

## 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:** Draft Plan of Subdivision – Three Year Extension  
Richardson/Middleton Subdivision  
146 & 184 Exeter Road

**Meeting on:** January 6, 2020

## Recommendation

That, on the recommendation of the Director, Development Services, the Approval Authority **BE ADVISED** that Council supports the request for a three (3) year extension of the draft plan of subdivision approval for the draft plan submitted by Sifton Properties Limited (File No. 39T-15501), prepared by Stantec Consulting and certified by Jeremy Matthews (Project No. 161401268, dated December 22, 2016), as redline amended, which shows twenty-two (22) low density blocks, six (6) medium density blocks, one (1) school block, one (1) park block, four (4) multi-use pathway blocks, one (1) open space block, one (1) future road block, eleven (11) 0.3 m reserves and road widenings, all served by one (1) new secondary collector road/neighbourhood connector, and ten (10) new local roads/neighbourhood streets **SUBJECT TO** the conditions contained in the attached Schedule "A".

## Executive Summary

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to consider a three (3) year extension to Draft Approval for the remaining phase(s) within the residential draft plan of subdivision (39T-15501).

### Rationale of Recommended Action

1. The requested three (3) year extension of Draft Plan Approval is reasonable, and should allow the applicant sufficient time to satisfy revised conditions of draft approval towards the registration of this plan.
2. The plan of subdivision will provide for future residential land uses and supports connectivity with adjacent future development lands. Therefore, an extension should be supported provided the conditions of Draft Approval are updated to reflect current City Standards and regulatory requirements.

## 2.0 Relevant Background

### 2.1 Property Description

The subject site consists of a portion 12.078 ha (19.8 acres) of land located on the north side of Exeter Road. It is situated midpoint between Wonderland Road South and White Oaks Road, in the former Township of Westminster. Portions of this property include the former site of the Southwest Optimist Baseball Complex, which at one time contained up to 16 baseball diamonds. The subject site is located just south of existing retail/commercial uses (1352 Wharncliffe Road South), with vacant lands to the east, existing industrial uses along Exeter Road, a wetland/natural heritage feature to the southwest (known as the Pincombe Drain). The property is relatively flat.

### 2.2 Previous Reports

**December 12, 2016** - Report to Planning and Environment Committee to recommend approval of the draft plan of subdivision and associated zoning by-law amendments. (39T-15501/Z-8470)

**January 21, 2019** – Report to Planning and Environment Committee to rezone a portion of land (Block 30 and portion of Block 31, 39T-15501) within a draft plan of subdivision by adding an additional Residential (R7) Zone to permit a long term care facility in addition to the existing range of residential uses permitted. (Z-8969)

**February 19, 2019** - Report to Planning and Environment Committee on Special Provisions for the Subdivision Agreement related to the stormwater management pond. (39T-15501)

**April 15, 2019** - Report to Planning and Environment Committee on Special Provisions for the Subdivision Agreement Phase 1. (39T-15501)

**April 15, 2019** - Report to Planning and Environment Committee on Special Provisions for the Subdivision Agreement Phase 1A. (39T-15501)

**May 27, 2019** - Report to Planning and Environment Committee to re-zone a portion of Block 36 and all of Block 37 in draft approved plan 39T-15501, to permit street townhouse dwellings, in addition to the multi-family uses already permitted. (Z-9034)

**May 27, 2019** - Report to Planning and Environment Committee to redesignate the park, stormwater management pond (Pincombe 3) and lands along Middleton Avenue to “Low Density Residential”, and to redesignate a portion of the lands to “Open Space” to recognize a natural heritage component on Schedule “A” of the Official Plan and on Schedule 4 (Southwest Area Land Use Plan) and Schedule 10 (Central Longwoods) of the Southwest Area Secondary Plan, and to re-zone Block 38 from draft approved plan 39T-15501 (Richardson Subdivision) to permit single detached dwellings. (OZ-9038)

### 2.3 Planning History

This application for Draft Plan of Subdivision Approval was accepted on March 12, 2015. It was circulated to the required agencies and municipal departments on March 23, 2015 and advertised in the Londoner on April 2, 2015. A revised application and plan was received on April 20, 2016 and was advertised in the Londoner on May 19, 2016. Notice of Public Meeting was sent out on November 29, 2016 and was advertised in the Londoner on November 24, 2016. The Public Meeting was held on December 12, 2016. Draft approval was granted on January 27, 2017.

Since draft approval, the Applicant has registered two phases of the subdivision. Phase 1 consisted of two (2) medium density multi-family blocks, one future street block, and 6 reserve (0.3 m, 1 ft.) blocks, all served by two new local streets, Mia Avenue and Kennington Way. It was registered on July 12, 2019 as 33M-765. Phase 1A consisted of forty two (42) single family lots, one (1) medium density blocks, two (2) open space

blocks, four (4) 0.3 metre reserves, all served by two (2) new streets, namely Middleton Avenue and Kennington Way. It was registered on October 9, 2019 as 33M-769.

#### **2.4 Applicant Request**

The Applicant has requested a two (2) year draft plan extension for the remainder of the lands. Staff are instead recommending the standard three (3) year extension to ensure adequate time is given to complete the subdivision.

#### **2.5 Redline and Changes**

The attached amendments to the conditions of draft approval are required to ensure that these lands are developed to today's standards. The changes to conditions of draft approval are to address engineering and planning issues. The amendments to the conditions of draft approval are shown as **highlights** for revisions, ~~strikeouts~~ for deletions and underlines for additions on the attached Schedule "A".

No changes are proposed to the approved zoning, lotting pattern or road alignments within the draft plan. Staff have recommended minor redline changes to the plan, to delineate areas that have been registered, and to add one foot reserves along the eastern boundary of the subdivision.

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

#### **2.6 Policy Context**

##### *Provincial Policy Statement*

The redlined subdivision accommodates a range and mix of residential units and densities, such as street townhomes, single detached dwellings, and various cluster housing zones. The grid type pattern and short residential blocks promote a more efficient subdivision pattern that allows for pedestrian walkability and efficiency in services.

The plan also provides for parks and a school, to meet the needs of the future residents. The plan layout will foster social interaction and facilitate active transportation and community connectivity.

The subject lands are within the Urban Growth Boundary (settlement area) as identified in the Official Plan and are designated to permit a mix of uses.

There are no Mineral and Petroleum, Mineral Aggregate Resources issues associated with this proposal. There are no Natural Hazards associated with this plan.

It is staff's position that the draft plan of subdivision will provide for a healthy, livable and safe community. It will provide for a walkable community, and provides for on street pedestrian linkages to commercial, open space and parkland.

##### *(1989) Official Plan*

The (1989) Official Plan contains policy on draft plans of subdivisions, and extensions to draft plans. Policy 19.6.3. specifies that as part of a request by an applicant for an extension to a draft plan of subdivision 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 remaining lands are designated Low Density Residential and Multi-Family, Medium Density Residential on Schedule A of the (1989) Official Plan. The zoning for all the Blocks reflects the current designations, including zoning provisions related to density and height.

*The London Plan*

The policies of The London Plan encourage a mix of housing types within the Neighbourhoods Place Type. The lands are located along a Neighbourhood Connector, several Neighbourhood Streets, and a Civic Boulevard (Wharncliffe Rd S).

*Southwest Area Secondary Plan*

The Southwest Area Secondary Plan (SWAP) policies supersede the policies of the (1989) Official Plan and The London Plan. The subject site is located within the Central Longwoods Residential Neighbourhood, and the lands are designated Low and Medium Density Residential to encourage a mix of housing types, forms and intensities throughout the Central Longwoods Neighbourhood and within individual developments, at an intensity that is higher than is found in more recent suburban neighbourhoods. A minimum and maximum density of development have been incorporated into the zoning for the site, as well as a range of housing, such as single detached, street town, cluster housing, and long term care facilities.

**Redlined Draft Plan of Subdivision – December, 2019**



### 3.0 Conclusion

Staff are recommending a three (3) year extension to the Draft Approval for this plan of subdivision, subject to the revised conditions as attached. The proposed plan and recommended conditions of Draft Approval will ensure that development proceeds in accordance with Provincial Policy Statement, The London Plan, and the (1989) Official Plan. A three (3) year extension is recommended to allow sufficient time for registration of the lands within this Draft Plan.

<b>Prepared by:</b>	<b>Nancy Pasato, RPP, MCIP Senior Planner, Development Services</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official</b>
Note: 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	

December 16, 2019

cc: Lou Pompilii, Manager, Development Planning  
cc: Matt Feldberg, Manager, Development Services (Subdivisions)  
cc: Ted Koza, Manager, Development Engineering

## Appendix A

### THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO DRAFT APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-15501, ARE AS FOLLOWS

#### No. Condition

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1. This draft approval applies to the draft plan as submitted by 1103125 Ontario Limited (File No. 39T-15501), prepared by Stantec Consulting and certified by Jeremy Matthews (Project No. 161401268, dated December 22, 2016), as red-line amended, which shows twenty-two (22) low density blocks, six (6) medium density blocks, one (1) school block, one (1) park block, four (4) multi-use pathway blocks, one (1) open space block, one (1) future road block, eleven (11) 0.3 m reserves and road widenings, all served by one (1) new secondary collector road/neighbourhood connector, and ten (10) new local roads/neighbourhood streets.
2. This approval applies for three years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
3. The Owner shall enter into a subdivision agreement with the City, in the City's current approved form (a copy of which can be obtained from Development Services), which includes all works and services required for this plan, and this agreement shall be registered against the lands to which it applies.
4. The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan and all required engineering drawings, to the satisfaction of the City. Any deviations from the City's standards, guidelines or requirements shall be satisfactory to the City.
5. In conjunction with the first submission of engineering drawings, street(s) shall be named and the municipal addressing shall be assigned to the satisfaction of the City.

~~The Owner shall request that street(s) shall be named to the satisfaction of the City.~~

~~The Owner shall request that the municipal address shall be assigned to the satisfaction of the City.~~

6. Prior to final approval, the Owner shall submit to the City a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.

~~The subdivision agreement between the Owner and the City shall be registered against the lands to which it applies. Prior to final approval the Owner shall pay in full all municipal financial obligations/encumbrances on the said lands, including property taxes and local improvement charges.~~

~~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, where such services and drainage cannot be accommodated in the existing and/or proposed right-of-way, to the satisfaction of the City, at no cost to the City.~~

~~Prior to final approval, for the purposes of satisfying any of the conditions of draft~~

~~approval herein contained, the Owner shall file with City a complete submission consisting of all required studies, reports, data, information or detailed engineering drawing, clearances, fees, and final plans, and to advise the City in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.~~

~~Prior to final approval for the purpose of satisfying any of the conditions of draft approval herein contained, the Owner shall file, with the City, complete submissions consisting of all required studies, reports, data, information or detailed engineering drawings, all to the satisfaction of the City. The Owner acknowledges that, in the event that a submission does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.~~

7. The Owner shall satisfy all the requirements, financial and otherwise, of the City of London in order to implement the conditions of this draft approval.
8. 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.
9. Prior to final approval, the Owner shall provide copies of all transfer documentation for all land transfers/dedications and easements being conveyed to the City, for the City's review and approval.
10. 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, final plans, and any required studies, reports, data, information or detailed engineering drawings, 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.

#### Planning

11. Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.
12. The Owner shall provide the purchasers of all lots in the subdivision with a zoning information package pertaining to residential driveway locations and widths. The Owner shall obtain and provide to the City written acknowledgement from the purchaser of each lot in this plan that their driveway will be installed and maintained in accordance with the requirements of the Zoning By-law. The information package and written acknowledgement shall be in a form satisfactory to the City.
13. In conjunction with the first submission of engineering drawings, the Owner shall submit for approval an on-street parking plan to the satisfaction of the City. An approved parking plan is required for each registered phase of development and will form part of the subdivision agreement for the registered plan.
14. In conjunction with the first submission of engineering drawings, Design Studies submission, the Owner shall submit a lotting plan, demonstrating how all Low Density Blocks and the Medium Density Blocks will meet the minimum target densities as set out in the Southwest Area Plan for Central Longwoods. The lotting plan will be used for the basis of final registered plan, to the satisfaction of the City.

~~In conjunction with Design Studies submission, the Owner shall submit a noise study, prepared by a certified consultant, concerning the impact of noise generated from adjacent industrial operations located at 150 Exeter Road and on the south side of Exeter Road, to the proposed residential development, which considers existing and future industrial uses based on zoning, and recommended noise attenuation requirements, and increased setbacks, landscaping, privacy screening or other measures to provide an appropriate buffer between residential and industrial uses. These noise abatement measures may be applied in accordance with the requirements of the Ministry of the Environment D-6 Guidelines, and shall implement results of the study, to the satisfaction of the City.~~

- ~~15. Prior to final approval, † The Owner shall agree to include a statement in all offers of purchase and sale within 150 metres of the industrial property at 150 Exeter Road and in the subdivision agreement to include a suitable warning clause within the subdivision agreement advising future purchasers that there are active industrial operations on going in the area and that nuisances can be expected.~~

~~As part of final approval, the Applicant will ensure that Block 48 (industrial) is consolidated with the property at 150 Exeter Road.~~

~~The Owner agrees to withhold Block 37 from development until such time as a viable servicing option is available. The Owner also agrees to maintain the holding provision on this block until such time as a development agreement has been entered into which provides for appropriate servicing.~~

~~In conjunction with the Design Studies submission, the Owner shall provide design concepts for Blocks 35 and 36 to illustrate how these blocks can develop on a Permanent Private Stormwater (PPS) system, all to the satisfaction of the City. If it is determined that the development of these blocks is not viable from a land area/servicing perspective, the Approval Authority may consider an amendment to the draft plan to remove Street N in order to provide sufficient land for the development of these blocks.~~

#### Urban Design

~~In conjunction with Design Studies submissions, the Owner will be required to provide a detailed urban design guidelines (for Architectural Control) for the entire subdivision, including all proposed building forms and implementation processes for low density and medium density blocks, to the satisfaction of the Managing Director of Planning, City Planner.~~

~~In conjunction with Design Studies submissions, the Owner shall provide conceptual block plans for all medium density blocks, detailing locations of buildings, parking areas, building orientation towards the public streets and open spaces, and other relevant information, to the satisfaction of the Managing Director of Planning, City Planner. Building orientation shall be directed to the highest order street as a priority, and all other streets/open spaces for secondary facades.~~

- ~~16. The Owner shall register on title through the subdivision agreement and include in all Purchase and Sale Agreements the requirement that the homes to be designed and constructed on all corner lots in this plan (including lots with side frontages to parks and/or open spaces), are to have design features, such as but not limited to porches, windows or other architectural elements that provide for a street oriented design and limited chain link or decorative fencing along no more than 50% of the exterior sideyard abutting the exterior sideyard road/park/open space frontage~~



### Parks and Open Space

~~In conjunction with Design Studies submissions, the Owner shall provide an update to the Environmental Impact Study – Revised (March 14, 2016) in the form of an addendum, prepared by Stantec Consulting Inc. which addresses compensation, restoration, monitoring, and species at risk, to the satisfaction of the Managing Director of Planning, City Planner.~~

17. In conjunction with the first submission of engineering drawings, the Owner shall implement all recommendations from the Environmental Management Plan from the Environmental Impact Study – Revised (March 14, 2016) and any EIS addendums approved by the City, as prepared by Stantec Consulting Inc. ~~As part of the design studies~~, The Owner shall indicate how each of the recommendations and the Environmental Management Plan will be implemented (i.e., design studies, engineering review, special provisions) to the satisfaction of the City.

18. The Owner shall convey Block 39, 40, 41, 42, 43, 44 and 45 to the City as the required 5% parkland dedication for this plan of subdivision. The Owner will receive a 0.84 hectare credit for parkland dedication in excess of the required parkland under the Planning Act. The credit shall be applied towards the required parkland dedication of future subdivision lands to the east owned by the Owner.

19. In conjunction with the first submission of engineering drawings ~~As part of the Design Studies~~, the Owner shall prepare and provide:

- i) ~~A concept~~ buffer detailed plan for all Open Space blocks;
- ii) ~~A concept~~ detailed plan for all proposed pathway blocks;
- iii) ~~A concept~~ detailed plan for all in-boulevard pathway alignments; and
- iv) ~~A concept~~ detailed plan for Park Blocks 39 and 40.

20. In conjunction with the first submission of engineering drawings ~~As part of the Design Studies submission~~, the Owner shall prepare an education package which explains the stewardship of natural area, the value of existing tree cover, and the protection and utilization of the grading and drainage pattern. The educational package shall be prepared to the satisfaction of the City Planner. This package is to be delivered to all homeowners adjacent to natural heritage areas.

~~Prior to any work on the site and as part of the Design Studies submission, the Owner shall have a Tree Preservation Report and Plan prepared for lands within the proposed draft plan of subdivision. Tree preservation shall be established prior to grading/servicing design to accommodate maximum tree preservation. The Tree Preservation Report and Plan shall focus on the preservation of quality specimen trees within Lots and Blocks and shall be completed in accordance with the current City of London Guidelines for the preparation of Tree Preservation Reports and Tree Preservation Plans to the satisfaction of the City. The Owner shall incorporate the approved Tree Preservation Plan on the accepted grading plans.~~

21. 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 existing and proposed private lots adjacent to existing and/or future Park and Open Space Blocks. Fencing shall be completed to the satisfaction of the City Planner, within one (1) year of the registration of the plan.

22. The Owner shall not grade into any public Park or Open Space lands. In instances where this is not practical or desirable, any grading into the public Park or Open Space lands shall be to the satisfaction of the City Planner.

23. Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures shall be installed and certified with site inspection reports submitted to Development Services the ~~Environmental and Parks Planning Division~~ monthly during development activity along the edge of the wetland.

24. Within one (1) year of registration of the plan, the Owner shall grade, service and seed all parkland to the satisfaction of the City Planner.

#### Upper Thames River Conservation Authority

~~In conjunction with Design Studies submissions, a final Environmental Impact Study be prepared to the satisfaction of the UTRCA. This report shall address the following matters:~~

- ~~i) A Hydrogeological Assessment and Water Balance Analysis be prepared, consistent with the Hydrogeological Assessment Submissions Conservation Authority Guidelines to Support Development Applications (June, 2013);~~
- ~~ii) The appropriate amount of associated habitat from the nests in the culverts is being protected as per the general habitat description;~~
- ~~iii) Calculations showing the amount of "offsetting" that will occur for the loss of natural areas be provided; and~~
- ~~iv) The information included in the Response to UTRCA Comments in Support of Richardson Subdivision Draft Plan 39T-15501 prepared by Stantec dated November 21, 2016, revised November 24, 2016 be incorporated into the Final EIS.~~

~~The Owner shall detail and implement the recommendations of the revised EIS through drawing review and the subdivision agreement.~~

~~In conjunction with Design Studies submissions, the watercourse feature that traverses proposed Park Block 40 shall be maintained as an open watercourse and shall be incorporated into the overall park design, to the satisfaction of the city and the UTRCA.~~

~~In conjunction with Design Studies submissions, the Stormwater Management Report (Functional and Final) be circulated to the UTRCA for review and sign-off.~~

25. In accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act, the proponent shall obtain the necessary permit/approvals from the UTRCA prior to undertaking any site alteration or development within the regulated area.

#### Sanitary

26. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:

- i) Provide a sanitary drainage area plan, including the sanitary sewer routing and the external areas to be serviced and identify any sanitary private drain connections that will be constructed external to this plan, to the satisfaction of the City Engineer (ie. Municipal 1210, 1240, 1330, 1350 and 1352 Wharncliffe Road South, 108 Exeter Road and a preliminary routing of the proposed sanitary sewer) ~~and include the existing commercial property at 150 Exeter Road;~~
- ii) ~~Confirm the location of the existing sanitary septic system and infrastructure that service 150 Exeter Road and provide a proposal, including timing, to construct a municipal sanitary outlet connection and sanitary sampling manhole for 150 Exeter Road to connect to this plan of subdivision (currently serviced by an onsite private sanitary system). The proposal is to include the timing of decommissioning of the existing septic system and infrastructure for 150 Exeter Road;~~
- iii) Confirm the location of the existing sanitary septic system and water well that service 1350/1352 Wharncliffe Road South. Should any portion of

- septic system be located within this plan, provide a proposal to address the encroachment of these works. Should the existing septic system and infrastructure be decommissioned, provide a proposal, including timing, regarding the decommissioning of any septic systems and infrastructure.
- iv) Provide confirmation that if the proposed populations identified for the medium density blocks is proposed at a higher density of 75 upha that this is accounted for in the design of the subdivision sewers and proposed Exeter Road sewer;
  - v) Propose a suitable routing for the sanitary sewer to be constructed through this plan. Further to this, the consulting engineer shall be required to provide an opinion for the need for an Environmental Assessment under the Class EA requirements for this proposed sanitary trunk sewer;
  - vi) ~~To meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407,~~ Provide an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407; and
  - vii) Provide confirmation of the minimum lot sizes being proposed for street townhouse dwellings and stacked townhouses to ensure proper service separation distances for the proposed street facing townhomes meet City Standards and will attain adequate horizontal separation between water services, pdc's and consider conflicts with other utilities such as street lights, hydrants, driveways, boulevard trees, snow storage, on street parking, etc., which meet City of London standards and requirements.
27. Prior to the issuance of any Certificate of Conditional Approval and in accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
- i) ~~Construct sanitary sewers to serve this Plan and connect them to the municipal sanitary sewer system, namely, the proposed 375 mm (15") diameter sewer located on Exeter Road; when it is available, all as set out in the City's Growth Management Implementation Strategy (GMIS) currently scheduled for 2017 timing;~~
  - ii) Construct a maintenance access road and provide a standard municipal easement, if necessary, for any section of the sewer not located within the road allowance, to the satisfaction of the City;
  - iii) ~~Make provisions to keep the existing sanitary septic system for 150 Exeter Road operational until municipal sanitary servicing, including a sanitary sampling manhole, is available to service this property and is constructed and operational, to the satisfaction of the City Engineer, at no cost to the City. Once 150 Exeter Road has been provided municipal sanitary servicing, the Owner shall decommission the existing septic system, at no cost to the City;~~
  - iv) ~~Provide sanitary pdc's for external lands (150 Exeter Road), if necessary, as identified in the accepted Design Studies;~~
  - v) 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. These sewers must be extended to the limits of this plan and/or property line to service the upstream external lands; and
  - vi) 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.
28. 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) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407;
- iv) Install 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; and
- v) Implementing any additional measures recommended through the Design Studies stage.

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

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

#### Storm and Stormwater Management (SWM)

30. In conjunction with ~~the first submission of engineering drawings~~ ~~Design Studies submission~~, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation to address the following:

- i) Identify the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;
- ii) Identify major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;
- iii) ~~Provide a proposal, including timing and decommissioning of all existing drainage systems, as applicable, and identify servicing for 150 Exeter Road;~~
- iv) Address the rerouting, enhancements, enclosure and/or removal of any existing open watercourses in this plan and identify the needs for any setbacks from the open watercourses in consultation with the Upper Thames River Conservation Authority, all to the satisfaction of the City Engineer and the Upper Thames River Conservation Authority;
- v) ~~Provide a preliminary plan demonstrating how the proposed grading and road design will be compatible with the grading of the proposed Pincombe Drain SWM Facility #3 to be built by the City;~~
- vi) Complete a geotechnical study to address all geotechnical issues including erosion, maintenance and structural setbacks related to slope stability associated with existing UTRCA regulated areas are adequately addressed for the subject lands, all to the satisfaction of the City Engineer and the Upper Thames River Conservation Authority. The Owner shall provide written acceptance from the Upper Thames River Conservation Authority for the final setback;

- vii) Develop a sediment and erosion control plan(s) that will identify all required sediment and erosion control measures for the subject lands in accordance with City of London and Ministry of the Environment, Conservation and Parks standards and requirements, all to the satisfaction of the City. The sediment and erosion control plan(s) shall identify all interim and long term measures that would be required for both registration and construction phasing/staging of the development and any major revisions to these plans after the initial acceptance shall be reviewed/accepted by the City of London for conformance to our standards and Ministry of the Environment, Conservation and Parks requirements; and  
~~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 and Climate Change standards and requirements, all to the satisfaction of the City. This plan is to include measures to be used during all phases on construction; and,~~
- viii) Implement SWM soft measure Best Management Practices (BMP's), including Low Impact Development infiltration measures within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City Engineer.

31. The above-noted Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation, prepared by the Owner's consulting professional engineer, shall be in accordance with the recommendations and requirements of the following, all to the satisfaction of the City:

- i) The Dingman Creek Subwatershed Stormwater Servicing Strategy Schedule 'C' Municipal Class Environmental Assessment;
- ii) The approved Storm/Drainage and SWM Servicing Functional Report and Detailed Design for the subject lands;
- iii) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the file manager process;
- iv) The City's Design Requirements for Permanent Private Stormwater (PPS) Systems that were approved by City Council and was effective as of January 1, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology;
- v) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
- vi) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
- vii) The Ministry of the Environment and Climate Change (MOECC) SWM Practices Planning and Design Manual and any companion documents, as revised; and,
- viii) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.

32. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of stormwater management (SWM) and stormwater services for this draft plan of subdivision:

- i) Construct storm sewers to serve this plan, located within the Dingman Creek Subwatershed, and connect them to the proposed Pincombe Drain SWM Facility # 3 to be built by the City via the proposed sewer system within the proposed draft plan of subdivision and future external servicing.
- ii) ~~In the event 150 Exeter Road will be served by a new stormwater outlet to Pincombe Drain SWM Facility # 3, the Owner shall maintain the existing storm outlet for 150 Exeter Road until storm servicing is available to service this property and is constructed and operational, to the satisfaction~~

~~of the City Engineer, at no cost to the City. Once 150 Exeter Road has been provided storm servicing, the Owner shall decommission the existing storm system;~~

- iii) Construct and implement any geotechnical recommendations regarding slope stability to the satisfaction of the Upper Thames River Conservation Authority and the City Engineer;
- iv) Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan;
- ~~v) Grade the boundaries of the blocks in this Plan to blend in with the SWM Facility Block 46, at no cost to the City;~~
- vi) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith; and,
- vii) Address forthwith any deficiencies of the stormwater works which may be identified throughout construction or identified through the monitoring and inspection program.

33. Prior to the issuance of any Certificates of Conditional Approval for any lot in this plan, the Owner shall complete the following:

- i) For lots and blocks in this plan or as otherwise approved by the City Engineer, all storm/drainage and SWM related works to serve this plan and external lands (e.g. 150 Exeter Road) must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
- ii) Construct and have operational the major overland flow routes and minor storm system for the subject lands, to the satisfaction of the City;
- iii) Decommission all existing and temporary stormwater management and conveyance systems once ultimate systems have been constructed and operational, to the satisfaction of the City; and,
- iv) Implement all geotechnical/slope stability recommendations made by the geotechnical report and as shown on the engineering drawings, accepted by the City.

34. Prior to the issuance of any Certificate of Conditional Approval, the Pincombe Drain SWM Facility # 3, to be built by the City, to serve this plan must be constructed and operational.

~~The Owner shall ensure that Block 46 is adequately sized to accommodate Pincombe Drain SWM Facility #3 in accordance with the final accepted Functional SWM Report for the Pincombe Drain SWM Facility # 3, City specifications and is consistent with the Dingman Creek Subwatershed Stormwater Servicing Strategy—Schedule 'C' Municipal Class Environmental Assessment, all to satisfaction of the City Engineer. Block 47 will be held out of development until such time as the size and configuration of Block 46 for Pincombe Drain SWM Facility #3 has been confirmed.~~

35. The Owner shall ensure that all existing upstream external flows traversing this plan are accommodated within the overall minor and major storm conveyance servicing system design, all to the specifications and satisfaction of the City Engineer, at no cost to the City.

36. The Owner shall ensure the post-development discharge flow from the subject site must not exceed the capacity of any existing 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.

37. 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 adopted by Council on July 30, 2013 as part of the Development Charges Policy Review: Major Policies Covering Report.

38. 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.
39. In conjunction with the first submission of engineering drawings, the Owner shall have a report prepared by a qualified consultant, and if necessary, a detailed hydrogeological investigation carried out by a qualified consultant, to determine, or provide an update to the existing hydrogeological investigation, including but not limited to, the following:
- i) Identify any abandoned wells in this plan;
  - ii) Assess the impact on water balance in the plan, as applicable;
  - iii) Assess any fill required in the plan;
  - iv) Provide recommendations for foundation design should high groundwater be encountered;
  - v) To meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407, include an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken;
  - vi) Determine the effects of the construction associated with this subdivision on the existing groundwater 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. The hydrogeological investigation should identify all required mitigation measures including Low Impact Development (LIDs) solutions and associated details, as necessary, to the satisfaction of the City Engineer. Details related to proposed LID solutions, if applicable, should include information related to the long term operations of the LID systems as it relates to seasonal fluctuations of the groundwater table. 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. The hydrogeological investigation should also include the development of appropriate short-term and long-term monitoring plans (if applicable), and appropriate contingency plans (if applicable), in the event of groundwater interference related to construction; and
  - vii) Determine 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.

~~In conjunction with the Design Studies submission, the Owner shall have a report prepared by a qualified consultant, and if necessary, a detailed hydrogeological investigation carried out by a qualified consultant, to determine, including but not limited to, the following:~~

- ~~i) The effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area;~~
- ~~ii) Identify any abandoned wells in this plan;~~
- ~~iii) Assess the impact on water balance in the plan;~~

- ~~iv) — Any fill required in the plan;~~
- ~~v) — Provide recommendations for foundation design should high groundwater be encountered~~
- ~~vi) — Identify all required mitigation measures including Low Impact Development (LIDs) solutions;~~
- ~~vii) — Address any contamination impacts that may be anticipated or experienced as a result of the said construction; and~~
- ~~viii) — Provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site, all to the satisfaction of the City.~~

40. 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 hydrogeological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City.

~~Prior to final approval, the Owner shall dedicate sufficient lands to the City to enable to completion of the proposed SWM facility and all related servicing, including dedicated blocks sized to accommodate applicable major overland flow routes.~~

~~In the event that the Owner constructs temporary stormwater works and until said works are decommissioned, the Owner shall complete the following to the satisfaction of the City Engineer, and at no cost to the City:~~

- ~~i) — Operate, monitor and maintain the temporary works;~~
- ~~ii) — In the event that the works include a stormwater 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;~~
- ~~iii) — Remove and dispose of any sediment to an approved site;~~
- ~~iv) — Address forthwith any deficiencies of the temporary works and/or monitoring program; and~~
- ~~v) — Decommission the temporary works within six months of the permanent works being constructed and operational.~~
- ~~vi) — The Owner is responsible for all costs related to the temporary works including decommissioning and any redirection of sewers and overland flow routes.~~

#### Water

41. In conjunction with the first submission of engineering drawings, the Owner shall have their consulting engineer prepare and submit a water servicing report which addresses the following, all to the satisfaction of the City Engineer:

- i) Water distribution system analysis & modeling and hydraulic calculations for the Draft Plan of Subdivision confirming system design requirements are being met (residential A.D.D. shall be 255 litres per capita per day; maximum residual pressure 80 psi);
- ii) Identify domestic and fire flows for the residential Lots and development Blocks from the low-level water distribution system;
- iii) Address water quality and identify measures to maintain water quality within all watermains throughout the entire subdivision from zero build-out through full build-out of the subdivision;
- iv) Include a staging and phasing report as applicable which addresses the requirement to maintain interim water quality;



- v) Include modeling for two fire flow scenarios as follows:
  - i. Max Day + Fire confirming velocities and pressures within the system at the design fire flows, and
  - ii. Max Day + Fire confirming the available fire flows at fire hydrants at 20PSI residual. Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);
  - iii. Develop a looping strategy to the satisfaction of the City Engineer for when development is proposed to proceed beyond 80 units;
- vi) Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable;
- vii) Identify any need for the Construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision
- viii) Identify any required watermain oversizing, if necessary, and any cost sharing agreements;
- ix) Identify the effect of development on existing water infrastructure – address potential conflicts and identify solutions;
- x) Include full-sized water distribution and area plan(s);
- xi) Include full-sized water distribution and area plan(s) which identifies the location of valves & hydrants, the type and location of water quality measures to be implemented (including automatic flushing device settings), fire hydrant rated capacity & marker colour, and the design domestic and fire flow demands applied to development Blocks.

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

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

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

43. Prior to the issuance of any Certificates of Conditional Approval, and in accordance with City standards, or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water service to this Draft Plan of Subdivision:

- i) Construct watermains to serve this Plan and connect them to the existing low-level municipal system, namely the existing 400mm diameter watermain on Wharncliffe Road South, the 250mm diameter watermain on

- Middleton Avenue, and the 250mm diameter watermain on Kennington Way.
- 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) Available fire flows and appropriate hydrant rated capacity colour code markers are to be shown on the engineering drawings; the coloured fire hydrant markers will be installed by the City of London at the time of Conditional Approval; and
  - iv) Have their consulting engineer confirm to the City that the watermain system has been constructed and is operational.

~~Prior to the issuance of any Certificate of Conditional Approval and In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water services for this draft plan of subdivision:~~

- ~~i) Construct watermains to serve this Plan and connect them to the existing municipal system, namely, the existing 600 mm diameter watermain on Exeter Road and the 400 mm diameter watermain on Wharncliffe Road South;~~
- ~~ii) The available fireflow and appropriate hydrant colour code (in accordance with the City of London Design Criteria) are to be shown on engineering drawings;~~
- ~~iii) The fire hydrant colour code markers will be installed by the City of London at the time of Conditional Approval; and~~
- ~~iii) 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.~~

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

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

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

46. The Owner shall obtain all necessary approvals from the City Engineer for individual servicing of blocks in this subdivision, prior to the installation of any water services for the blocks.
47. 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.
48. 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.

#### Roadworks

49. All through intersections and connections with existing streets and internal to this subdivision shall align with the opposing streets based on the centrelines of the street aligning through their intersections thereby having these streets centred with each other, unless otherwise approved by the City Engineer.
50. 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 Engineer. The roads shall be tapered equally aligned based on the alignment of the road centrelines. It should be noted tapers are not to be within an intersection.
- ~~In conjunction with the Design Studies submission, the Owner shall provide a conceptual layout of the roads and rights-of-way of the plan to the City Engineer for review and acceptance with respect to road geometries, including but not limited to, right-of-way widths, alignments, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots.~~
51. At 'tee' intersection, the projected road centreline of the intersecting street shall intersect the through street at 90 degrees with a minimum 6 metre tangent being required along the street lines of the intersecting road.
- ~~In conjunction with the Design Studies submission, the Owner shall provide a concept plan for review and acceptance by the City Engineer how access to 150 Exeter Road from Street 'P' will be accommodated.~~
52. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~, the Owner shall have its professional engineer provide a detailed concept plan showing the alignment of Street 'A' and Morgan Avenue, to the specifications and satisfaction of the City Engineer.

53. The Owner shall align Street 'A' opposite Morgan Avenue, to the satisfaction of the City Engineer.

~~In conjunction with the Design Studies submission, the Owner shall have its professional engineer provide a concept plan showing the alignment of Street 'P' opposite Meadowbrook Drive, to the satisfaction of the City Engineer.~~

~~The Owner shall align Street 'P' opposite Meadowbrook Drive, to the satisfaction of the City Engineer.~~

54. The Owner shall construct Street 'A', Street 'I', Street 'M', Street 'O' and Street 'P' to secondary collector road standards to the satisfaction of the City Engineer.

55. The Owner shall provide a minimum of 5.5 metres (18') along the curb line between the projected property lines of irregular shaped lots around the bends on all street in this Plan of subdivision in accordance with the accepted design criteria, to the specifications and satisfaction of the City Engineer.

56. In conjunction with the first submission of engineering drawings ~~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:" and make any necessary adjustments to the draft plan, to the satisfaction of the City Engineer.

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

- i) Street 'A', Street 'I', Street 'M', Street 'O' and Street 'P' have a minimum road pavement with (excluding gutters) of 9.5 metres with a minimum road allowance of 21.5 metres; and
- ii) Street 'B', Street 'C', Street 'D', Street 'E', Street 'F', Street 'G', Street 'H', Street 'J', Street 'K', Street 'L' and Street 'N' have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 20 metres.

58. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~, the Owner shall submit a detailed concept plan of the enhanced landscape boulevards on Street 'C', Street 'M', Street 'O' and Street 'P' and gateway treatment on Street 'A' at Wharncliffe Road South, all to the satisfaction and specifications of the City.

59. The Owner shall construct a gateway treatment on Street 'A' at Wharncliffe Road on a right-of-way width of 28.0 metres with a minimum road pavement width (excluding gutters) of 16.0 metres for a distance of 45 metres tapered back over a distance of 30 metres to the standard secondary collector right-of-way width of 21.5 metres with a minimum road pavement width of 9.5 metres (excluding gutters), all to the satisfaction of the City.

~~The Owner shall install enhanced landscape boulevards on Street 'P' at Exeter Road and Street 'O' at Exeter Road on a right-of-way with of 28.0 metres with a minimum road pavement width (excluding gutters) of 11.0 metres for a distance of 45 metre tapered back over a distance of 30 metres to the standard secondary collector right-of-way width of 21.5 metres with a minimum road pavement width of 9.5 metres (excluding gutters), to the satisfaction of the City.~~

60. The Owner shall install enhanced landscape boulevards on Street 'C' at Wharncliffe Road on a right-of-way width of 21.5 metres with a minimum road pavement width of 8.0 metres (excluding gutters) for a distance of 30 metres tapered back over a distance of 30 metres to a right-of-way width of 20.0 metres

with a minimum road pavement width of 8.0 metres (excluding gutters), to the satisfaction of the City.

61. 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>
20m	9.0 m

62. In conjunction with the first submission of engineering drawings Design Studies submission, the Owner shall provide a detail concept of the future intersection of Street 'H' and Street 'I' to ensure the intersection is ~~if~~ perpendicular and not into a bend. If necessary, the Owner shall adjust the east limit of the school block to eliminate any future bend through the future intersection of Street 'H' and Street 'I', all to the satisfaction of the City.

63. In conjunction with the first submission of engineering drawings Design Studies submission, the Owner shall provide a detailed concept plan showing the alignment of any street and existing accesses across the external roads, to the satisfaction of the City.

~~The Owner shall align Street 'O' with the access to 165 Exeter Road, to the satisfaction of the City.~~

~~The Owner shall convey Future Development Block 49 to the City for future use as needed, at no cost to the City. Should the block not be needed upon development of adjacent lands, the City shall return the Block to the Owner, at no cost to the City.~~

~~The Owner shall install enhanced landscape boulevards on Street 'M' at Exeter Road on a right-of-way width of 22.5 metres with a minimum road pavement width of 11.0 metres (excluding gutters) for a distance of 45 metres tapered back over a distance of 30 metres to the standard secondary collector right-of-way width of 21.5 metres with a minimum road pavement width of 9.5 metres (excluding gutters) to the satisfaction of the City.~~

64. The Owner shall convey Future Development Block 50 to the City for future access use as needed, at no cost to the City. Should the adjacent lands develop for residential use and Future Development Block 50 is required for a private access, Block 50 shall be sold at market value, as determined by the City acting reasonably to the owners of the adjacent lands for access purposes, and the City shall pay the net proceeds of that sale (minus any City costs) to the Owner of this plan (39T-15501) within 30 days of such sale. If this Block is not needed upon development of the lands to the north, the City agrees that the Block will be returned to the Owner for a nominal fee, for use as building lot(s).
65. The Owner shall include in the Agreements of Purchase and Sale for Block 19 and Block 20 and register on the title of all Lots/Blocks adjacent to Block 50 in this plan a warning clause advising the purchaser/transferee that Block 50 may become a future right-of-way should lands to the north develop.
66. The Owner shall design and construct bike lanes on Middleton Avenue (Street A) in accordance with the Complete Streets Design Manual, to the satisfaction of the City Engineer.

#### Sidewalks

67. The Owner shall construct a 1.5 metre (5') sidewalk on both sides of all streets in this draft plan of subdivision in accordance with the Southwest Area Plan.

~~The Owner shall provide sidewalk links from any private streets to the proposed sidewalk on Exeter Road 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.~~

68. The Owner shall construct a 2.4 metre sidewalk fronting Block 38 on Street 'A', Street 'H' and Street 'I' in accordance with City standards and the City's Access Management Guidelines, to the satisfaction of the City.

#### Street Lights

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

70. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install temporary streetlights at the intersection of Wharncliffe Road and Street 'A' and Wharncliffe at Street 'C', to the satisfaction of the City Engineer, at no cost to the City.

#### Boundary Road Works

71. The Owner shall implement all recommendations outlined in the approved Transportation Impact Assessment, to the satisfaction of the City Engineer, at no cost to the City.

72. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~, the Owner shall have its professional consulting engineer submit design criteria, including pavement markings, for the left turn and right turn lane on Wharncliffe Road South at Street 'A', a right turn lane on Wharncliffe Road at Street 'C' ~~and for a left turn lane on Exeter Road at Street 'P'~~ and the construction of any centre median islands as necessary, as determined by the City to restrict access, for review and acceptance by the City.

73. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a left and right turn lane on Wharncliffe Road South at Street 'A', to the satisfaction of the City Engineer.

74. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a right turn lane on Wharncliffe Road at Street 'C', to the satisfaction of the City Engineer.

~~Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install pavement markings for a left turn lane on Exeter Road at Street 'P', to the satisfaction of the City Engineer.~~

75. The Owner shall be required to make minor boulevard improvements on Wharncliffe Road South ~~and Exeter Road~~ 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.

~~In conjunction with Design Studies submission, the Owner shall have its professional consulting engineer submit design criteria, including pavement markings for Street 'O' at Exeter Road and Street 'P' at Exeter road and identify the construction of any centre median islands as necessary as determined by the City to restrict access for review and acceptance by the City.~~

~~The Owner shall implement any recommendations at the intersections of Street 'O' and Street 'P' at Exeter road as identified in the accepted design studies and engineering drawings, to the satisfaction of the City.~~

### Road Widening/Road Dedication

76. The Owner shall be required to dedicate sufficient land to widen Wharncliffe Road South and Exeter Road to 18.0 metres (59.06') from the centreline of the original road allowance.
77. The Owner shall be required to dedicate 6.0 m x 6.0 m "daylighting triangles" at the intersection of Wharncliffe Road South at Street 'A' and Street 'C', Exeter Road at Street 'P', Exeter Road at Street 'O' and Exeter Road at Street 'M', in accordance with the Z-1 Zoning By-law, Section 4.24.
78. The Owner shall be required to dedicate 3.0 m x 3.0 m "daylighting triangles" at the intersection of 'collector' road streets in the Plan (i.e. where 21.5 m right of way's meet – Street 'A' and Street 'I') to satisfy requirements necessary for servicing bus transit routes, as specified by the City Engineer.

### Vehicular Access

79. The Owner shall ensure that no vehicular access will be permitted to any lots and/or blocks from Wharncliffe Road and Exeter Road. All vehicular access is to be via the internal subdivision streets.
80. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~, the Owner shall submit detailed concept ~~concept~~ plans of the restricted accesses on Wharncliffe Road at Street 'C', including any proposed islands or centre median islands, to the satisfaction of the City Engineer.
81. The Owner shall restrict access on Wharncliffe Road at Street 'C' to right in and right out only in accordance with the City's Access Management Guidelines (AMG), to the satisfaction of the City Engineer.

~~In conjunction with the Design Studies submission, the Owner shall submit concept plans of the restricted accesses on Exeter Road at Street 'M' and Street 'O', including any proposed or centre median islands, to the satisfaction of the City.~~

~~The Owner shall restrict access on Exeter Road at Street 'O' and Street 'M' to rights-in and rights-out only in accordance with the City's Access Management Guidelines (AMG), to the satisfaction of the City Engineer.~~

### Traffic Calming

82. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~, the Owner shall have its professional engineer provide a detailed conceptual ~~conceptual~~ design of the proposed traffic calming measures along Street 'A', Street 'C', Street 'D', Street 'E', Street 'I', Street 'J', Street 'K', Street 'M', Street 'O' and Street 'P', including roundabouts, parking bays, curb extensions, speed cushions, raised intersections and other measures, to the satisfaction of the City.
83. The Owner shall construct roundabouts, including splitter islands, at the intersections of Street 'A' and Street 'P', to the satisfaction of the City Engineer.
84. The Owner shall construct the following traffic calming measures on Street 'A' and Street 'S', to the satisfaction of the City Engineer:
  - i) Raised intersections along Street 'A' at Street 'F'/'D' and at Street 'I';
  - ii) Curb extensions along Street 'A' at Street 'B'/'E' and Street 'D'/'G';
  - iii) Parking bay on the north side of Street 'A' between Street 'P' and the east limit of the subdivision;
  - iv) ~~Raised intersection on Street 'P' at Street 'L' and Street 'O' at Street 'L';~~
  - v) ~~Parking bay on the west side of Street 'P' between Exeter Road and Street 'A';~~
  - vi) ~~Raised intersection on Street 'M' at Street 'L';~~
  - vii) ~~Parking bay on the west side of Street 'M'; and~~

viii) Parking bay on the west side of Street 'I'.  
Should it be determined, the raised intersection will affect the major overland flow route, the Owner shall construct alternative traffic calming measures, to the satisfaction of the City Engineer.

85. The Owner shall construct speed cushions along the following Streets, to the satisfaction of the City Engineer:
- i) Street 'K' between Street 'J' and Street 'L';
  - ii) Street 'J' between Street 'L' and Street 'K';
  - iii) Street 'D' between Street 'E' and Street 'A';
  - iv) Street 'E' between Street 'A' and Street 'H';
  - v) Street 'I' between Street 'A' and Street 'J';
  - ~~vi) Street 'N' between Street 'M' and Street 'O'; and~~
  - vii) Street 'C' between Wharncliffe Road and Street 'B'.

#### Construction Access/Temporary Access Roads

86. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Exeter Road or other routes as designated by the City.
87. The Owner shall ensure any emergency access required is satisfactory to the City with respect to all technical aspects, including adequacy of site lines, provisions of channelization, adequacy of road geometries and structural design, etc. Should an emergency access be required to accommodate development, the Owner shall locate, construct, maintain and close the access to the satisfaction of the City Engineer.
88. In the event any work is undertaken on an existing street, the Owner shall establish and maintain a Traffic Management Plan (TMP) in conformance with City guidelines and to the satisfaction of the City for any construction activity that will occur on existing public roadways. The Owner shall have its contractor(s) undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted in conjunction with the subdivision servicing drawings for this plan of subdivision.
89. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~, the Owner shall identify and provide a detail concept of the pathway system, including the portion to be located in the Street 'C' boulevard, to the satisfaction of the City Engineer.

#### General Engineering

90. In conjunction with the engineering drawing 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 Bylaw) prior to advancing a report to Planning and Environment Committee recommending approval of the special provisions for the subdivision agreement.
91. The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan and all required engineering drawings, to the satisfaction of the City. Any deviations from the City's standards, guidelines or requirements shall be satisfactory to the City.
92. 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.
93. 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.

94. In conjunction with the first submission of engineering drawings Design Studies submission, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, the following:
- i) Servicing, grading and drainage of this subdivision;
  - ii) Road pavement structure;
  - iii) Dewatering;
  - iv) Foundation design;
  - v) Removal of existing fill (including but not limited to organic and deleterious materials);
  - vi) The placement of new engineering fill;
  - ix) Any necessary setbacks related to slope stability for lands within this plan; and
  - x) Identifying all required mitigation measures including Low Impact Development (LIDs) solutions; and
  - xi) Any other requirements as needed by the City.
- The Owner shall implement all geotechnical recommendations to the satisfaction of the City all to the satisfaction of the City.

95. 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, at no cost to the City and all to the specifications and satisfaction of the City.~~

96. The Owner shall connect to all existing services and extend all services to the limits of the draft plan of subdivision, at no cost to the City, all to the specifications and satisfaction of the City Engineer.

97. In conjunction with the first submission of engineering drawings Design Studies submission, the Owner shall have his consulting engineer submit a detailed concept plan which shows 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 Zoning R4-6 on Blocks 27 and 32. 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.

98. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement any approved servicing for the street townhouse units, to the satisfaction of the City Engineer.

~~In the event that servicing is constructed on streets in this plan of subdivision fronting proposed street townhouse blocks prior to site plan approval, the Owner shall relocate any services that are not in standard location, all to the specifications and satisfaction of the City, at no cost to the City.~~

99. In conjunction with the first submission of engineering drawings Design Studies submission, the Owner shall have its professional engineer submit the ultimate profile for Wharncliffe Road and Exeter Road, to the satisfaction of the City.

100. The Owner shall have the common property line of Exeter Road and Wharncliffe Road South 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 Exeter Road and Wharncliffe Road South are the ultimate centreline of road grades as determined by the Owner's professional engineer, satisfactory to the City. From these, the Owner's professional engineer is to determine the ultimate elevations along the common property line which will blend with the ultimate reconstructed road, all to the satisfaction of the City.

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

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

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

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

102. 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.

103. 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.

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

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

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

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

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

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

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

107. In conjunction with the first submission of engineering drawings ~~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.

108. 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".

109. The Owner shall not commence construction or installations of any services (eg. clearing or servicing of land) involved with this Plan prior to obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the City in writing (eg. Ministry of the Environment Certificates, City/Ministry/Government permits: Approved Works, water connection, water-taking, crown land, navigable waterways, approvals: Upper Thames River Conservation Authority, Ministry of Natural Resources, Ministry of the Environment, City, etc.).

110. Prior to any work on the site, the Owner shall decommission and permanently cap any abandoned wells located in this Plan, in accordance with current provincial legislation, regulations and standards. In the event that an existing well in this Plan is to be kept in service, the Owner shall protect the well and the underlying aquifer from any development activity.
111. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~, in the event the Owner wishes to phase this plan of subdivision, the Owner shall submit a phasing plan identifying all required temporary measures, and identify land and/or easements required for the routing of services which are necessary to service upstream lands outside this draft plan to the limit of the plan to be provided at the time of registration of each phase, all to the specifications and satisfaction of the City.
112. In the event the draft plan develops in phases, upon registration of any phase of this subdivision, the Owner shall provide land and/or easements along the routing of services which are necessary to service upstream lands outside of this draft plan to the limit of the Plan.
113. If any temporary measures are required to support the interim conditions in conjunction with the phasing, the Owner shall construct temporary measures and provide all necessary land and/or easements, to the specifications and satisfaction of the City Engineer, at no cost to the City.
114. 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.
115. The Owner shall decommission any abandoned infrastructure, (eg. water irrigation, communication tower, lights, etc.) 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.
116. 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.
117. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
118. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~, the proposed block lotting plan shall be reviewed and accepted with respect to City services, road geometries, easements requirements, etc., to the satisfaction of the City.
119. At the time this plan is registered, the Owner shall register all appropriate easements for all existing and proposed private and municipal storm, water and sanitary works required in this plan, to service external lands, all to the satisfaction of the City Engineer, at no cost to the City.
120. Prior to Final Approval, 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.
121. 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 arrangements 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.

122. The Owner shall include in all agreements of purchase and sale and register on the title of all Lots/Blocks in this plan a warning clause advising the purchaser/transferee that these Lots/Blocks are not to be developed until the existing services are removed, alternate services are installed if necessary to replace the existing private services and the existing easement is quit claimed to the satisfaction of the City.
123. ~~The Owner acknowledges that the City, in accordance with the City's current Growth Management Implementation Strategy (GMIS) may be constructing the SWM Facilities and Sanitary trunk sewer in 2017. The Owner shall co-operate with the City, as necessary to complete the project, including providing access to their lands and easements as necessary.~~
124. Prior to registration of the plan, the Owner shall decommission any works in the existing easements, as necessary, and the existing easements are to be released, to the satisfaction of the City.
125. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall remove and relocate any existing earth stockpile generally located in this Plan, all to the satisfaction of the City and at no cost to the City.
126. The Owner shall include in any Agreement of Purchase and Sale or lease and in the transfer of deed of all Lots/Blocks in this plan, a covenant by the purchaser or transferee stating that the purchaser or transferee of the said Lots/Blocks shall observe and comply with the City easements, private easements and private sewer serviced required for the servicing of external lands to this plan.
- The Owner(s) further acknowledge that no landscaping, vehicular accesses, parking access, works or other features shall interfere with the above-noted municipal or private maintenance accesses, servicing, grading or drainage that services other lands and/or easements.
127. 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, where such services and drainage cannot be accommodated in the existing and/or proposed right-of-way, to the satisfaction of the City, at no cost to the City.