

Section 2



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2 SUBDIVISION APPROVAL PROCESS

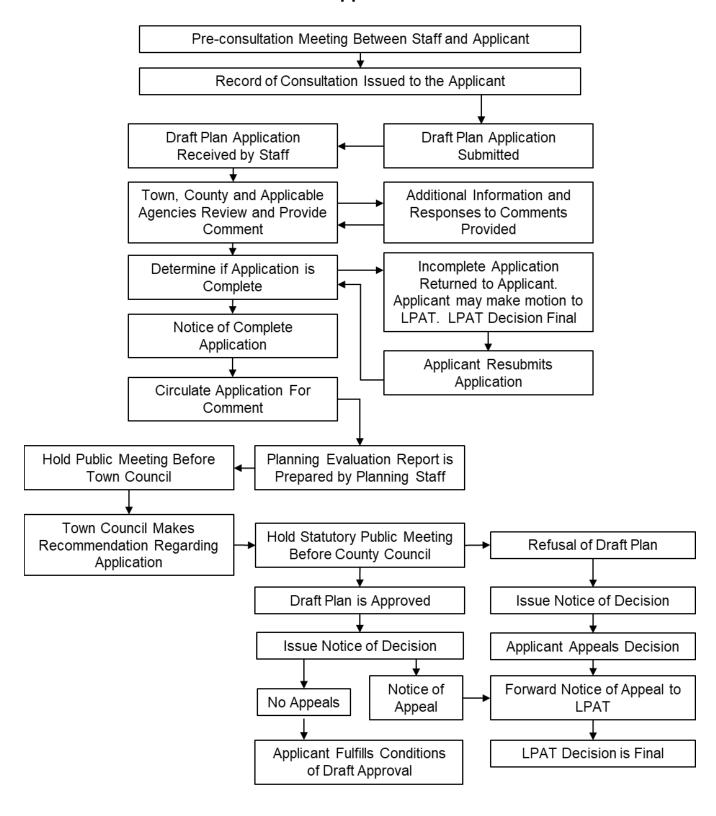
2.1 General Requirements

The purpose of this Section is to outline the submission process for subdivision development within the Town of Tillsonburg for the Proponent and its agent(s), Planner and Consulting Engineers required.

Plans of Subdivision are processed and approved under Section 51 of the Planning Act. Process and circulation requirements are identified in O. Reg. 544/06 of the Planning Act. The County of Oxford is the approval authority for draft plans of subdivision. Please refer to the Flow Chart on the next page for a brief overview of the approval process.

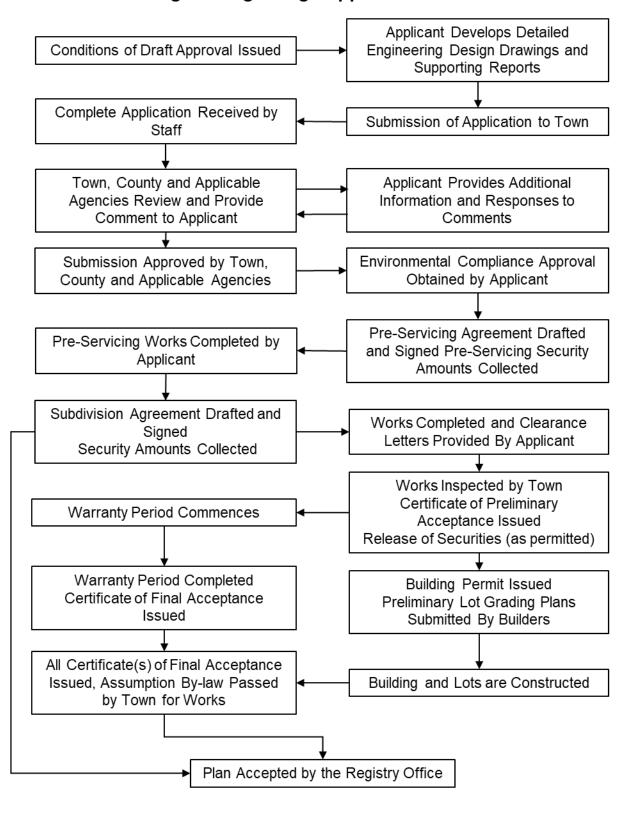


Draft Plan Approval Process





Engineering Design Approvals Process





2.2 Draft Plan Approval

Planning services for the Town of Tillsonburg are provided by the Oxford County Community and Strategic Planning Office (CPO) including approvals for Draft Plan of subdivision. The Draft Approval Stage covers all activities from submission of a Draft Plan of Subdivision Application to Final Approval and registration of the Draft Plan. The following Guidelines will provide direction for the submission and processing of complete applications.

2.2.1 Pre-Consultation

Pre-consultation meetings are a mandatory part of the development review process for applications for Draft Plans of Subdivision. The Proponent meets with CPO staff/Development Planner to discuss the proposed application and to review zoning, servicing and characteristics of the site that are relevant to the development. This meeting will be initiated at the request of the Proponent at which time the Proponent shall submit to CPO a concept plan illustrating the configuration of the lots, frontages, road widths, open space etc.

Prior to the pre-consultation meeting the CPO staff/Development Planner will review the concept plan and confirm conformity with the Official Plan and Zoning By-law and identify any necessary amendments which may be required in addition to draft plan approval. Parkland dedication requirements will be identified as well as the preferred location for parks and open space requirements. CPO staff/Development Planner may consult with other County/Municipal divisions or agencies if there are concerns or constraints that are identified.

A meeting agenda will be prepared and distributed by the Development Planner and will be distributed to Town Staff at least 1 week before the meeting to ensure that the necessary staff are present.

During the pre-consultation meeting, application requirements will be discussed including:

- application forms,
- application fees,
- any supporting documents required for the official plan and zoning by-law amendment and draft plan of subdivision,
- public consultation strategy requirements and checklist,
- review of timelines and potential scheduling for notices and public meetings.

Although the requirements for a complete application will be identified during the pre-consultation meeting it should be recognized that as the approval process proceeds other items, not noted at the pre-consultation meeting, may be requested as the design progresses and more information becomes available.

2.2.1.1 Record of Consultation

A concise record of the requirements for draft plan approval as identified by planning and engineering at the pre-consultation meeting will be completed by the Consultant. The requirements identified in the



Record of Consultation will form the contents of a complete subdivision application submission. The requirements identified in the Record of Consultation will allow the Conditions of Draft Approval to be crafted during the draft approval stage. It is anticipated that the Record of Consultation will be distributed no later than 7 business days after the pre-consultation meeting.

2.2.1.2 Consult Other Agencies

The application process can involve consultation with several outside agencies. In some cases, the Proponent may be required to consult with one or more of these agencies prior to the submission of the application to determine if any additional items will be required. Fees associated with those consultations are not covered by the fee submitted to the CPO for draft plan approval.

2.2.2 Prepare the Application

The Proponent has sole responsibility for submitting a complete application and may be required to prepare drawings or studies depending on feedback from the pre-consultation meeting and consultation with other agencies. The complete application including supporting material, declarations and the appropriate fees are to be submitted to CPO by mail or in person. The application shall have regard for matters of Provincial interest and shall be consistent with the Provincial Policy Statements issued under Section 3 of the Planning Act. Section 51(24) of the Planning Act requires that when a draft plan of subdivision is considered, it must have regard for health, safety, convenience and welfare of the present and future inhabitants of the municipality.

If it has been determined during pre-consultation that a zoning by-law amendment and/or an official plan amendment is required, submission of the zoning by-law amendment application and official plan amendment application may take place at any time prior to the granting of final plan approval, however it is recommended that the necessary zoning by-law amendment application and official plan amendment application be filed with the local municipality at the same time as the plan of subdivision application so that a combined public meeting can be held.

2.2.3 Submission Requirements

All applications for draft plan approval must include the following:

- Six (6) full size folded copies of the draft plan drawn to scale, with boundaries certified by an Ontario Land Surveyor
- Two (2) reduced copy no larger than 11" x 17" and a digital file in pdf and an e-transmit CAD file format are required

All draft plans must include all items as required under Section 51(17) of The Planning Act including:

- the boundaries of the proposed subdivision certified by an Ontario Land Surveyor, Ontario land surveyor's name, signature and date of signature
- map scale, legend, north marker
- name of person or firm who prepared the plan, date plan prepared and dates of any revisions



- the location, widths and names of the proposed highways within the proposed subdivision and of existing highways on which the proposed subdivision abuts
- dimensions and layout of the proposed roads, lots and blocks, including walkways, school sites and park blocks (if any)
- on a small key plan at a scale of not less than 1cm:100m,- all of the adjacent land to the
 proposed subdivision that is owned by the Proponent or in which the Proponent has an
 interest, and every subdivision adjacent to the proposed subdivision and the relationship
 of the boundaries of the land to be subdivided to the boundaries of the municipal lot or
 other original grant of which the land forms the whole or part
- the purpose for which the proposed lots are to be used
- the existing land use on the site and on all adjacent lands
- the approximate dimensions and layout of proposed lots
- natural and artificial features within or adjacent to the land proposed to be subdivided including:
 - existing buildings and structures to be retained or demolished
 - active or inactive railways, rail rights-of-way
 - highways and other roads existing, public/private, open/closed location, width, and proposed generic street labels (i.e. Street A, Street B) with a separate list of proposed street names
 - watercourses (lakes, streams, ponds, wetlands, etc.)
 - flood plains/flood elevations, flood lines, fill lines, top of slopelines
 - woodland
 - significant plant and wildlife habitat (including ESA's & ANSI's)
 - drainage courses, retention ponds (natural or man-made)
 - archaeological or historic features
- the municipal services available or to be available to the land proposed to be subdivided
- waterlines and sewer
- main hydro lines
- the nature and porosity of the soil
- existing contours (Site surveys are not to exceed 5 years) or elevations as may be required to determine the grade of the highways and drainage
- the availability and nature of domestic water supplies
- the nature and extent of any restrictive covenants or easements affecting the site
- lot and concession/registered plan number/street address
- Owner's name(s), signature(s) and date of signature(s) or Authorized Individual
- all measurements, scales, etc. must be in metric units



2.2.4 Application Fee

The application must be accompanied by the application fee and any required peer review deposit in accordance with Schedule "A", County of Oxford By-law No. 4889, as amended, made payable to the 'County of Oxford. The application fee is established by County Council under Section 69 of the Planning Act to recover the administrative costs involved in processing applications.

Additional fees, as set out in the County of Oxford By-law No. 4889, as amended, may be required to review supporting reports and studies. The Proponent shall submit a deposit, as determined by the County, based on the estimated cost of peer review for studies submitted in support of the application. Any amount in excess of the actual cost of a peer review shall be reimbursed.

2.2.5 Assess Application for Completeness

From the date the application is submitted, the approval authority has up to 30 days to assess the submission for completeness based on consistency with Planning Act requirements and the Record of Consultation. They will then notify the Proponent of the decision in writing (Letter of Complete Application). If the application is deemed complete, it is accepted for processing and review. Completeness at this point is for receipt of the application and does not imply or convey acceptance of the technical information provided or any associated recommendations. Applications accepted for review are required to receive an approval authority decision within 180 days of submission of the application package.

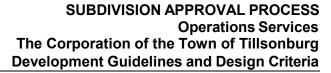
2.2.6 Return of Incomplete Draft Plan of Subdivision Application Packages

Applications deemed incomplete by the approval authority are returned to the Proponent in full including a written response identifying the outstanding requirements. If the Proponent disagrees with the approval authority's assessment of the completeness of the application, the Proponent may contact CPO. If agreement is not reached, the Planning Act provides 30 days for the Proponent to make a motion to the Local Planning Appeal Tribunal (LPAT) for a determination on the matter and the decision of LPAT is final.

When all required information has been submitted, a Letter of Complete Application will be issued. The 180-day decision period will begin when packages are returned for reconsideration.

2.2.7 Notice of Application

The approval authority is required to provide a Notice of Complete Application within 15 days after the Letter of Complete Application has been issued to the Proponent. The application is circulated to the public, agencies and municipal departments. The public circulation applies to every property owner within 120 metres of the subject land and to every person and public body that has provided a written request for such notice. Any member of the public, agency or municipal body may make written submissions to the approval authority before its decision.





2.2.8 Planning Evaluation Report

The Development Planner will undertake an evaluation of the application using the relevant planning policy documents and Town Zoning By-law, taking into account oral and written comments received. The Development Planner will prepare a Report on the development application(s) which will establish staffs position on the application(s), either approval or refusal. If the Planning Evaluation Report recommends approval it will include conditions that are to be satisfied before the issuance of Draft Plan Approval. The report will address all comments and positions received from the public and will include all comments received from internal divisions and external commenting agencies.

2.2.9 Public Meeting before Town Council

A meeting will be held before Town Council on the second or fourth Monday of the month to present the application to the public, to hear comments and concerns, to provide technical clarification and to explain the development review process. The Planning Evaluation Report prepared by Planning Staff will be made available on the Towns Website on the Friday before the public meeting. At this meeting, the Proponent and or the Proponent's agent(s) may present details about the proposed development. Town Council will then make a recommendation as to the appropriateness of the development. If Town Council recommends draft plan approval, the application is forwarded to the County of Oxford for consideration.

2.2.10 Statutory Public Meeting Before County Council

Plan of Subdivision Applications require a statutory public meeting in accordance with the Planning Act. The statutory public meeting will be held on the second or fourth Wednesday of every month. Notice of any statutory public meeting will be given at least 20 days prior to the date of the meeting. The meeting agenda and the Planning Evaluation Report will be made available on the County's website on the Friday before the meeting. Any person in attendance at the public meeting shall be afforded the opportunity to make representations regarding the proposed development application(s). County Council exercises the final approval authority responsibility.

2.2.11 Notice of Decision

The Proponent, owners and any person or public body that requested to be notified will be notified of the decision within 15 days. After County Council has granted draft plan approval the County's decision is subject to a 20-day appeal period from the date of the Notice of Decision. If no appeals are received after the Notice of Draft Approval has been sent, the owner must satisfy all the conditions of draft plan approval.

2.2.12 Design Studies/Engineering Drawings

Following Draft Approval, the Proponent shall compile design studies and drawing submission package including all required and requested supporting studies/investigation as identified in the conditions of draft plan approval and Section 3 – Subdivision Submission Requirements of this document.



The requirements of various studies, investigations and drawings for this process can be found in Section 3 of this document.

Engineering shall circulate the completed development application to all departments as required to solicit comment and feedback on the proposed design. The Town/County will review the application and provide a Summary Comment Letter and/or drawings for the Proponent to address and provide justification and/or comment.

The Proponent shall address all the comments and issues identified from the Town/County review and provide a resubmission of the complete development application to the engineering department and associated fees as per the Town's and County's Rates & Fees By-law, as amended

2.3 Subdivision/Development Agreement

Once all departments have been satisfied with the development submission, a draft pre-servicing or draft subdivision agreement will be circulated to relevant agencies and departments prior to finalization of the respective agreement(s), for their review and comment. Once all parties are satisfied with the contents of the agreement(s), it may be prepared for final signature.

2.4 Other Approvals

The Proponent is solely responsible for obtaining all required approvals and clearances prior to the finalization of the pre-servicing or subdivision agreement. These approvals may include, but are not limited to, the following:

- All Ministry of the Environment, Conservation and Parks Environmental Compliance Approvals as noted during pre-consultation
- County of Oxford
- Ministry of Transportation
- Ministry of Natural Resources and Forestry
- Long Point Region Conservation Authority
- Fisheries and Oceans Canada

2.5 Security Collection and Release

Upon execution of the pre-servicing and/or subdivision agreement, the Town of Tillsonburg will collect full security amounts for all Municipal and R.O.W. works including 1.76% applicable HST.

Suitable forms of the security deposit are:

- An irrevocable Letter of Credit satisfactory to the Town from any financial institution
- Cash
- Certified cheque



Development Bond, in a manner satisfactory to the Town

Irrespective of the manner in which the amount of security was calculated, the security is deposited to secure all obligations of the Proponent and the security may be used by the Town to complete any aspect of the Works, pay for any works completed, or fulfill any other obligation of the development agreement that the Proponent has failed to complete.

As work progresses and upon issuance of certificates of acceptance by the Town, security amounts may be reduced through the submission of the most current version of the Security Reduction Request Form that can be obtained from the Town of Tillsonburg – Engineering Services. The Town will retain an appropriate amount of securities at all times to ensure completion of all outstanding Works or obligations required of the Proponent. A minimum of \$25,000 will be retained until the Assumption By-Law is in place.

2.6 Pre-Construction Meeting

Once all the pre-requisites for commencement of construction have been met, the Proponent shall request a pre-construction meeting with the Town of Tillsonburg, Proponent, Consulting Engineer and Selected Contractor be arranged a minimum of ten (10) working days prior to construction.

The Proponent will be responsible for organizing the attendance of any utility companies, other agencies and staff who are perceived to have an interest in the construction.

During the meeting, the Proponent shall provide the Town an approximate schedule of construction, list of materials, and mix designs to be used in the construction of the subdivision for review and approval of the Town.

The Consulting Engineer shall prepare meeting minutes to be circulated to all parties after being reviewed and approved by the Town.

2.7 Construction and Inspection of the Works

All works to be constructed shall be inspected and tested under the direction of the Consulting Engineer.

The Proponent shall be responsible for providing full time site inspection for all municipal and R.O.W. works occurring within the subdivision. The Town may provide independent periodic site inspection to confirm the contract documents and approvals are being adhered to.

At the sole discretion of the Town or County, the Town and County shall reserve the right to have inspectors/consultants employed to review all the approved plans and specifications and observe the construction and installation of the Works and Services at any time. The cost of this inspection will be the sole responsibility of the Proponent.

The Consulting Engineer shall notify the Town of Tillsonburg regarding the timing for all watermain work within the R.O.W. The Town shall have full time inspection on-site during all watermain work to confirm compliance to applicable standards.



2.8 Preliminary Acceptance of the Works

Upon completion of all Works by the Proponent and submission of all compliance letters and clearances to the Town of Tillsonburg for all underground and surface works from the Consulting Engineer, the Town Engineering Department will prepare a Preliminary Certificate of Acceptance to commence the respective maintenance period(s) and permit request for security reduction(s) by the Proponent.

The Proponent may be required to provide the following information:

- Maintenance securities as determined by the Town
- Statutory Declaration for all accounts
- Watermain testing result for commissioning
- Daily construction diary
- Proof of the MOE Environmental Compliance Approvals (ECA)
- Proof of insurance as determined by the Town
- Proof of the registration to title of the Plan of Subdivision, subdivision agreement and associated schedules
- Certification from an Ontario Land Surveyor (OLS) that all survey monuments and iron bars are installed and located at grade
- Copies of the test results for:
 - o Concrete sidewalk
 - Curb and gutter
 - Base course asphalt
 - Surface course asphalt
 - Geotechnical testing
 - Sieve analysis and compaction testing for sewer and watermain bedding material
 - Sieve analysis and compaction testing of road subgrade and granular base courses
- A certification letter from the Consulting Engineer certifying:
 - All Services and Works have been constructed in conformance with the approved drawings
 - Rough grading has been completed to provide a proper outlet for the major design storm
 - All hydrant testing has been completed in the presence of a licensed Operator from the County and/or designated service provider
 - All sanitary and storm manholes and catch basins have been flushed and cleaned along with a CCTV inspection of the sanitary and storm systems



The final course surface asphalt is not placed for a minimum of two (2) years after Preliminary Acceptance.

At the sole discretion of the Town's Director of Operations and Development, separate certificates of Preliminary Acceptance may be issued for below ground (including curb and base course asphalt) and above ground works or stormwater management facilities.

2.9 Maintenance of Works

The Proponent shall be responsible for the repair and maintenance of all works and services constructed, installed or provided by the Proponent for a minimum period of two (2) years from the date of the associated Preliminary Certificate of Acceptance. An addition one (1) year maintenance period shall be required for the final course of asphalt commencing from the date the Preliminary Certificate of Acceptance is provided for that specific work.

The Proponent shall complete any maintenance or repair work within seventy-two (72) hours after receiving a written request form the Town. Should the Proponent fail to complete the works within the required seventy-two (72) hours, the Town may draw from the securities posted to complete the work.

For stormwater management facilities, the Proponent shall undertake final cleaning and dredging of the facility once 90% of the contributing lots have been completed, as confirmed by the Town.

2.10 Maintenance Securities

The Proponent will be required to post maintenance securities for ten percent (10%) of the total estimated cost of the works and services with an additional fifteen percent (15%) for the base and surface course asphalt and curb and gutter works plus full securities for the final cleaning and dredging of all stormwater management facilities.

2.11 Final Acceptance of the Works

Upon the conclusion of the maintenance period, final inspections will be completed with the Town of Tillsonburg Staff, the Consulting Engineer, and other Applicable parties to confirm and verify the warranty/maintenance work required and final state of the project.

The Proponent may be required to provide the following information:

- Statutory Declaration for all accounts
- Proof of the MOE Environmental Compliance Approvals (ECA)
- Proof of insurance as determined by the Town
- Certificate from the Electrical Safety Authority certifying the streetlighting system
- Proof of the registration to title of the Plan of Subdivision, subdivision agreement and associated schedules
- Certification from an Ontario Land Surveyor (OLS) that all survey monuments and iron bars are installed and located at grade



- Confirmation from the Town that any emergency repairs that may have been required are fully paid for by the Proponent
- A certification letter from the Consulting Engineer certifying:
 - All Services and Works have been constructed in conformance with the approved drawings
 - Rough grading has been completed to provide a proper outlet for the major design storm
 - All hydrant testing has been completed in the presence of a licensed Operator from the County and/or designated service provider
 - All sanitary and storm manholes and catch basins have been flushed and cleaned along with a CCTV inspection of the sanitary and storm systems
 - Retaining wall structures are structurally sound and were constructed as per the approved design drawings and applicable standards
- Final "as-constructed" drawings on original mylar transparencies and electronically on a USB 2.0 drive in AutoCAD or DXF format.
- Record Forms (provided by the Town) indicating the swing ties to all plant features.

Once the Town deems that all deficiencies have been rectified and all conditions of the subdivision agreement have been met, the Town will provide a Certificate of Final Acceptance at which time the associated maintenance securities can be released by the Town. At the sole discretion of the Town's Director of Operations, separate Certificates of Final Acceptance may be issued for below ground works (including curb and base course asphalt) and above ground works or stormwater management facilities.

2.12 Assumptions of the Works

The Town will assume the works once all Certificates of Final Acceptance have been issued by the Town and the Town has approved and passed an Assumption By-law.

Once the water distribution and sanitary collection systems have been installed to the satisfaction of the Town/County, the water distribution and sanitary collection systems shall be assumed and operated by the County and/or designated service provider.

Once all repairs have been completed and the Proponent has complied with all terms and conditions of the subdivision agreement, the Town Director of Operations shall submit a written report to Town Council outlining compliance with the approved drawings and subdivision agreement.

The works shall not be construed as assumed by the Town until the Assumption By-law is passed by Town Council.





UNASSUMED ROAD SIGN

MANAGER OF ENGINEERING DATE

APPROVED

DIRECTOR OF OPERATIONS DATE

REVISION No. DATE: MARCH 2020

SCALE: N.T.S.

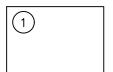
SUBDIVISION NAME

SUBDIVISION TYPE

BLOCK #

PLÄN #











ABC ROAD SURFACE IMPROVEMENTS

CONTRACT # 20xx-xx

KEY PLAN NOT TO SCALE



LIST OF DRAWINGS

- (1) TOWN OF TILLSONGBURG, ENGINEERING DEPARTMENT, TILLSONGBURG, ONTARIO
- (2) DEVELOPER'S NAME & ADDRESS
- 3 DEVELOPER'S ENGINEER & ADDRESS



TYPICAL TITLE PAGES

APPROVED

REVISION No.

DATE: DEC 2021

SCALE: N.T.S.

MANAGER OF ENGINEERING DATE

DIRECTOR OF OPERATIONS DATE

GENERAL NOTES:

DRAWINGS

A. ALL DRAWINGS SHALL BE PRODUCED IN ACCORDANCE WITH CURRENT TOWN OF TILLSONBURG STANDARDS & SYMBOLS FOR PLAN & PROFILE DRAWINGS, GENERAL SERVICE PLANS AND LOT GRADING PLANS.

MEASUREMENTS

A. ALL DIMENSIONS ARE IN METRES, EXCEPT PIPE DIAMETERS, WHICH ARE IN MILLIMETRES UNLESS SPECIFIED OTHERWISE.

GENERAL

- A. ALL WORK SHALL BE IN ACCORDANCE WITH CURRENT TOWN OF TILLSONBURG STANDARD DRAWINGS (TSD) AND ONTARIO PROVINCIAL STANDARD DRAWINGS (OPSD).
- B. ORDER OF PRECEDENCE OF STANDARD DRAWINGS IS FIRSTLY TOWN OF TILLSONBURG STANDARD DRAWINGS (TSD) AND SECONDLY ONTARIO PROVINCIAL STANDARD DRAWINGS (OPSD).
- C. LOCATION OF EXISTING SERVICES ARE NOT GUARANTEED. THE CONTRACTOR IS REQUIRED TO NOTIFY THE VARIOUS UTILITY COMPANIES 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY WORK.
- D. A ROAD ENCROACHMENT PERMIT IS REQUIRED FROM THE TOWN ENGINEERING DEPARTMENT PRIOR TO THE COMMENCEMENT OF WORK WITHIN ANY TOWN RIGHT-OF-WAY.
- E. NATIVE MATERIAL, SUITABLE FOR BACKFILL, SHALL BE COMPACTED TO 95% STANDARD PROCTOR MAXIMUM DRY DENSITY.
- F. GRANULAR MATERIAL, USED FOR BACKFILL, SHALL BE PLACED IN LAYERS 150mm IN DEPTH MAXIMUM AND COMPACTED TO 100% STANDARD PROCTOR MAXIMUM DRY DENSITY.
- G. ALL DISTURBED AREAS ARE TO BE REINSTATED TO THEIR ORIGINAL CONDITION OR BETTER, AS DETERMINED BY THE CITY ENGINEERING DEPARTMENT.
- H. ALL SILT CONTROL AND EROSION PROTECTION DEVICES ARE TO BE IN PLACE PRIOR TO THE COMMENCEMENT OF CONSTRUCTION AND SHALL REMAIN IN PLACE AND BE MAINTAINED BY THE CONTRACTOR UNTIL CONSTRUCTION IS COMPLETE AND THE GRASS HAS ESTABLISHED GROWTH, SUBJECT TO APPROVAL BY THE TOWN ENGINEERING DEPARTMENT.



GENERAL NOTES

APPROVED

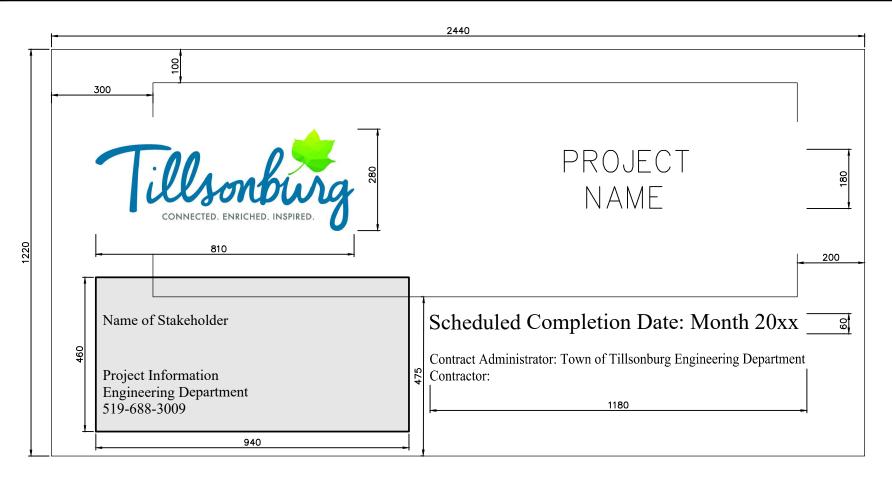
REVISION No.

DATE: MARCH 2020

SCALE: N.T.S.

MANAGER OF ENGINEERING DATE

DIRECTOR OF OPERATIONS DATE



NOTES:

- 1. CONTACT THE TOWN OF TILLSONBURG ENGINEERING DEPARTMENT FOR EXACT COLOURS AND INFORMATION DETAILS.
- 2. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE SHOWN.



REVISION No.

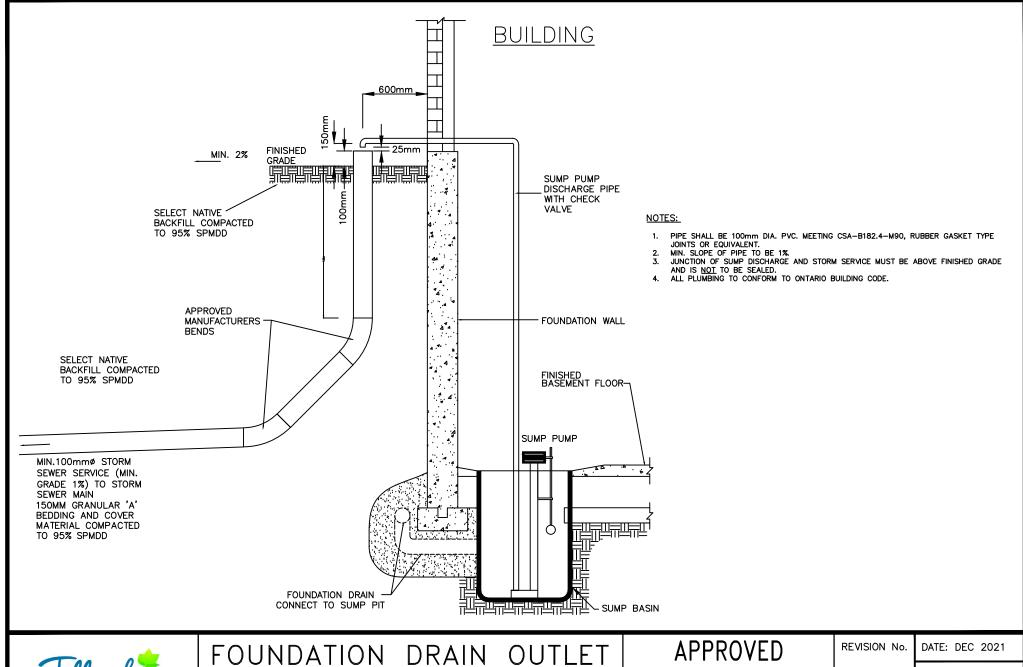


TYPICAL PROJECT IDENTIFICATION SIGN

APPROVED MANAGER OF ENGINEERING DATE DIRECTOR OF OPERATIONS DATE

SCALE: N.T.S.

DATE: MARCH 2020





SUMP PUMP TO STORM SEWER AT SURFACE

SCALE: N.T.S.

MANAGER OF ENGINEERING DATE DIRECTOR OF OPERATIONS DATE