned Street 'G', ~~Street 'J' (west leg) and Street 'L' (west leg)~~ have a minimum road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 15.5 metres (50.8') in accordance with the City's window street standard UCC-2M.
42. ~~The Owner shall construct a gateway treatment on Street 'A' between Hyde Park Road and Street 'B' with a right of way width of 28.0 metres as per City standards.~~

43. The Owner shall construct Street G at the intersection of Sunningdale Rd W with a right of way width of 28.0 metres for a minimum length of 45.0 metres tapered back over a distance of 30 metres to the standard secondary collector road right of way width of 21.5 metres, to the satisfaction of the City.
44. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install temporary street lighting at the intersection of Street 'G' and Sunningdale Road West and at ~~Street 'A' and Hyde Park Road~~, to the specifications of the City, at no cost to the City.
45. The Owner shall ensure all streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following standard:

<u>Road Allowance</u>	<u>S/L Radius</u>
20.0 m	9.0 m
19.0 m	9.5 m
18.0 m	10.0 m

46. The Owner shall construct the window streets in this plan abutting the arterial roads in accordance with the City's window street standard or as otherwise specified by the City Engineer, to the satisfaction of the City Engineer and at no cost to the City.
47. The Owner shall ensure that no vehicular access will be permitted to any Lots/Blocks in this plan from Sunningdale Road West or Hyde Park Road. All vehicular access is to be via the internal subdivision streets.

Sidewalks/Walkway

48. The Owner shall construct a 1.5 metre sidewalk on both sides of the following streets:
  - i) ~~Street 'A' – from Hyde Park Road to Street 'B'~~
  - ii) Street 'B'
  - iii) Street 'G'
49. The Owner shall construct a 1.5 metre (5') sidewalk on one side of the following streets:
  - i) Street 'A' (from Street 'B' to east limit of plan) – south boulevard
  - ii) Street 'C' (north leg) – north boulevard
  - iii) Street 'C' (south leg) – south boulevard
  - iv) Street 'E' – east boulevard
  - v) Street 'F' (south leg) – south and west boulevards
  - vi) Street 'H' – west boulevard
  - ~~vii) Street 'J' (north leg) – north boulevard~~
  - ~~viii) Street 'J' (south leg) – south boulevard~~
  - ~~ix) Street 'L' – south boulevard~~
  - ~~x) Street 'M' – east boulevard~~
  - xi) Street 'I' – outside boulevard
50. The Owner shall provide sidewalk links from Street 'C', Street 'F', ~~Street 'J' and Street 'L'~~ to the proposed sidewalks on Hyde Park Road and Sunningdale Road West, respectively, in accordance with the City of London Window Street Standard Guidelines UCC-2M to the satisfaction of the City, at no cost to the City. Breaks in the 0.3 metre reserve shall be provided on the plan to be registered.
51. Should the Owner direct any servicing within the walkway or the walkway is to be used as a maintenance access, the Owner shall provide a 4.6 metre wide walkway designed to the maintenance access standard, to the specifications of the City.
- # *The Owner shall construct a 2.4 metre sidewalk on the frontage of the school block, Block 26, to the satisfaction of the City.*

## Street Lights

52. Within one year of registration of the plan, the Owner shall install street lighting on all streets and walkways in this plan to the satisfaction of the City, at no cost to the City. Where an Owner is required to install street lights in accordance with this draft plan of subdivision and where a street from an abutting developed or developing area is being extended, the Owner shall install street light poles and luminaires, along the street being extended, which match the style of street light already existing or approved along the developed portion of the street, to the satisfaction of the City of London

## Boundary Road Works

53. ~~In conjunction with the Design Studies submission, the Owner shall undertake a traffic impact assessment in accordance with the City's Traffic Impact Assessment guidelines, to the satisfaction of the City Engineer. Prior to undertaking this assessment, the Owner shall meet with the City to discuss the scope and requirements of the assessment. The Owner shall undertake any recommendations of the assessment as required by the City Engineer, to the satisfaction of the City and at no cost to the City.~~
54. ~~In conjunction with Design Studies submission, the Owner shall have it's professional engineer verify the adequacy of the decision sight distance along Hyde Park Road at both Street 'A' and Dyer Drive and Sunningdale Rd W at Street 'G'. If the sight lines are not adequate in accordance with the Design Specifications and Requirements Manual, Street 'A' and Dyer Drive road works may be required on Hyde Park Road to establish adequate decision sight distance to the satisfaction of the City and at no cost to the City.~~
55. ~~In conjunction with the Design Studies submission, the Owner shall have it's professional engineer submit design criteria for the left turn and right turn lanes on Hyde Park Road at both Street 'A', Street 'G' and Dyer Drive and Sunningdale Rd W at Street 'G' for review and acceptance of the City.~~
56. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall construct left and right turn lanes along Hyde Park Road at Street 'A' and Sunningdale Road West at Street 'G' with sufficient storage and taper to accommodate traffic anticipated by the full build out of the Foxhollow area, to the satisfaction of the City.
57. The Owner shall be required to make minor boulevard improvements on Hyde Park Road and Sunningdale Road West 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

58. The Owner shall be required to dedicate sufficient land to widen Hyde Park Road and Sunningdale Road West to 18.0 metres metres (59.06') from the centreline of the original road allowance.
  59. ~~The Owner shall provide a road widening dedication at the intersection of Sunningdale Road West and Hyde Park Road as indicated in the Hyde Park Road Environmental Assessment to accommodate a future roundabout, to the satisfaction of the City, at no cost to the City.~~
  60. The Owner shall be required to dedicate 6.0 m x 6.0 m "daylighting triangles" at the intersection of Street 'A' with Hyde Park Road and Street "G" with Sunningdale Road W. in accordance with the Z-1 Zoning By-law, Section 4.24.
- #      *The Owner shall provide a road widening dedication of 24.0 metres from the*



*centerline required on Sunningdale Road West from Hyde Park Road to a point 150 metres east of Hyde Park Road, to the satisfaction of the City, at no cost to the City.*

- # *The Owner shall provide a road widening dedication of 18.0 metres from centerline required on Sunningdale Road West from a point 150 metres east of Hyde Park Road to the easterly limit of this Plan, to the satisfaction of the City, at no cost to the City.*
- # *The Owner shall provide a road widening dedication of 24.0 metres from centerline required on Hyde Park Road from Sunningdale Road West to a point 150 metres south of Sunningdale Road West, to the satisfaction of the City, at no cost to the City.*
- # *The Owner shall provide a road widening dedication of 18.0 metres from centerline required on Hyde Park Road of 18.0 metres from centerline from a point 150 metres south of Sunningdale Road West to the southerly limit of this plan, to the satisfaction of the City, at no cost to the City.*
- # *The Owner shall provide a daylight triangle at the southeast corner of Sunningdale Road West and Hyde Park Road measuring 56.0 metres east of Hyde Park Road and 34.0 metres south of Sunningdale Road West (measured from the existing property line, to the satisfaction of the City.*
- # *The Owner shall provide a temporary 3.0 metre wide working easement on Sunningdale Road West from Hyde Park Road to a point 200.0 metres east of Hyde Park Road and on Hyde Park Road from Sunningdale Road West to a point 150.0 metres south of Sunningdale Road West, to the satisfaction of the City.*

#### Traffic Calming

61. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall construct roundabouts, including splitter islands, at the following intersections in accordance with the Design Specifications and Requirements Manual and to the satisfaction of the City:

- i) ~~Street 'A' and Street 'B'~~
- ii) Street "G" and Street "B"

~~The traffic calming measures selected for these locations are subject to the approval of the Transportation Planning & Design Division and are to be designed and constructed to the satisfaction of the City.~~

62. ~~In conjunction with the Design Studies submission, the Owner shall have it's professional engineer proposed traffic calming measures along Street 'B' including parking bays, curb extensions and other measures, to the satisfaction of the City.~~
63. The Owner shall construct traffic calming measures along Street 'B' as per the accepted Design Studies and engineering drawings, including parking bays, curb extensions and other measures to the satisfaction of the City.

#### Construction Access/Temporary/Second Access Roads

64. The Owner shall utilize construction access routes designated by the City.
65. The Owner shall ensure any emergency access required is satisfactory to the City Engineer with respect to all technical aspects, including adequacy of site lines, provisions of channelization, adequacy of road geometries and structural design etc.

66. In the event any work is undertaken on an existing street, the Owner shall establish and maintain a Traffic Management Plan (TMP) in conformance with City guidelines and to the satisfaction of the City Engineer for any construction activity that will occur on existing public roadways. The Owner shall have 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.
67. 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 on the adjacent draft plan lands and restore the road including sidewalks to the satisfaction of the City, at no cost to the City.
68. The Owner shall construct a temporary/emergency access to Sunningdale Road West or Hyde Park Road in a location satisfactory to the City, provide any necessary easements and include a temporary left turn lane on Sunningdale Road West or Hyde Park Road, at no cost to the City, to the specifications and satisfaction of the City.
69. Prior to commencing any construction on this site, the Owner shall notify the City of London Police Services of the start of construction of this plan of subdivision.

#### GENERAL CONDITIONS

70. Prior to the issuance of any 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.
71. Prior to final approval, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of services and grading situated on private lands outside this plan, and shall provide satisfactory easements to the City over the sewers, as necessary, all to the specifications and satisfaction of the City, at no cost to the City.
72. *Once construction of any private services, ie: water storm or sanitary, to service the lots and blocks in this plan is completed and any proposed relotting of the plan is undertaken, the Owner shall reconstruct all previously installed services in standard location, in accordance with the approved final lotting and approved revised servicing drawings all to the specification of the City Engineer and at no cost to the City.*  
~~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.~~
73. 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.
74. The Owner shall have the common property line of Hyde Park Road and Sunningdale Road West graded in accordance with the City of London Standard "Subdivision Grading Along Arterial Roads", at no cost to the City.

Further, the grades to be taken as the centreline line grades on Hyde Park Road and Sunningdale Road West are the future centreline of road grades as determined by the Owner's professional engineer, satisfactory to the City. From these, the Owner's professional engineer is to determine the elevations along the common property line which will blend with the reconstructed road, all to the satisfaction of the City.

75. 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.

76. With respect to any services and/or facilities constructed in conjunction with this Plan, the Owner shall permit the connection into and use of the subject services and/or facilities by outside owners whose lands are served by the said services and/or facilities, prior to the said services and/or facilities being assumed by the City.

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

77. 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.
78. 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.
79. The Owner's professional engineer shall provide inspection services for all work during construction by it's professional engineer for all work to be assumed by the City, and have it's professional engineer supply the City with a Certification of Completion of Works upon completion, in accordance with the plans accepted by the City.
80. ~~In conjunction with the Design Studies submission, the Owner shall have it's~~

~~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.~~

81. 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".
82. *In the event that Low Impact Development (LIDs) are proposed, the Owner shall have a qualified consultant complete a hydro geological investigation or provide an update to the existing hydro geological investigation, to determine, including but not limited to, the following:*
- i.) An Evaluation of groundwater levels, and groundwater flow direction(s) based on seasonal fluctuations. Seasonality effects are critical when evaluating the hydrogeological regime of the Site. Seasonality will also be particularly important if Low Impact Development (LIDs) are being considered.*
  - ii.) An evaluation of the LID considerations proposed for the development, including provision of seasonal groundwater fluctuations and LID invert elevations. Details regarding the long-term operations of the on-site LIDs should be included.*
  - iii.) Discussion related to the water taking requirements to facilitate construction (i.e., PTTW or EASR be required to facilitate construction), including sediment and erosion control measures and dewatering discharge locations.*
  - iv.) Evaluation of construction related impacts, and their potential effects on the shallow groundwater system, including potential effects nearby domestic water wells (if present) and/or impacts on local significant natural features.*
  - v.) Discussion regarding mitigation measures associated with construction activities specific to the development (e.g., specific construction activities related to dewatering).*
  - vi.) Development of appropriate short-term and long-term monitoring plans (if applicable).*
  - vii.) Development of appropriate contingency plans (if applicable), in the event of groundwater interference related to construction.*

~~In conjunction with the Design Studies submission, the Owner shall submit 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, 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.~~

83. ~~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, as well provide recommendations for foundation design should high groundwater be encountered, 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.~~

84. Prior to the issuance of any Certificate of Conditional Approval, the Owner's professional engineer shall certify that any remedial or other works as recommended in the above accepted hydro geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City.
85. ~~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.~~
86. 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.
87. ~~In conjunction with the Design Studies submission, in the event the Owner wishes to phase this plan of subdivision, the Owner shall complete the following:~~
  - ~~i) Submit a phasing plan, all to the specifications and satisfaction of the City Engineer.~~
  - ~~ii) If any temporary measures are required in conjunction with the phasing, these temporary measures shall be constructed to the specifications and satisfaction of the City, at no cost to the City.~~
  - ~~iii) Identify land and/or easements required for the routing of services which are necessary to service upstream lands outside this draft plan to the limit of the plan to be provided at the time of registration of each phase, to the satisfaction of the City.~~
88. 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.
89. 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 Engineer.
90. The Owner shall remove all existing accesses and restore all affected areas, all to the satisfaction of the City Engineer, at no cost to the City.
91. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
92. The Owner shall remove any temporary works associated with this plan when no longer required and restore the land, at no cost to the City, to the specifications and satisfaction of the City, at no cost to the City.
93. ~~The Owner shall make all necessary arrangement with the abutting property owners (eg. Block 14 abutting the south boundary) to regrade on the abutting properties, where necessary, to accommodate the grading and servicing of this plan, to City standards, to the satisfaction of the City~~
94. The Owner shall co-ordinate the work associated with this plan of subdivision with the City's proposed construction of the Regional Fox Hollow Community SWM system adjacent to the *south east* boundary of this plan, to the satisfaction of the



City, at no cost to the City.

95. ~~The Owner shall grade, service and seed all park blocks to the satisfaction of the Manager of Parks Planning and Design within 1 year of registration of the plan of subdivision which contains the park block.~~
96. The proposed development must meet all existing grades at property lines where it abuts all City owned open space lands.
97. ~~At the design study stage, the owner shall prepare a conceptual park layout for the City owned lands and the redlined park block. The concept plan will illustrate the park layout and matching grades. The City will undertake the construction of the park once the phase containing this block has been registered.~~
98. The Owner shall construct a 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all private lots and blocks adjacent to existing and/or future Park and/or Open Space Blocks. Fencing shall be completed to the satisfaction of the Manager of Parks Planning and Design, within 1 year of the registration of the plan.
99. ~~At the Design Study stage, the owner shall illustrate the inclusion of the multi-use pathway system into the gateway design of Street A from the roundabout to Hyde Park Road. The design studies should also address how safe bicycle and pedestrian movements can be accommodated at the proposed roundabout at Dyer Drive and Street "A" should this location be required as a component of the bicycle/multi-use system.~~
100. ~~Block 29 and the redlined park block accounts for a portion of the required parkland dedication. The remaining Parkland dedication for Blocks 1-24 will be taken as cash-in-lieu as per By-law CP-9.~~
101. The Owner shall register on title and include in all Purchase and Sale or Lease Agreements the requirement that the homes to be designed and constructed on all corner lots in this Plan, are to have design features, such as but not limited to porches, windows or other architectural amenities that provide for a street oriented design and limited chain link or decorative fencing along no more than 50% of the exterior sideyard. Further, the owner shall obtain approval of their proposed design from the Managing Director of Planning and City Planner and his/her designate prior to any submission of an application for a building permit for corner lots with an exterior sideyard in this Plan
102. As part of the ~~Design~~ Engineering Drawing submission, the Owner shall submit a plan to the Approval Authority proposing the lotting pattern for all residential Blocks, which shall be consistent with the approved zoning for these blocks and acceptable to the City. The proposed block lotting plan shall also be reviewed and accepted with respect to City services, road geometries, easement requirements, etc., to the satisfaction of the City. The accepted lotting pattern shall be reflected on the final registered plan.
103. *In conjunction with* ~~Prior to~~ the submission of Engineering Drawings, the Owner shall submit for approval an on-street parking plan (if necessary), whereby one on street parking space for each two dwelling units is to be used as the basis for the design, to the satisfaction of the General Manager of Planning and Development. The approved parking plan required for each registered phase of development and will form part of the subdivision agreement for the registered plan.
104. *In conjunction with* the ~~Design Studies~~ Engineering Drawing submission, the Owner shall have a qualified acoustical consultant prepare a noise study concerning the impact of traffic noise on future single detached lots abutting Hyde Park Road and Sunningdale Road which considers noise abatement measures

that are to be applied in accordance with the requirements of the M.O.E. and City Official Plan policy to be reviewed and accepted by the City. The final accepted recommendations shall be constructed or installed by the Owner or may be incorporated into the subdivision agreement.

105. ~~In conjunction with engineering drawing submission, the Owner shall have his consulting engineer demonstrate how all servicing (water, sanitary, storm, gas, hydro, street lighting, water meter pits, Bell, Rogers, etc.) shall be provided to condominiums/townhouses indicated on streets in this plan with R4-3 zoning. It will be a requirement to provide adequate separation distances for all services which are to be located on the municipal right-of-way to provide for required separation distance (Ministry of Environment Design Standards) and to allow for adequate space for repair, replacement and maintenance of these services in a manner acceptable to the City.~~
106. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the approved servicing for the street townhouse units on streets in this plan with R4-3 zoning, to the satisfaction of the City Engineer.
107. 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.
108. Should any contamination or anything suspected as such, be encountered during construction, the Owner shall report the matter to the City Engineer and the Owner shall hire a geotechnical engineer to provide, in accordance with the Ministry of the Environment "Guidelines for Use at Contaminated Sites in Ontario", "Schedule A – Record of Site Condition", as amended, including "Affidavit of Consultant" which summarizes the site assessment and restoration activities carried out at a contaminated site, in accordance with the requirements of latest Ministry of Environment and Climate Change "Guidelines for Use at Contaminated Sites in Ontario" and file appropriate documents to the Ministry in this regard with copies provided to the City. The City may require a copy of the report should there be City property adjacent to the contamination.

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

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

109. ~~In conjunction with the engineering drawing submission, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, servicing, grading and drainage of this subdivision, road pavement structure, dewatering, foundation design, removal of existing fill (including but not limited to organic and deleterious materials), the placement of new engineering fill, any necessary setbacks related to slope stability for lands within this plan and any other~~

~~requirements as needed by the City, all to the satisfaction of the City. The Owner shall implement all geotechnical recommendations to the satisfaction of the City.~~

# Should the current or any future Owner submit a revised development proposal for these lands, the applicant may be required to complete a design studies submission as per the File Manager process.

# The Owner shall make all necessary arrangements with any required owner(s) to have any existing easement(s) in this plan quit claimed to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services at no cost to the City.

Following the removal of any existing private services from the said easement and the appropriate municipal services and/or private services are installed and operational, the Owner shall make all necessary arrangement to have any section(s) of easement(s) in this plan quit claimed to the satisfaction of the City, at no cost to the City.

# In conjunction with engineering drawings submission, the Owner shall submit a Development Charge work plan outlining the costs associated with the design and construction of the DC eligible works. The work plan must be approved by the City Engineer and City Treasurer (as outlined in the most current DC By-law) prior to advancing a report to Planning and Environment Committee recommending approval of the special provisions for the subdivision agreement.

# Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make adjustments to the existing works and services on Tokala Trail in Plan \_\_\_\_\_ and Twillite Boulevard in Plan \_\_\_\_\_, adjacent to this plan to accommodate the proposed works and services on this street to accommodate the lots in this plan fronting this street (eg. private services, street light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted drawings, al to the satisfaction of the City Engineer, at no cost to the City.

# The Owner shall either register against the title of Block 26 in this Plan, or shall include in the agreement of purchase and sale for the transfer of each of the Blocks, a covenant by the purchaser or transferee stating that the purchaser or transferee of the Blocks may be required to construct sewage sampling manholes, built to City standards in accordance with the City's Waste Discharge By-law No. WM-2, as amended, regulating the discharge of sewage into public sewage systems. If required, the sewage sampling manholes shall be installed on both storm and sanitary private drain connections, and shall be located wholly on private property, as close as possible to the street line, or as approved otherwise by the City Engineer.

# The Owner shall incorporate the accepted recommendations of the various accepted servicing reports/design studies (eg. sanitary servicing design, storm and SWM design, water servicing, transportation requirements, hydrogeological, geotechnical, etc.) in the accepted engineering drawings to address all servicing issues, to the satisfaction of the City Engineer, at no cost to the City.