

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P. Eng.
Deputy City Manager, Planning and Economic Development

Subject: Application by: Landea Developments Inc. (Southside Group)
995 Fanshawe Park Road West
Request for Extension of Draft Plan Approval (39T-05512)

Meeting on: September 27, 2021

Recommendation

That, on the recommendation of the Director, Planning and Development, based on the application of Landea Developments Inc. relating to the property located at 995 Fanshawe Park Road West, the Approval Authority **BE REQUESTED** to approve a three (3) year extension to Draft Plan Approval for the residential plan of subdivision File No. 39T-05512, **SUBJECT TO** the revised conditions contained in the attached Schedule "A" 39T-05512.

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 phases within the residential plan of subdivision File No. 39T-05512.

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 land use pattern and road alignments in this subdivision comprise an integral part of the overall subdivision 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.

Linkage to the Corporate Strategic Plan

Building a Sustainable City - London's growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Property Description

The subject lands are located in the northwest quadrant of the City and are included in the Foxhollow Community Plan. The lands are on the south side of Sunningdale Road West, to the east of Fair Oaks Boulevard, and to the west of Denview Avenue. The lands which are included in the requested extension of draft plan approval include Phase 5, comprising the northern most portion of the subdivision to the north of the extension to Buroak Drive. Phase 5 is estimated to include 81 dwellings units, 1 park block, and be serviced by the extensions of two streets and addition of one new street.

1.2 Current Planning Information (see more detail in Appendix C)

- The London Plan Place Type – Neighbourhoods Place Type, Green Space
- 1989 Official Plan Designation – Multi-Family Medium Density Residential, Open Space
- Existing Zoning – h*h-54*h-100*R1-13; OS1

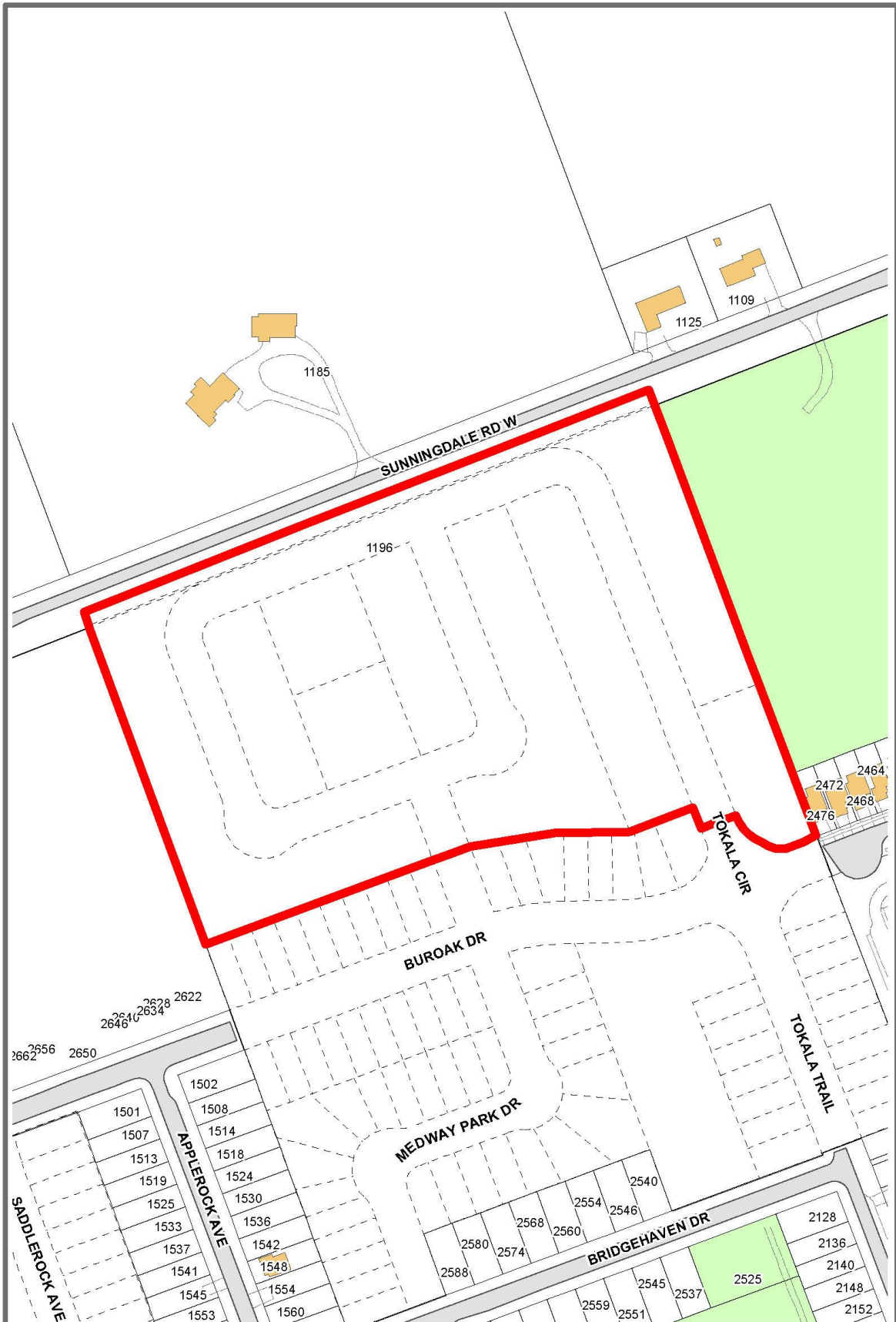
1.3 Site Characteristics

- Current Land Use – Vacant, woodland
- Frontage – approx. 308m on Sunningdale Road. (Civic Boulevard), approx. 20m on Tokala Trail and an unopened road allowance (Neighbourhood Streets)
- Area – approx. 5.9 ha (14.7 acres)
- Shape – Irregular

1.4 Surrounding Land Uses

- East – open space, and future residential
- South – existing residential and future residential
- West – existing and future residential
- North - farmland

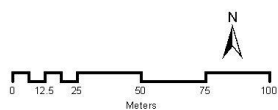
1.5 Location Map



LOCATION MAP

File Number: 39T-05512
Planner: Michael Clark
Date: 2021/06/29

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

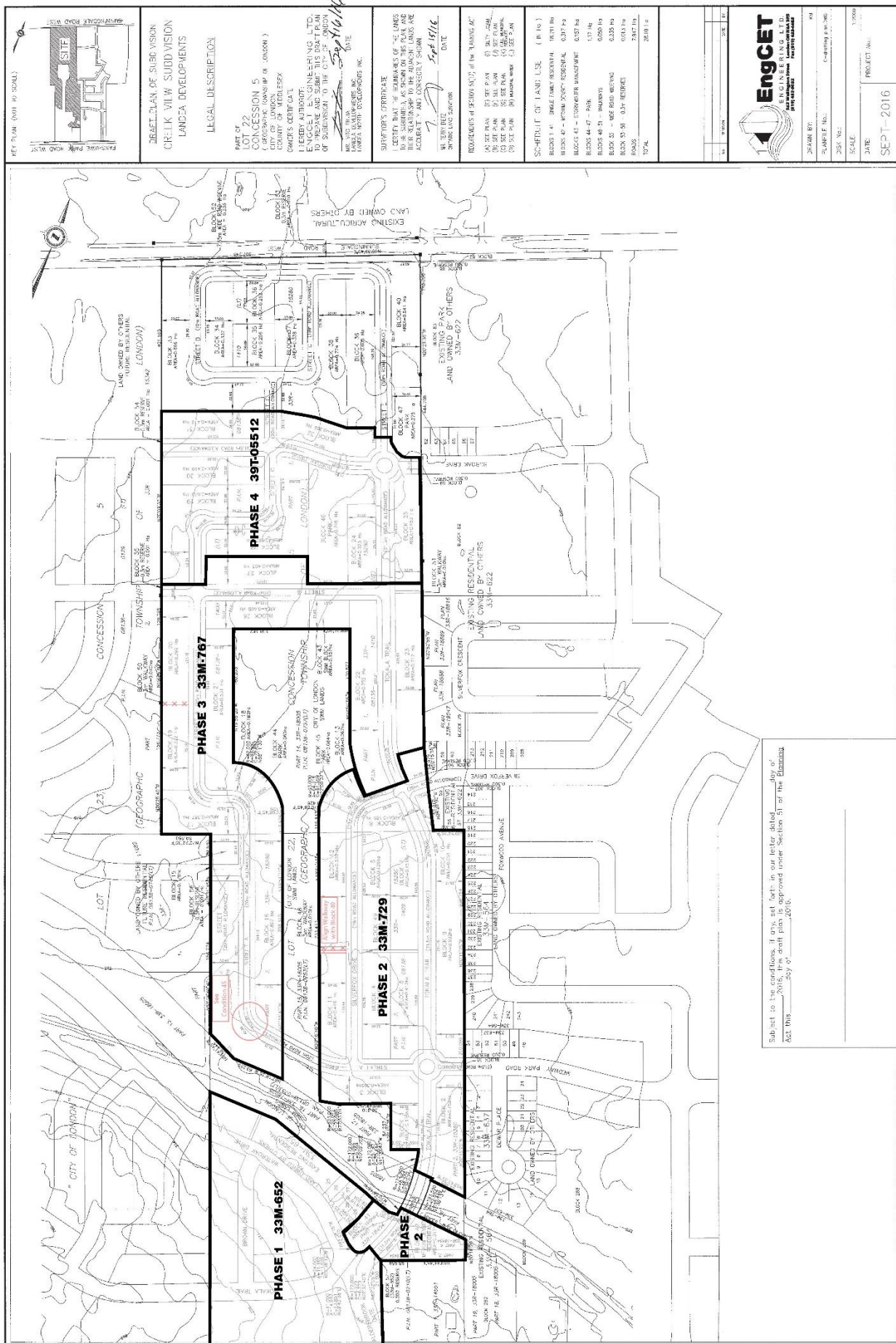


Scale 1:2250

Legend

- Subject Site
- Buildings
- Parks
- Draft Approved Subdivisions

1.6 Draft Approved Subdivision (annotated)



Note: The extents of Phases 1-4 have been annotated on this plan.

2.0 Discussion and Considerations

2.1 Previous Reports Related to this Matter

February 1999 - Report to Planning Committee to recommend approval of Foxhollow Community Plan (O-5604)

July 2009 - Report to Planning Committee on Draft Plan and Associated Official Plan and Zoning By-law amendments (39T-05512/OZ-6979).

September 2012 - Report to Planning Committee to recommend a 3 year extension of draft plan approval until October 14, 2015

February 22, 2016 – After a six month extension was granted by the approval authority to extend the lapse date until April 11, 2016, a Report to Planning and Environment Committee to recommend a 3 year extension of draft plan approval until October 14, 2018

September 24, 2018 - Report to Planning and Environment Committee to recommend a 3 year extension of draft plan approval until October 14, 2021 and the consolidation of the two draft plans (39T-05511 & 39T-05512) into one (39T-05512).

May 31, 2021 - Report to Planning and Environment Committee on Special Provisions for the Subdivision Agreement for Phase 4 (39T-05512-4).

September 1, 2021 – Report to the approval authority to grant a 180 extension to the draft plan approval until February 15, 2022.

2.2 Planning History

The applications for Draft Plan of Subdivision Approval (39T-05511 & 39T-05512) were originally accepted on August 10, 2005. After a number of modified versions of the plans they were both approved by the Approval Authority on October 14, 2009.

The Approval authority granted a three (3) year draft approval extension in 2012. Due to a work stoppage an emergency six (6) month extension was granted by the Approval Authority to extend the lapse date to April 11, 2016. On March 2, 2016 the Approval Authority granted a three (3) year draft approval extension to October 14, 2018.

An application to consolidate and undertake redline revisions to draft plans of subdivision for 39T-05512 and 39T-05511 as one draft plan of subdivision 39T-05512 was approved by City of London Approval Authority on March 6, 2017. On October 12, 2018, the Approval Authority granted a three (3) year draft approval extension to October 14, 2021.

On September 1, 2021, the Approval Authority granted a 180 day draft approval extension until February 15, 2022.

2.3 Requested Action

This request is for a three (3) year extension of Draft Approval for the Draft Plan of Subdivision 39T-05512. The attached amendments to the conditions of draft approval are required to ensure that these lands are developed to today's standards and to address engineering issues. The amendments to the conditions of draft approval are shown as strikeouts (deletions) and bold italic lettering (additions) on the attached Appendix. If granted, the new draft approval lapse date would be October 14, 2024.

An extension of Draft Approval is required in order to have sufficient time to complete the final approval and registration process as the subdivision plan is being developed in multiple phases. The applicant has not proposed any changes to the lotting configuration, road pattern or zoning that applies to these lands. A Draft Approval extension period of three (3) years is being recommended in accordance with standard City practice. If final approval has not been provided within the three year period and the applicant requests an extension, there will be another opportunity to formally review the conditions and ensure that they are relevant to current planning policies, municipal servicing

requirements, and the projects listed in the updated Growth Management Implementation Strategy (GMIS).

2.4 Community Engagement

Notice was not circulated to the public regarding the request for extension of draft approval given that no significant changes are being proposed to the zoning, lotting pattern or roadway alignments in the draft approved plan (39T-05512). In accordance with Section 51(45) of the Planning Act notice will be provided to the applicant, as well as any persons or public bodies who are prescribed under the Act and anyone who previously requested notification.

2.5 Policy Context (see more detail in Appendix C)

The London Plan

With respect to The London Plan, which has been adopted by Council but is not yet fully in force and effect pending appeals, the developable portions of these lands are within the “Neighbourhoods” Place Type permitting a range of uses such as single detached, semi-detached, duplex dwellings, townhouses, stacked townhouses and low rise apartments, as the main uses. The “Green Space” Place Type has also been applied to a portion of the subject lands to recognize planned open space and parkland. Proposed land uses are consistent with the Place Types in the London Plan. The Draft-Approved Plan incorporates a high degree of neighbourhood connectivity.

(1989) Official Plan

These lands are designated Multi-family, Medium Density Residential, and Open Space on Schedule ‘A’ of the 1989 Official Plan. The Multi-family, Medium Density Residential designation permits multiple attached dwellings, such as row houses or cluster houses; low rise apartment buildings; and small-scale nursing homes, rest homes, and homes for the aged up to a maximum density of 75 units per hectare. These areas may also be developed for single detached, semi-detached and duplex dwellings.

3.0 Financial Impact/Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

Draft Conditions

The Draft Approval conditions have been re-circulated and reviewed with municipal departments and agencies to determine their relevance within the context of current regulatory requirements. As a result, there are minor wording modifications and revisions, as well as a number of new clauses added reflecting current municipal standards and requirements. The proposed modifications and new conditions are briefly highlighted below:

1. All conditions have been modified to reflect the recent reorganization and the new titles for the ‘City Engineer’ and ‘Director, Development and Compliance Division’, and other positions.
2. Condition 2 is updated to reflect the new lapse date of October 5, 2024
3. Conditions 7, 22, 30, 42, 60, 84, 86, and 94 are substantively the same as those of the previous draft approval with some consolidation, minor revisions and wording modifications to comply with current standards and practices.
4. Conditions 20, 21, 26, 31, 32, 33, 82, and 83 can be deleted as they are standard conditions in a Subdivision Agreement.

5. Conditions 37, 38, 50, 59, and 67 are being modified to reflect the current block numbering and street names, and remove references to previously registered phases.
6. Standard draft plan conditions regarding barrier curbs, compliance with City standards, the City's Complete Streets Manual, and existing easements are added to reflect the City's current standard practices.
7. A standard draft plan condition has been added to address the minimum lot frontage for street townhouses to comply with City Standards.

Conclusion

It is appropriate to approve a three (3) year extension to Draft-Approval for this plan of subdivision, subject to the revised conditions as attached. The recommended extension is considered reasonable and appropriate to allow sufficient time for final approval and registration as this subdivision plan that will be developed in multiple phases. The recommended conditions of draft approval are attached to this report as Schedule "A" - 39T-05512.

Prepared by: Michael Clark, MA
Planner, Planning and Development (Subdivisions)

Reviewed by: Bruce Page, RPP
Manager, Planning and Development (Subdivisions)

Recommended by: Gregg Barrett, RPP, PLE
Director, Planning and Development

Submitted by: George Kotsifas, P. Eng.
Deputy City Manager,
Planning and Economic Development

cc: Matt Feldberg, Manager, Planning and Development (Subdivisions)
cc: Bruce Page, Manager, Planning and Development (Subdivisions)
cc: Peter Kavcic, Manager, Planning and Development (Subdivisions)
cc: Michael Pease, Manager, Planning and Development (Site Plan)

BP/mc

Schedule "A" – 39T-05512

The Corporation of the City of London's conditions and amendments to final approval for the registration of this subdivision, file number 39T-05512 are as follows:

Deleted, Revised, or New Condition #

No.	Conditions
1)	This draft approval applies to the draft plan submitted by Landea North Developments Inc. (File No. 39T-05512 prepared by Eng CET Engineering Ltd., certified by Terry Dietz, which shows 41 low density residential blocks, one (1) multifamily block, one (1) stormwater management block four (4) park blocks and various reserve, walkway and road widening blocks served by two (2) new collector roads and six (6) new local streets.
2)	This approval of the draft plan applies until October 14, 2024 October 5, 2024 , 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)	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.
5)	Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.
6)	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.
7)	<i>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 Planning and Development), which includes all works and services required for this plan, and this agreement shall be registered against the lands to which it applies.</i>
	The subdivision agreement between the Owner and the City of London shall be registered against the lands to which it applies.
8)	In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications, within this plan and external to this plan, as needed, (eg. 0.3 metre reserve blocks) 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 <i>Deputy City Manager, Environment and Infrastructure or designate City Engineer</i> , at no cost to the City.
9)	In conjunction with the Engineering Drawing 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, including but not limited to, the following: <ul style="list-style-type: none"> <li data-bbox="363 2110 1443 2182">i) the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area <li data-bbox="363 2182 1443 2220">ii) identify any abandoned wells in this plan <li data-bbox="363 2220 1443 2257">iii) assess the impact on water balance in the plan <li data-bbox="363 2257 1443 2295">iv) any fill required in the plan <li data-bbox="363 2295 1443 2368">v) provide recommendations for foundation design should high groundwater be encountered <li data-bbox="363 2368 1443 2440">vi) identify all required mitigation measures including Low Impact Development (LIDs) solutions <li data-bbox="363 2440 1443 2489">vii) address any contamination impacts that may be anticipated or experienced as a result of the said construction

- viii) provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.
- ix) 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.

all to the satisfaction of the City.

- 10) 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 accepted hydro geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City.
- 11) 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.
- 12) The Owner's professional engineer shall provide inspection services for all work during construction by its professional engineer for all work to be assumed by the City, and have its professional engineer supply the City with a Certification of Completion of Works upon completion, in accordance with the plans accepted by the **Deputy City Manager, Environment and Infrastructure or designate City Engineer**.
- 13) 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.
- 14) 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.
- 15) 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.
- 16) Prior to final approval for the registration of the subdivision the Approval Authority, is to be advised in writing by the City that all financial obligations/encumbrances on the said lands have been paid in full, including property taxes and local improvement charges.
- 17) Prior to any work on the site, the Owner shall obtain and submit to the **Deputy City Manager, Planning and Development or designate Director, Development and Compliance Division** prior to any work on the site a letter of archaeological clearance from the Southwestern Regional Archaeologist of the Ministry of Culture. No final approval shall be given, and no grading or other soil disturbance shall take place on the subject property prior to the letter of release from the Ministry of Culture.

Sanitary:

- 18) In accordance with City standards, or as otherwise required by the **Deputy City Manager, Environment and Infrastructure or designate City Engineer**, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
 - i) construct sanitary sewers to serve this Plan and connect them to the

- existing municipal sewer system, namely, the 450 mm diameter sanitary sewer located on Bridgehaven Drive at Tokala Trail;
- ii) construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the **Deputy City Manager, Environment and Infrastructure or designate City Engineer**;
 - iii) make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the specifications of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and
 - iv) where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the **Deputy City Manager, Environment and Infrastructure or designate City Engineer**.
- 19) In conjunction with the Engineering Drawing submission, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:
- i) provide a sanitary drainage area plan, including the preliminary sanitary sewer routing and the external areas to be serviced, to the satisfaction of the City;
 - ii) propose a suitable routing for the sanitary sewers to be constructed through this plan.
- ~~20) 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; and~~
 - ~~iv) Implementing any additional measures recommended through the Engineering Drawing stage~~
 - ~~v) Installing Parson Manhole Inserts (or approved alternative satisfactory to the City Engineer) in all sanitary sewer maintenance holes at the time the maintenance hole(s) are installed within the proposed draft plan of subdivision. The Owner shall not remove the inserts until sodding of the boulevard and the top lift of asphalt is complete, all to the satisfaction of the City Engineer.~~
- ~~21) Prior to registration of this plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Greenway/Adelaide Pollution Control Plant for this subdivision. This treatment capacity shall be reserved by the City Engineer subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.~~

~~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 reserve sewage treatment capacity reassigned to the subdivision.~~

Storm and Stormwater Management:

- 22) In conjunction with the Engineering Drawings 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) Identifying 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) Identifying major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;
 - iii) Ensuring that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specifications and satisfaction of the **Deputy City Manager, Environment and Infrastructure or designate City Engineer.**
 - iv) Providing supporting overland route capacity calculations and associated drawings for the conveyance of the major overland flows from this plan of subdivision to the intended receiving system to the south of this plan;
 - v) **Developing 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**

~~Developing an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject lands in accordance with City of London and Ministry of the Environment standards and requirements, all to the satisfaction of the City. This plan is to include measures to be used during all phases of construction; and~~
 - vi) Implementing SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the **Deputy City Manager, Environment and Infrastructure or designate City Engineer.**
- 23) The Owner shall connect the proposed storm sewers to serve this plan to the storm outlet, located within the Medway Creek Subwatershed, via the Stormwater Management (SWM) Facility # 3 in accordance with the Council accepted preferred servicing option of the Fox Hollow Municipal Class Environmental Assessment (EA) Study and any addendum, , all to the specifications and satisfaction of the **Deputy City Manager, Environment and Infrastructure or designate. City Engineer**
- 24) Prior to the issuance of a Certificate of Conditional Approval, the Owner shall construct and have his professional engineer design and oversee the construction for the proposed storm/drainage to service the total catchment area, including the major storm overflow/conveyance system, all to the satisfaction of the **Deputy City Manager, Environment and Infrastructure or designate City Engineer** and according to the requirements of the following:
- i) The City's SWM criteria and the environmental targets for the Medway Creek Subwatershed Study.
 - ii) The preferred storm/drainage and SWM servicing option of the Municipal Class EA and any addendum for the Fox Hollow lands as accepted by all applicable agencies.
 - iii) The accepted Functional Report for the proposed SWM Facility # 3
 - iv) The City's Design Requirements for Permanent Private Stormwater

- Systems approved by City Council and effective as of January 1, 2012.
- v) The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.;
 - vi) The Ministry of Environment and Climate Change's (MOECC) SWM Practices Planning and Design Manual (2003) and the City of London's Design Specifications and Requirements Manual (Environmental and Engineering Services Department – October 2003).
 - vii) The City's Waste Discharge and Drainage By-laws and lot grading standards, policies, requirements and practices; and
 - viii) All applicable Acts, Policies, Guidelines, Standards and Requirements of the relevant SWM agencies, including the City, the Ministry of the Environment and the Upper Thames River Conservation Authority.
- 25) Prior to the acceptance of engineering drawings, the Owner's consulting engineer shall certify the development has been designed such that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this subdivision. Notwithstanding any requirements 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.
- ~~26) 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 must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;~~
 - ~~ii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City;~~
 - ~~iii) Implement all geotechnical/recommendations made by the geotechnical report, accepted by the City;~~
- 27) In accordance with City standards or as otherwise required by the **Deputy City Manager, Environment and Infrastructure or designate 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) Make provisions to oversize and deepen the internal storm sewers, if necessary, in this plan to accommodate flows from upstream lands external to this plan;
 - ii) 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
 - iii) Address forthwith any deficiencies of the stormwater works and/or monitoring program.
- 28) The Owner shall ensure the post-development discharge flow from the subject site must not exceed capacity of the stormwater conveyance system. In an event where the condition cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirements for permanent Private Stormwater Systems.

Water

- 29) In accordance with City standards or as otherwise required by the **Deputy City Manager, Environment and Infrastructure or designate City Engineer**, the Owner shall complete the following for the provision of water services for this draft plan of subdivision:
- i) Construct watermains to serve this Plan and connect them to the existing municipal system, namely, the existing 300 mm diameter watermain on Tokala Trail and to other future municipal watermains to the east and west of this plan as identified in the accepted water

servicing report, satisfactory to the **Deputy City Manager, Environment and Infrastructure or designate City Engineer**. This plan of subdivision shall be serviced from the Hyde Park Water Pump Station; and

- ii) Deliver confirmation that the watermain system has been looped to the satisfaction of the **Deputy City Manager, Environment and Infrastructure or designate City Engineer** when development is proposed to proceed beyond 80 units.
- iii) The available fireflow and appropriate hydrant colour code (in accordance with the City of London Design Criteria) are to be shown on engineering drawings;
- iv) The fire hydrant colour code markers will be installed by the City of London at the time of Conditional Approval

30) In conjunction with the first submission of engineering drawings the Owner shall have their consulting engineer prepare and submit a Water Servicing Report including the following design information, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure or designate:

- i) Water distribution system analysis & modeling and hydraulic calculations for the Plan of Subdivision confirming system design requirements are being met;**
- ii) Identify domestic and fire flows for the future development Blocks from the low-level (high-level) water distribution system;**
- iii) Address water quality and identify measures to maintain water quality from zero build-out through full build-out of the subdivision;**
- iv) Include modeling for two fire flow scenarios as follows:**
 - a. Max Day + Fire confirming velocities and pressures within the system at the design fire flows, and**
 - b. Max Day + Fire confirming the available fire flows at fire hydrants at 20 PSI residual. Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);**
- v) Include a staging and phasing report as applicable which addresses the requirement to maintain interim water quality;**
- vi) Develop a looping strategy when development is proposed to proceed beyond 80 units;**
- vii) Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable;**
- viii) Identify any need for the construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision;**
- ix) Identify any required watermain oversizing and any cost sharing agreements;**
- x) Identify the effect of development on existing water infrastructure and identify potential conflicts;**
- xi) Include full-sized water distribution and area plan(s) which includes identifying the location of valves & hydrants, the type and location of water quality measures to be implemented (including automatic flushing device settings and outlet), the fire hydrant rated capacity & marker colour, and the design domestic and fire flow applied to development Blocks.**

In conjunction with the first submission of engineering drawings, the Owner shall implement the accepted recommendations to address the water quality requirements for the watermain system, to the satisfaction of the Deputy City Manager, Environment and Infrastructure or designate, at no cost to the City.

~~In conjunction with the Engineering Drawing submission the Owner shall have their consulting engineer prepare and submit a water servicing report including the following design information, all to the satisfaction of the City Engineer:~~

- ~~i) Water distribution system analysis & modeling and hydraulic calculations for the Plan of Subdivision confirming system design requirements are being met;~~
- ~~ii) Identify domestic and fire flows for the potential ICI/medium/high density Blocks from the low-level (high-level) water distribution system;~~
- ~~iii) Address water quality and identify measures to maintain water quality from zero build-out through full build-out of the subdivision;~~
- ~~iv) Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);~~
- ~~v) Include a phasing report as applicable which addresses the requirement to maintain interim water quality;~~
- ~~vi) Develop a looping strategy when development is proposed to proceed beyond 80 units;~~
- ~~vii) Provide a servicing concept for the proposed street townhouse (or narrow frontage) lots, if necessary, which demonstrates separation requirements for all services in being achieved;~~
- ~~viii) Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable;~~
- ~~ix) Identify any need for the construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision;~~
- ~~x) Identify any required watermain oversizing, if necessary, and any cost sharing agreements;~~
- ~~xi) Identify the effect of development on existing water infrastructure—identify potential conflicts;~~
- ~~xii) Include full-sized water distribution and area plan(s);~~
- ~~xiii) Identify on the water distribution plan the location of valves, hydrants, and the type and location of water quality measures to be implemented (including automatic flushing devices);~~

~~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.~~

- ~~31) 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.~~
- ~~32) 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 assumption/removal;~~
 - ~~ii) any incidental and/or ongoing maintenance, periodic adjustments, repairs, replacement of broken, defective or ineffective product(s), poor workmanship, etc., 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.~~~~
- ~~33) The Owner shall ensure the limits of any request for Conditional Approval shall conform to the staging plan as set out in the accepted engineering drawings and shall include the implementation of the interim water quality measures. In the event the requested Conditional Approval limits differ from the staging as set out in the accepted water servicing report, and the watermains are not installed to the stage limits, the Owner would be required to submit revised plan and hydraulic modeling as necessary to address water quality.~~

34) Streets, Transportation & Surveys

35) The Owner shall ensure a minimum of 5.5 metres (18') will be required along the curb line between the projected property lines of irregular shaped lots around the bends in this plan.

36) The Owner shall eliminate/limit the bulge in the curb line on Street 'A', Street 'C' and Street 'D' to only a maximum offset from the standard radius required to achieve the minimum curb distance for lands, as approved by the **Deputy City Manager, Environment and Infrastructure or designate City Engineer**. Further, the bulge in the street line is only to be to the extent required to achieve the minimum frontage for the abutting lots.

37) The Owner shall construct a 1.5 metres (5') sidewalk on both sides of the following streets:

- i) Tokala Trail – from south limit of plan to Buroak Drive
- ii) Buroak Drive
- # Street 'D' – with the exception of the window street portion**
- # Street 'E' – with the exception of the window street portion**

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

- ~~i) Street 'A' – west of Silverfox Drive – north and east boulevard~~
- ~~ii) Street 'B' – south boulevard~~
- iii) Street 'C' – ~~north and~~ east boulevards
- iv) Street 'D' (**window street portion**) – **south boulevard south, east and west boulevards**
- v) Street 'E' (**window street portion**) – **east boulevard south boulevard**
- ~~vi) Street 'F' – south boulevard~~

39) The Owner shall ensure that all pedestrian walkways are constructed to the "City Standard for Pedestrian Walkways", including lighting if necessary, in accordance with City requirements and standards.

40) The Owner shall install the following traffic calming measures along the secondary collector road network:

- i) Curb extensions along the east of Tokala Trail with the parking bay removed for utilities (fire hydrants) and for transit stop locations as defined by the London Transit Commission.
- ii) Curb extension along the north side of Buroak Drive with the parking bay removed for utilities (fire hydrants) and for transit stop locations as defined by the London Transit Commission.
- iii) Reduced curb radii (6.0m) on the inbound approach to all local road intersecting the secondary collector road network.
- iv) The traffic calming measures selected for these locations are subject to the approval of the Transportation Planning & Design Division and are to be designed and constructed to the satisfaction of the **Deputy City Manager, Environment and Infrastructure or designate City Engineer**.

41) The Owner shall provide sufficient land for and construct a roundabout at the intersection of Tokala Trail, Buroak Drive and Street 'E' in accordance with City standards. The Owner shall ensure that driveways for lots that abut the roundabout are located in accordance with the EESD Design Specification and Requirements Manual. The Owner shall install street lights at this intersection to the satisfaction of the **Deputy City Manager, Environment and Infrastructure or designate City Engineer**.

42) The Owner shall direct construction traffic associated with the construction of dwelling units in this Plan to access the site from Sunningdale Road West via Fair Oaks Boulevard to Buroak Drive, to the satisfaction of the City. All trades and construction vehicles shall park within this Plan of Subdivision.

~~The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Sunningdale Road West, Fanshawe Park Road West or~~

~~other routes as designated by the City Engineer.~~

- 43) 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 **Deputy City Manager, Environment and Infrastructure or designate City—Engineer** for any construction activity that will occur on existing public roadways. The Owner shall have its contractor(s) undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted in conjunction with the subdivision servicing drawings for this plan of subdivision.
- 44) The Owner shall construct a temporary turning facility for vehicles at the following locations:
- i) Buroak Drive - west limit
- to the specifications of the **Deputy City Manager, Environment and Infrastructure or designate City Engineer**.
- Temporary turning circles for vehicles shall be provided to the City as required by the **Deputy City Manager, Environment and Infrastructure or designate City Engineer**, complete with any associated easements. When the temporary turning circles(s) are no longer needed, the City will quit claim the easements which are no longer required, at no cost to the City.
- 45) All through intersection and connections with existing streets and internal to this subdivision shall align with the opposing streets based on the centrelines of the street aligning through their intersections thereby having these streets centred with each other, unless otherwise approved by the City.
- 46) In conjunction with the Engineering Drawing submission, the Owner shall provide a conceptual layout of the roads and rights-of-way of the plan to the City for review and acceptance with respect to road geometries, including but not limited to, right-of-way widths, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots.
- 47) In conjunction with the Engineering Drawing 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:"
- 48) Within one year of registration of the plan, the Owner shall install street lights on all streets and walkways in this plan in accordance with the accepted engineering drawings, at no cost to the City to the satisfaction of the City
- 49) The Owner shall be required to make minor boulevard improvements on Sunningdale Road West adjacent to this Plan, to the specifications of the City and at no cost to the City, consisting of clean-up, grading and sodding as necessary.
- 50) The Owner shall have its professional engineer design the roadworks in accordance with the following road widths:
- i) Tokala Trail and Buroak Drive have a minimum road pavement width (excluding gutters) of 9.5 metres (31.2') with a minimum load allowance of 21.5 metres (70').
 - ii) ~~Street 'A' (west of Tokala Trail), Street 'B', Street 'C', and Street F' have~~ **has** a minimum road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20 metres (66').
 - iii) Street 'D' (with the exception of the window street portion) and Street 'E' have a minimum road pavement width (excluding gutters) of 7.0 metres (23') with a minimum road allowance of 19 metres (62').
 - iv) Street 'D' (window street portion) has a minimum road pavement width (excluding gutters) of 7.0 metres (22.9') with a minimum road allowance of 15.5 metres (50.8').
- 51) In conjunction with the engineering drawings, the Owner shall have its professional engineer provide a design of the proposed traffic calming measures along Tokala Trail and Buroak Drive, including roundabout, parking bays, curb extensions and other measures, to the satisfaction of the City.

- 52) Should any temporary turning circle exist on any abutting streets at the time this plan is registered, the Owner shall remove any existing temporary turning circles and restore the road including sidewalks to the satisfaction of the City, at no cost to the City.

If funds have been provided to the City by the Owner of adjacent lands for the removal of the temporary turning circle and the construction of any section of road and all associated works, the City shall reimburse the Owner for the substantiated cost of completing these works, up to a maximum value that the City has received for this work.

In the event that roads adjacent to this plan are constructed as a fully serviced road by the Owner of adjacent plans, then the Owner shall be relieved of this obligation.

- 53) The Owner shall provide sidewalk links from Street 'D' to the proposed sidewalk on Sunningdale Road West, in accordance with the City of London Window Street Standard Guidelines UCC-2M to the satisfaction of the City, at no cost to the City. Breaks in the 0.3 metre reserve are to be identified on the survey plan when submitted to the City.
- 54) Prior to any work on the site the Owner shall install signage advising construction traffic that loads on Sunningdale Road West are restricted to a maximum weight of five (5) tonnes per axle for any vehicle traveling on this road during the period March 1 to April 30, inclusive, in any year.
- 55) The Owner shall dedicate sufficient land to widen Sunningdale Road West to 18.0 metres (59.06') from the centerline of the original road allowance.
- 56) The Owner shall ensure that no vehicular access is permitted to Blocks 33 and 40 directly from Sunningdale Road West. All vehicular access is to be via the internal subdivision streets.
- 57) The Owner shall ensure any emergency access is satisfactory to the **Deputy City Manager, Environment and Infrastructure or designate City Engineer** with respect to all technical aspects, including adequacy of site lines, provision of channelization, adequacy of road geometries and structural design etc.
- 58) If an emergency access is required to accommodate development, the Owner shall design construct, maintain and close the access to the satisfaction of the **Deputy City Manager, Environment and Infrastructure or designate City Engineer**. If it is necessary to locate this access onto Sunningdale Road West, the Owner shall ensure that it will be restricted to emergency vehicle use only.
- 59) The Owner shall ensure all streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following standard:

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

- 60) The Owner shall have the common property line of Sunningdale Road West graded in accordance with the City of London Standard "Subdivision Grading along Arterial Roads" at no cost to the City, ~~except as permitted otherwise by the Urban Works Reserve Fund By-law.~~

Further, the grades to be taken as the centerline line grades on Sunningdale Road West are the future centerline of road grades as determined by the Owner's professional engineer satisfactory to the **Deputy City Manager, Environment and Infrastructure or designate City Engineer**. From these, the Owner's professional engineer is to determine the elevations along the common property line which will blend with the reconstructed road, all to the satisfaction of the **Deputy City Manager, Environment and Infrastructure or designate. City Engineer**

- 61) 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, to the satisfaction of the City.

In conjunction with Design Studies submission, the Owner shall have its professional engineer prepare a conceptual design for the window street for Street 'D' to consider such issues as grading the common boulevard between Sunningdale Road West and the window street, overland flow routes, sidewalk connections, servicing, to the satisfaction of the **Deputy City Manager, Environment and Infrastructure or designate City Engineer**.

- 62) The Owner shall construct the window street portion of Street 'D' abutting Sunningdale Road West in accordance with the City's window street standard or as otherwise specified by the **Deputy City Manager, Environment and Infrastructure or designate City Engineer**, to the satisfaction of the **Deputy City Manager, Environment and Infrastructure or designate City Engineer** and at no cost to the City.
- # **In conjunction with the first submission of engineering drawings, the Owner shall implement barrier curb through this plan of subdivision as per the Design Specifications and requirements Manual (DSRM), to the satisfaction of the Deputy City Manager, Environment and Infrastructure or designate.**
 - # **In conjunction with the first submission of engineering drawings, the Owner shall comply with all City standards as found in the Design Specifications and Requirements Manual (eg. reverse curves, 6 metre straight tangents, etc.), to the satisfaction of the Deputy City Manager, Environment and Infrastructure or designate.**
 - # **In conjunction with the first submission of engineering drawings, the Owner shall comply with the Complete Streets Manual to the satisfaction of the Deputy City Manager, Environment and Infrastructure or designate.**
 - # **The Owner shall direct construction traffic associated with the installation of services in this Plan to access the site from the existing temporary access located on Sunningdale Road on lands to the north of this Plan, to the satisfaction of the City. All trades and construction vehicles shall park within this Plan of Subdivision.**
 - # **In conjunction with the first submission of engineering drawings, the Owner shall investigate opportunities to maintain consistent asphalt width, as this is the City's preference through street bends. The City may accept minor asphalt width deviations at the bend locations if the details provided are deemed to be acceptable, all to the satisfaction of the City.**

Planning

- 63) All lots/blocks abutting park blocks shall be fenced with 1.5meter high chain link fence without gates in accordance with current City park standards (SPO 4.8) or approved alternate. Fencing shall be completed to the satisfaction of the Manager of Parks Planning within one (1) year of registration of the plan of subdivision.
- 64) All lots/blocks abutting Open Space blocks used primarily for stormwater management facilities and or conveyance systems shall be monumented as per City standards and to the satisfaction of the **Deputy City Manager, Environment and Infrastructure or designate. City Engineer**. Further, the subdivision agreement shall include a clause that should the property owner desire to construct a fence at the interface(on the property line) with the Open Space SWM blocks, fencing shall be limited in accordance with current City park standards (SPO 4.8) or approved alternate.
- 65) All park blocks lands shall be sufficiently protected from sediment throughout the construction period. A sediment barrier shall be established along the park block limits to the satisfaction of EESD and Manager of Parks Planning.
- 66) No grading shall occur within proposed parkland blocks except where determined to be appropriate by the Manager of Parks Planning.
- 67) At the time of registration of this plan, the Owner shall convey Blocks ~~44, 45,~~ 46 and 47 to the City to satisfy the required 5% parkland dedication for this plan of subdivision.
- 68) Within one (1) year of registration of the plan, the Owner shall prepare and deliver

to all homeowners adjacent to lands zoned as Open Space, 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 on these lots. The educational package shall be prepared to the satisfaction of the **Deputy City Manager, Planning and Development or designate Director, Development and Compliance Division**.

- 69) Prior to any work on the site and as part of the Engineering Drawing submission, the Owner shall have a Tree Preservation Report and Plan prepared for lands within the proposed draft plan of subdivision and submitted to the City. 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 **Deputy City Manager, Planning and Development or designate Director, Development and Compliance Division**. The Owner shall incorporate the approved Tree Preservation Plan on the accepted grading plans.
- 70) Prior to the submission of Engineering Drawings, the Owner shall submit for approval an on-street parking plan (if necessary), whereby one on street parking space for each two dwelling units is to be used as the basis for the design, to the satisfaction of the **Deputy City Manager, Planning and Development or designate Director, Development and Compliance Division**. The approved parking plan required for each registered phase of development and will form part of the subdivision agreement for the registered plan.
- 71) As part of the Engineering Drawing submission, the Owner shall submit a plan to the Approval Authority proposing the lotting pattern for all residential Blocks, which shall be consistent with the approved zoning for these blocks and acceptable to the **Deputy City Manager, Planning and Development or designate Director, Development and Compliance Division**. The lotting plan shall also provide for lots which front Sunningdale Road for Blocks 34, 36, 37, 38, and 39. The accepted lotting pattern shall be reflected on the final registered plan.
- 72) Within one (1) year of registration of the plan, the Owner shall prepare and deliver to all homeowners an education package which advises potential purchasers of the ongoing agricultural activities occurring in the vicinity. The educational package shall be prepared to the satisfaction of the **Deputy City Manager, Planning and Development or designate Director, Development and Compliance Division**.
- 73) The Owner shall obtain all necessary permits from the UTRCA prior to the commencement of any soil disturbance within the regulated area under the jurisdiction of the UTRCA.
- 74) The Owner agrees to register on title 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, 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 side yard road frontage. Further, the owner shall obtain approval of their proposed design from the **Director, Planning and Development or designate Managing Director of Planning and City Planner** and his/her designate prior to any submission of an application for a building permit for corner lots with an exterior sideyard in this Plan.
- 75) In conjunction with the Engineering Drawing, the owner shall include a grading and servicing plan for park blocks 46 and 47 that will also include pathways and bench locations to the satisfaction of the **Director, Planning and Development or designate City Planner**.
- 76) Within one (1) year of registration, the owner shall grade, service and seed park blocks 46 and 47 as per the approved engineering drawings.

GENERAL CONDITIONS

- 77) 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.

- 78) 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 **Deputy City Manager, Environment and Infrastructure or designate. City Engineer** and at no cost to the City.
- 79) 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 **Deputy City Manager, Environment and Infrastructure or designate. City Engineer**.
- 80) In conjunction with the Engineering Drawing submission, in the event the Owner wishes to phase this plan of subdivision, the Owner shall complete the following:
- i) Submit a phasing plan, all to the specifications and satisfaction of the City.
 - ii) If any temporary measures are required in conjunction with the phasing, these temporary measures shall be constructed to the specifications and satisfaction of the City, at no cost to the City.
 - iii) Identify the routing of services which are necessary to service lands outside this draft plan to the limit of the plan to be provided at the time of registration of each phase, to the satisfaction of the City.
 - iv) 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
- 81) 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.

~~82) 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.~~

~~83) 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 contributing flows 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.~~

84) In conjunction with the engineering drawings submission, the Owner shall have it geotechnical engineer identify if there is any evidence of methane gas within or in the vicinity of this draft plan of subdivision, to the satisfaction of the City. Should it be determined there is any methane gas

within or in the vicinity of this draft plan of subdivision, the Owner's geotechnical engineer shall provide any necessary recommendations. The Owner shall implement any recommendations of the geotechnical engineer, under the supervision of the geotechnical engineer, to the satisfaction of the City, at no cost to the City.

~~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.~~

~~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.~~

85) In conjunction with the Engineering Drawings 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.

86) Prior to the construction of works on existing City streets and/or unassumed subdivisions, the Owner shall have its professional engineer notify new and 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 along with any remedial works prior to assumption, all in accordance with Council policy for "Guidelines for Notification to Public for Major Construction Projects".

~~The Owner shall have its 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".~~

87) The Owner shall not commence construction or installations of any services including clearing or servicing of lands within 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 Environment, City; etc.)

- 88) 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 **Deputy City Manager, Environment and Infrastructure or designate. City Engineer**, at no cost to the City.
- 89) All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
- 90) 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 **Deputy City Manager, Environment and Infrastructure or designate. City Engineer**.
- 91) The Owner shall decommission any abandoned infrastructure, at no cost to the City, including cutting the water service and capping it at the watermain, all to the specifications and satisfaction of the City.
- 92) 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.
- 93) In conjunction with the Engineering Drawings 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
 - vii) any necessary setbacks related to slope stability for lands within this plan
 - viii) identifying all required mitigation measures including Low Impact Development (LIDs) solutions (as recommended by the Geotechnical Engineer),

and any other requirements as needed by the City, all to the satisfaction of the City.

The Owner shall implement all geotechnical recommendations to the satisfaction of the City.

- 94) ***In conjunction with the engineering drawings submission, the Owner shall have it geotechnical engineer identify if there is any evidence of contamination within or in the vicinity of this draft plan of subdivision, to the satisfaction of the City. Should it be determined there is any contamination within or in the vicinity of this draft plan of subdivision, the Owner's geotechnical engineer shall provide any necessary recommendations. The Owner shall implement any recommendations of the geotechnical engineer to remediate, remove and/or dispose of any contaminates under the supervision of the geotechnical engineer to the satisfaction of the City, at no cost to the City.***

~~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.~~

- 95) Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the approved servicing, if necessary, for the street townhouse units on any streets in this plan, to the satisfaction of the **Deputy City Manager, Environment and Infrastructure or designate. City Engineer**. It is noted that services may need replaced if they are not in an acceptable location.
- 96) In conjunction with the **first submission of engineering drawings Design Studies 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 **Deputy City Manager, Environment and Infrastructure or designate. City Engineer** and City Treasurer (as outlined in the most current DC By-law) prior to advancing a report to the Planning and Environment Committee recommending approval of the special provisions for the subdivision agreement
- 97) The Owner shall make all necessary arrangements with any required owner(s) to have any existing easement(s) in this plan quit claimed to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services at no cost to the City.

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

- 98) Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make adjustments to the existing works and services on street abutting this Plan, adjacent to this plan to accommodate the proposed works and services on this street to accommodate the lots in this plan fronting this street (eg. private services, street light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted drawings, al to the satisfaction of the **Deputy City Manager, Environment and Infrastructure or designate. City Engineer**, at no cost to the City.
- # **In conjunction with the submission of engineering drawings, the Owner shall provide a minimum lot frontage of 6.7 metres as per City standards to accommodate street townhouses within this draft plan of subdivision, all the specifications and satisfaction of the City.**