

--	--

**Draft Approval Extension 39T-08501
Alanna Riley**

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	G. KOTSIFAS P.ENG. MANAGING DIRECTOR DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	HIGHLAND GREEN LONDON INC. 181 & 199 COMMISSIONERS ROAD EAST 39T-08501 – HIGHLAND GREEN SUBDIVISION EXTENSION TO DRAFT PLAN OF SUBDIVISION APPROVAL MEETING ON APRIL 9, 2013

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the Draft Plan of Subdivision application of Highland Green London Inc., File No. 39-08501, relating to the properties located at 181 & 199 Commissioners Road East:

- a) The Approval Authority **BE ADVISED** that Municipal Council **SUPPORTS** a one (1) year extension of draft approval for draft approved plan 39T-08501 submitted by Highland Green London Inc., prepared by ENG Plus (Project No. 06.257), certified by J. Andrew Smith OLS, on December 18, 2007, as red line amended, which shows 27 single detached residential lots served by an extension of Edwin Drive and an extension of Carnegie Lane **SUBJECT TO THE PREVIOUSLY IMPOSED CONDITIONS.**

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The effect of the recommendation is to allow for a further one (1) year extension of the draft approval for the Highland Green subdivision.

BACKGROUND

This application for Draft Plan of Subdivision Approval was accepted on May 28, 2007 and was assigned the subdivision file number 39T-07505. However, it was determined the face of the plan showed incorrect owner information. A corrected plan was filed with the City on January 7, 2008. The previous file was closed and the new file is assigned as 39T-08501. The correspondence and background information from the previous file was transferred into the current file.

The application was circulated to the required agencies and municipal departments on June 8, 2007 and advertised in the London Free Press Civic Corner on June 9, 2007. A notice of Public Meeting was advertised in the London Free Press on June 28, 2008, and a notice of Public Meeting was sent out on July 4, 2008. The Public Meeting was held on July 14, 2008.

On September 27, 2010 a report was presented to the Environment & Transportation Committee meeting recommending the replacement of Conditions 28 & 29 (relating to the construction of a sanitary pumping station and forcemain) with a new condition requiring payment to cover the cost of basement flooding mitigation measures for homeowners in the

--	--

**Draft Approval Extension 39T-08501
Alanna Riley**

area. This change was supported by Council and on January 19, 2011, Draft Approval was modified to enact this change.





An emergency extension was granted, extending the lapse date to October 31, 2011. A one (1) year extension was subsequently granted on October 25, 2011, resulting in a lapse date of October 31, 2012, and another 180 day extension granted on October 18, 2012, resulting in a current lapse date of April 30, 2013.

The subdivision review process for this plan has been proceeding over the past several months. The design studies component has been completed and servicing drawings are close to being accepted. It is anticipated that final approval and registration of the plan will be completed within one year. Accordingly, no changes to the draft plan conditions are proposed and a one year extension is being recommended at this time.

The Conditions of Draft Approval are attached as Appendix "39T-08501-1". Condition No. 2 has been updated to reflect the one year extension. All other conditions remain unchanged.

CONCLUSION

A one year extension to the lapse date of Draft Plan 39T-08501 is appropriate as it will provide sufficient time for acceptance of the servicing drawings and progress this plan of subdivision to final approval.

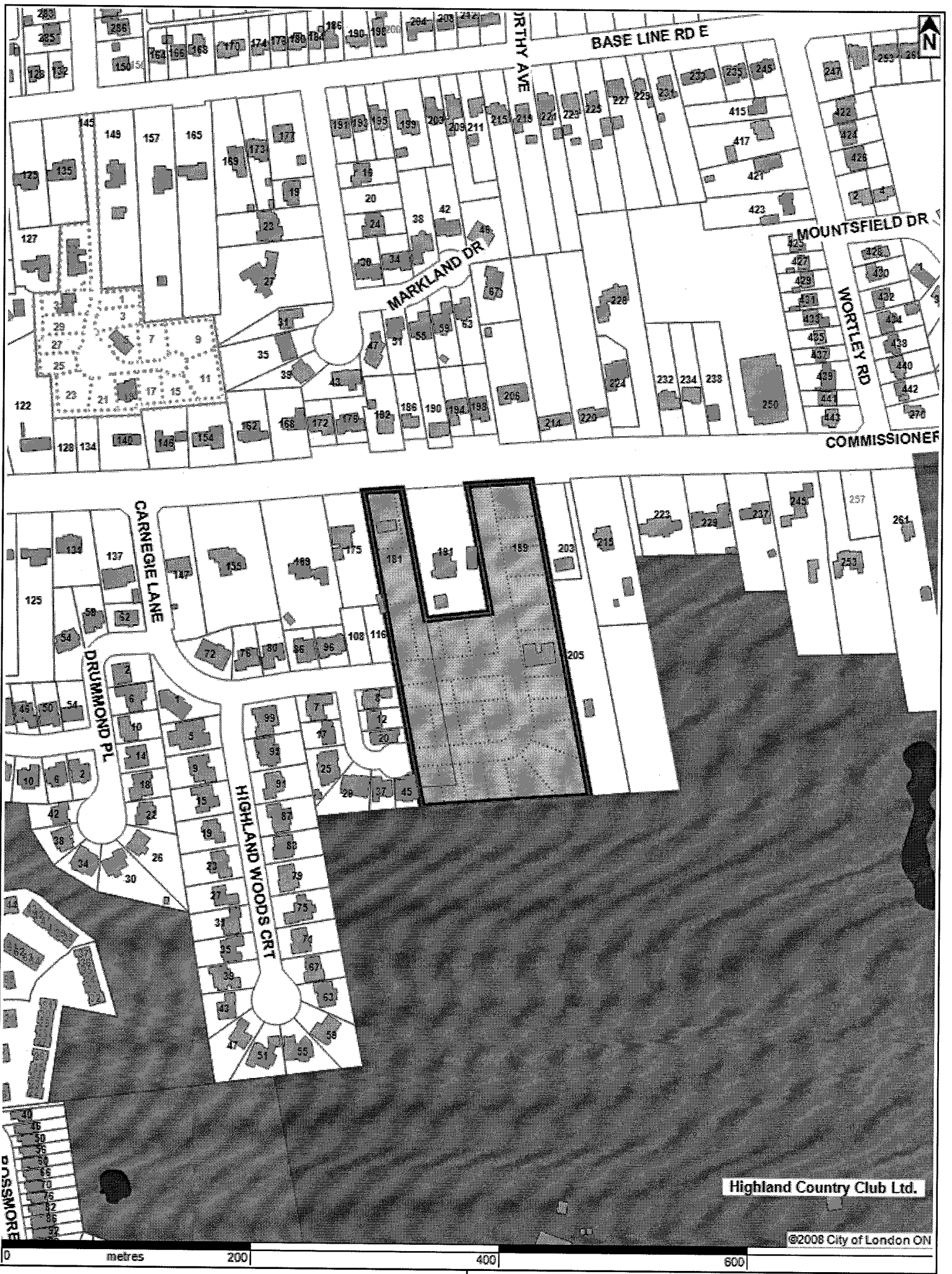
PREPARED AND RECOMMENDED BY:	REVIEWED BY:
	
ALANNA RILEY, MCIP, RPP SENIOR PLANNER DEVELOPMENT SERVICES	BRUCE HENRY MANAGER DEVELOPMENT PLANNING
REVIEWED BY:	SUBMITTED BY:
	
TERRY GRAWEY, MCIP, RPP MANAGER DEVELOPMENT SERVICES & PLANNING LIAISON	GEORGE KOTSIFAS P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

March 26, 2013
AR/ar

"Attach."

X:\Shared\Sub&Spec\SUBDIV2008\39T-08501 - 181 & 199 Commissioners Rd E (TG)\2013 extension\Report to PEC - Extension Report (Final).doc






Cc Highland Green London Inc.
88 York Street
London ON
N6A1A7



LOCATION MAP
 Subject Site: Soufan - Plan of Subdivision
 Applicant: 1441380 Ontario Ltd.
 File Number: 39T-08501
 Planner: Heather McNeely
 Created By: Heather McNeely
 Date: 2008-07-03
 Scale: 1:3700

Corporation of the City of London
 Prepared By: Planning and Development

LEGEND

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

Agenda Item #	Page #

**Draft Approval Extension 39T-08501
Alanna Riley**

Appendix 39T-08501-1

THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-08501 ARE AS FOLLOWS:

NO.	CONDITIONS
------------	-------------------

Standard

1. This draft approval applies to the draft plan, as red-line amended, submitted by 1441380 Ontario Ltd. (File No. 39T-08501 prepared by ENG Plus, surveyor J. Andrew Smith, Callon Dietz Inc. (Project No. 06.257, dated December 18, 2007), which shows 27 single-detached lots, served by two local streets.
2. This approval of the draft plan applies until April 30, 2014, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
3. The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.
4. The Street 'A' shall be named Edwin Drive.
5. The Owner shall request that municipal addresses be assigned to the satisfaction of the Director of Development Planning.
6. Prior to final approval, the Owner shall submit to the Approval Authority a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
7. Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.
8. The Owner shall satisfy all the requirements, financial and otherwise, of the City of London in order to implement the conditions of this draft approval.
9. The subdivision agreement between the Owner and the City of London shall be registered against the lands to which it applies.
10. In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City Engineer, at no cost to the City.
11. This subdivision shall be constructed in one phase, to the satisfaction of the Managing Director, Development Approvals Business Unit and the City Engineer.
12.
 - a) Prior to any work on the site, the Owner shall post security and construct temporary measures to control silt to the specifications of the City Engineer. These measures are to remain in place until no longer needed, to the satisfaction of the City Engineer.
 - b) The Owner shall have its professional engineer inspect the measures on a daily basis and keep a log of the dates inspected and any deficiencies identified. The Owner shall

Agenda Item #	Page #

Draft Approval Extension 39T-08501
Alanna Riley

have any deficiencies corrected forthwith. The logs shall be made available to the City Engineer upon request.

13. Prior to the acceptance of the Design Studies submission, the Owner shall have a report prepared by a qualified consultant, and if necessary, a detailed hydro geological investigation carried out by a qualified consultant, to determine the effects of the construction associated with this subdivision on the existing ground water elevations, private domestic or farm wells in the area and to assess the impact on the water balance of the subject plan, identifying all required mitigation measures, to the satisfaction of the City Engineer. If necessary, the report is to also address any contamination impacts that may be anticipated or experienced as a result of the said construction.

Any recommendations outlined in the report are to be reviewed and approved by the City Engineer, prior to any work on the site. Any remedial works recommended in the report shall be constructed or installed by the Owner, prior to the issuance of a Certificate of Conditional Approval, to the satisfaction of the City Engineer, at no cost to the City.

14. Prior to any work on the site, the Owner shall determine if there are any abandoned wells in this Plan and shall decommission and permanently cap any abandoned wells located in this Plan, in accordance with current provincial legislation, regulations and standards. It is the responsibility of the Owner to determine if any abandoned wells exist in this Plan. 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.
15. 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.
16. Prior to final approval, all required connections from this plan to all municipal services shall be available. No servicing of these lands shall take place until adequate servicing connections are available.
17. The Owners professional engineer shall provide inspection services for all work during construction by its professional engineer for all work to be assumed by the City, and have its professional engineer supply the City with a Certificate of Compliance upon completion in accordance with the plans approved by the City Engineer.
18. The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan. Any deviation to the City's standards, guidelines, or requirements shall be completed to the satisfaction of the City Engineer and Managing Director, Development Approvals Business Unit.
19. Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the Approval Authority a complete submission consisting of all required clearances, fees, and final plans, and to advise the Approval Authority in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the Approval Authority, such submission will be returned to the Owner without detailed review by the City.
20. 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 and/or detailed engineering drawings, all to the satisfaction of the Director of Development Planning and the City Engineer. The Owner acknowledges

Agenda Item #	Page #

**Draft Approval Extension 39T-08501
Alanna Riley**

that, in the event that a submission does not include the complete information required by the Director of Development Planning and the City Engineer, such submission will be returned to the Owner without detailed review by the City.

- 21. Prior to final approval, the Owner shall pay in full all financial obligations/encumbrances on the said lands, including property taxes and local improvement charges.

PARKLAND:

- 22. Prior to registration, the Owner shall make a cash payment in lieu of the 5% parkland dedication pursuant to City of London By-law CP-9.
- 23. Prior to the submission of engineering drawings, 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 Director of Development Planning. The Owner shall incorporate the approved Tree Preservation Plan on the accepted grading plans.
- 24. Prior to the submission of engineering drawings and concurrently with the submission of engineering drawings, the Owner shall prepare and submit a detailed tree replanting plan which covers Lots 20 to 25, inclusive identified on the draft plan of subdivision, as amended. The species selected to be planted both on the municipal road allowance and on the future proposed lots shall meet the requirements of the City of London Guidelines for Tree Planting. The re-naturalization/tree replanting plan shall be prepared in consultation with the City' Planning Division and to the satisfaction of the Director of Development Planning. All planting work on the public road allowance shall be undertaken within one year of registration of this plan, at the sole expense of the Owner, completed to the satisfaction of the Director of Development Planning. For Lots 20 to 25, inclusive, all plantings will be completed within one year of issuing the first building permit for the lot. Required securities to be posted and warranty periods shall be contained within the subdivision agreement and will be established to the satisfaction of the Director of Development Planning.

PLANNING:

- 25. Prior to final approval, the Owner shall remove, or demolish any accessory structures that exist on the subject lands necessary to bring any proposed lot into compliance with the zoning by-law.
- 26. Prior to submission of engineering drawings, the Owner shall have a qualified acoustical consultant prepare a noise study concerning the impact of traffic noise which considers alternative noise abatement measures that are to be applied in accordance with the requirements of the M.O.E. and the City Official Plan to be reviewed and accepted by the Director of Development Planning. The final accepted recommendations shall be constructed or installed by the Owner or may be incorporated into the subdivision agreement.
- 27. As part of the engineering drawing submission, the Owner shall incorporate enhanced landscaping and design on the north limit of proposed Lot 5, as amended, and the face of the dwelling, and in the side-exit of the local road accessing to Commissioners Road E, to the satisfaction of the Director of Development Planning. Any fence treatment shall

Agenda Item #	Page #

**Draft Approval Extension 39T-08501
Alanna Riley**

consist of wrought iron, consistent with the fence treatment on the south side of Commissioners Road E.

SANITARY:

- 28. Prior to final approval, the Owner shall provide a lump sum payment in the amount of \$189,000 to the City of London, to cover the cost of basement flooding mitigation measures for homeowners in the area, who are determined by the City to require protection and agree to have the works undertaken.
- 29. ~~(Deleted January 2014)~~
- 30. The Owner shall not connect any weeping tile connections into the sanitary sewers within this plan and all lots shall be connected to municipal sanitary sewers.

STORM/STORMWATER MANAGEMENT:

- 31. a) The Owner shall have its consulting professional engineer design and supervise the construction of the storm/drainage system to service this plan and the total catchment area, to the specification and satisfaction of the City Engineer and according to the requirements of the following:
 - i) The SWM targets and criteria for the Thames Valley Area Subwatershed Study;
 - ii) The approved storm/servicing and Stormwater Management Functional Report for these lands;
 - iii) City of London SWM Pond requirements (update January 2003);
 - iv) The City's Drainage and Waste Discharge By-laws, lot grading standards, policies, requirements and practices;
 - v) Ministry of the Environment SWM Practices Planning and Design Manual; and
 - vi) Applicable Acts, Policies, Guidelines, Standards and Requirements of all relevant SWM agencies.
- b) The Owner shall construct the storm/drainage system to service this plan and the total catchment area, entirely at its own expense, to the satisfaction of the City Engineer and according to the requirements in part (a) above.
- 32. Prior to acceptance of the Design Studies submission, the Owner shall develop an erosion/sediment control plan (ESCP) that will identify all erosion and sediment control measures for the subject lands in accordance with City of London and Ministry of the Environment standards and requirements, all to the satisfaction of the City Engineer. This Plan is to include measures to be used during all phases on construction. Prior to any work on the site, the Owner shall submit these measures as a component of the Functional SWM and/or Drainage Servicing Report for these lands and shall implement these measures satisfactory to the City Engineer. The Owner shall correct any deficiencies of the erosion and sediment control measures forthwith.
- 33. Prior to the acceptance of the Design Studies submission, the Owner shall implement SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City Engineer. The acceptance of these measures by

Agenda Item #	Page #

**Draft Approval Extension 39T-08501
Alanna Riley**

the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City Engineer.

34. Prior to final approval, the Owner's consulting engineer shall certify that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this subdivision. Notwithstanding any requirements of the City, or any approval given by the City Engineer, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.
35. Prior to the submission of engineering servicing drawings, the Owner shall have its consulting professional engineer identify the major and minor storm flow routes for the entire catchment area(s) to the satisfaction of the City Engineer.

WATER:

36. The Owner shall connect the proposed watermain to serve this plan to the existing municipal 300 mm (12") diameter water main on Commissioners Road E, the existing municipal 200 mm (8") diameter watermain on Carnegie Lane and the existing municipal 100 mm (6") diameter watermain on Edwin Drive.

TRANSPORTATION:

37. At the time of registration, the Owner shall dedicate sufficient land to widen Commissioners Road E to 18 metres (59.06 ft.) from the centreline of the original road allowance.
38. At the time of registration, the Owner shall dedicate 6.0 m x 6.0 m "daylighting triangles" at the intersection of Edwin Drive and Commissioners Road E in accordance with Section 4.24 of Zoning By-law no. Z.-1, and such "daylighting triangles" shall be shown and dedicated as public highways on the final plan.
39. The Owner shall construct a 1.5 metres (5') sidewalk on one side of the following streets within a time-frame as directed by the City Engineer:
 - i) Carnegie Lane – north boulevard
 - ii) Edwin Drive – west boulevard, from Carnegie Lane to Commissioners Road E
40. The Owner shall design and construct Edwin Drive access at Commissioners Road E to rights-out only using a design satisfactory to the City Engineer.
41. The Owner shall direct all construction traffic associated with this draft plan of subdivision to use Commissioners Road E or other routes as designated by the City Engineer from time to time.
42. Prior to the submission of engineering drawings, the Owner shall notify the Utilities Co-ordinating Committee (UCC) that the extension of Edwin Drive in this draft plan of subdivision, being the extension of Edwin Drive, is a non-standard cross section previously approved under Plan 33M-433.
43. The Owner shall establish and maintain a Traffic Management Plan (TMP), when directed by the City, in conformance with City guidelines and to the satisfaction of the City Engineer for any construction activity that will occur on existing public roadways needed to provide services for this plan of subdivision. The TMP is a construction scheduling tool intended to harmonize a construction project's physical requirements

Agenda Item #	Page #

**Draft Approval Extension 39T-08501
Alanna Riley**

with the operational requirements of the City of London, the transportation needs of road users and access concerns of area property owners. The Owner's contractor(s) shall undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted and become a requirement of the subdivision servicing drawings for this plan of subdivision.

44. At the time of registration, the Owner shall dedicate 0.3 metre road reserve blocks at the following locations:
 - i. West side of Street 'A' abutting lands (191 Commissioners Road E) outside of this plan, and
 - ii. North boundary of the subdivision, east of Street 'A', and
45. As part of the design studies submission, the Owner shall have its consulting engineer identify in a report and on acceptable drawings how the grading issues will be resolved upon the removal of the existing retaining walls at the east limit of Carnegie Lane and Edwin Drive in Plan M-433 to the west of this plan. Any remedial action required outside the boundaries of this plan shall be at the cost of the Owner.
46. The Owner shall have the common property line of Commissioners Road East 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 Commissioners Road East are the existing centreline of road grades as determined by the Owner's professional engineer, satisfactory to the City Engineer. From these, the Owner's professional engineer is to determine the elevations along the common property line which will blend with the existing road, all to the satisfaction of the City Engineer.

47. During the construction of Edwin Drive, the Owner shall remove the temporary turning circle at the limit of Edwin Drive in Plan 33M-433, all at no cost to the City. Upon completion of the removal of the temporary turning circle, the City shall provide \$10,000 to the Owner, which the City presently holds for this work.
48. ~~(Condition deleted October 2011)~~

OTHER SERVICE ISSUES:

49. Where services required by this plan are located outside this plan, the Owner shall demonstrate that arrangements have been made for these services all satisfactory to the City Engineer. Confirmation of the arrangements shall be submitted in conjunction with the design studies.
50. In conjunction with the Design Studies submission, the Owner shall have its professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this Plan. All class EA's must be completed prior to the submission of engineering drawings.
51. The Owner shall not burn any materials on site.
52. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall have the existing access and services to 199 Commissioners Road East, 203 Commissioners Road East, 205 Commissioners Road East and 279 Commissioners Road East relocated and/or reconstructed to the satisfaction of the City Engineer. Any portion of existing services not used shall be abandoned and capped to the satisfaction of the City Engineer, all at no cost to the City. In addition, the Owner shall regrade areas within Lot

Agenda Item # Page #

--	--

**Draft Approval Extension 39T-08501
Alanna Riley**

- 10 (199 Commissioners Road East) to be compatible with the proposed subdivision grading and drainage, to the satisfaction of the City Engineer.
53. As part of the detailed design drawings, the Owner shall identify locations of all existing infrastructure, ie, water, septic, storm, hydro, driveways, etc., and their decommissioning or relocation, to the satisfaction of the City Engineer.
 54. As part of the design studies submission, the Owner shall have his consulting engineer investigate whether there is a municipal drain located on this site. Should there be a municipal drain, the Owner shall identify and prepare a report of any works required to keep this municipal drain in operation or the decommissioning of the drain, to the satisfaction of the City Engineer.
 55. Upon registration of the plan, the Owner shall register a warning clause on the title of Lots 10 to 25, as amended, inclusive to advise potential purchasers that their use and enjoyment of their property may be negatively impacted by proximity of golf course operations on an adjoining property.
 56. As part of the design studies submission, the Owner shall have its consulting engineer identify how the grading issues will be resolved along the west limit of this plan, to the satisfaction of the Director of Development Planning and City Engineer, any remedial action is at the cost of the Owner.
 57. As part of the design studies submission, the Owner shall provide the dwelling design on Lot 5 by incorporating street-oriented development to avoid the need for a noise attenuation wall along Commissioners Road E, to the satisfaction of the Director of Development Planning.
 58. Upon registration of the plan, the Owner shall convey an easement over the east limit of Lot 26, as amended, in favour of 191 Commissioners Road E for a possible future common driveway access in the event the lands at 191 Commissioners Road E develop.

New Conditions:

59. Prior to the acceptance of servicing drawings, the Owner shall contact the Utilities Coordinating Committee (UCC) should the right-of-way for Carnegie Lane and Edwin Drive, between Carnegie Lane and Commissioners Road East, be less than the City standards of 20.0 metres. Carnegie Lane and Edwin Drive, between Carnegie Lane and Commissioners Road East, are to have a minimum pavement width of 8.0 metres. It is noted the plan of subdivision may require adjustments to accommodate the pavement widths.
60. The Owner shall have its professional engineer design and supervise the construction of Edwin Drive, between Commissioners Road East and Carnegie Lane to City standards with regards to the existing grade and conditions along the boundary of this street and the abutting lands to the west, to the specifications of the City Engineer. The Owner shall make any necessary adjustments to the right-of-way, pavement, boulevard, sidewalks, utilities and services to accommodate the existing grades and conditions without requiring a retaining wall and to the satisfaction of the City Engineer, at no cost to the City.
61. The Owner shall construct storm sewers to serve this plan and connect them to the existing municipal sewer system, namely, the existing 600 mm (24") diameter storm sewer on Commissioners Road East.
62. In conjunction with the submission of the design studies, the Owner shall have their

Agenda Item #	Page #

Draft Approval Extension 39T-08501
Alanna Riley

- consulting engineer submit a stormwater servicing report/plan satisfactory to the City Engineer. This report shall include identification of the major and minor stormwater overland flow routes for the entire catchment area to the satisfaction of the City Engineer.
63. Prior to the issuance of a Certificate of Conditional Approval for lots and blocks in this plan or as otherwise approved by the City Engineer, all storm/drainage and stormwater management (SWM) works, including major and minor storm flow routes, shall be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City Engineer.
 64. 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.)
 65. Throughout the duration of construction within this draft plan of subdivision, the Owner shall undertake measures within this draft plan to control and prevent any inflow and infiltration and silt from being introduced to the sanitary sewer system during and after construction, satisfactory to the City Engineer, at no cost to the City.
 66. Following construction of the sanitary sewers, the Owner shall have it's consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407. Also, if requested, the Owner shall permit the City to undertake smoke testing of the system at any time prior to assumption of the subdivision.
 67. The Owner shall permit the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer. Alternatively, the City may require the Owner to undertake smoke testing at his own cost for this purpose and provide a record of the results to the City. The City may require smoke testing to be undertaken until such time as the sewer is assumed by the City.
 68. Prior to the acceptance of the Design Studies submission, the Owner shall have it's professional engineer determine if there is sufficient water turnover to ensure water quality and determine how many homes need to be built and occupied to maintain water quality in the water system. If the water quality cannot be maintained in the short term, the Owner shall install automatic blow offs, where necessary, to the satisfaction of the City Engineer, or make suitable arrangements with Water Operations for the maintenance of the system in the interim.
 69. Prior to the issuance of a Certificate of Conditional Approval for each construction stage of this subdivision, all servicing works for the stage must be completed and operational, all to the specification and satisfaction of the City Engineer.
 70. Prior to final approval, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of services situated on private lands outside this plan, and shall provide satisfactory easements over the sewers as necessary, all to the specifications and satisfaction of the City Engineer.
 71. 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.

Agenda Item # Page #

--	--

**Draft Approval Extension 39T-08501
Alanna Riley**

72. In the event the Owner wishes to phase this plan of subdivision, in conjunction with the Design Studies submission, the Owner shall submit a phasing plan, all to the specifications and satisfaction of the City Engineer. If this plan is developed in phases and any temporary measures are required, these temporary measures shall be constructed to the specifications and satisfaction of the City Engineer, at no cost to the City.
73. In the event the draft plan develops in phases, prior to final approval 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.
74. The Owner shall advise the City in writing at least two weeks prior to connecting, either directly or indirectly, into any unassumed services constructed by a third party, and to save the City harmless from any damages that may be caused as a result of the connection of the services from this subdivision into any unassumed services. Prior to connection being made to an unassumed service, the following will apply:
- i) In the event discharge is to unassumed services, the unassumed services must be completed and conditionally accepted by the City;
 - ii) The Owner must provide a video inspection on all affected unassumed sewers;
- Any damages caused by the connection to unassumed services shall be the responsibility of the Owner.
75. The Owner shall pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if applicable) to third parties that have constructed the services and/or facilities to which the Owner is connecting. The above-noted proportional share of the cost shall be based on design flows, to the satisfaction of the City Engineer, for sewers or on storage volume in the case of a SWM facility. The Owner's payments to third parties shall:
- i) commence upon completion of the Owner's service work, connections to the existing unassumed services; and
 - ii) continue until the time of assumption of the affected services by the City.
76. With respect to any services and/or facilities constructed in conjunction with this Plan, the Owner shall permit the connection into and use of the subject services and/or facilities by outside owners whose lands are served by the said services and/or facilities, prior to the said services and/or facilities being assumed by the City.
77. 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

Agenda Item # Page #

--	--

**Draft Approval Extension 39T-08501
Alanna Riley**

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.

78. The Owner shall have it's professional engineer notify existing property owners in writing, regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision, all in accordance with Council policy for "Guidelines for Notification to Public for Major Construction Projects".
79. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
80. The Owner shall remove any temporary works when no longer required and restore the land, at no cost to the City, to the specifications and satisfaction of the City Engineer.
81. The Owner shall decommission any existing infrastructure affected by the development of this site, at no cost to the City, including cutting the water service and capping it at the watermain, as required by and to the specifications of the City Engineer.
82. Prior to final approval, the Owner shall apply for and receive draft plan of condominium approval (and if required, an associated Zoning By-law amendment) on Lots 1, 2, 3 and 4, to provide for the ongoing maintenance of the private drywell system that receives surface drainage from these lots. The ongoing maintenance and associated cost of the system shall be identified as the sole responsibility of the benefitting lot owners.