

Planning and Environment Committee

Report

The 7th Meeting of the Planning and Environment Committee
April 26, 2021

PRESENT: Councillors P. Squire (Chair), S. Lewis, S. Lehman, A. Hopkins, S. Hillier, Mayor E. Holder

ALSO PRESENT: M. Ribera and C. Saunders
Remote Attendance: Councillor M. Cassidy; A. Anderson, G. Barrett, M. Feldberg, P. Kokkoros, G. Kotsifas, H. Lysynski, C. Maton, H. McNeely, S. Meksula, L. Mottram, B. Page, M. Pease, J. Raycroft, C. Smith, M. Tomazincic and P. Yeoman

The meeting is called to order at 4:00 PM, with Councillor P. Squire in the Chair, Councillor S. Lewis present and all other Members participating by remote attendance

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: S. Lehman
Seconded by: S. Hillier

That Items 2.2 to 2.6, inclusive, BE APPROVED.

Yeas: (5): P. Squire, S. Lewis, S. Lehman, A. Hopkins, and S. Hillier

Motion Passed (5 to 0)

2.2 3700 Colonel Talbot Road and 3645 Bostwick Road - W-3 Farms Subdivision - Phase 1 - Special Provisions (39T-17503-1)

Moved by: S. Lehman
Seconded by: S. Hillier

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and W-3 Lambeth Farms Inc., for the subdivision of lands bounded by Bostwick Road to the east and Colonel Talbot Road to the west; mid-block between Pack Road and the planned Kilbourne Road extension; it being noted that the subject sites, approximately 53.0 ha (130.9 ac) in size, are generally described as Part of Lots 74 and 75, Concession East of the North Branch of Talbot Road (Westminster):

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and W-3 Lambeth Farms Inc., for the W-3 Farms Subdivision, Phase 1 (39T-17503) appended to the staff report dated April 19, 2021 as Appendix "A", BE APPROVED;
- b) the Applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated April 26, 2021 as Appendix "B";

c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated April 26, 2021 as Appendix "C"; and,

d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

Motion Passed

2.3 3493 Colonel Talbot Road (H-9284)

Moved by: S. Lehman
Seconded by: S. Hillier

That, on the recommendation of the Director, Development Services, with respect to the application by York Developments, relating to the property located at 3493 Colonel Talbot Road, the proposed by-law appended to the staff report dated April 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R1 Special Provision (h*h-100*R1-8(5)/R1-8(8)) Zone TO a Residential R1 Special Provision (R1-8(5)/R1-8(8)) Zone to remove the "h and h-100" holding provisions.

Motion Passed

2.4 1635 Commissioners Road East and 2624 Jackson Road - Extension of Draft Plan Approval (39T-06507)

Moved by: S. Lehman
Seconded by: S. Hillier

That, on the recommendation of the Director, Development Services, with respect to the application by Drewlo Holdings Inc., relating to the lands located at 1635 Commissioners Road East and 2624 Jackson Road, the Approval Authority BE ADVISED that the Municipal Council supports issuing a three (3) year extension to Draft Plan Approval for the residential plan of subdivision SUBJECT TO the conditions appended to the staff report dated April 26, 2021 as Appendix "A" (File No. 39T-06507).

Motion Passed

2.5 2015 Shore Road - Removal of Holding Provisions (H-9251)

Moved by: S. Lehman
Seconded by: S. Hillier

That, on the recommendation of the Director, Development Services, based on the application by Sifton Properties Limited, relating to lands located at 2015 Shore Road, the proposed by-law appended to the staff report dated April 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R6 Special Provision/Residential R7 Special Provision (h•h-206• R6-5(42)/R7(22)•D115•H30) Zone TO a Residential R6 Special Provision/Residential R7 Special Provision (R6-5(42)/R7(22)•D115•H30) Zone to remove the h and h-206 holding provisions.

Motion Passed

- 2.6 3924 - 4138 Colonel Talbot Road - Heathwoods Subdivision - Phase 2 - Special Provisions (39T-12503-2)

Moved by: S. Lehman
Seconded by: S. Hillier

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Auburn Developments Inc., for the subdivision of land over situated on the east side of Colonel Talbot Road, north of Lambeth Walk, municipally known as 3924-4128 Colonel Talbot Road:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Auburn Developments Inc., for the Heathwoods Subdivision, Phase 2 (39T-12503) appended to the staff report dated April 26, 2021 as Appendix "A", BE APPROVED;
- b) the Applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated April 26, 2021 as Appendix "B";
- c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated April 26, 2021 as Appendix "C"; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

Motion Passed

- 2.1 420 Fanshawe Park Road East (H-9320)

Moved by: A. Hopkins
Seconded by: S. Lewis

That, on the recommendation of the Director, Development Services, with respect to the application by 2431602 Ontario Limited, relating to the property located at 420 Fanshawe Park Road East, the proposed by-law appended to the staff report dated April 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a holding Residential R1 Bonus (h-5*R1-7*B42) Zone to remove the "h-5" holding provision;

it being noted that the Planning and Environment Committee reviewed and received a communication dated April 12, 2021, from F. Sun, by email. (2021-D09)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3. Scheduled Items

3.1 3rd Report of the Environmental and Ecological Planning Advisory Committee

Moved by: E. Holder

Seconded by: A. Hopkins

That, the following actions be taken with respect to the 3rd Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on April 15, 2021:

a) the 3095 Bostwick Road Working Group comments, appended to the Environmental and Ecological Planning Advisory Committee Agenda, BE FORWARDED to the Civic Administration for a consideration

b) the Civic Administration BE REQUESTED to consult with the Environmental and Ecological Planning Advisory Committee (EEPAC) on the location of the proposed pathway from the storm pond to White's Bridge; it being noted that the EEPAC reviewed and received mapping from S. Levin, with respect to this matter;

c) the Civic Administration BE REQUESTED to report back at a future Planning and Environment Committee meeting with respect to the feasibility of continuing with the homeowner education package as part of Special Provisions or to replace it with a requirement to post descriptive signage describing the adjacent natural feature; it being noted that the Environmental and Ecological Planning Advisory Committee (EEPAC) was asked to undertake research on best practices of other municipalities to assist in determining the best method(s) of advising new residents as to the importance of and the need to protect, the adjacent feature; and,

d) clauses 1.1, 2.1, 2.2, 4.1 to 4.5, inclusive, BE RECEIVED for information;

it being noted that the Planning and Environment Committee heard a verbal delegation from S. Levin and reviewed and received aerial maps relating to these matters.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: A. Hopkins

Seconded by: S. Hillier

Motion to approve the following:

"c) the Civic Administration BE REQUESTED to report back at a future Planning and Environment Committee meeting with respect to the feasibility of continuing with the homeowner education package as part of Special Provisions or to replace it with a requirement to post descriptive signage describing the adjacent natural feature; it being noted that the Environmental and Ecological Planning Advisory Committee (EEPAC) was asked to undertake research on best practices of other municipalities to assist in determining the best method(s) of advising new residents as to the importance of and the need to protect, the adjacent feature; and,"

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.2 526 Oxford Street East (OZ-9303)

Moved by: S. Lehman

Seconded by: E. Holder

That, on the recommendation of the Director, City Planning and City Planner the following actions be taken with respect to the application by 2773070 Ontario Inc. and The Corporation of the City of London, relating to the property located at 526 Oxford Street East:

a) the proposed by-law appended to the staff report dated April 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend the Official Plan for the City of London (1989) to ADD a policy to Section 10.1.3 – “Policies for Specific Areas” to allow the site to develop with a personal service establishment with a maximum floor area of 140m²;

b) the proposed by-law appended to the staff report dated April 26, 2021 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM a Residential R3/Office Conversion (R3-1/OC5) Zone TO a Residential R3/ Office Conversion Special Provision (R3-1/OC5 (*) Zone;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters;

it being noted that the Planning and Environment Committee reviewed and received the staff presentation with respect to this matter;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendment is consistent with the Provincial Policy Statement, 2020 which promotes an appropriate range and mix of uses in a settlement area;
- the recommended use conforms to the in-force policies of The London Plan including but not limited to, Our City, Key Directions, and City Building, and will facilitate the development of a mix use building in the Urban Corridor Place Type;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to, Chapter 10 – Policies for Specific Areas, which allows Council to apply specific policies where the change in land use is site specific and located in an area where Council wishes to maintain the existing land use designation while allowing for a site-specific use: and,
- the recommended Zoning By-law Amendment implements an appropriate use and intensity for the site which is compatible with the surrounding area.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: E. Holder
Seconded by: S. Lehman

Motion to open the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: A. Hopkins
Seconded by: E. Holder

Motion to close the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.3 1701-1737 Richmond Street (Z-9291)

Moved by: S. Lewis
Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, with respect to the application by Richmond Hyland Centre Inc. c/o Westdell Development Corporation, relating to the property located at 1701-1737 Richmond Street, the proposed by-law appended to the staff report dated April 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone TO an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(_)) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Transit Village Place Type and Key Directions; and,
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Enclosed Regional Commercial Node designation.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: S. Lewis
Seconded by: S. Lehman

Motion to open the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Lewis
Seconded by: E. Holder

Motion to close the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

4. Items for Direction

None.

5. Deferred Matters/Additional Business

None.

6. Adjournment

The meeting adjourned at 4:50 PM.

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Application by: 2431602 Ontario Limited (Westdell
Development Corporation)
420 Fanshawe Park Road East

Meeting on: April 26, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following action be taken with respect to the application of 2431602 Ontario Limited relating to the property located at 420 Fanshawe Park Road East, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 4, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the lands **FROM** a holding Residential R1 Bonus (h-5*R1-7*B42) Zone **TO** Residential R1 Bonus (R1-7*B42) Zone to remove the "h-5" holding provision.

Executive Summary

Summary of Request

The request is to remove holding provisions from the residential zone on 420 Fanshawe Park Road East.

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning amendment is to remove the holding "h-5" symbol to permit the construction of a four (4) storey, 142-unit residential apartment building.

Rationale of Recommended Action

The requirements for removing the holding provision have been met.

1. A public site plan meeting was held before the Planning and Environment Committee on June 18th, 2018. Since that time, staff have worked with applicant to ensure that matters raised through the meeting have been considered.
2. A Development Agreement has been executed and security has been posted for this development.

It is appropriate to remove the holding provision as it is no longer required.

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 Previous Reports Related to this Matter

May 23, 2017 - Planning and Environment Committee – Westdell Development Corporation regarding the property located at 420 Fanshawe Park Road East – Application for an Official Plan Plan and Zoning By-law Amendment (OZ-8624).

June 18, 2018 - Planning and Environment Committee - Westdell Development Corporation regarding the property located at 420 Fanshawe Park Road East – public meeting with for Site Plan Approval.

1.2 Planning History

On May 23rd, 2017, the Planning and Environment Committee (PEC) considered an amendment to the Official Plan to change the designation of the subject lands from a Low-Density Residential designation to a Multi-family, Medium Density Residential designation, and an amendment to the Z.-1 Zoning By-law from a Residential R1 (R1-7) Zone to a holding Residential R1 Bonus (h-5*R1-7*B-42) (OZ-8624). The requested amendment sought to permit a 4 storey apartment building with a height of 14.6 metres (48 feet) and a density of up to 100 units per hectare. On May 30, 2017, Municipal Council approved the amendments and resolved (among others):

“The Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:

- i. The provision of privacy fencing along the east and west property lines;*
- ii. The provision of enhanced landscaping along the east and west property boundaries for screening; and,*
- iii. Restrict any fencing proposed for the north boundary to wrought iron or similar visually permeable fencing material.*

It being noted that the applicant has provided for the provision of privacy fencing and enhanced landscaping along the east and west property lines, and landscaping in-lieu of wrought fencing along the north property line.”

On March 15, 2018, city staff received a Site Plan Control application for a low-rise apartment building of 4-storeys (14.6m) with 142 residential units. The ‘U’-shaped building with orientation towards Fanshawe Park Road East proposed vehicular access from Fanshawe Park Road East.

On April 26th, 2018, Councillor Maureen Cassidy held a ward meeting to discuss the proposed site plan with approximately 100 members of the public. At the ward meeting city staff presented the details of the Site Plan application.

On June 18th, 2018, a public site plan meeting was held before PEC to consider the application for Site Plan Approval. On June 26, 2018, Municipal Council informed the Approval Authority that several issues were raised by the public with regarded to the proposed development (see Appendix B) and that Council conditionally supported the application.

1.3 Property Description

The subject lands are located on the south side of Fanshawe Park Road East, east of and Hastings Drive. Fanshawe Park Road East is classified as an Urban Thoroughfare in The London Plan and an Arterial Road in the 1989 Official Plan. The City issued demolition permits on January 4, 2019 to remove the single detached dwelling and the accessory (barn) structure. The site is currently vacant.

1.4 Current Planning Information

- Official Plan Designation – Multi-family, Medium Density Residential
- The London Plan Place Type – Neighbourhoods
- Existing Zoning – Residential R1 Bonus (R1-7*B42) Zone which permits apartment buildings.

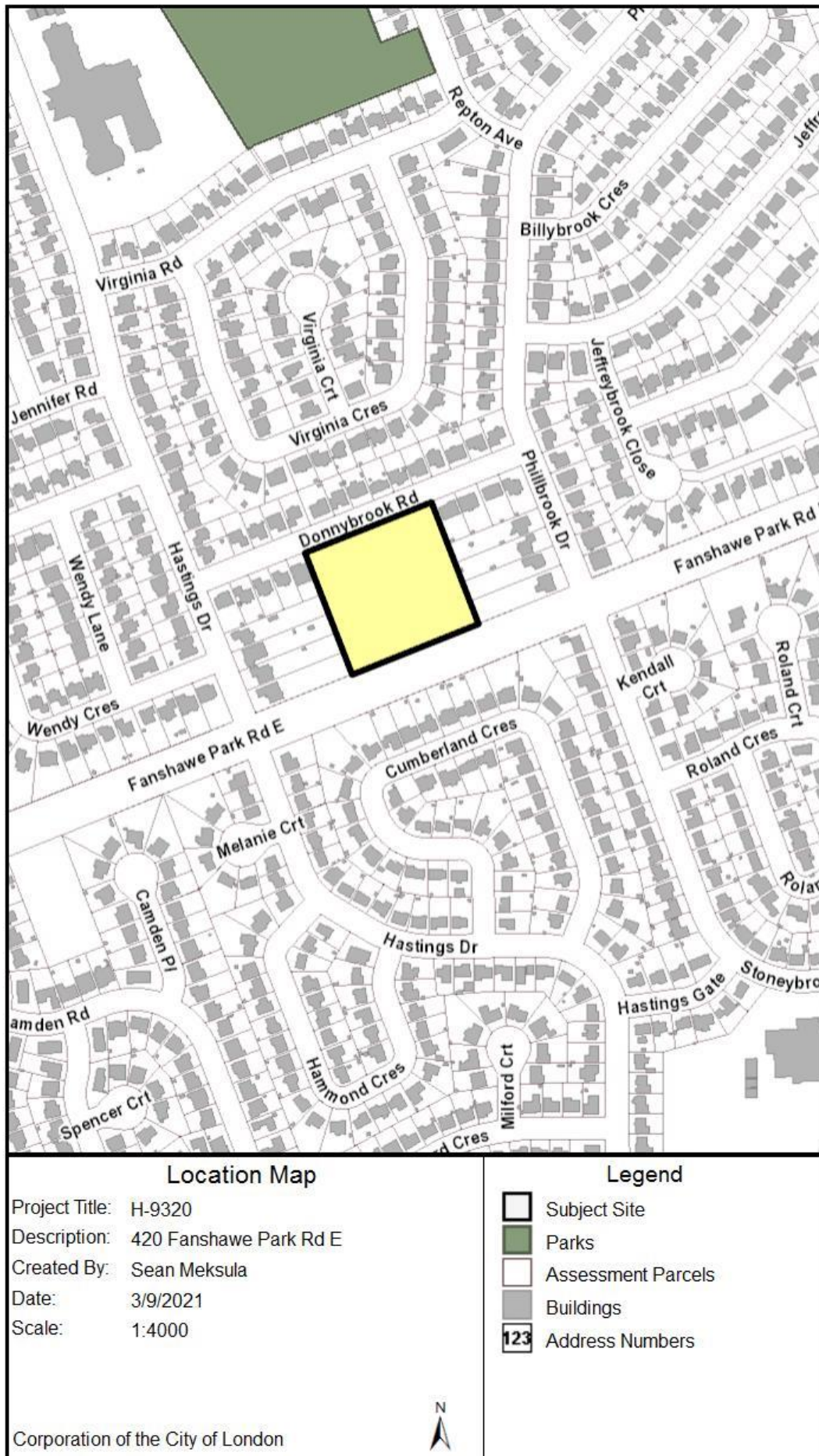
1.5 Site Characteristics

- Current Land Use – Vacant
- Frontage – 121.8m
- Depth – 116.9m
- Area – 14,232 m²
- Shape – Square

1.6 Surrounding Land Uses

- North – Low Density Residential
- East – Low Density Residential
- South – Low Density Residential
- West – Low Density Residential

1.7 Location Map



2.1 Community Engagement (see detail in Appendix B)

A total of seventeen (17) comments were received as part of the circulation for this application. Most comments expressed concerns over the impacts for the use, a few comments requested additional information on the holding removal process and why it has taken so long for this development to proceed to being built.

A summary of the comments received is as follows:

Concerns

- Expressed concern that the holding provision was being removed;
- Why has it taken so long for the holding provision to be removed:
- The air quality with diesel fumes, dust, exhausts, offensive product odours etc. will not help out with the added Covid fear:
- Review final Site Plan and Development Agreement:
- No guarantee that any or all of the \$90,000 contribution regarding tree planting will be spent in the neighbourhood:
- Various questions and clarification requested regarding the process and timing to remove the holding provisions:
- High water table level along this street and is it possible to build an apartment on the lands:
- Lack of necessary infrastructure:
- Impact of overland flow on abutting properties:
- No building this large is necessary:
- Traffic flow/volume, congestion and accidents:
- The number of parking spaces is inadequate for a 142-unit complex:
- Overflow parking will go out onto Donnybrook. This will be a problem in the summer and compounded in the winter when plows can't get down the street because of cars from:
- Concern about the veracity of estimated enrolment at Jack Chambers school over the next five years:
- Concern with the negative impact of the use on community, loss of privacy and impact on property values, and;
- Request the site comply with engineering requirements:

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

Why is it Appropriate to remove this Holding Provision?

h-5 Holding Provision

The "h-5" holding provision states:

"To ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-5" symbol.

The required public participation meeting was held on June 18th, 2018. The meeting provided the public an opportunity to review and comment on the proposed site plan. A summarized list of those comments is included in Appendix B of this report. Municipal Council conditionally supported the proposed developments noting the following conditions be considered by the applicant and City staff in their revision of the site plan:

- a quiet operator and a quiet door;
- tree compensation plan;
- construction traffic management plan;
- parking garage sound mitigation measures;
- pre-consultation placement of fencing; and
- pre and post construction consideration of traffic calming.

Staff and the applicant have worked to resolve the concerns of the public and have addressed the conditions identified by Council. Specifically:

- a quiet operator and a quiet door; and parking garage sound mitigation measures;

At the time of approval of the site plan, a model and unit number for the underground parking garage door was not chosen. It is advised that details such as this are often determined by the developer further along in the construction process. Given this, staff have inserted a clause in the Development Agreement to ensure that noise mitigation measures including but not limited to mounting the operating system within the underground parking and using an overhead door with enhanced STC values are maintained. Should volumes exceed 60 dBA, a noise study will be required to determine the necessary noise control measures.

- tree compensation plan;

Compensation to account for the loss of trees through this development is being addressed by a payment of \$89,280.00 by the developer to the City for future plantings within the City of London. This is provided as per direction received by City Council as a result of the public site plan meeting.

- construction traffic management plan;

Two relevant clauses have been inserted into the Development Agreement. Firstly, the Owner acknowledges that all construction activities will be staged on site. Secondly, with the exception of a connection to municipal services, Donnybrook Road shall not be used by construction vehicles during the construction of 420 Fanshawe Park Road East.

- pre-consultation placement of fencing; and

A clause has been inserted in the Development Agreement which requires that the applicant meets with the adjacent landowners to the east and west and agree to an individual solution for each property on whether to maintain an existing cedar hedgerow, or install a new 1.8m board on board fence and cedar hedgerow. Staff can advise that the applicant and City have been engaged with residents regarding this matter.

Staff feel the attached site plan, coupled with the associated engineering drawings and executed development agreement meet the direction of Council and satisfy the requirement of the holding provision.

Conclusion

The requirements for the holding provision on the subject lands has been addressed through the site plan approval process. Removal of the holding provision will allow the development of the proposed four (4) storey apartment building with a total of one hundred and forty-two (142) residential units. In the opinion of Staff, the holding zone requirements have been satisfied and it is appropriate to proceed to lift the holding symbol from the zoning map.

Prepared by: Sean Meksula, MCIP, RPP
Senior Planner, Development Services

Submitted by: Paul Yeoman, RPP, PLE
Director, Development Services

Recommended by: George Kotsifas, P. Eng.
Managing Director, Development and Compliance
Services and Chief Building Official

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

SM/sm

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2021\H-9320 - 420 Fanshawe Park Road East (SM)\PEC\DRAT-H-9320 - 420 Fanshawe Park Road East - (SM).docx

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2021

By-law No. Z.-1-21 _____

A by-law to amend By-law No. Z.-1 to remove holding provision from the zoning for lands located at 420 Fanshawe Park Road East.

WHEREAS 2431602 Ontario Limited (Westdell Development Corporation) has applied to remove the holding provision from the zoning for the lands located at 420 Fanshawe Park Road East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provision from the zoning of the said lands;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 420 Fanshawe Park Road East, as shown on the the attached map comprising part of Key Map No. 102, to remove h-5 holding provisions so that the zoning of the lands as a Residential R1 Bonus (R1-7*B42) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on May 4, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – May 4, 2021
Second Reading – May 4, 2021
Third Reading – May 4, 2021

Appendix B – Public Engagement

Community Engagement

Public liaison: Notice of the application was published in the Londoner on March 18th, 2021.

17 replies were received.

Nature of Liaison: City Council intends to consider removing the Holding (h-5) Provision from the zoning of the subject lands to allow the development of a 142-unit four (4) storey apartment building permitted under the Residential R1 Bonus (R1-7*B42) Zone. The purpose of the “h-5” provision is to ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-5" symbol. Council will consider removing the holding provisions as it applies to these lands no earlier than April 26, 2021.

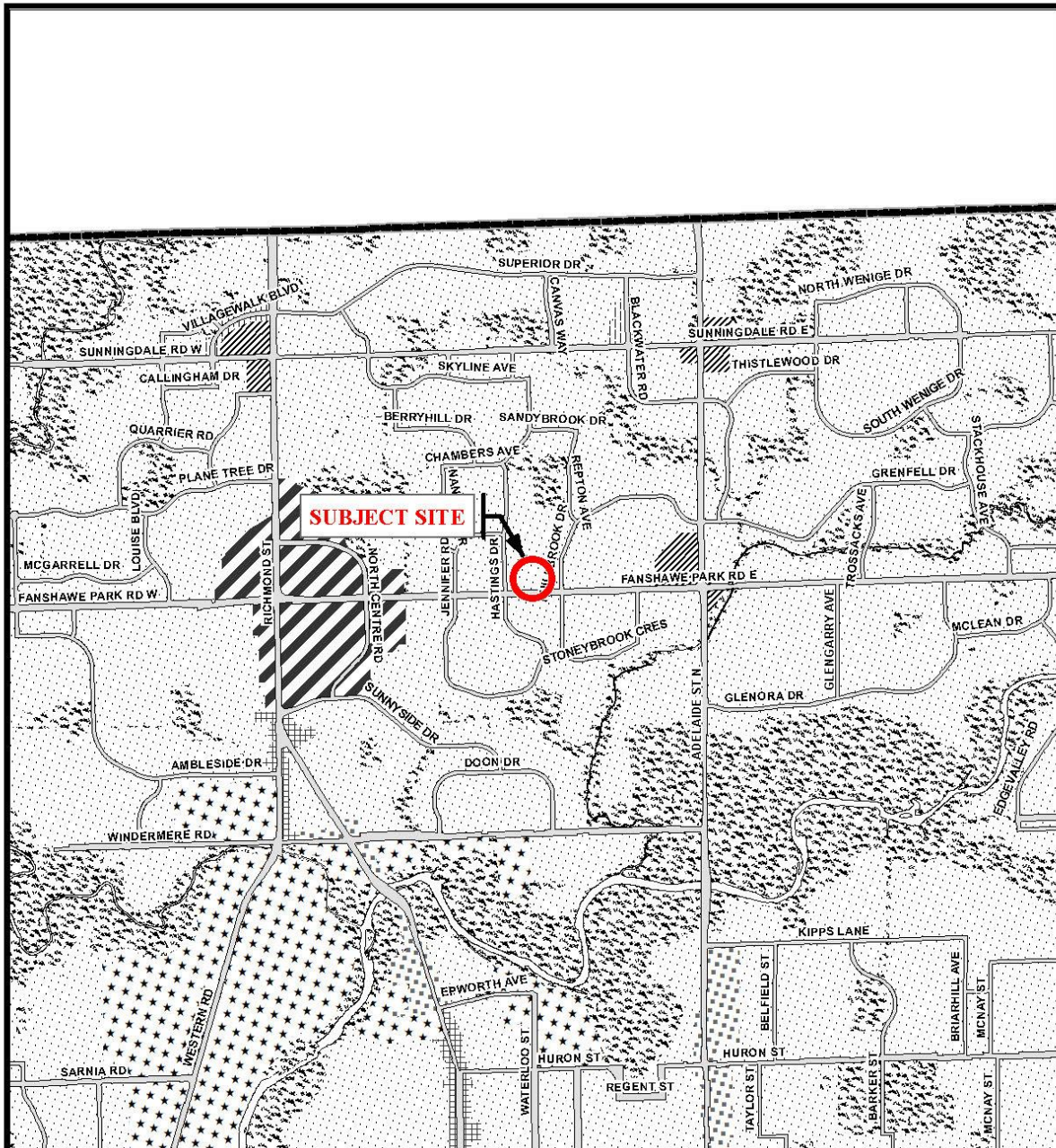
June 18, 2018 Public Site Plan Meeting

The following is a list of issues raised at the PEC public site plan meeting on June 18, 2018:

- the extent of the tree removal on the property;
- request for an increased amount of screening on the hedgerow on Donnybrook;
- landscaping concerns;
- requesting that trees not able to be planted on the subject property be planted in Virginia Park;
- significant groundwater levels;
- subsurface water movement on the site and surrounding properties causing basement flooding;
- an increase of traffic and parking along adjacent streets;
- traffic being allowed to turn onto the site from Fanshawe Park Road;
- timing of the bore hole drilling as it was done in January 2018;
- construction access to the subject site not be granted from Donnybrook Road and surrounding streets;
- construction vehicles be retained on the subject site;
- concerns with the loss of the vegetation existing on the site currently;
- geotechnical report concerns as there is a significant number of flooding basements on Donnybrook Road;
- clarification of one level or two levels of underground parking;
- concern with right in and right out only access causing more traffic along Donnybrook Road, which is a narrow road;
- fence height and material; not reasonable for the east and west sides of the properties; and
- west side will have a garage door close to the neighbouring property.

Appendix C– Relevant Background

London Plan Excerpt



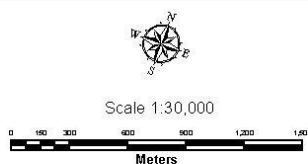
Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

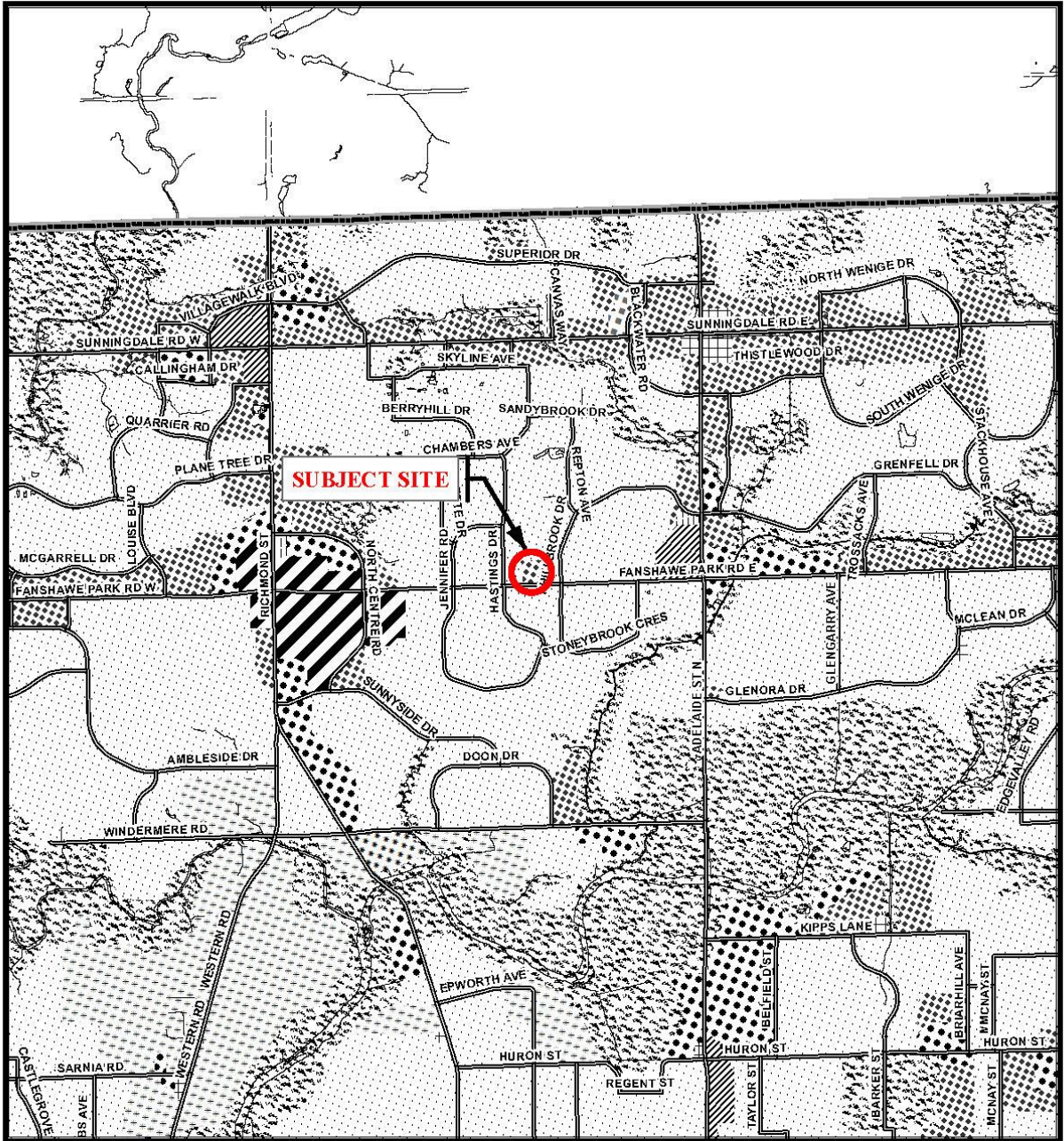
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
Planning Services /
Development Services
LONDON PLAN MAP 1
- PLACE TYPES -
PREPARED BY: Planning Services



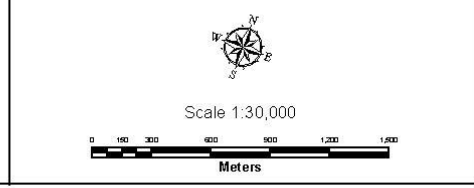
File Number: H-9320
Planner: SM
Technician: RC
Date: March 11, 2021

1989 Official Plan Excerpt



Legend			
	Downtown		Office Business Park
	Enclosed Regional Commercial Node		General Industrial
	New Format Regional Commercial Node		Light Industrial
	Community Commercial Node		Regional Facility
	Neighbourhood Commercial Node		Community Facility
	Main Street Commercial Corridor		Open Space
	Auto-Oriented Commercial Corridor		Urban Reserve - Community Growth
	Multi-Family, High Density Residential		Urban Reserve - Industrial Growth
	Multi-Family, Medium Density Residential		Rural Settlement
	Low Density Residential		Environmental Review
	Office Area		Agriculture
	Office/Residential		Urban Growth Boundary
			Enterprise

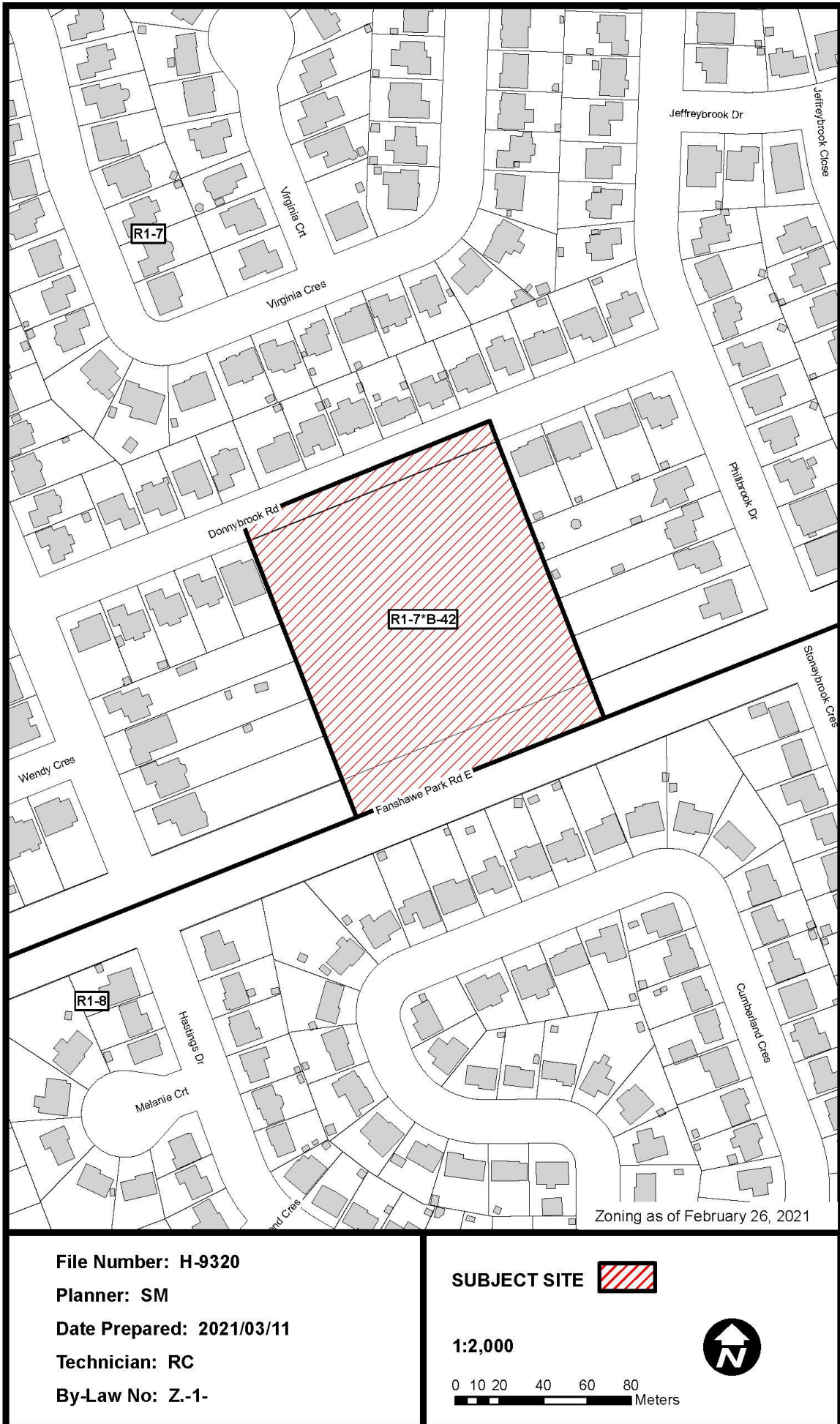
CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LAND USE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: H-9320
 PLANNER: SM
 TECHNICIAN: RC
 DATE: 2021/03/11

Zoning Excerpt

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z-1)



From: frank sun

Sent: Monday, April 12, 2021 2:16 PM

To: Serrano, Ania <ASerrano@London.ca>; Meksula, Sean <smeksula@London.ca>; Meksula, Sean <smeksula@London.ca>; Cassidy, Maureen <mcassidy@london.ca>; Saunders, Cathy <csaunder@london.ca>

Subject: [EXTERNAL] Re: H-9320 Notice of Application - 420 Fanshawe Park Road East - 2431602 Ontario Limited (WARD 5) - Planner: Sean Meksula

Hello,

I reject this planning application for building 142 units apartments.

Fang Sun

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Application By: W-3 Lambeth Farms Inc.
3700 Colonel Talbot Road and 3645 Bostwick Road
W-3 Farms Subdivision – Phase 1 – Special Provisions

Meeting on: April 26, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and W-3 Lambeth Farms Inc. for the subdivision of lands bounded by Bostwick Road to the east and Colonel Talbot Road to the west; mid-block between Pack Road and the planned Kilbourne Road extension. The subject sites, approximately 53.0 ha (130.9 ac) in size, are generally described as Part of Lots 74 and 75, Concession East of the North Branch of Talbot Road (Westminster).

- (a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and W-3 Lambeth Farms Inc. for the W-3 Farms Subdivision, Phase 1 (39T-17503) attached as Appendix “A”, **BE APPROVED**;
- (b) the Applicant **BE ADVISED** that Development Finance has summarized the claims and revenues attached as Appendix “B”;
- (c) the financing for this project **BE APPROVED** as set out in the Source of Financing Report attached as Appendix “C”;
- (d) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

Executive Summary

Seeking approval of Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and W-3 Farms Inc. for the W-3 Farms Subdivision, Phase 2 (39T-17503-2).

Linkage to the Corporate Strategic Plan

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

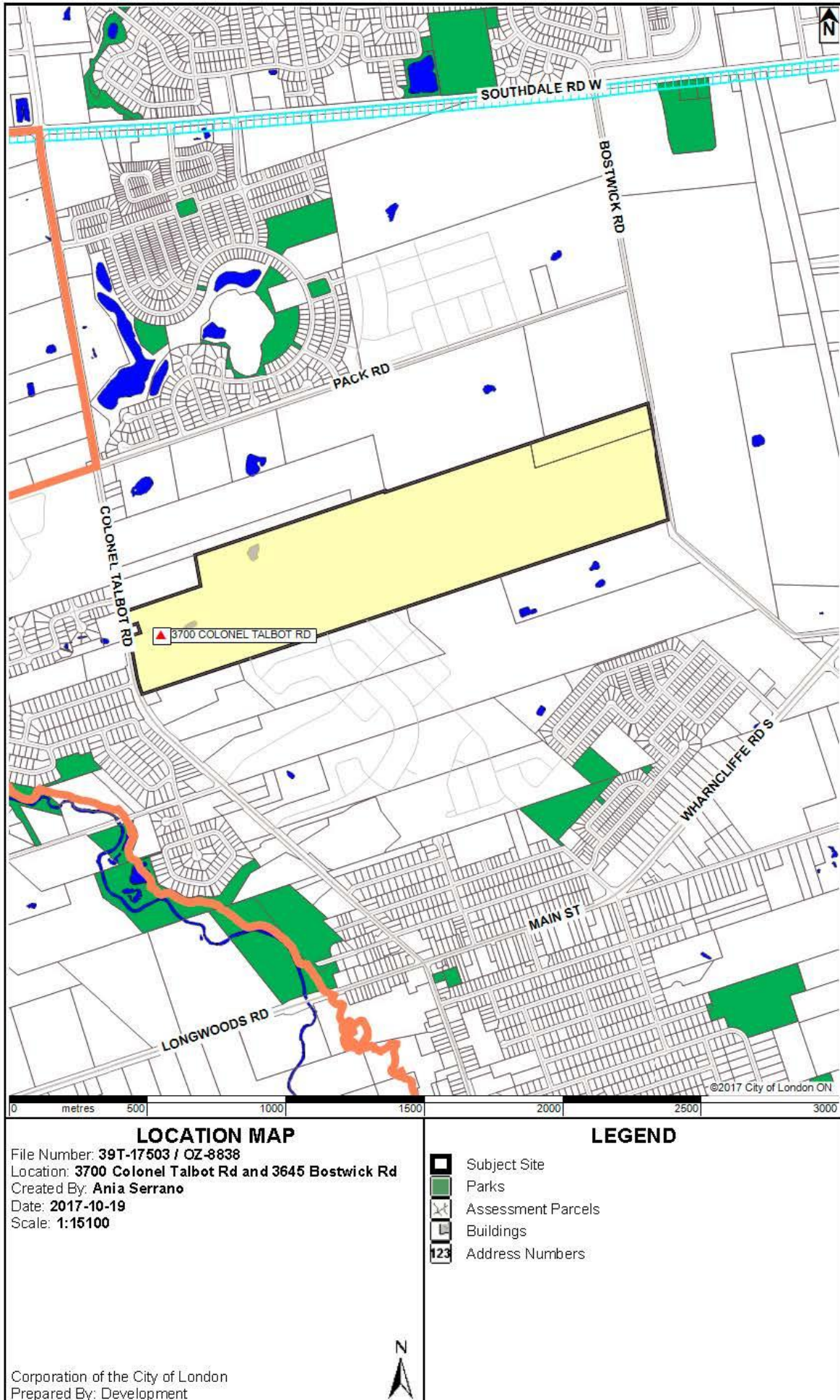
Analysis

1.0 Background Information

1.1 Property Description

The subject properties are located on lands bounded by Bostwick Road to the east and Colonel Talbot Road to the west, mid-block between Pack Road and the planned Kilbourne Road extension. The subject site measures approximately 18.63 ha (46.04 ac) in size and is generally described as Part of lot 74, Concession North of the East Branch of Talbot Road (Westminster). The subject site is irregular in shape and includes 63.2 m (207.3 ft) of frontage along Colonel Talbot Road and extends to the east approximately 1200 m (3937 ft) where it will abut the next phase of development to the east. Currently, the lands are used predominately for agricultural purposes.

1.2 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

Phase 1 of the plan of subdivision will consist of 258 lots for single detached dwellings and street townhouse dwellings, eight (8) blocks (Blocks 262-266, 268, 270, 273, 275) to be merged together for eleven (11) future lots for single detached dwellings, three (3) commercial/residential mixed use blocks (Blocks 259 and 260), one (1) cluster/low rise residential block (Block 261), two (2) park blocks (Block 276 and 278), one (1) walkway block (Block 277), five (5) 0.3 m reserve blocks (Blocks 280, 281, 282, 283 and 284 all served by two (2) new secondary collector/neighbourhood connector roads (Royal Magnolia Ave and Campbell Street North), and four (4) new local/neighbourhood streets (Heathwoods Avenue, Ayrshire Avenue, Big Leaf Trail and Petalpath Way).

The recommended special provisions for the proposed Phase 2 Subdivision Agreement are found at Appendix A of this report. The Development Services Division has reviewed these special provisions with the Owner who is in agreement with them.

This report has been prepared in consultation with the City's Solicitors Office.

3.0 Financial Impact/Considerations

3.1 Financial Securities

Through the completion of the works associated with this application fees, development charges and taxes will be collected. Outside of the DC eligible items outlined in the attached Source of Financing (Appendix B), there are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

The key issues and considerations have been reviewed and addressed through the existing draft plan process and subdivision agreement conditions.

Conclusion

Development Services Division staff are satisfied with the proposed special provisions for the W-3 Farms Subdivision – Phase 1, and recommend that they be approved; and, that the Mayor and the City Clerk be authorized to execute the Subdivision Agreement, any amending agreements and all documents required to fulfil its conditions.

Prepared by: Mike Corby, MCIP, RPP
Senior Planner, Development Services

Recommended by: Paul Yeoman, RPP, PLE
Director, Development Services

Submitted by: George Kotsifas, P. Eng.
Managing Director, Development and Compliance
Services and Chief Building Official

Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Bruce Page, Manager, Development Planning
Peter Kavcic, Manager, Development Engineer

April 19, 2021
GK/PY/MC/jar

Appendix A – Special Provisions

5. STANDARD OF WORK

Add the following new Special Provision:

1. The Owner shall provide minimum side yard setbacks as specified by the City for buildings which are adjacent to rear yard catch basin leads which are not covered by an easement on Lots in this Plan.

The Owner shall register against the title of Lots which incorporate rear yard catchbasins, which includes Lots 212, 221, 222, 227, 228, 233, 234, 239 and 240, 251 and 252 in this Plan and all other affected Lots shown on the accepted plans and drawings, and shall include this information in the Agreement of Purchase and Sale or Lease for the transfer of each of the affected Lots, a covenant by the purchaser or transferee to observe and comply with the minimum building setbacks and associated underside of footing (U.S.F.) elevations, by not constructing any structure within the setback areas, and not disturbing the catchbasin and catchbasin lead located in the setback areas. This protects these catchbasins and catchbasin leads from damage or adverse effects during and after construction. The minimum building setbacks from these works and associated underside of footing (U.S.F.) elevations have been established as indicated on the Subdivision Lot Grading Plan, attached hereto as **Schedule "I"** and on the servicing drawings accepted by the City Engineer.

15. PROPOSED SCHOOL SITES

Remove Subsections 15.3 to 15.8 as there are no school blocks in this Plan of Subdivision:

- ~~15.3 The Owner shall set aside an area or areas (being Block(s) _____) as a site or sites for school purposes to be held subject to the rights and requirements of any School Board having jurisdiction in the area.~~
- ~~15.4 The School Boards shall have the right, expiring three (3) years from the later of the date on which servicing of the relevant site is completed to the satisfaction of the City or the date on which seventy percent (70%) of the Lots in the subdivision have had building permits issued, to purchase the site and may exercise the right by giving notice to the Owner and the City as provided elsewhere in this Agreement and the transaction of purchase and sale shall be completed no later than two (2) years from the date of giving notice.~~
- ~~15.5 The School Boards may waive the right to purchase by giving notice to the Owner and the City as provided elsewhere in this Agreement.~~
- ~~15.6 Where all School Boards have waived the right to purchase, the City shall then have the right for a period of two (2) years from the date on which the right to purchase by the School Board has expired or has been was waived as the case may be, to purchase the site for municipal purposes and may exercise the right by giving notice to the Owner as provided elsewhere in this Agreement and the transaction of purchase and sale shall be completed no later than sixty (60) days from the date of giving notice.~~
- ~~15.7 The Owner agrees that the school blocks shall be:~~
- ~~(a) graded to a one percent (1%) grade or grades satisfactory to the City, the timing for undertaking the said works shall be established by the City prior to the registration of the Plan; and~~
 - ~~(b) top soiled and seeded to the satisfaction of the City, the timing for undertaking the said works to be established prior to assumption of the subdivision by the City.~~
- ~~15.8 Where the Owner has been required to improve the site by grading, top soil and~~

~~seeding, the responsibility of the Owner for the maintenance of the site shall cease upon completion by the Owner of its obligations under this Agreement.~~

24.1 STANDARD REQUIREMENTS

Add the following Special Provisions:

3. It is hereby acknowledged that W3 – Lambeth Farms Inc. and Colonel Talbot Developments Inc. have entered into a separate mutual binding agreement between the two parties, dated November 5th, 2020 which describes the works to be undertaken by each party including but not limited to the installation of services, utilities etc., as described in the agreement and outlines the agreed to financial compensation and responsibilities of each party.

It is further acknowledged that Colonel Talbot Development Inc. and W3 - Lambeth Farms Inc. have mutually granted access over their respective lands as necessary to perform the works as agreed to under said agreement. The private agreement between Colonel Talbot Development Inc. and W3 - Lambeth Farms Inc. does not in any way alter or limit the Owner's obligations under this subdivision agreement

5. The Owner acknowledges that lands identified as 3423 Colonel Talbot Road south of this Plan are being developed as Heathwoods Phase 2 Subdivision. The Owner shall co-operate and co-ordinate as necessary with the developer of Heathwoods Phase 2 Subdivision, to complete the projects, including providing access to the lands and easements as necessary.
6. Prior to assumption and in conjunction with the Final Lot Grading Certificate, the Owner shall make any amendments to the Plan required to adjust property boundaries consistent with as-built conditions (e.g. Part-Lot Control or Consent) as confirmed by an Ontario Land Surveyor for Lots 192 to 258, inclusive, all at no cost to the City.
7. Prior to Final Approval, the Owner shall make all necessary arrangements with any required owner(s) to have any existing easement(s) in this Plan quit claimed to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services at no cost to the City.

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

8. The Owner shall make arrangements with the owner of lands to the south to combine Blocks 262, 263, 264, 265, 266, 268, 270, 273 and 275 of this Plan, in conjunction with lands to the south in Plan 39T-12503 to create a developable Lot/Block, all to the satisfaction of the City.
9. The Owner shall hold Blocks 262, 263, 264, 265, 266, 268, 270, 273 and 275 out of development until adjacent lands to the south (Heathwoods Phase 2 Subdivision) develop in the future, to the satisfaction of the City.
10. Prior to assumption of this subdivision in whole or in part by the City, and as a condition of such assumption, the Owner shall pay to the City Treasurer the following amounts as set out or as calculated by the City, or portions thereof as the City may from time to time determine:
 - (i) For the removal of the temporary turning circle on east limit of Royal Magnolia Avenue outside this Plan, an amount of \$5,000
 - (ii) Removal of automatic flushing devices/blowoffs in future, an amount of \$5,000 each flusher for a total amount of \$25,000

24.2 CLAIMS

Remove Subsection 24.2 (c) and **replace** with the following:

- (c) The Owner may, upon approval of this Agreement and completion of the works, make application to Development Finance for payment of the sum alleged to be owing, and as confirmed by the City Engineer (or designate) and the City Treasurer (or designate). Payment will be made pursuant to any policy established by Council to govern the administration of the said Development Charge Reserve Fund.

The anticipated reimbursements from the Development Charge Reserve Funds are:

- (i) for the construction of a section of SS15A trunk sanitary sewer, the estimated cost of which is \$202,384, excluding HST, as per the approved Work Plan;
- (ii) for the engineering costs related to the construction of a section of SS15A trunk sanitary sewer, the estimated cost of which is \$ 23,220, excluding HST, as per the approved Work Plan;
- (iii) for construction of the recreational pathway system and associated park features within Blocks 276, 277 and 278, at an estimated cost of which is \$73,783, as per the approved Work Plan;
- (iv) for engineering of the recreational pathway system and associated park features within Blocks 276, 277 and 278, at an estimated cost of which is \$19,250 as per the approved Work Plan;

Any funds spent by the Owner that exceed the approved Work Plan estimates shall be at the sole risk of the Owner pending sufficient capital funding included in the City Budget.

24.6 EROSION AND SEDIMENT CONTROL

Add the following new Special Provisions:

- 12. All temporary erosion and sediment control measures, including sediment basins, installed in conjunction with this Plan shall be decommissioned and/or removed when warranted or upon placement of Granular 'B' as per accepted engineering drawings, all to the satisfaction of the City Engineer and at no cost to the City.
- 13. The Owner shall hold Lots 56 to 59 and Lots 61 to 65 out of development until the temporary sediment basins are decommissioned, to the satisfaction of the City.

24.7 GRADING REQUIREMENTS

Add the following new Special Provisions:

- 14. The Owner shall grade the portion of Lot 258, which have a common property line with Colonel Talbot Road, to blend with the ultimate profile of Colonel Talbot Road, in accordance with the accepted engineering drawings, all to the specifications and satisfaction of the City and at no cost to the City.
- 15. The Owner shall include in the Agreement of Purchase and Sale for the transfer of each of Lots 212, 213, 214, 215, 222, 223, 224, 225, 226, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257 and 258 in this Plan, all inclusive, as an overland flow route is located on the said Lots, a covenant by the purchaser or transferee to observe and comply with the following:
 - i) The purchaser or transferee shall not alter or adversely affect the said overland flow route on the said Lots as shown on the accepted lot grading and engineering drawings for this subdivision.

The Owner further acknowledges that no landscaping, vehicular access, parking access, works or other features shall interfere with the above-noted overland flow route, grading or drainage.

16. The Owner shall maintain the existing overland flow route Lots 212, 213, 214, 215, 222, 223, 224, 225, 226, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244 , 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257 and 258 , all inclusive, as per the accepted engineering drawings, to the satisfaction of the City Engineer.
18. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall remove and relocate any existing earth stockpile generally located in this Plan, all to the satisfaction of the City and at no cost to the City.
19. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct an overflow weir with a rip rap spillway on Castleoaks Street, north of Royal Magnolia Avenue as per the accepted engineering drawings, to the satisfaction of the City.
20. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct an overflow spillway at the south limit of Castleoaks Street, external to this Plan, and provide the necessary easements, as per the accepted engineering drawings, to the satisfaction of the City.
21. The Owner shall restore all disturbed areas to as new condition and is to be hydro-seeded as per the accepted engineering drawings, to the satisfaction of the City.
22. Prior to the issuance of any Certificate of Conditional Approval, in order to develop this site, the Owner shall make arrangements with the adjacent property owners to the north and south to regrade a portion of the property abutting this Plan, in conjunction with grading and servicing of this subdivision, to the specifications of the City, at no cost to the City.

24.8 STORM WATER MANAGEMENT

Add the following new Special Provisions:

23. Prior to assumption, the Owner shall operate, monitor and maintain the stormwater works associated with this Plan. The Owner shall ensure that any removal and disposal of sediment is to an approved site in accordance with the Ministry of the Environment and the Ministry of Natural Resources.
24. The Owner shall implement SWM 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 City.
25. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall decommission the existing temporary sediments and all associated works, all to the satisfaction of the City Engineer. The Owner is responsible for all costs related to the decommissioning and redirection of sewers and overland flow routes.
26. All temporary storm works and servicing installed within the proposed Plan of Subdivision shall be decommissioned and/or removed when warranted, all to the satisfaction of the City, at no cost to the City.

24.9 SANITARY AND STORM SEWERS

27. **Remove** Subsection 24.9 (b) and **replace** with the following:

- (b) The Owner shall construct storm sewers to service the Lots and Blocks in this Plan, which is located in the Dingman Creek Subwatershed, and outlet for this Plan is the North Lambeth Regional Stormwater Management Facility P9 via the storm sewer to be provided by the subdivision south of this Plan namely Heathwoods Subdivision Phase 2 who is to construct a storm sewer on Campbell Street North from the existing 1350 mm diameter storm sewer in Plan 33M-762,

n accordance with the accepted engineering drawings, to the satisfaction of the City.

28. **Remove** Subsection 24.9 (j) and **replace** with the following:

- (j) The Owner shall construct the sanitary sewers to service the Lots and Blocks in this Plan and connect them to the City's sanitary sewage system being the extension of the 250mm and 300 mm sanitary sewers located on Campbell Street external to this Plan that is being extended to the limits of W3 Farms as part of and in conjunction with the adjacent Heathwoods Subdivision Phase 2 that will ultimately connect to the existing 750mm trunk sanitary sewer on Campbell Street in Plan 33M-762 in accordance with the accepted engineering drawings, to the satisfaction of the City.

Add the following new Special Provisions:

29. Prior to the issuance of any Certificate of Conditional Approval, the outlet sewers identified through the Plan of Subdivision to the south in Heathwoods Phase 2 Subdivision, Plan 33M-____ must be constructed and deemed operational, all to the specifications and satisfaction of the City.
31. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a portion of the sanitary trunk SS15A and storm sewer on Castleoaks Street from Royal Magnolia Avenue southerly as per the accepted engineering drawings, all to the specifications and satisfaction of the City.
32. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall replace the culvert on Colonel Talbot Road at Royal Magnolia Avenue and all associated works as per the accepted engineering drawings, all to the specifications and satisfaction of the City.
33. The Owner shall redirect a portion of the sanitary flows identified in this Plan to the north once lands to the north develop, as per the accepted engineering drawings, to the satisfaction of the City. It is recognized in future through lands also owned by the Owner and as part of a future draft plan of subdivision, a portion of the flows from this Phase 1 of W3 Farms will ultimately be re-directed to the Colonel Talbot Pumping Station and the Oxford Wastewater Treatment Plant.
34. The Owner shall connect any existing field tiles into the proposed storm sewer system, to the satisfaction of the City.
35. The Owner shall either register against the title of Blocks 259 and 260, in this Plan, or shall include in the agreement of purchase and sale for the transfer of each of the Blocks, a covenant by the purchaser or transferee stating that the purchaser or transferee of the Blocks may be required to construct sewage sampling manholes, built to City standards in accordance with the City's Waste Discharge By-law No. WM-2, as amended, regulating the discharge of sewage into public sewage systems. If required, the sewage sampling manholes shall be installed on both storm and sanitary private drain connections, and shall be located wholly on private property, as close as possible to the street line, or as approved otherwise by the City Engineer.
36. The Owner shall remove any temporary DICBS, etc. and any existing easements may be quit claimed, all to the satisfaction and specifications of the City Engineer and at no cost to the City.

24.10 WATER SERVICING

Add the following new Special Provisions:

37. Prior to the issuance of any Certificates of Conditional Approval, and in accordance with City standards, or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water service to this draft Plan of Subdivision:
 - i. Construct watermains to serve this Plan and connect them to the existing low-level municipal system, namely the existing 600 mm diameter watermain on Colonel Talbot Road, the future 200mm diameter watermain on Campbell

Street North and the future 200mm diameter watermain on Ayrshire Avenue;

- ii. If the subject Plan develops in advance of the subdivision to the South of this Plan, Heathwoods Phase 2 Subdivision, Plan 33M-____, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of watermain situated on private lands outside this Plan and shall provide satisfactory easements, as necessary, all to the specifications of the City;
 - iii. Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units; and
 - iv. Have their consulting engineer prepare a Certificate of Completion of Works to confirm to the City that the watermain connection(s) to the 600 mm diameter watermain on Colonel Talbot Road, the 200mm diameter watermain on Campbell Street North, and the 200mm diameter watermain on Ayrshire Avenue has been constructed, is operational, and is complete.
38. All development Blocks shall be serviced off the water distribution system internal to this Plan of Subdivision.
39. The available fire flows for development Blocks within this Plan of Subdivision have been established through the subdivision water servicing design study as follows:
- Block 259 @ 151 l/sec
 - Block 260 @ 151 l/sec
 - Block 261 @ 90 l/sec

Future development of these Blocks shall be in keeping with the established fire flows in order to ensure adequate fire protection is available.

40. If the Owner requests the City to assume Castleoaks Street, with the automatic flushing device still in operation, all as shown on this Plan of Subdivision, prior to its extension to the south, the Owner shall pay to the City at the time of the assumption of this subdivision by the City the amount estimated by the City at the time, to be the cost of removing the automatic flushing device and properly abandoning the discharge pipe from the automatic flushing device to the storm/sanitary sewer system at the south limit of Castleoaks Street and restoring adjacent lands, all to the specifications of the City. The estimated cost for doing the above-noted work on this street is \$5,000 per automatic flushing device for which amount sufficient security is to be provided in accordance with Condition 24.1 (____). The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.
41. If the Owner requests the City to assume Heathwoods Avenue with the automatic flushing device still in operation, all as shown on this Plan of Subdivision, prior to its extension to the south, the Owner shall pay to the City at the time of the assumption of this subdivision by the City the amount estimated by the City at the time, to be the cost of removing the automatic flushing device and properly abandoning the discharge pipe from the automatic flushing device to the storm/sanitary sewer system at the south limit of Heathwoods Avenue and restoring adjacent lands, all to the specifications of the City. The estimated cost for doing the above-noted work on this street is \$5,000 per automatic flushing device for which amount sufficient security is to be provided in accordance with Condition 24.1 (____). The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.
42. If the Owner requests the City to assume Heathwoods Avenue with the automatic flushing device still in operation, all as shown on this Plan of Subdivision, the Owner shall pay to the City at the time of the assumption of this subdivision by the City the amount estimated by the City at the time, to be the cost of removing

the automatic flushing device and properly abandoning the discharge pipe from the automatic flushing device to the storm/sanitary sewer system at the east limit of Heathwoods Avenue and restoring adjacent lands, all to the specifications of the City. The estimated cost for doing the above-noted work on this street is \$5,000 per automatic flushing device for which amount sufficient security is to be provided in accordance with Condition 24.1 (___). The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.

43. If the Owner requests the City to assume Big Leaf Trail at Heathwoods Avenue with the automatic flushing device still in operation, all as shown on this Plan of Subdivision, the Owner shall pay to the City at the time of the assumption of this subdivision by the City the amount estimated by the City at the time, to be the cost of removing the automatic flushing device and properly abandoning the discharge pipe from the automatic flushing device to the storm/sanitary sewer system on Big Leaf Trail at Heathwoods Avenue and restoring adjacent lands, all to the specifications of the City. The estimated cost for doing the above-noted work on this street is \$5,000 per automatic flushing device for which amount sufficient security is to be provided in accordance with Condition 24.1 (___). The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.
44. If the Owner requests the City to assume Royal Magnolia Avenue, with the automatic flushing device still in operation, all as shown on this Plan of Subdivision, prior to its extension to the east, the Owner shall pay to the City at the time of the assumption of this subdivision by the City the amount estimated by the City at the time, to be the cost of removing the automatic flushing device and properly abandoning the discharge pipe from the automatic flushing device to the storm/sanitary sewer system at the east limit of Royal Magnolia Avenue and restoring adjacent lands, all to the specifications of the City. The estimated cost for doing the above-noted work on this street is \$5,000 per automatic flushing device for which amount sufficient security is to be provided in accordance with Condition 24.1 (___). The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.

24.11 ROADWORKS

45. **Remove** Subsection 24.11 (p) and **replace** with the following:

- (p) Where traffic calming measures are required within this Plan:
 - (i) The Owner shall erect advisory signs at all street entrances to this Plan for the purpose of informing the public of the traffic calming measures implemented within this Plan prior to the issuance of any Certificate of Conditional Approval in this Plan.
 - (ii) Where raised intersections are located, the Owner shall install the raised intersections as a traffic control device, , to the satisfaction of the City prior to assumption for that section of road.
 - (iii) The Owner shall register against the title of all Lots and Blocks on Royal Magnolia Avenue, Castleoaks Street, Campbell Street North and Big Leaf Trail in this Plan, and shall include in the Agreement of Purchase and Sale or Lease for the transfer of each of the said Lots and Blocks, a covenant by the purchaser or transferee stating the said owner shall locate the driveways to the said Lots and Blocks away from the traffic calming measures on the said streets, including raised intersections and speeds cushions, to be installed as traffic control devices, to the satisfaction of the City Engineer.

46. **Remove** Subsection 24.11 (q) and **replace** with the following:

- (q) The Owner shall direct all construction traffic including all trades related traffic associated with installation of services and construction of dwelling units in this Plan to access the site from Colonel Talbot Road or other routes as designated by the City.

Add the following new Special Provisions:

47. The Owner shall construct a temporary turning circle at the east limit of Royal Magnolia Avenue, to the satisfaction of the City Engineer and at no cost to the City.

If the Owner requests the City to assume Royal Magnolia Avenue, all as shown on this Plan of Subdivision, prior to its extension to the east, the Owner shall pay to the city at the time of the assumption of this subdivision by the City the amount estimated by the City at the time, to be the cost of removing the temporary turning circle at the east limit of Royal Magnolia Avenue and completing the curb and gutter, asphalt pavement, Granular 'A', Granular 'B', sodding of the boulevard, 1.5metre concrete sidewalks on both sides, and restoring adjacent lands, including the relocation of any driveways, all to the specifications of the City. The estimated cost, including legal fees for releasing easements and/or transferring blocks, and doing the above-noted work on this street is \$5,000 for which amount sufficient security is to be provided in accordance with Condition 24.1 (___). The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.

When the lands abutting this Plan of Subdivision develop and the temporary turning circle is removed, the City will quit claim the easements which were used for temporary turning circle purposes which are no longer required at no cost to the City.

48. Should there be a temporary turning circle at the south limits of Ayrshire Avenue and Campbell Street North, the Owner shall remove the temporary turning circle on Ayrshire Avenue and Campbell Street North and adjacent lands, in Heathwoods Phase 2 Subdivision, Plan 33M-___ to the south of this Plan, and complete the construction of Ayrshire Avenue and Campbell Street North in this location as a fully serviced road, including restoration of adjacent lands, to the specifications of the City.

If funds have been provided to the City by the Owner of Heathwoods Phase 2 Subdivision, Plan 33M-___ for the removal of the temporary turning circle and the construction of this section of Ayrshire Avenue and Campbell Street North 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 Ayrshire Avenue and Campbell Street North in Heathwoods Phase 2 Subdivision, Plan 33M-___ is constructed as a fully serviced road by the Owner of Plan Heathwoods Phase 2 Subdivision, Plan 33M-___, then the Owner shall be relieved of this obligation.

49. Barricades are to be maintained at the east limits of streets in this Plan until lands to the east develop or as otherwise directed by the City. When lands to the east limits develop or as otherwise directed by the City, the Owner shall remove the barricades and any temporary turning circles, restore the boulevards and complete the construction of the roadworks within the limits of both temporary turning circles, to the specifications of the City, all at no cost to the City.

The Owner shall advise all purchasers of land within this subdivision that any traffic to and from this subdivision will not be permitted to pass the barricade(s) until the removal of the barricade(s) is authorized by the City.

50. Prior to the issuance of any Certificate of Conditional Approval, temporary signs shall be installed and maintained on Royal Magnolia Avenue adjacent to all speed cushion locations that indicate Future Speed Cushion Location, as

identified on the accepted engineering drawings, to the satisfaction of the City Engineer.

51. Prior to assumption or when required by the City Engineer, the Owner shall install speed cushions on Royal Magnolia Avenue between Lots 245 and 246, between Lots 226 and 227, between Block 261 ~~248~~ and Lot 201 and between Lots 19 and 20, including permanent signage and pavement marking as per the accepted engineering drawings, to the satisfaction of the City Engineer.
52. Prior to the issuance of any Certificate of Conditional Approval, or as otherwise directed by the City Engineer, the Owner shall construct raised intersections, at the intersection of Royal Magnolia Avenue at Castleoaks Streets, Royal Magnolia Avenue at Campbell Street North and Royal Magnolia Avenue at Big Leaf Trail (west leg), including permanent signage and pavement markings, as per the accepted engineering drawings, to the satisfaction of the City Engineer, at no cost to the City.
53. The Owner shall construct parking lay-bys on Royal Magnolia Avenue as per the accepted engineering drawings, to the satisfaction of the City.
54. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct temporary street lighting at the intersection of Colonel Talbot Road and Royal Magnolia Avenue, as per the accepted engineering drawings, all to the specifications and satisfaction of the City, at no cost to the City.
55. The Owner acknowledges that the City, in accordance with the City's current Growth Management Implementation Strategy (GMIS) may be reconstructing Colonel Talbot Road. The Owner shall co-operate with the City, as necessary, to complete the project, including providing access to their lands and easements as necessary.
56. The Owner shall construct an enhanced landscape treatment on Royal Magnolia Avenue at Colonel Talbot Road, as per the accepted engineering drawings, all to the specifications and satisfaction of the City Engineer.

24.14 PLANNING

Add the following new Special Provisions:

57. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a pathway in Blocks 276, 277 and 278 and all identified works as per the accepted engineering drawings, all to the specifications and satisfaction of the City.
58. The Owner shall include in all Purchase and Sale Agreements the requirement that the homes to be designed and constructed on all corner lots in this Plan (including lots with side frontages to parks and/or open spaces), are to have design features, such as but not limited to porches, windows or other architectural elements that provide for a street oriented design and limited chain link or decorative fencing along no more than 50% of the exterior sideyard abutting the exterior sideyard road/park/open space frontage.

Environmental and Parks/Pathways

59. Parkland dedication has been calculated at a rate of 1 hectare per 300 residential units. The Owner shall dedicate Blocks 276, 277 and 278 to satisfy a portion of the required parkland dedication. Some of the Blocks have been taken at a compensated rate as per By-law CP-9. The balance of the required parkland dedication will be taken in the future phase of the subdivision.

60. Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed and certified with site inspection reports submitted to the Ecologist monthly during development activity along the edge of the Block 57.

UTRCA

61. The Owner shall prepare and deliver to all homeowners an education package which explains the stewardship of natural area, the value of existing tree cover, is your cat safe outdoors 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 City and the Upper Thames River Conservation Authority.

SCHEDULE "C"

This is Schedule "C" to the Subdivision Agreement dated this _____ day of _____, 2021, between The Corporation of the City of London and W3-Lambeth Farms Inc. to which it is attached and forms a part.

SPECIAL WORKS AND SERVICES

Roadways

- Royal Magnolia Avenue and Campbell Street North shall have a minimum road pavement width (excluding gutters) of 9.5 metres with a minimum road allowance of 21.5 metres.

- Castleoaks Street, Heathwood Avenue, Ayrshire Avenue and Big Leaf Trail (with the exception of Big Leaf Trail between Block 276 and Heathwood Avenue) shall have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 20.0 metres.

- Big Leaf Trail, between Block 276 and Heathwood Avenue shall have a minimum road pavement width (excluding gutters) of 7.0 metres with a minimum road allowance of 19 metres.

- Petalpath Way shall have a minimum road pavement width (excluding gutters) of 6.0 metres with a minimum road allowance of 18 metres.

- Royal Magnolia Avenue, from Colonel Talbot Road to 45 metres east of Colonel Talbot Road shall have a minimum road pavement width (excluding gutters) of 11.0 m with a minimum road allowance of 22.5 metres. The widened road on Royal Magnolia Avenue shall be equally aligned from the centreline of the road and tapered back to the 9.5 metre road pavement width (excluding gutters) and 21.5 metre road allowance for this street, with 30 metre tapers on both street lines.

Sidewalks

A 1.5 metre sidewalk shall be constructed on both sides of all streets in this Plan of Subdivision, as per the accepted engineering drawings.

Pedestrian Walkways

There are no pedestrian walkways in this Plan.

SCHEDULE "D"

This is Schedule "D" to the Subdivision Agreement dated this _____ day of _____, 2021, between The Corporation of the City of London and W3-Lambeth Farms Inc. to which it is attached and forms a part.

Prior to the Approval Authority granting final approval of this Plan, the Owner shall transfer to the City, all external lands as prescribed herein. Furthermore, within thirty (30) days of registration of the Plan, the Owner shall further transfer all lands within this Plan to the City.

LANDS TO BE CONVEYED TO THE CITY OF LONDON:

0.3 metre (one foot) reserves:	Blocks 280, 281, 282 and 284
Road Widening (Dedicated on face of plan):	Block 279
Walkways:	NIL
5% Parkland Dedication:	Blocks 276, 277 and 278
Dedication of land for Parks in excess of 5%:	NIL
Stormwater Management:	NIL

LANDS TO BE SET ASIDE FOR SCHOOL SITE:

School Site:	NIL
--------------	-----

LANDS TO BE HELD IN TRUST BY THE CITY:

Temporary access:	NIL
-------------------	-----

SCHEDULE "E"

This is Schedule "E" to the Subdivision Agreement dated this _____ day of _____, 2021, between The Corporation of the City of London and W3-Lambeth Farms Inc. to which it is attached and forms a part.

The Owner shall supply the total value of security to the City is as follows:

CASH PORTION:	\$1,382,983
BALANCE PORTION:	<u>\$7,836,903</u>
TOTAL SECURITY REQUIRED	\$9,219,886

The Cash Portion shall be deposited with the City Treasurer prior to the execution of this agreement.

The Balance Portion shall be deposited with the City Treasurer prior to the City issuing any Certificate of Conditional Approval or the first building permit for any of the Lots and Blocks in this Plan of Subdivision.

The Owner shall supply the security to the City in accordance with the City's By-Law No. CPOL-13-114 and policy adopted by the City Council on April 4, 2017 and any amendments.

In accordance with Section 9 Initial Construction of Services and Building Permits, the City may limit the issuance of building permits until the security requirements have been satisfied.

The above-noted security includes a statutory holdback calculated in accordance with the Provincial legislation, namely the CONSTRUCTION LIEN ACT, R.S.O. 1990.

SCHEDULE "F"

This is Schedule "F" to the Subdivision Agreement dated this _____ day of _____, 2021, between The Corporation of the City of London and W3-Lambeth Farms Inc. to which it is attached and forms a part.

Prior to the Approval Authority granting final approval of this Plan, the Owner shall transfer to the City, all external easements as prescribed herein. Furthermore, within thirty (30) days of registration of the Plan, the Owner shall further transfer all easements within this Plan to the City.

Multi-Purpose Easements:

- (a) Multi-purpose easements shall be deeded to the City in conjunction with this Plan, over lands external to this Plan, on an alignment and of sufficient width acceptable to the City Engineer as follows:
 - (i) Over lands to the south of Castleoaks Street for servicing as per the accepted engineering drawings
- (b) Temporary turning circle easements shall be deeded to the City in conjunction with this Plan over lands outside this Plan at the east limit of Royal Magnolia Avenue.

Road Easements:

N/A

Appendix B – Claims and Revenues

Estimated Costs and Revenues

Estimated DC Claim Costs	Estimated Cost (excludes HST)
Claims for Owner led construction from CSRF	
- Construction - Pathway system and park features on Blocks 264, 265 and 266 (DC19PR5050)	\$73,783
- Engineering - Pathway system and park features on Blocks 264, 265 and 266 (DC19PR5050)	\$19,250
- Construction - Section of SS15A Sanitary Trunk Sewer (DC14WW00005)	\$202,384
- Engineering - Section of SS15A Sanitary Trunk Sewer (DC14WW00005)	\$23,220
Total	\$318,637
Estimated DC Revenues (January 1, 2021 to December 31, 2021 Rates)	Estimated Revenue
CSRF TOTAL	\$9,613,620

- 1 Estimated DC Claim Costs are for Owner led construction projects and do not include City led projects required to accommodate growth.
- 2 Estimated DC Revenues are calculated using current DC rates. The City employs a "citywide" approach to cost recovery for all eligible growth services, therefore the Estimated DC Claim Costs and Revenues in the table above are not directly comparable.
- 3 DC Claim Costs are based on the approved Work Plan cost estimates provided by the Owner for engineering and construction of the claimable works. Final claim payments will be approved based on actual costs incurred by the Owner in conjunction with the terms of the registered Subdivision Agreement, Work Plan and the DC By-law.

Approved by:

Date

Paul Yeoman
Director, Development Finance

Appendix C – Source of Finance

#21056

April 26, 2021
(39T-17503)

Chair and Members
Planning and Environment Committee

RE: Subdivision Special Provisions - W3 Farms Inc.
W3 Subdivision Phase 1
Capital Project PK204319 - New Major Open Space (252160)
Capital Project ES2494 - Lambeth Growth Area Greenway PCP Sewershed (252162)

Finance and Corporate Services Report on the Sources of Financing:

Finance and Corporate Services confirms that the cost of this purchase can be accommodated within the financing available for it in the Capital Budget, and that, subject to the approval of the Managing Director, Development and Compliance and Chief Building Official, the detailed source of financing is:

Estimated Expenditures	Approved Budget	Committed To Date	This Submission	Balance for Future Work
PK204319 - New Major Open Space				
Engineering	375,000	21,204	19,589	334,207
Construction	2,837,000	170,664	75,082	2,591,254
Total PK204319	3,212,000	191,868	94,671	2,925,461
ES2494 - Lambeth Growth Area Greenway PCP Sewershed				
Engineering	525,857	325,857	23,629	176,371
Land Acquisition	231,439	0	0	231,439
Construction	4,242,704	1,859,279	205,946	2,177,479
Total ES2494	5,000,000	2,185,136	229,575	2,585,289
Total Expenditures	\$8,212,000	\$2,377,004	\$324,246	\$5,510,750
Sources of Financing				
PK204319 - New Major Open Space				
Capital Levy	102,694	72,987	29,490	217
Debenture (Note 2a)	1,054,959	0	0	1,054,959
Drawdown from City Services - Parks & Rec Reserve Fund (Development Charges) (Note 1)	2,054,347	118,881	65,181	1,870,285
Total PK204319	3,212,000	191,868	94,671	2,925,461
ES2494 - Lambeth Growth Area Greenway PCP Sewershed				
Drawdown from City Services - Wastewater Reserve Fund (Development Charges) (Note 1)	2,765,700	2,185,136	229,575	350,989
Debenture Quota (Financed through City Services- Wastewater Reserve Fund (Development Charges) (Note 1 and 2b)	2,234,300	0	0	2,234,300
Total ES2494	5,000,000	2,185,136	229,575	2,585,289
Total Financing	\$8,212,000	\$2,377,004	\$324,246	\$5,510,750

#21056
April 26, 2021
(39T-17503)

Chair and Members
Planning and Environment Committee

RE: Subdivision Special Provisions - W3 Farms Inc.
W3 Subdivision Phase 1
Capital Project PK204319 - New Major Open Space (252160)
Capital Project ES2494 - Lambeth Growth Area Greenway PCP Sewershed (252162)

Financial Note - Engineering	PK204319C	ES2494	Total
Contract Price	\$19,250	\$23,220	\$42,470
Add: HST @13%	2,503	3,019	5,522
Total Contract Price Including Taxes	21,753	26,239	47,992
Less: HST Rebate	-2,164	-2,610	-4,774
Net Contract Price	\$19,589	\$23,629	\$43,218

Financial Note - Construction	PK204319C	ES2494	Total
Contract Price	\$73,783	\$202,384	\$276,167
Add: HST @13%	9,592	26,310	35,902
Total Contract Price Including Taxes	83,375	228,694	312,069
Less: HST Rebate	-8,293	-22,748	-31,041
Net Contract Price	\$75,082	\$205,946	\$281,028
Total Engineering and Construction	\$94,671	\$229,575	\$324,246

Note 1: Development Charges have been utilized in accordance with the underlying legislation and the approved 2019 Development Charges Background Study and the 2021 Development Charges Background Study Update.

Note 2: Note to City Clerk: Administration hereby certifies that the estimated amounts payable in respect of this project does not exceed the annual financial debt and obligation limit for the Municipality from the Ministry of Municipal Affairs in accordance with the provisions of Ontario Regulation 403/02 made under the Municipal Act, and accordingly the City Clerk is hereby requested to prepare and introduce the necessary by-laws.

Note 2a: An authorizing by-law should be drafted to secure debenture financing for project PK204319-New Major Open Space for the net amount to be debentured of \$1,054,959.

Note 2b: An authorizing by-law should be drafted to secure debenture financing for project ES2494-Lambeth Growth Area Greenway PCP Sewershed for the net amount to be debentured of \$2,234,300.

Jason Davies
Manager of Financial Planning & Policy
ms

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Application By: York Developments
3493 Colonel Talbot Road

Meeting on: April 26, 2021

Recommendation

That, on the recommendation of the Director, Development Services, based on the application by York Developments, relating to the property located at 3493 Colonel Talbot Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 4th, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Residential R1 Special Provision (h*h-100*R1-8(5)/R1-8(8)) Zone **TO** a Residential R1 Special Provision (R1-8(5)/R1-8(8)) Zone to remove the "h and h-100" holding provisions.

Executive Summary

Summary of Request

The applicant has requested the removal of the h and h-100 holding provisions from 3493 Colonel Talbot Road, which are in place to ensure the draft plan of subdivisions is developed in accordance with the approved subdivision agreement and that there is adequate provisions for municipal water for the 77 single detached lots within the draft plan of subdivision.

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the "h and h-100" holding symbols from the zone map to permit the development of the draft plan of subdivision.

Rationale of Recommended Action

The conditions for removing the holding provisions have been met, as the required security has been submitted, and the development agreement has been signed. Adequate water services and appropriate access through a looped watermain are available. All issues have been resolved and the holding provisions are no longer required.

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

The subject site is Phase 2 of the Silverleaf Subdivision which was received as a complete application on September 15, 2014 and draft approved by the Approval Authority on March 24, 2016. The first phase of this subdivision was approved by the Approval Authority on March 29, 2018 and registered on April 16, 2018 as 33M-742.

1.1 Property Description

The subject property is situated in the southwest quadrant of the City of London at the southwest corner of Colonel Talbot Road and Pack Road. The property is within the City of London's Southwest Area Secondary Plan and forms part of the North Lambeth Residential Neighbourhood. The site is approximately 6.97 ha (17.22 ac) in size and has been graded through previous planning approval processes. The site is situated between Pack Road to the north, existing single detached dwellings (Phase 1) to the west and the Mathers Stream along the southerly and easterly edges of the property. Agricultural lands, rural residences and naturalized areas exist to the north of the site across Pack Road.

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

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Low Density Residential and Multi-Family, Medium Density Residential
- Existing Zoning – Holding Residential R1 Special Provision (h*h-100*R1-8(5)/R1-8(8)) Zone

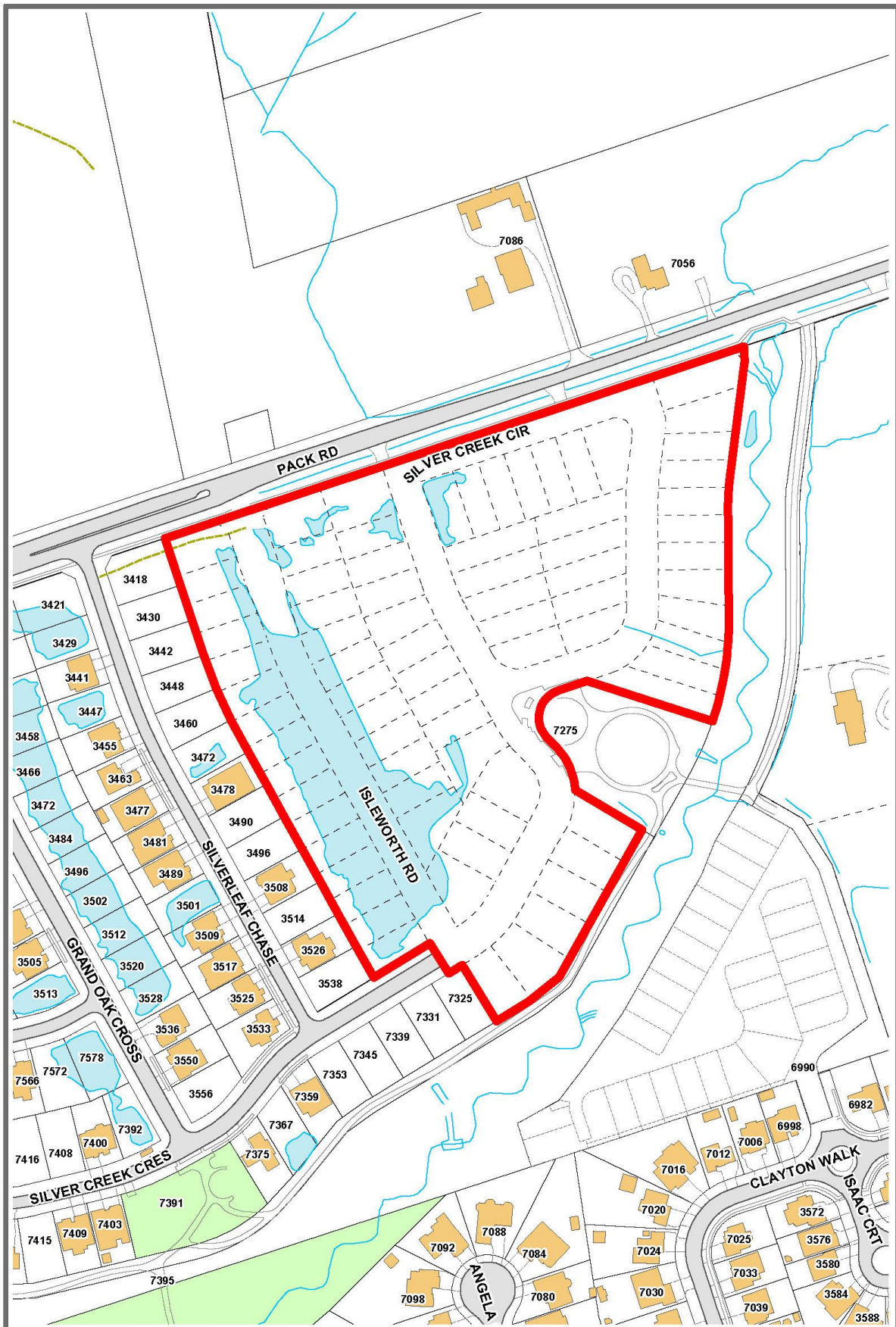
1.3 Site Characteristics

- Current Land Use – undeveloped
- Frontage – 342 metres
- Depth – irregular
- Area – 6.97 ha (17.22 acres)
- Shape – irregular

1.4 Surrounding Land Uses

- North – Agricultural
- East – Future Residential/Commercial
- South – Open Space/Residential
- West – Low Density Residential

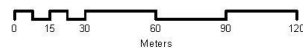
1.5 Location Map



LOCATION MAP






Subject Site: 3493 Colonel Talbot Road
File Number: H-9326
Planner: Mike Corby
Date: 31/03/2021

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



Scale 1:2500

Legend

-  Subject Site
-  Buildings
-  Parks
-  Submitted Under Review Subdivisions
-  Driveways/Parking Lots

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

Why is it Appropriate to remove this Holding Provision?

The “h” holding provision states:

“To ensure the orderly development of lands and the adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development.”

The Applicant has provided the necessary securities and has entered into a subdivision agreement with the City. This satisfies the requirement for the removal of the “h” holding provision.

The “h-100” holding provision states:

“To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.”

Permitted Interim Uses: A maximum of 80 residential units

Development Engineering staff confirmed that adequate water servicing can be provided to the subject site through a looped watermain system and that at least two public access points are available. This satisfies the requirement for the removal of the “h-100” holding provision.

Conclusion

The Applicant has provided the necessary securities and has entered into a development agreement with the City. The applicant has also demonstrated that there is adequate water services through a looped watermain and appropriate access available. Therefore, the required conditions have been met to remove the "h and h-100" holding provisions. The removal of the holding provisions is recommended to Council for approval.

Prepared by: **Mike Corby, MCIP, RPP**
Senior Planner, Development Services

Recommended by: **Paul Yeoman, RPP, PLE**
Director, Development Services

Submitted by: **George Kotsifas, P. Eng.**
Managing Director, Development and Compliance
Services and Chief Building Official

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

\\FILE1\users-x\pdda\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2021\H-9326 - 3493 Colonel Talbot Road (MC)\PEC\DRAFT - 3493 Colonel Talbot Road - H-9326 MC.docx

Appendix A

Bill No. (Number to be inserted by Clerk's Office)
2021

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 3493 Colonel Talbot Road.

WHEREAS Goldfield Ltd. has applied to remove the holding provisions from the zoning for the lands located at 3493 Colonel Talbot Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said lands;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 3493 Colonel Talbot Road, as shown on the attached map, to remove the h and h-100 holding provisions so that the zoning of the lands as a Residential R6 Special Provision (R1-8(5)/R1-8(8)) Zone come into effect.
2. This By-law shall come into force and effect on the date of passage.

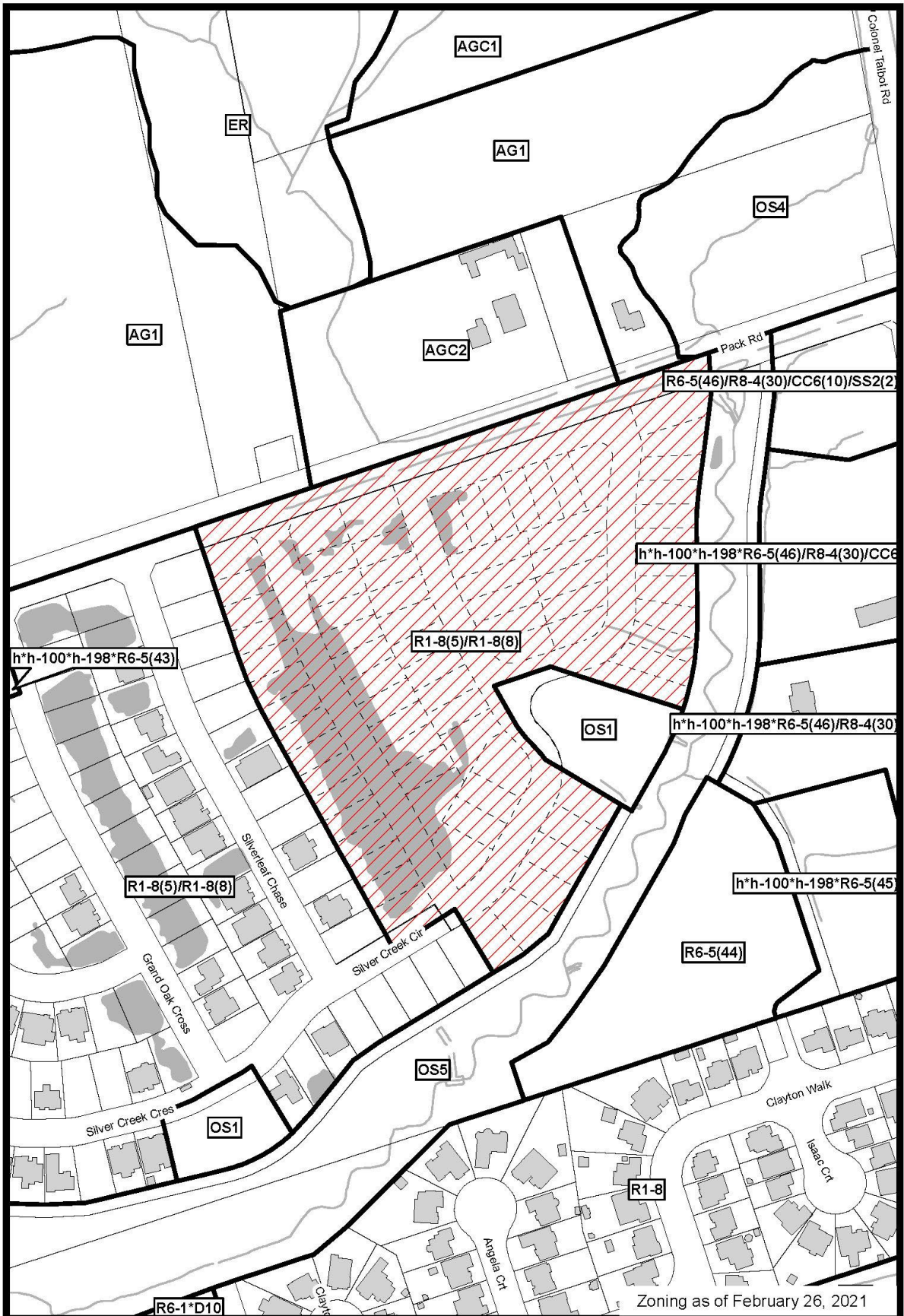
PASSED in Open Council on May 4, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – May 4, 2021
Second Reading – May 4, 2021
Third Reading – May 4, 2021


AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: H-9326
Planner: MC
Date Prepared: 2021/03/30
Technician: rc
By-Law No: Z.-1-

SUBJECT SITE 

1:3,000

0 15 30 60 90 120
 Meters



Appendix B – Public Engagement

Community Engagement

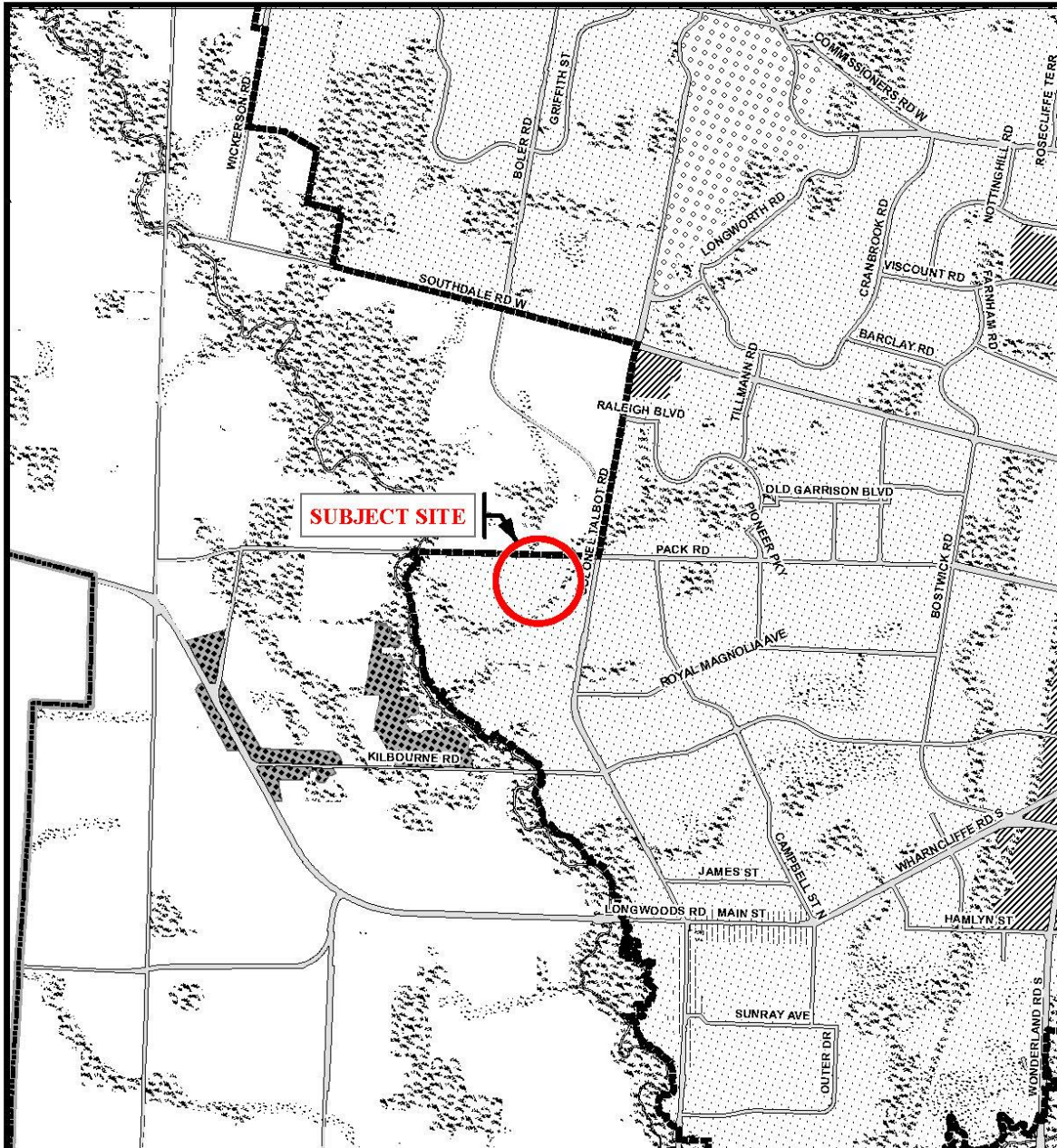
Public liaison: Notice of the application was published in the Londoner on March 18, 2021

0 replies were received

Nature of Liaison: City Council intends to consider removing the “h” and “h-100” Holding Provision’s from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the holding symbol’s permitting the development of Phase 2 of Silverleaf, Draft Plan of Subdivision which includes 77 lots for single detached dwellings. The purpose of the “h” provision is to ensure the orderly development of lands and the adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided and/or a development agreement has been entered into for the subject lands. The purpose of the “h-100” provision is to ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol. Council will consider removing the holding provisions as it applies to these lands no earlier than April 19, 2021. File: H-9326 Planner: M. Corby (City Hall).

Appendix C – Relevant Background

London Plan Excerpt



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

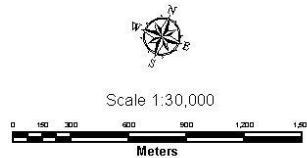
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
 Planning Services /
 Development Services

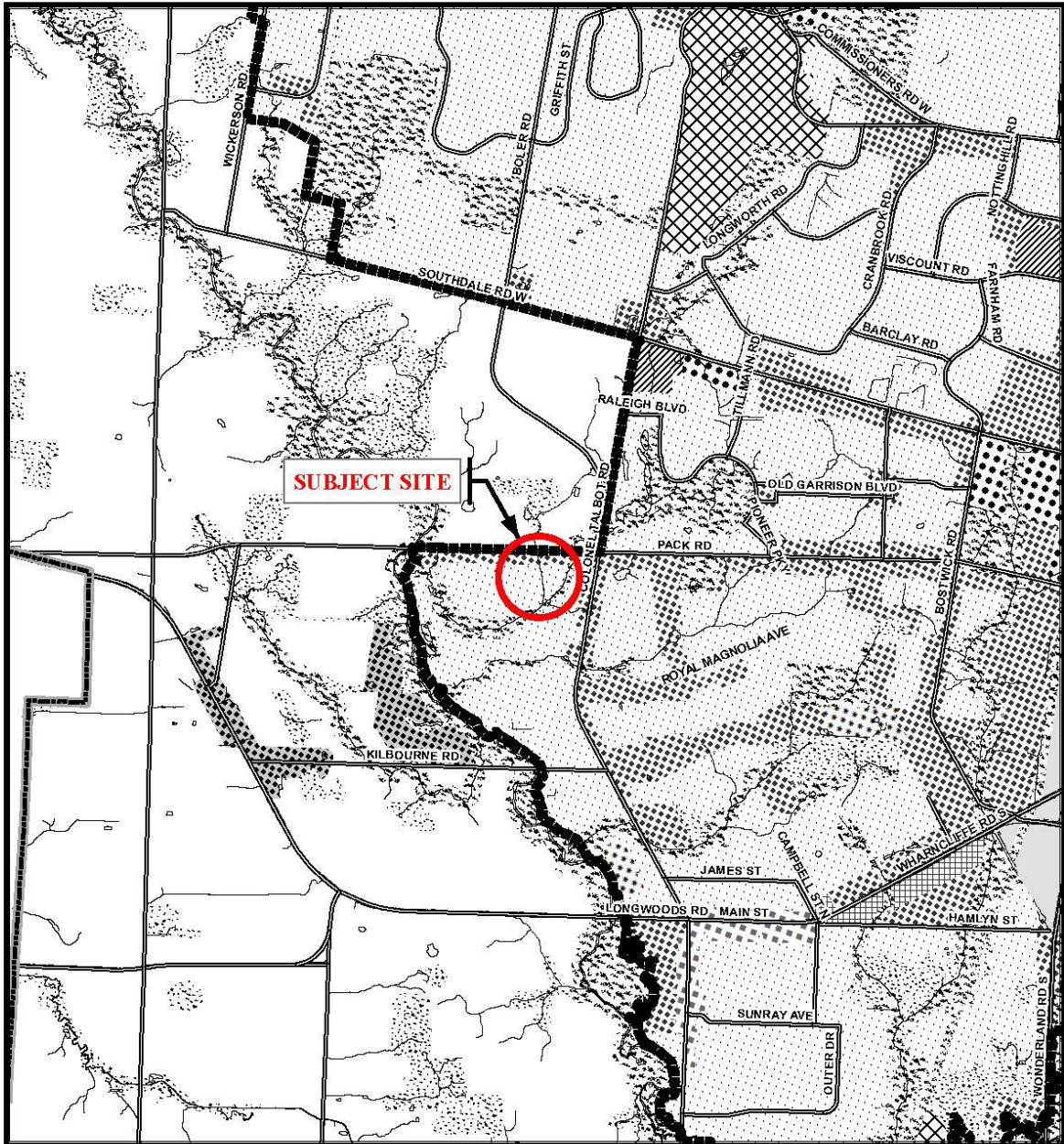
LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning Services



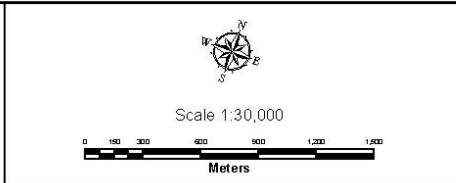
File Number: H-9326
Planner: MC
Technician: RC
Date: March 31, 2021

1989 Official Plan Excerpt



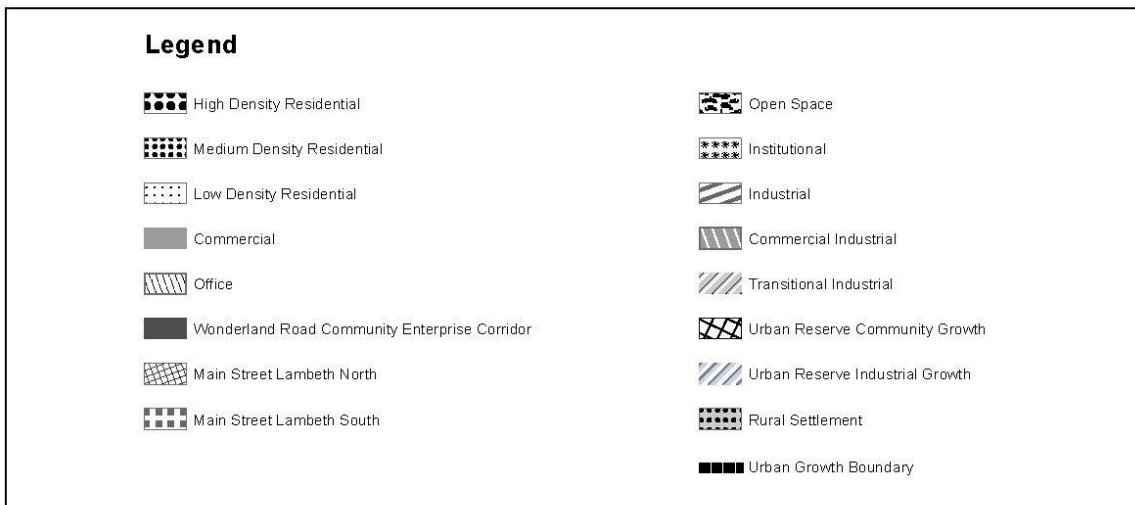
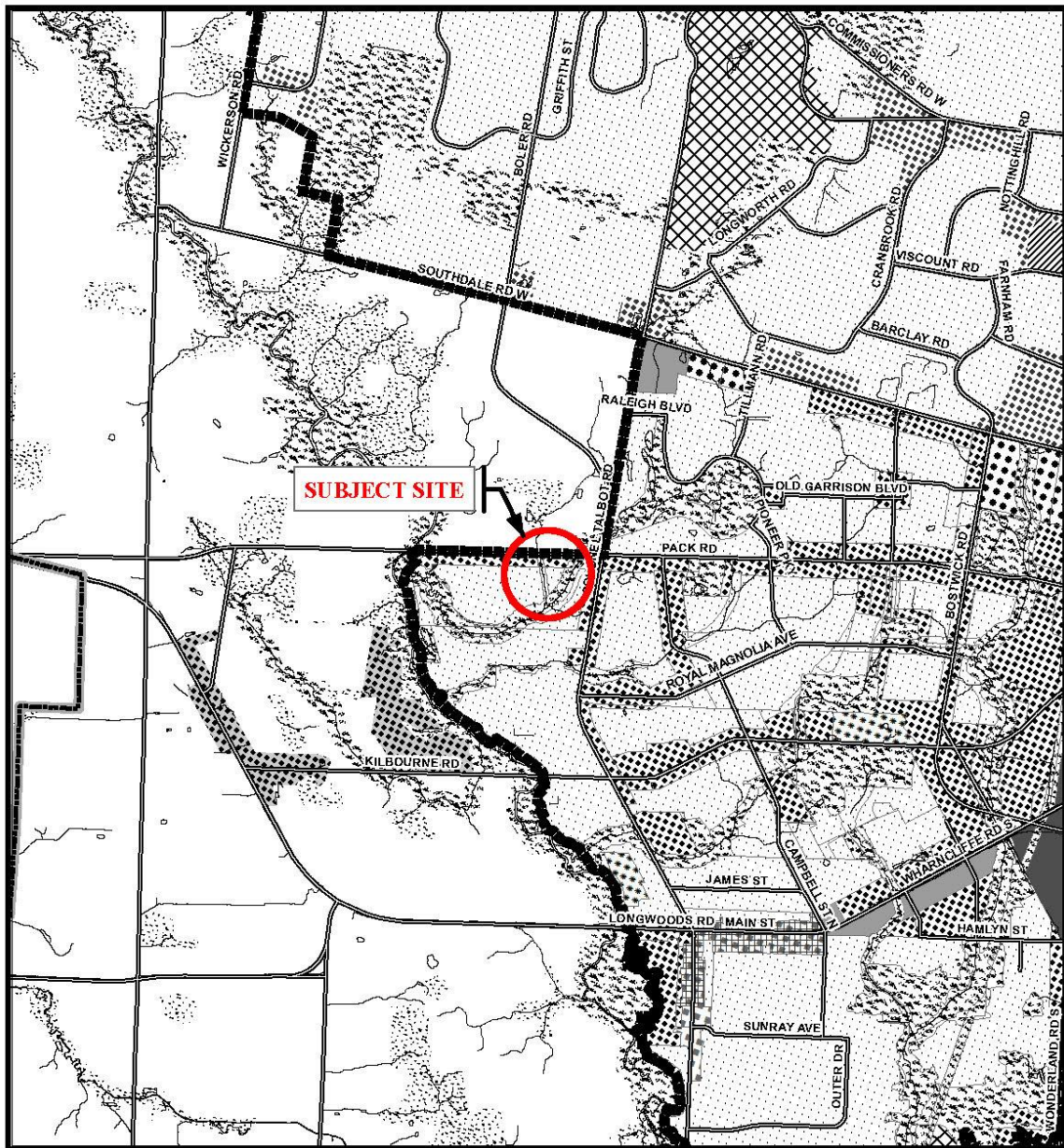
Legend			
	Downtown		Office Business Park
	Enclosed Regional Commercial Node		General Industrial
	New Format Regional Commercial Node		Light Industrial
	Community Commercial Node		Regional Facility
	Neighbourhood Commercial Node		Community Facility
	Main Street Commercial Corridor		Open Space
	Auto-Oriented Commercial Corridor		Urban Reserve - Community Growth
	Multi-Family, High Density Residential		Urban Reserve - Industrial Growth
	Multi-Family, Medium Density Residential		Rural Settlement
	Low Density Residential		Environmental Review
	Office Area		Agriculture
	Office/Residential		Urban Growth Boundary
			Enterprise

CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



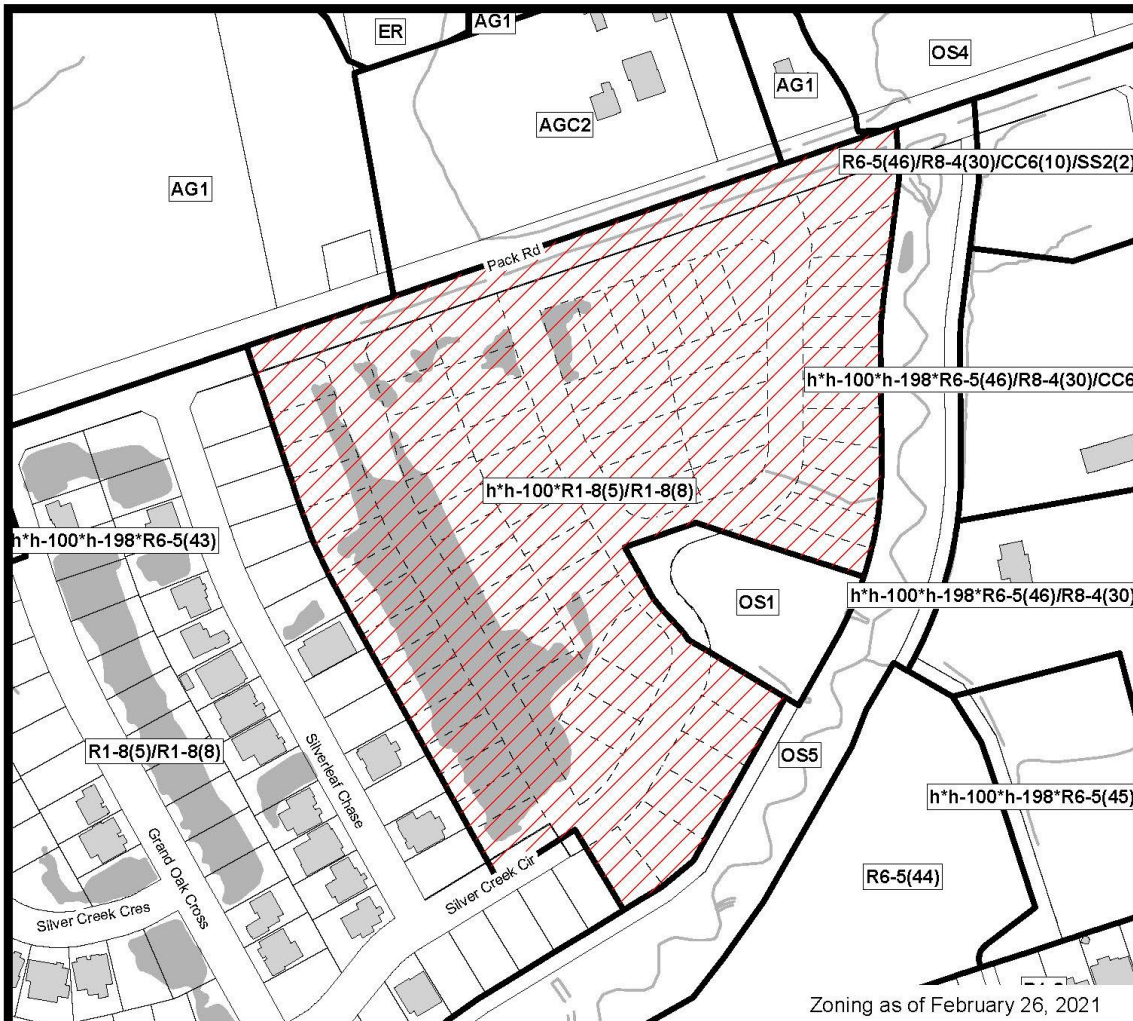
FILE NUMBER: H-9326
 PLANNER: MC
 TECHNICIAN: RC
 DATE: 2021/03/31

Southwest Area Plan Excerpt



<p>CITY OF LONDON Planning Services / Development Services SOUTHWEST AREA STUDY SECONDARY PLAN - LANDUSE - PREPARED BY: Graphics and Information Services</p>	<p style="text-align: center;"> Scale 1:30,000 Meters </p>	<p>FILE NUMBER: H-9326 PLANNER: MC TECHNICIAN: RC DATE: March 31, 2021</p>
---	---	---

Zoning Excerpt



Zoning as of February 26, 2021



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) **LEGEND FOR ZONING BY-LAW Z-1**

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "h" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING
 BY-LAW NO. Z.-1
 SCHEDULE A**



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:

H-9326

MC

MAP PREPARED:

2021/03/31

CK

1:3,000

0 15 30 60 90 120 Meters

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Application by Drewlo Holdings Inc.
1635 Commissioners Road East and 2624 Jackson Road
Extension of Draft Plan Approval

Date: April 26, 2021

Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application of Drewlo Holdings Inc. relating to the lands located at 1635 Commissioners Road East and 2624 Jackson Road the Approval Authority **BE ADVISED** that Municipal Council supports issuing a three (3) year extension to Draft Plan Approval for the residential plan of subdivision **SUBJECT TO** the conditions contained in the attached Appendix "A" (File No. 39T-06507).

Executive Summary

Summary of Request

The request is for approval of a three (3) year extension of Draft-Approval for a Draft Plan of Subdivision located on the east side of Jackson Road, between Commissioners Road East and Bradley Avenue.

Purpose and the Effect of Recommended Action

The purpose and effect is to recommend that the Approval Authority for the City of London approve the three (3) year extension of Draft-Approval to the draft plan of subdivision, subject to conditions attached to this report.

Rationale of Recommended Action

1. The requested three (3) year extension is reasonable to allow sufficient time for the registration of the subdivision plan which is proceeding in multiple phases.
2. The land use pattern, lot/block configurations, and road alignments in this subdivision do not change; therefore, an extension of the lapse date 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 Previous Reports Related to this Matter

November 20, 2017 – Report to Planning and Environment Committee – Application by 748094 Ontario Ltd. & 2624 Jackson Road Inc. for Approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments - 1635 Commissioners Road East and 2624 Jackson Road; and Application by the City of London for Official Plan Amendment – 1663 & 1685 Commissioners Road East and 2652 Jackson Road (File No. 39T-06507 / OZ-7176 / O-7178).

2.0 Discussion and Considerations

2.1 Property Description

The subject lands consists of open fields which were formally in agricultural use (cash crops), as well as a patch of woodland consisting of some wetland along the central and easterly portion of the subject site. A drainage tributary flows from the woodland west through the field towards Jackson Road and then south eventually crossing Bradley Avenue. At this point it is an open channel drain referred to as the Hampton-Scott Drain. The southwest corner of the site is traversed by a hydro corridor easement and a transmission tower. The site topography slopes gradually from the north to south.

2.2 Current Planning Information

- The London Plan Place Type – Neighbourhoods, Green Space and Environmental Review
- (1989) Official Plan Designation – Low Density Residential, Multi-family, Medium Density Residential and Open Space
- Zoning – Blocks within the draft plan comprise various Residential (R1, R4, R5 and R6) Special Provision Zones, Neighbourhood Facility (NF) Zones, Open Space (OS1 and OS5) Zones, Urban Reserve (UR4) Special Provision Zones, and Agricultural (AG1) Special Provision Zones.

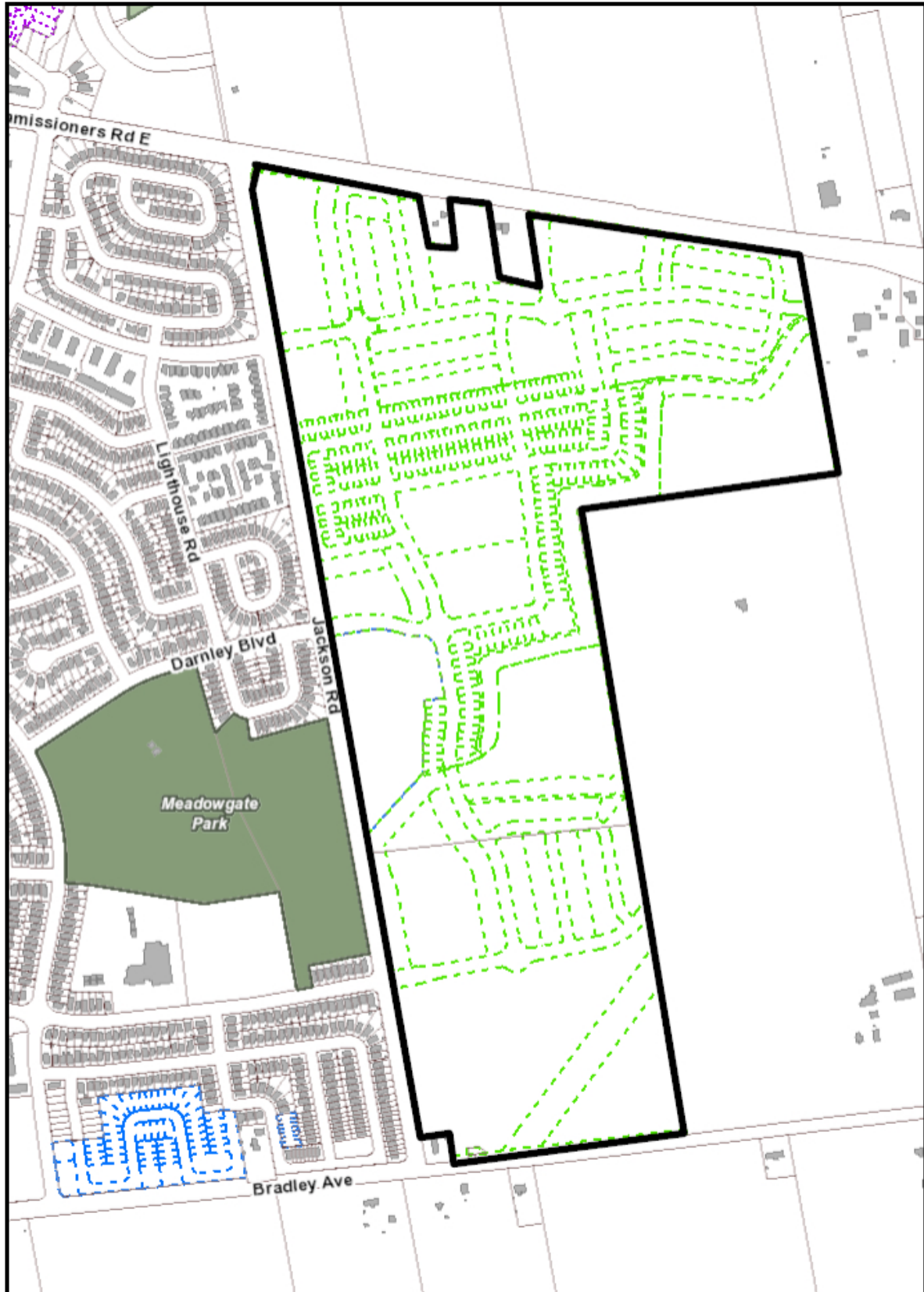
2.3 Site Characteristics

- Current Land Use – open fields; woodlands and wetlands; three residential dwellings; and hydro transmission corridor
- Frontage – approx. 1600 metres (on Jackson Road)
- Depth – approx. 835 metres
- Area – approx. 82 hectares
- Shape – Irregular

2.4 Surrounding Land Uses

- North – agriculture
- East – agriculture and hydro transmission corridor
- South – agriculture and hydro transmission corridor
- West – low/medium density residential and SWM pond (Summerside Subdivision)






2.5 Location Map



Location Map

Project Title: 39T-06507
Description: 1635 Commissioners Road East and
2624 Jackson Road
Created By: Larry Mottram
Date: 12/15/2020
Scale: 1:8000

Legend

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



2.7 Planning History

On November 28, 2017, Municipal Council adopted Official Plan and Zoning By-law Amendments in conjunction with a proposed Draft Plan of Subdivision submitted by 2624 Jackson Road Inc. and 748094 Ontario Limited for what is referred to as the Parker-Jackson lands consisting of approximately 81 hectares on the east side of Jackson Road, just east of the Summerside Subdivision. On March 14, 2018 the City of London Approval Authority issued Draft-Approval of the subdivision plan for three years. A subsequent 180 day extension was granted by the Approval Authority on February 26, 2021 extending the lapse date to September 14, 2021. The Parker Regional Stormwater Management Facility has been constructed by the City on the east side of Jackson Road to serve the future development. Subdivision design and servicing drawings for Phase 1 have been submitted for review and are currently being finalized, and special provisions for a Subdivision Agreement are expected to be brought forward shortly. Drewlo Holdings Inc. recently acquired ownership in the subject lands from 2624 Jackson Road Inc. and 748094 Ontario Limited and have indicated their intent to proceed with the final approval and registration process.

2.8 Requested Action

This request is for a three (3) year extension of Draft Approval for the Parker-Jackson Draft Plan of Subdivision. The Draft-Approved Plan consists of 37 low density residential blocks, 17 medium density residential blocks, 3 open space blocks, 2 open space buffer blocks, 5 park blocks, 3 park/walkway blocks, 1 part block, 1 access/servicing block, 1 school block, 1 stormwater management block, 1 existing hydro corridor block, 2 future development blocks, 12 reserve blocks, and 4 road widening blocks. In terms of residential lot/unit count estimates, the low density residential blocks are expected to yield a total of approximately 520 single detached lots, and the medium density blocks approximately 142 street townhouses and 347 cluster townhouses.

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).

2.9 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-06507). 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.

2.10 Policy Context

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” and “Environmental Review” Place Types have also been applied to portions of the subject lands to recognize the presence of significant natural heritage features, watercourses, and hazard lands. Proposed land uses are consistent with the Place Types in the London Plan. The Draft-Approved Plan incorporates a high degree of neighbourhood connectivity and a multi-use walking and

cycling pathway system identified on the Active Mobility Network mapping. In accordance with City Building policies, neighbourhood parks have been located and designed within the neighbourhood to achieve a minimum of 50% of their perimeter bounded by a public street.

(1989) Official Plan

These lands are designated Low Density Residential, Multi-family, Medium Density Residential, and Open Space on Schedule 'A' of the 1989 Official Plan. The Low Density Residential designation permits primarily single, semi-detached and duplex forms of housing up to 30 units per hectare. 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. The Open Space designation has been applied to existing natural features and to a 30 metre wide buffer (25 metres plus five (5) metre wide multi-use pathway block) adjacent the woodland/wetland feature as part of the planning review and approvals process. The natural areas containing existing woodland and wetland, the Hampton-Scott Drain, associated buffers and restoration/renaturalization areas, are to be preserved and protected as Open Space.

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

4.1 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. Conditions 1 through 27 are substantively the same as those of the previous draft approval with some consolidation, minor tweaking and wording modifications. One of the challenges of crafting conditions is keeping current with changing job titles and protocols. Applying the use of the generic term "City" rather than individual's specific job title has been found to be the most practical alternative wherever possible.
2. Conditions 30 and 31 can be deleted as they are related to sanitary sewer preventative measures for inflow and infiltration and obtaining reserve capacity at the pollution control plant which are standard conditions in the Subdivision Agreement.
3. Conditions 32 through 38 related to storm and stormwater management have been updated to address the requirements for preparation of Storm/Drainage and SWM servicing reports, provision of SWM and stormwater services including an erosion and sediment control plan and monitoring program, grading and drainage around the Parker Regional SWM Facility, and undertaking a Hydrogeological Investigation or preparing an addendum to any existing Hydrogeological Investigation report based on the final subdivision design, including evaluation of the short and long term effects of construction associated with the development on existing groundwater elevations and to assess the impact on the water balance of the subject plan, identifying all required mitigation measures, including Low Impact Development (LIDs) solutions.

4. Conditions 44 through 46 can be deleted as sufficient lands have previously been transferred to the City for the Parker Regional SWM Facility which is now constructed and operational.
5. A number of new storm and stormwater management conditions have also been added to address such matters as short-term and/or long-term hydrogeological and ecological monitoring for the woodlot and wetland areas, the provision of a 3rd pipe conveyance system to convey rear yard and roof water flows as part of the water balance strategy to recharge the wetland feature within the woodlot, and requirements for design and construction of the Hampton-Scott Drain proposed street crossing.
6. Conditions 47 through 53 related to Watermains and Water Servicing have been updated and/or conditions deleted as they have been replaced with standard conditions in the Subdivision Agreement.
7. Conditions 54 through 92 includes some minor tweaking and wording modifications to various transportation conditions. Revised wording is proposed for Condition 61 dealing with requirements to hold a future development block (Block 74) out of development for a specified period of time if needed for private access and servicing of future residential development on the property at 1663 Commissioners Road East, which is located outside of and adjacent to the subdivision plan.
8. Conditions 93 through 128 are the general conditions, including several conditions that can now be deleted as they are outdated or have been replaced with standard conditions in the subdivision agreement. Revised wording is proposed for Conditions 108 and 109 which are the standard conditions related to requirements for a geotechnical engineer to identify if there is any evidence of methane gas or soils contamination within or in the vicinity of the draft plan of subdivision, and implementation of any recommended remediation measures.
9. The last two new conditions are to ensure that the Owner provides a minimum lot frontage of 6.7 metres to accommodate street townhouses within this draft plan of subdivision, and any requirements for completion of Class EA's prior to submission of subdivision engineering drawings to the City.

Conclusion

Staff are recommending 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-06507.

Prepared by: **Larry Mottram, MCIP, RPP**
Senior Planner, Development Services

Recommended by: **Paul Yeoman, RPP, PLE**
Director, Development Services

Submitted by: **George Kotsifas, P. Eng.**
Managing Director, Development and Compliance
Services and Chief Building Official

Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Bruce Page, Manager, Development Planning
Peter Kavcic, Manager, Development Planning

April 19, 2021
GK/PY/LM/lm

Y:\Shared\ADMIN\1- PEC Reports\2021 PEC Reports\6 - Apr 26\2624 Jackson Road & 1635 Commissioners Rd E - 39T-06507
PEC LM.docx

Appendix A

APPENDIX 39T-06507

(Conditions to be included for draft plan approval)

THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-06507, ARE AS FOLLOWS:

Deleted, Revised or New Condition

NO.	CONDITIONS
1.	This draft approval applies to the draft plan as prepared and submitted by Stantec (File No. 39T-06507), certified by Terry P. Dietz, Ontario Land Surveyor dated March 5, 2018 (Project No. 1614-03884), <u>as red line revised</u> , which shows 37 low density residential blocks, 17 medium density residential blocks, 3 open space blocks, 2 open space buffer blocks, 5 park blocks, 3 park/walkway blocks, 1 part block, 1 access/servicing block, 1 school block, 1 stormwater management block, 1 existing hydro corridor block, 2 future development blocks, 12 reserve blocks, and 4 road widening blocks.
2.	This approval applies for three years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
3.	The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.
4.	The Owner shall request that street(s) be named to the satisfaction of the City.
5.	The Owner shall request that the municipal addresses be assigned to the satisfaction of the City.
6.	Prior to final approval, the Owner shall submit to the City a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
7.	The Owner shall enter into the City's standard Subdivision Agreement (including any added special provisions) which shall be registered against the lands to which it applies. Prior to final approval the Owner shall pay in full all municipal financial obligations/encumbrances on the said lands, including property taxes and local improvement charges.
8.	In conjunction with registration of the plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications 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 and at no cost to the City.
9.	Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the City a complete submission consisting of all required clearances, fees, and final plans, and to advise the City in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.

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

Planning

11. In conjunction with the Design Studies submission, the owner shall prepare and submit a tree preservation report and plan for lands within the proposed draft plan of subdivision. The tree preservation report and plan shall be focused on the preservation of trees within lots and blocks. The tree preservation report and plan shall be completed in accordance with current approved City of London guidelines for the preparation of tree preservation reports and tree preservation plans, to the satisfaction of the City **Planner**. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation as per the Council approved Tree Preservation Guidelines.
12. The Owner shall construct a 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all existing and proposed private lots adjacent to existing and/or future Park and Open Space blocks. Fencing shall be completed to the satisfaction of the City **Planner**, within one (1) year of the registration of the plan.
13. The Owner shall not grade into any open space areas. Where lots or blocks abut an open space area, all grading of the developing lots or blocks at the interface with the open space areas are to match grades to maintain existing slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the ~~Manager of Environmental and Parks Planning City~~.
14. The Owner shall develop and deliver to all purchasers and transferees of the lots in this plan, a homeowner guide/education package as approved by the Manager of Parks Planning and Design that explains the stewardship of natural areas and the value of existing tree cover, as well as indirect suburban effects on natural areas. The Owner shall submit the homeowner guide/education package for review and acceptance, in conjunction with the Design Studies submission.
15. The Owner shall dedicate Open Space Blocks 55, 56 & 57, Open Space Buffer Blocks 58 & 59, Park Blocks 60, 61, 62, 63, & 64, and Park/Walkway Blocks 65, 66 & 67 as fulfillment of the required parkland dedication for the proposed Plan of Subdivision.
16. In conjunction with the Design Studies submission, the Owner shall provide park concept plans for Blocks 62 and 63, to the satisfaction of ~~the Manager of Environmental and Parks Planning~~ **Parks Planning and Design**. Appropriate amenities to be included in the park blocks (Blocks 62 and 63) will be determined in consultation with City's Environmental and Parks Planning staff. In addition, the Owner shall submit with the standard engineering servicing drawings submission, full design and construction plans to the satisfaction of the City.
17. In conjunction with the Design Studies submission, the owner shall provide a conceptual park plan for Blocks 60, 61, and 64 which may include plantings, pathways and trees, to the satisfaction of the City **Planner**.

18. In conjunction with the Design Studies submission, the Owner shall provide a conceptual park plan delineating the alignment of the multi-use pathway through Blocks 65, 66 & 67; a multi-use pathway connection from Blocks 64 & 65 – through Street D to Commissioners Road East; and a conceptual buffer planting plan for Blocks 58 and 59, to the satisfaction of ~~the Manager of Environmental and Parks Planning~~ Parks Planning and Design.
19. Prior to undertaking any works or site alteration including filling, grading, construction or alteration to a watercourse in a Conservation Regulated Area, the Owner shall obtain a permit or receive clearance from the Upper Thames River Conservation Authority.
20. In conjunction with the Design Studies submission, the Owner shall provide a report prepared by a qualified ecological consultant to address the UTRCA's outstanding concerns regarding the protection of the wetland and watercourse features that are located on the subject lands. The report shall address the water quality, timing and quantity to the swamp wetland communities as well as the Hampton - Scott Drain. This submission should include additional strategies to protect and maintain these features as well as a discussion regarding the need for additional run-off augmentation including how / who / when that will be determined. A monitoring program for the wetland as well as a hydrogeological assessment will also be required. The Owner shall arrange a meeting with City and UTRCA staff to scope the terms of reference for the submission.
21. In conjunction with the Design Studies submission, the Owner shall provide a woodland compensation plan to address the woodland feature that will be lost as a result of the crossing of Street J over the Hampton-Scott Drain.
22. In conjunction with the Design Studies submission, the Owner shall have a qualified acoustical consultant prepare a noise study concerning the impact of traffic noise on future residential uses adjacent arterial roads. The noise study shall be prepared in accordance with the Ministry of the Environment Guidelines and the City of London policies and guidelines. Any recommended noise attenuation measures are to be reviewed and accepted by the City. The final accepted recommendations shall be constructed or installed by the Owner, or may be incorporated into the subdivision agreement.
23. Prior to the submission of Engineering Drawings, the Owner shall submit for approval an on-street parking plan for any lots with less than 11 metres frontage; whereby 1 parking space per 2.5 lots is to be used as the basis for the design, to the satisfaction of the City. The approved parking plan is required for each registered phase of development and will form part of the subdivision agreement.
24. Prior to the acceptance of engineering drawings, the Owner shall submit confirmation that they have complied with any requirements of Hydro One Networks Inc.
25. Prior to final approval, the Owner shall ensure that any block located adjacent to the hydro corridor easement shall have registered on title to the block the appropriate Hydro One Networks Inc. (HONI) warning clause(s), to the satisfaction of the City.
26. In conjunction with the Design Studies submission, the Owner shall provide a confirmation letter that the Ministry of Tourism, Culture and Sport has reviewed and accepted the Archaeological Assessment (Stages 1, 2, & 3) report for the Jackson District Stormwater Management Facility prepared by Archaeologix Inc. dated April 2001; and the Stage 1 & 2 and Stage 3 Archaeological Assessment reports for the Parker/Jackson lands prepared by Timmins Martelle Heritage

Consultants Inc. dated June 2005, into the Ontario Public Register, to the satisfaction of the City.

27. The Owner shall install appropriate boundary demarcation to the satisfaction of the City, which may include signage and property boundary monuments, along the easterly and southerly property lines with the property at 1944 Bradley Avenue, at no cost to the City.

SEWERS & WATERMAINS

Sanitary:

28. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit a Sanitary Servicing Study to include the following 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 sewer to be constructed through this plan. Further to this, the consulting engineer shall be required to provide an opinion for the need for an Environmental Assessment under the Class EA requirements for this sanitary trunk sewer;
 - iii) Demonstrate/Identify/Provide viable servicing options for the addresses known as 1663 and 1685 Commissioners Road East, external lands to the south and east, and any other remnant parcels;
 - iv) To meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407, provide an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken; and
 - v) Demonstrate that the servicing to the proposed street townhouses can be constructed with adequate separation distances and avoid conflicts with City services, which meet City of London standards and requirements.
29. Prior to the issuance of any Certificate of Conditional Approval and in accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
- i) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 825 mm (33") diameter sanitary sewer stub constructed under Summerside Phase 9 and currently terminated approximately 105 metres west of the west streetline of Jackson Road, adjacent to Summerside Block 57, Plan 33M-528 SWM pond. The ultimate municipal sanitary outlet for this draft plan is the existing intake structure at the south limit of the existing Summerside District Combined Servicing Tunnel located on the extension of Lighthouse Road, south of Darnley Boulevard as identified in the Sanitary Drainage Area for Summerside District Sanitary Sewers by DelCan in Plan 33M-331;
 - ii) Construct single family private drain connections to the limits of the red-lined access block (Block 74) to 1663 Commissioners Road East, in accordance with approved engineering drawings;
 - iii) Construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the City;
 - iv) Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the satisfaction of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and

- v) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.

~~30. In order to prevent any inflow and infiltration from being introduced to the sanitary sewer system, the Owner shall, throughout the duration of construction within this plan, undertake measures within this draft plan to control and prevent any inflow and infiltration and silt from being introduced to the sanitary sewer system during and after construction, satisfactory to the City, at no cost to the City, including but not limited to the following:~~

- ~~i) Not allowing any weeping tile connections into the sanitary sewers within this Plan;~~
- ~~ii) Permitting the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer;~~
- ~~iii) Installing Parson Manhole Inserts (or approved alternative satisfactory to the City Engineer) in all sanitary sewer maintenance holes at the time the maintenance hole(s) are installed within the proposed draft plan of subdivision. The Owner shall not remove the inserts until sodding of the boulevard and the top lift of asphalt is complete, all to the satisfaction of the City Engineer.~~
- ~~iv) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and~~
- ~~v) Implementing any additional measures recommended through the Design Studies stage.~~

~~31. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Pottersburg Pollution Control Plant for this subdivision. This treatment capacity shall be reserved by the City Engineer subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.~~

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

Storm and Stormwater Management (SWM)

- 32. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation to address the following:
 - i) 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) Addressing the rerouting, enclosure and/or removal of any existing open watercourses in this plan and identify the needs for any setbacks from the open watercourses, if necessary;
 - iv) Providing hydraulic analysis to confirm the sizing of the proposed culvert for the road crossing to ensure it is designed to convey the 250 year storm event flows and will not affect the ability to preserve the existing woodlot upstream of the crossing, prepared by a qualified engineer to support any

- proposed watercourse crossing, to the satisfaction of the City Engineer and at no cost to the City;
- v) Identifying how/where the existing tributary is to be diverted to the main tributary watercourse, if necessary, (may need additional land or right-of-way to accommodate additional pipe), to the satisfaction of the City Engineer, at no cost to the City.
 - vi) Providing details of channel enhancements design, if necessary, at the Owner's expense and all to the satisfaction of the UTRCA and the City.
 - vii) Providing a preliminary plan demonstrating how the proposed grading and road design will match the grading of the existing Parker Regional Stormwater Management Facility;
 - viii) ~~Developing sediment and erosion control plan(s) that will identify all sediment and erosion control measures, responsibilities and inspecting/reporting requirements for the subject lands in accordance with City of London, the Ministry of the Environment, Conservation and Parks (MECP) standards and requirements, and current industry standards all to the specification and satisfaction of the City Engineer. The sediment and erosion control plan(s) shall confirm and identify all interim and long-term drainage measures as well as a monitoring program 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 the Erosion and Sediment Control Guideline for Urban Construction (TRCA, December 2019). The erosion and sediment control plan and monitoring program shall be developed with consideration for the sensitive downstream habitat and any recommendations associated to the habitat features. Prior to any work on the site, the Owner's professional engineer shall submit these measures and is to have these measures established and approved all to the satisfaction of the City Engineer and UTRCA where applicable. Further, the Owner's Professional Engineer must inspect and confirm that the required erosion and sediment control measures are maintained and operated as intended during all phases of construction. 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 on construction; and~~
 - viii) 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 City Engineer.
 - ix) ~~Make provisions to oversize and deepen the internal storm sewers in this plan, if necessary, to accommodate flows from upstream lands external to this plan;~~
 - x) ~~Make provisions to service external areas such as 1663 Commissioners Road East and 1685 Commissioners Road East~~
 - xi) ~~Design grading and drainage of the west boundary of Block 15 and Street 'I' boundary and Open Space Block 55, Street 'J' boundary and Jackson Road to blend in with the abutting existing Parker Regional SWM Facility, at no cost to the City;~~
33. The above-noted Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation, prepared by the Owner's consulting professional engineer, shall be in accordance with the recommendations and requirements of the following:
- i) The SWM criteria and environmental targets for the Dingman Creek Subwatershed Study (~~updated 2005~~) and any addendums/amendments;

- ii) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;
 - iii) The Summerside District 2004 Storm and Stormwater Management (SWM) Master Plan (updated to 2003 report) Report, Development Engineering (London) Limited, September 2004 and any addendums/amendments;
 - iv) The approved Functional Stormwater Management Plan for Parker Regional SWM Facilities and Trunk Sewer, Development Engineering (London) Limited, July 2017 and any updated Functional Stormwater Management Plans;
 - v) Addendum to Summerside District Storm Drainage and Stormwater Management Master Plan (Development Engineering May 2017);
 - vi) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the File Manager Process;
 - vii) The City Design Requirements for Permanent Private Stormwater Systems were approved by City Council and is effective as of January 1, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.
 - viii) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
 - ix) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
 - x) The Ministry of the Environment, Conservation and Parks (MECP) Low Impact Development (LID) Stormwater Management Guidance Manual, and ~~The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and~~
 - xi) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies, including but not limited to the Erosion and Sediment Control Guideline for Urban Construction (TRCA, December 2006). ~~Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.~~
34. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of stormwater management (SWM) and stormwater services for this draft plan of subdivision:
- i) Construct storm sewers to serve this plan, located within the Dingman Creek Subwatershed, and connect them to the storm outlet which is the existing Parker Regional SWM Facility via the internal storm sewer servicing for this plan of subdivision. The Owner shall connect the proposed storm sewers to serve this plan to multiple storm outlets for these lands. They are the proposed Parker Regional SWM Facility within this plan and the existing Summerside SWM Facility located to the west of these lands. These SWM Facilities will be linked and will outlet the majority of stormwater flows to the existing Summerside Tunnel system and a minority of flows to the Hampton Scott Drain (Dingman Creek Tributary J);
 - ii) Construct single family private drain connections to the limits of the red-lined access block (Block 74) to 1663 Commissioners Road East, in accordance with approved engineering drawings;
 - iii) Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan (eg. 1685 Commissioners Road East);
 - iv) Grading and drainage of the west boundary of Block 15 and Street 'I' boundary and Open Space Block 55, Street 'J' boundary and Jackson

- Road to blend in with the abutting existing Parker Regional SWM Facility, at no cost to the City;
~~Grade and drain the west boundary of Block 15 and Street 'I' boundary and Open Space Block 55, Street 'J' boundary and Jackson Road to blend in with the abutting SWM Facility on Block 69 in this plan, at no cost to the City;~~
- v) ~~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~~
 - vi) ~~Address forthwith any deficiencies of the stormwater works and/or monitoring program.~~
35. ~~Prior to the issuance of any Certificates of Conditional Approval for any lot in this plan, the Owner shall complete the following:~~
- i) ~~For lots and blocks in this plan or as otherwise approved by the City Engineer, all storm/drainage and SWM related works, including the proposed Regional Parker SWM Facility, 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/slope stability recommendations made by the geotechnical report accepted by the City; and~~
36. ~~Prior to the issuance of a Certificate of Conditional Approval, the proposed Regional Parker SWM Facility, to be built by the City, to serve this plan must be completed/constructed and operational, to the satisfaction of the City Engineer.~~
37. Prior to the acceptance of engineering drawings, the Owner's professional engineer shall certify the subdivision has been designed such that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this subdivision. Notwithstanding any requirements of, or any approval given by the City, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.
38. In conjunction with the Design Studies submission, the Owner shall have a professional engineer prepare a hydrogeological investigation and/or addendum/update to any existing hydrogeological investigation(s) based on the final subdivision design, to determine the potential short-term and long-term effects of the construction associated with the development on existing groundwater elevations and to assess the impact on the water balance of the subject plan, identifying all required mitigation measures, including Low Impact Development (LIDs) solutions to the satisfaction of the City Engineer. Elements of the hydrogeological investigation should include, but are not to be limited to, the following:
- i) Evaluation of the hydrogeological regime, including specific aquifer properties, static groundwater levels, and groundwater flow direction;
 - ii) Evaluation of water quality characteristics and the potential interaction between shallow groundwater, surface water features, and nearby natural heritage features;
 - iii) Completion of a water balance and/or addendum/update to any existing water balance for the proposed development, revised to include the use of LIDs as appropriate;
 - iv) Completion of a water balance for any nearby natural heritage feature (i.e., all open space Blocks) to include the use of LIDs as appropriate;

- v) Details related to proposed LID solutions, if applicable, including details related to the long-term operations of the LID systems as it relates to seasonal fluctuations of the groundwater table;
- vi) Evaluation of construction related impacts and their potential effects on the shallow groundwater system;
- vii) Confirmation that allowable inflow and infiltration levels have been met 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 Engineer;
- viii) Evaluation of construction related impacts and their potential effects on local significant features;
- ix) Development of appropriate short-term and long-term monitoring plans (if applicable);
- x) Development of appropriate contingency plans (if applicable) in the event of groundwater interference related to construction.
- xi) the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area;
- xii) identify any abandoned wells in this plan;
- xiii) assess the impact on the water balance in the plan;
- xiv) any fill required in the plan;
- xv) provide recommendations for foundation design should high groundwater be encountered;
- xvi) identify all required mitigation measures including the design and implementation of Low Impact Development (LIDs) solutions;
- xvii) address any contamination impacts that may be anticipated or experienced as a result of the said construction;
- xviii) provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.

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

- ~~i) the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area;~~
- ~~ii) identify any abandoned wells in this plan;~~
- ~~iii) assess the impact on the water balance in the plan;~~
- ~~iv) any fill required in the plan;~~
- ~~v) provide recommendations for foundation design should high groundwater be encountered;~~
- ~~vi) identify all required mitigation measures including the design and implementation of Low Impact Development (LIDs) solutions;~~
- ~~vii) address any contamination impacts that may be anticipated or experienced as a result of the said construction;~~
- ~~ix) provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site; and,~~
- ~~x) 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.~~

39. In conjunction with Design Studies submission, the Owner shall conduct a hydrogeological assessment to identify a target infiltration rate in millimeters per hectare and implement Low Impact Development (LID) measures to achieve the water balance and meet groundwater recharge objectives, to the satisfaction of the City Engineer. Alternatively, the Owner shall implement Low Impact Development measures in accordance with the target infiltration rate and design

criteria established by the Dingman Creek Stormwater Servicing Strategy Schedule C Municipal Class EA.

40. Prior to the issuance of any Certificate of Conditional Approval, the Owner's professional engineer shall certify that any remedial or other works as recommended in the accepted hydro geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City.
41. 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.
42. The Owner shall develop the proposed plan of subdivision in accordance with the Design and Construction of Stormwater Management Facilities, Policies and processes identified in Appendix 'B-1' and 'B-2' Stormwater Management Facility "Just in Time" Design and Construction Process adopted by Council on July 30, 2013 as part of the Development Charges Policy Review: Major Policies Covering Report.
43. The Owner shall ensure 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 City Engineer.
- ~~44. The Owner shall transfer sufficient lands to the City to enable the completion of the proposed SWM Facility and all related servicing in accordance with the Design and Construction of Storm Water Management Facilities policies and processes identified in Appendix 'B-1' and 'B-2' Stormwater Management Facility "Just in Time" Design and Construction Process.~~
- ~~45. The Owner shall ensure that the required land for the proposed Parker SWM Facility, located on Block 69, is sized in accordance with the final accepted Parker SWM Facility Functional Stormwater Management Report.~~
- ~~46. The Owner acknowledges that the low density Block 15 shall remain out of development until such time as the final Parker SWM Facility Functional Stormwater Management Report is finalized, which will establish/confirm the SWM block frontage requirements onto Street 'J'.~~
- # In conjunction with the Design Studies submission, the Owner shall provide appropriate short-term and/or long-term hydrogeological and ecological monitoring plan for the woodlot and wetland areas as outlined in document "Comment Responses from the UTRCA Letter Dated March 13, 2020 File 39T-06507 – Parker Jackson Subdivision, London, Ontario Ref. No. Reference: LON-00015313-HG" dated September 1, 2020 prepared by EXP Services Inc., all to the satisfaction of the City Engineer.
- # In conjunction with the Design Studies submission, the Owner shall design and construct a 3rd pipe system to convey minor and major flows from rear yards and roof areas of Lots 36 to 44 and Blocks 220 and 221 as part of the water balance strategy to recharge the wetland feature (Parker woodlot) abutting Block 224 all to the satisfaction of the City Engineer and UTRCA.

- # In conjunction with the Design Studies submission, the Owner shall design and construct a Hampton-Scott Drain crossing under Street “J” and Street “N”, to the satisfaction of the City Engineer and UTRCA.
- # In conjunction with the first submission of engineering drawings, the Owner shall provide storm water quality control for runoff directed to the Hampton-Scott Drain instead of the SWM regional facility because of grading constraints, where necessary, all to the satisfaction of the City Engineer.
- # If the Owner constructs temporary stormwater works, then until said works are decommissioned, the Owner shall complete the following to the satisfaction of the City Engineer, and at no cost to the City. The Owner is responsible for all costs related to the temporary works including decommissioning and any redirection of sewers and overland flow routes:
 - i) Operate, monitor and maintain the temporary works;
 - ii) If the works include a stormwater facility, have their professional engineer submit semi-annual monitoring reports to the City Engineer demonstrating that the works perform in accordance with the approved design criteria. The reports are to provide test results on the volume and nature of the sediment accumulating in the works. The timing and content of the monitoring reports is to be in accordance with the City’s “Monitoring and Operational Procedure for Stormwater Management Facilities” guidelines. The Owner shall ensure that the monitoring program commences when building permits have been issued on fifty percent (50%) of the lots in the Plan and shall continue until the temporary works are decommissioned;
 - iii) Remove and dispose of any sediment to an approved site;
 - iv) Address forthwith any deficiencies of the temporary works and/or monitoring program;
 - v) Decommission the temporary works within six months of the permanent works being constructed and operational.
- # In conjunction with the Design Studies submission, the Owner shall have its professional engineer ensure that all geotechnical issues and required setbacks related to the slope stability associated with open watercourses that services an upstream catchment, are adequately addressed for the subject lands, all to the satisfaction of the City Engineer and The Upper Thames River Conservation Authority.
- # In conjunction with the submission of engineering drawings, the Owner’s consulting Professional Engineer shall submit, a Monitoring and Operational Procedure Manual for the maintenance and monitoring program for each of the SWM features within this plan (i.e., flood storage features, LIDs, OGSs, etc.) within each of the identified phases/stages of development, in accordance with the City’s “Monitoring and Operational Procedure for Stormwater Management Facilities” and other available guidance document requirements to the City Engineer for review and approval. The program shall include but not be limited to the following:
 - i) A work program manual for the phasing, maintenance and monitoring of these facilities during all phases of buildout as well as following assumption.
 - ii) A verification and compliance monitoring program the developer will need to complete to verify the SWM features meet the intended design prior to assumption.
- # Following construction and prior to the assumption of the stormwater system, the Owner shall complete the following at no cost to the city, and all to the satisfaction of the City Engineer:

- i) Operate, maintain and monitor of any SWM Features in accordance with the approved maintenance and monitoring program and the City's "Monitoring and Operational Procedure for Stormwater Management Facilities"
 - ii) Require its consulting Professional Engineer to submit semi-annual monitoring reports in accordance with the approved maintenance and monitoring program and the City's "monitoring and Operational Procedure for Stormwater Management Facilities" to the City
- # In conjunction with the Design Studies submission, the Owner acknowledges that in accordance with the MOE and City's requirements, adequate setbacks will be maintained and allocated in accordance with the City Council approved Official Plan Policies relating to open watercourse setbacks.

Watermains

47. In conjunction with the Design Studies 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 Draft Plan of Subdivision confirming system design requirements are being met (residential A.D.D. shall be 255 litres per capita per day; maximum residual pressure 80 psi);
~~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 medium/high density Blocks from the 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 modelling for two fire flow scenarios as follows:
 - Max Day + Fire confirming velocities and pressures within the system as the design fire flows; and
 - 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 phasing report as applicable which addresses the requirement to maintain interim water quality;
 - vi) Develop a looping strategy when development is proposed to proceed beyond 80 units;
 - vii) Provide a servicing concept for the proposed street townhouse (or narrow frontage) lots which demonstrates separation requirements for all services is 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) 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.
 - ~~xiii) Include full-sized water distribution and area plan(s); and,~~

- ~~xiv) 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).~~
- ~~48. 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.~~
- ~~49. The Owner acknowledges 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 to meter and pay the billed costs associated with any automatic flushing devices including water discharged from any device from the time of their installation until removal/assumption. Any incidental and/or ongoing maintenance of the automatic flushing devices is/are the responsibility of the Owner.~~
- ~~50. The Owner acknowledges the limits of any request for Conditional Approval shall conform to the phasing plan as set out in the accepted water servicing design study and shall include the implementation of the interim water quality measures. In the event the requested Conditional Approval limits differ from the phasing as set out in the accepted design study, the Owner would be required to submit revised plans and hydraulic modeling as necessary to address water quality.~~
51. Prior to the issuance of any Certificates of Conditional Approval, and in accordance with City standards, or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water service to this draft Plan of Subdivision:
- i) Construct watermains to serve this Plan and connect them to the existing high-level municipal system, namely, the existing 900mm (36") diameter watermain on Jackson Road and the 600mm (24") watermain on Commissioners Road East.
 - ii) Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units;
 - iii) The available fire flow and appropriate hydrant colour code marker (in accordance with the City of London Design Criteria) are to be shown on the engineering drawings; the coloured fire hydrant markers will be installed by the City of London at the time of Conditional Approval.
 - ~~iv) Have their consulting engineer confirm to the City that the watermain system has been constructed and is operational.~~
52. The Owner shall obtain all necessary approvals from the City Engineer for the servicing of Blocks in this Plan of Subdivision prior to the installation of any water services to or within these Blocks.
- ~~53. With respect to the proposed blocks, the Owner shall include in all agreements of purchase and sale, and/or lease of Blocks in this plan, a warning clause advising the purchaser/transferee that should these develop as a Vacant Land Condominium or in a form that may create a regulated drinking water system under O.Reg. 170/03, the Owner shall be responsible for meeting the requirements of the legislation.~~

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

STREETS, TRANSPORTATION & SURVEYS

Roadworks

54. All through intersections and connections with existing streets and internal to this subdivision shall align with the opposing streets based on the centrelines of the street aligning through their intersections thereby having these streets centred with each other, unless otherwise approved by the City Engineer.
55. In conjunction with the Design Studies submission, the Owner shall have its consulting engineer provide the following, all to the specifications and satisfaction of the City Engineer:
 - i) provide a proposed layout plan of the internal road network including taper details for streets in this plan that change right-of-way widths with minimum 30 metre tapers 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. The roads shall be equally tapered and aligned based on the road centrelines and it should be noted tapers are not to be within intersections.
 - ii) confirm that all streets in the subdivision have centreline radii which conforms to the City of London Standard "Minimum Centreline Radii of Curvature of Roads in Subdivisions"; and,
 - iii) prepare a conceptual design for the window street for Street 'C', Street 'D' and Street 'K' to consider such issues as grading the common boulevard between Commissioners Road East and Jackson Sideroad and the window street, overland flow routes, sidewalk connections, landscaping, servicing, to the satisfaction of the City Engineer.
56. 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.
57. The Owner shall construct Streets 'A', 'B', and 'N' to secondary collector standards, to the satisfaction of the City Engineer.
58. The Owner shall construct Street 'I' from Jackson Road to Street 'J' and Street 'J' from Street 'B' to Street 'N', to secondary collector road standards, to the satisfaction of the City Engineer.
59. The Owner shall construct the following to the satisfaction of the City Engineer, to City standards:
 1. Street 'B' at Jackson Road to align with Reardon Boulevard
 2. Street 'I' at Jackson Road to align with Darnley Boulevard; and,
 3. Street 'N' at Jackson Road to align with Evans Boulevard.
60. The Owner shall ensure internal connections to the remnant parcels, to the satisfaction of the City Engineer.
61. The Owner shall establish a Future Development Block (Block 74) a minimum 9.0 metres in width across Block 26 for future access to 1663 Commissioners Road East. At the time of registration of the Plan, the Owner shall register on title to the Future Development Block, in a form satisfactory to the City, a restrictive covenant prohibiting any dealings with the block (including any development, transfer, mortgage or lease of the lands) unless otherwise permitted by the City, until the tenth (10th) anniversary of the City's passing of a by-law assuming the works and services in this plan. Should the adjacent land, being 1663

Commissioners Road East, develop for residential use within this ten (10) year period and the Future Development Block be deemed necessary by the City for a private access and servicing, the Future Development Block shall be sold upon the City's direction to the adjacent landowner at market value, as determined by a third-party appraisal. In the event of a dispute between the owner of 1663 Commissioners Road East and the Owner with respect to the appraised value of the Future Development Block, either party may request that the City in its sole discretion make a determination on the market value.

~~The Owner shall convey a Future Development Block (Block 74) a minimum 9.0 metres in width across Block 26 for future access to 1663 Commissioners Road East, to the City for future use as needed, at no cost to the City. Should the adjacent lands develop for residential use and the Future Development Block is required for a private access and servicing, the Future Development Block shall be sold at market value, as determined by the City acting reasonably to the owners of the adjacent lands for access and servicing purposes, and the City shall pay the net proceeds of that sale (minus any City costs) to the Owner of this plan (39T-06507) within 30 days of such sale. If this Block is not needed upon development or redevelopment of the lands to the east of this block, the City agrees that the Block will be returned to the Owner for a nominal fee, for use as a building lot.~~

62. The Owner shall provide a minimum of 5.5 metres (18') along the curb line between the projected property lines of irregular shaped lots around the bends on Street 'E', Street 'F', Street 'I' and Street 'L'.
63. The Owner shall have it's professional engineer design and construct the roadworks in accordance with the following road widths:
 - i) Street 'A', Street 'B', Street 'I' (from Jackson Sideroad to Street 'J'), Street 'J' and Street 'N' have a minimum road pavement width (excluding gutters) of 9.5 metres (31.2') with a minimum road allowance of 21.5 metres (70');
 - ii) Street 'C', Street 'F' (from Street 'J' to Street 'B') and Street 'I' (from Street 'J' to Street 'B') have a minimum road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20 metres (66');
 - iii) Street 'E', Street 'F' (north of Street 'B'), Street 'G', Street 'H', Street 'K', Street 'L' and Street 'M' 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' has a minimum road pavement width (excluding gutters) of 6.0 metres (19.7') with a minimum road allowance of 18 metres (60');
 - v) Street 'C' (north leg – window street portion) and Street 'K' (window street portion) has a minimum road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 15.5 metres;
 - vi) Street 'D' (north leg – window street portion) has a minimum road pavement width (excluding gutters) of 6.0 metres with a minimum road allowance of 14.5 metres;
 - vii) The Owner shall construct gateway treatments on Street 'B', Street 'I' and Street 'N' at the intersections of Jackson Road with a right of way width of 28.0 metres for a minimum length of 45.0 metres (150') tapered back over a distance of 30 metres to the standard secondary collector road right of way width of 21.5 metres, to the satisfaction of the City; and,

- viii) The Owner shall construct enhanced boulevards on Street 'A' at the intersection of Commissioners Road East with a right of way width of 28.0 metres for a minimum length of 45.0 metres (150') tapered back over a distance of 30 metres to the standard secondary collector road right of way width of 21.5 metres, to the satisfaction of the City.
64. The Owner shall ensure access to lots and blocks adjacent to gateway treatments will be restricted to rights-in and rights-out only.
65. The Owner agrees that, if a parking plan is required for this subdivision, and increased pavement width is proposed to accommodate the parking plan, the road allowance width will be increased a corresponding amount in order to maintain the standard 6.0 metre wide boulevards on either side of the road. Further, the Owner agrees that any proposed widening of the pavement and the road allowance will be to the satisfaction of the City Engineer.
66. The Owner shall construct the window street portion of Street 'C', Street 'D' and Street 'K' abutting Commissioners Road East and Jackson Sideroad in accordance with the City's window street standard or as otherwise specified by the City Engineer, to the satisfaction of the City Engineer and at no cost to the City.
- ~~67. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall place barricades on Street 'N' and Street 'B' at the east limit, to the satisfaction of the City Engineer.~~

Sidewalks

68. The Owner shall construct a 1.5 metre (5') sidewalk on both sides of the following streets:
- i) Street 'A';
 - ii) Street 'B';
 - iii) Street 'I' between Jackson Sideroad and Street 'J';
 - iv) Street 'J'; and,
 - v) Street 'N'.
69. The Owner shall construct a 1.5 metre (5') sidewalk on one side of the following streets:
- i) Street 'C' – east and west leg;
 - ii) Street 'D' – east and west boulevard;
 - iii) Street 'E' – outside boulevard;
 - iv) Street 'F' – south boulevard;
 - v) Street 'G' – south boulevard;
 - vi) Street 'H' – south boulevard;
 - vii) Street 'I' – outside boulevard (east and south boulevard);
 - viii) Street 'K' – outside boulevard;
 - ix) Street 'L' – outside boulevard (north and east boulevard)
 - x) Street 'M' – east boulevard; and,
 - xi) Jackson Sideroad – east boulevard along frontage of plan.
70. The Owner shall construct a 2.4 metre sidewalk fronting the school block (Block 68) on Street 'I', Street 'F' and Street 'J', in accordance with City standards, to the satisfaction of the City Engineer.
71. The Owner shall provide sidewalk links from Streets 'C' and Street 'D' to the proposed sidewalk on Commissioners Road East and Street 'K' to the proposed sidewalk on Jackson Road in accordance with the City of London Window Street

Standard Guidelines UCC-2M to the satisfaction of the City, at no cost to the City.

Street Lights

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

Boundary Road Works

73. In conjunction with the Design Studies submission, the Owner shall have his professional engineer submit the following:
- i) a revised Traffic Impact Assessment (TIA), to the satisfaction of the City;
 - ii) design criteria for the left turn and right turn lanes on Commissioners Road East at Street 'A' for review and acceptance by the City; and,
 - iii) design criteria for a right turn lane on Commissioners Road East at Jackson Road for review and acceptance by the City.
74. The Owner shall implement all recommendations outlined in the approved Transportation Impact Assessment to the satisfaction of the City Engineer.
75. The Owner shall ~~be required to~~ make minor boulevard improvements on Commissioners Road East, Jackson Road and Bradley Avenue 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.
76. ~~In conjunction with the first submission of engineering drawings, Prior to the issuance of any Certificate of Conditional Approval,~~ the Owner shall ~~provide details of install~~ temporary street lighting at the intersection of Commissioners Road East at Street 'A', to the specifications of the City, at no cost to the City.
77. ~~In conjunction with the first submission of engineering drawings, Prior to the issuance of any Certificates of Conditional Approval,~~ the Owner shall ~~provide details of construct~~ right and left turn lanes on Commissioners Road East at Street 'A', to the satisfaction of the City Engineer.
78. ~~In conjunction with the first submission of engineering drawings, Prior to the issuance of any Certificates of Conditional Approval,~~ the Owner shall ~~provide details of construct~~ a right turn lane on Commissioners Road East at Jackson Road, to the satisfaction of the City Engineer.
79. In conjunction with engineering drawing submission, the Owner shall provide a pavement marking plan, to include design criteria for the left turn lanes on Jackson Road for review and accepted by the City Engineer.
80. ~~In conjunction with the first submission of engineering drawings, Prior to the issuance of any Certificates of Conditional Approval,~~ the Owner shall ~~identify~~ ~~revise~~ the pavement markings on Jackson Road to accommodate left turn lanes to Street 'B', Street 'I' and Street 'N', to the satisfaction of the City Engineer.
81. The Owner shall reconstruct or relocate any surface or subsurface works or vegetation necessary to connect streets to Commissioners Road East and Jackson Sideroad, to the satisfaction of the City and at no cost to the City.

Road Widening

82. The Owner shall be required to dedicate sufficient land to widen Bradley Avenue and Commissioners Road East to 18.0 metres from the centreline of the original road allowance.
83. The Owner shall be required to dedicate 6.0 m x 6.0 m 'daylighting triangles' at the following intersections, in accordance with the Z-1 Zoning By-law, Section 4.24:
- i) Jackson Road and Commissioners Road East;
 - ii) Jackson Road and Street 'B';
 - iii) Jackson Road and Street 'I';
 - iv) Jackson Road and Street 'N'; and,
 - v) Commissioners Road East and Street 'A'.

Vehicular Access

84. The Owner shall ensure that no vehicular access will be permitted to any Blocks fronting Jackson Road, Commissioners Road East and Bradley Avenue by establishing blocks for 0.3 metre (1') reserves along the entire frontages, to the satisfaction of the City Engineer. All vehicular access is to be via the internal subdivision streets.

Traffic Calming

85. In conjunction with the Design Studies submission, the Owner shall have its professional engineer provide the following:
- i) a conceptual design of the proposed traffic calming measures along Street 'A', Street 'B', Street 'F', Street 'G', Street 'I', Street 'J' and Street 'N', including roundabouts, speed cushions, parking bays, curb extensions and other measures, to the satisfaction of the City; and,
 - ii) a concept of the raised intersections to ensure no negative impact on the overland flow route. Should it be determined the raised intersections will affect the major overland flow route, the Owner shall construct alternative traffic calming measures, to the satisfaction of the City Engineer.
86. Prior to the issuance of a Certificate of Conditional Approval or as otherwise directed by the City, the Owner shall construct traffic calming measures along all secondary collector streets as follows, to the satisfaction of the City Engineer:
- i) Raised intersection on Street 'J', at Street 'L', 'K' and 'G';
 - ii) Roundabout at Street 'N' and Street 'J';
 - iii) Roundabout at Street 'I' and Street 'J';
 - iv) Roundabout at Street 'B' and Street 'J';
 - v) Roundabout at Street 'A' and Street 'B';
 - vi) Parking bays on the east side of Street 'J' adjacent to Blocks 8, 59, 56, 62 and 68;
 - vii) Raised crosswalk on Street 'J' adjacent to Block 65 across from the multi-use path;
 - viii) Speed cushions along Street 'B' adjacent to Block 46;
 - ix) Speed Cushions along Street 'B' adjacent to Block 41;
 - x) Speed cushions along Street 'I' between Block 29 and 30;
 - xi) Speed cushions along Street 'I' between Block 62 and 68;
 - xii) Speed cushions along Street 'F' midpoint of Blocks 32 and 68;
 - xiii) Speed cushions along Street 'N' between Blocks 10 and 11; and,
 - xiv) Speed cushions along Street 'G' at the midpoint of Blocks 30 and 31.

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

Construction Access/Temporary/Second Access Roads

87. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Jackson Road or other routes as designated by the City.
88. In conjunction with the Design Studies submission, should phasing be proposed within this plan of subdivision, the Owner shall provide a conceptual design and the location of the temporary/emergency access, to the satisfaction of the City. The Owner shall also have it's professional engineer verify the adequacy of decision sight distance at the temporary access road, to the satisfaction of the City. If the sight lines are not adequate, the temporary access is to be relocated and/or road work undertaken to establish adequate decision sight distance at the intersection, to the satisfaction of the City.
89. Should an emergency access be required to accommodate development, the Owner shall locate, construct, maintain and close the access to the satisfaction of the City Engineer. Should it be necessary to locate this access onto Commissioners Road East or Bradley Avenue, the Owner shall ensure it will be restricted to emergency vehicle use only.
90. The Owner shall ensure any emergency access required is satisfactory to the City with respect to all technical aspects, including adequacy of site lines, provisions of channelization, adequacy of road geometries and structural design, etc. and provide the City with any necessary easements, all to the specifications of the City and at no cost to the City.
91. Should a temporary access be required, the Owner shall provide sufficient security for the removal of the temporary access road and all associated temporary works when required by the City.
92. In the event any work is undertaken on an existing street, the Owner shall establish and maintain a Traffic Management Plan (TMP) in conformance with City guidelines and to the satisfaction of the City for any construction activity that will occur on existing public roadways. The Owner shall have it's 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.

GENERAL CONDITIONS

93. 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.
94. ~~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.~~
95. 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.

96. In conjunction with the Design Studies submission, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan and related to slope stability associated with the open watercourses in 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 the design and implementation of Low Impact Development (LIDs) solutions;
 - ix) addressing all issues with respect to construction and any necessary setbacks related to erosion, maintenance and structural setbacks related to slope stability for lands within this plan and associated with open watercourses that services an upstream catchment, to the satisfaction and specifications of the City. The Owner shall provide written acceptance from the Upper Thames River Conservation Authority for the final setback;
 - x) investigate along the east property limits of the plan and provide additional information regarding an oil/gas well as shown on the Official Plan Schedule B-2 Natural Resources and Hazards Map. Provide information regarding any contamination and provide any recommendations that may be required to be implemented to address this;
 - xi) Accurately delineate the Riverine Erosion Hazard Limit;
 - xii) Identify existing erosion and/or slope hazards;
 - xiii) assess the impact of the proposed development on existing hazards;
 - xiv) assess the potential for the proposed development to create new hazards;
 - and,
 - xv) Identify measures to safely avoid the potential hazards, including appropriate development setback from the River Erosion Hazard Limit.
 - xvi) the report shall take into consideration the required/proposed fill within the area as well as the proposed channel improvements.; and
 - xvii) any other requirements as needed by the City, all to the satisfaction of the City.
97. The Owner shall implement all geotechnical recommendations to the satisfaction of the City.
98. In conjunction with the Design Studies submission, the Owner shall submit a slope assessment report to address all slope issues with respect to construction, grading and drainage of this subdivision and any necessary setbacks related to erosion, maintenance and structural setbacks related to slope stability associated with open watercourses that services an upstream catchment, all to the satisfaction of the City Engineer and the UTRCA. The Owner shall provide written acceptance from the UTRCA for the final setback.
99. In conjunction with the Design Studies submission, the Owner must obtain approval from all required agencies as needed, to permit any proposed channel improvements within this plan, such as the UTRCA, MOECC, Fisheries and Oceans Canada and MNR.
100. Once construction of any private services, ie: water storm or sanitary, to service the lots and blocks in this plan is completed and any proposed relotting of the plan is undertaken, the Owner shall reconstruct all previously installed services in standard location, in accordance with the approved final lotting and approved

revised servicing drawings all to the specification of the City Engineer and at no cost to the City.

101. The Owner shall connect to all existing services and extend all services to the limits of the draft plan of subdivision, at no cost to the City, all to the specifications and satisfaction of the City Engineer.
102. In conjunction with Design Studies submission, the Owner shall have his consulting engineer submit a concept plan which shows how all servicing (water, sanitary, storm, gas, hydro, street lighting, water meter pits, Bell, Rogers, etc.) shall be provided to condominiums/townhouses indicated on streets in this plan of subdivision allowing street townhouses. It will be a requirement to provide adequate separation distances for all services which are to be located on the municipal right-of-way to provide for required separation distance (Ministry of Environment Design Standards) and to allow for adequate space for repair, replacement and maintenance of these services in a manner acceptable to the City.
103. Prior to the installation of any servicing for street townhouse units on streets in this plan of subdivision, the Owner must obtain site plan approval, to the satisfaction of the City Engineer.
104. The Owner shall have the common property line of Commissioners Road East and Bradley Avenue graded in accordance with the City of London Standard "Subdivision Grading Along Arterial Roads", at no cost to the City.

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

105. ~~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.~~

106. ~~The Owner shall pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if applicable) to third parties that have constructed the services and/or facilities to which the Owner is connecting. The above-noted proportional share of the cost shall be based on design flows, to the satisfaction of the City, for sewers or on storage volume in the case of a SWM facility. The Owner's payments to third parties shall:~~
 - ~~i) commence upon completion of the Owner's service work, connections to the existing unassumed services; and~~
 - ~~ii) continue until the time of assumption of the affected services by the City.~~

107. ~~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 on 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.~~

108. 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.

~~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.~~

109. 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.~~

110. The Owner’s professional engineer shall provide inspection services during construction for all work to be assumed by the City, and shall supply the City with a Certification of Completion of Works upon completion, in accordance with the plans accepted by the City Engineer.
111. In conjunction with the Design Studies submission, the Owner shall have it’s professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this Plan. All class EA’s must be completed prior to the submission of engineering drawings.
112. The Owner shall have it’s professional engineer notify existing property owners in writing, regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision, all in accordance with Council policy for “Guidelines for Notification to Public for Major Construction Projects”.
113. The Owner shall not commence construction or installations of any services (eg. clearing or servicing of land) involved with this Plan prior to obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the City in writing (eg. Ministry of the Environment Certificates, City/Ministry/Government permits: Approved Works, water connection, water-taking, crown land, navigable waterways, approvals: Upper Thames River Conservation Authority, Ministry of Natural Resources, Ministry of the Environment, City, etc.)
114. ~~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.~~
115. In conjunction with the Design Studies submission, in the event the Owner wishes to phase this plan of subdivision, the Owner shall submit a phasing plan identifying all required temporary measures, and identify land and/or easements required for the routing of services which are necessary to service upstream lands outside this draft plan to the limit of the plan to be provided at the time of registration of each phase, all to the specifications and satisfaction of the City.

116. If any temporary measures are required to support the interim conditions in conjunction with the phasing, the Owner shall construct temporary measures and provide all necessary land and/or easements, to the specifications and satisfaction of the City Engineer, at no cost to the City.
117. ~~The Owner shall remove any temporary works when no longer required and restore the land, at no cost to the City, to the specifications and satisfaction of the City.~~
118. ~~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.~~
119. 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.
120. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
121. Prior to the acceptance of engineering drawings, the Owner shall submit confirmation that they have complied with any requirements of Union Gas Limited with regards to their facilities at the southern limit of this plan of subdivision.
122. In conjunction with the Design Studies submission, the proposed block lotting plan shall be reviewed and accepted with respect to City services, road geometries, easements requirements, etc., to the satisfaction of the City.
123. The Owner shall co-ordinate the work associated with this Plan of Subdivision with the City's proposed construction of the SWM Facility in this plan of subdivision, to the satisfaction of the City, at no cost to the City.
124. ~~Prior to Final Approval~~, the Owner shall make all necessary arrangements with any required owner(s) to have any existing easement(s) in this plan quit claimed to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services at no cost to the City.

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.
125. In conjunction with 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 City Engineer and City Treasurer (as outlined in the most current DC By-law) prior to advancing a report to Planning and Environment Committee recommending approval of the special provisions for the subdivision agreement.
126. At the time this plan is registered, the Owner shall register all appropriate easements for all existing and proposed private and municipal storm and sanitary works required in this plan, to service external lands, all to the satisfaction of the City Engineer, at no cost to the City.
127. The Owner shall either register against the title of Block 68 in this Plan, or shall include in the agreement of purchase and sale for the transfer of Block, a covenant by the purchaser or transferee stating that the purchaser or transferee

of the Block may be required to construct sewage sampling manholes, built to City standards in accordance with the City's Waste Discharge By-law No. WM-2, as amended, regulating the discharge of sewage into public sewage systems. If required, the sewage sampling manholes shall be installed on both storm and sanitary private drain connections, and shall be located wholly on private property, as close as possible to the street line, or as approved otherwise by the City Engineer.

128. In conjunction with the Design Studies submission, the Owner shall provide a concept of Street 'J' and Street 'N' road crossing of the watercourses including all details (ie. culvert, watermain, sanitary sewer, road profile, etc.), all to the satisfaction of 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 ~~SW-7.0~~ to accommodate street townhouses within this draft plan of subdivision, all the specifications and satisfaction of the City.

In conjunction with the Design Studies submission, the Owner shall have it's professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this Plan. All class EA's must be completed prior to the submission of engineering drawings.

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Application by Sifton Properties Limited
2015 Shore Road
Removal of Holding Provisions

Date: April 26, 2021

Recommendation

That, on the recommendation of the Director, Development Services, based on the application by Sifton Properties Limited, relating to lands located at 2015 Shore Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on May 4, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Residential R6 Special Provision/Residential R7 Special Provision (h•h-206•R6-5(42)/R7(22)•D115•H30) Zone **TO** a Residential R6 Special Provision/Residential R7 Special Provision (R6-5(42)/R7(22)•D115•H30) Zone to remove the h and h-206 holding provisions.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the h and h-206 holding symbols to permit the development of 20 residential townhouse dwellings on the subject site.

Rationale of Recommended Action

1. The conditions for removing the holding (h & h-206) provisions have been met and the recommended amendment will allow development of a proposed 20-unit townhouse development in compliance with the Zoning By-law.
2. Performance security has been posted with the City in accordance with the Development Agreement and City policy.
3. As part of the site plan review, the plans and building elevations were reviewed for compliance with the design principles and concepts identified in the West Five Urban Design Guidelines. The plans and building elevations have been accepted and included in the approved Site Plan and Development Agreement.

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

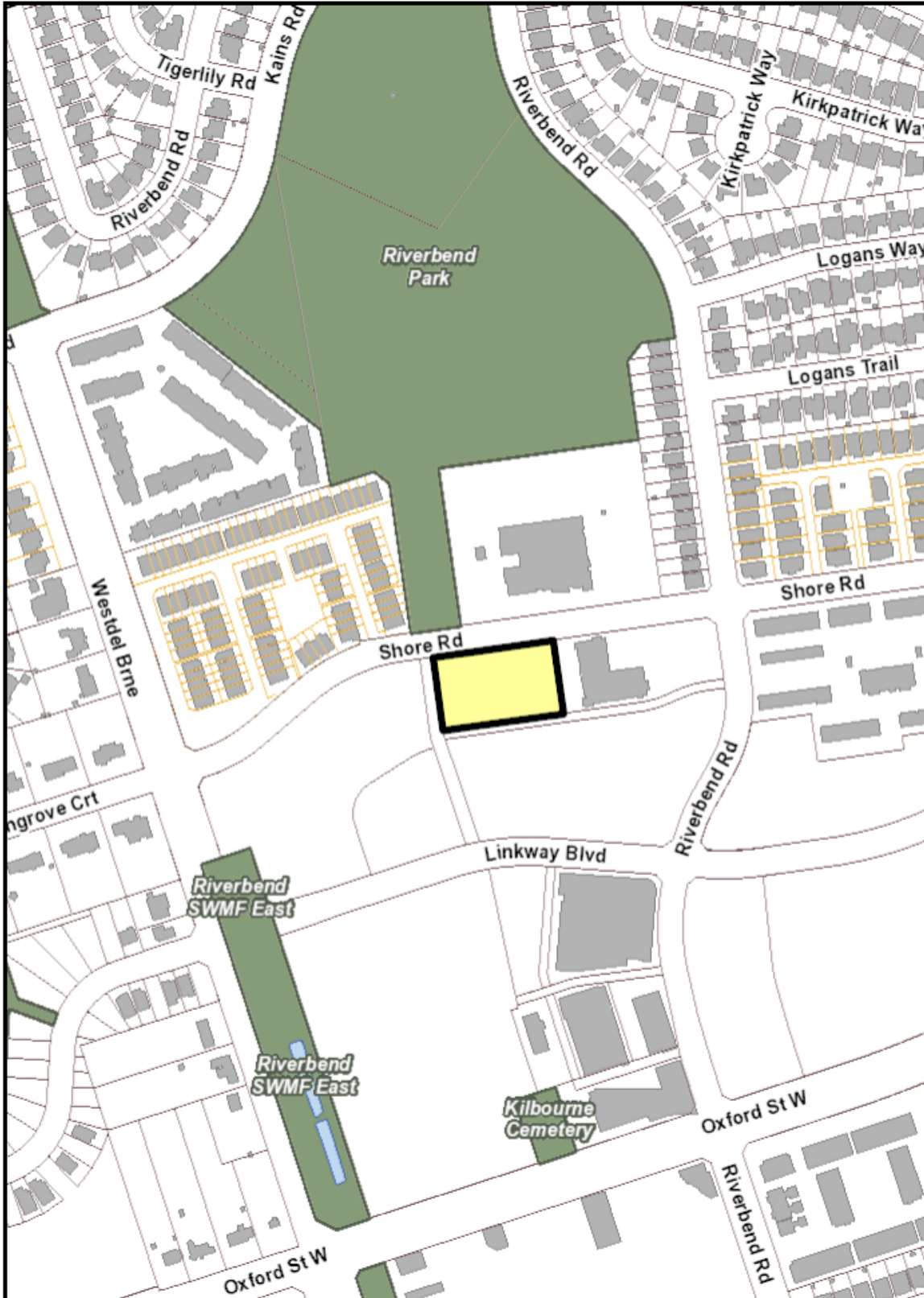
1.0 Background Information

1.1 Previous Reports Related to this Matter

November 30, 2015 – Report to Planning and Environment Committee on an application for approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments - Sifton Properties Limited – 1080 Westdel Bourne (File No. 39T-14503/OZ-8410).

2.0 Discussion and Considerations






2.1 Location Map



Location Map

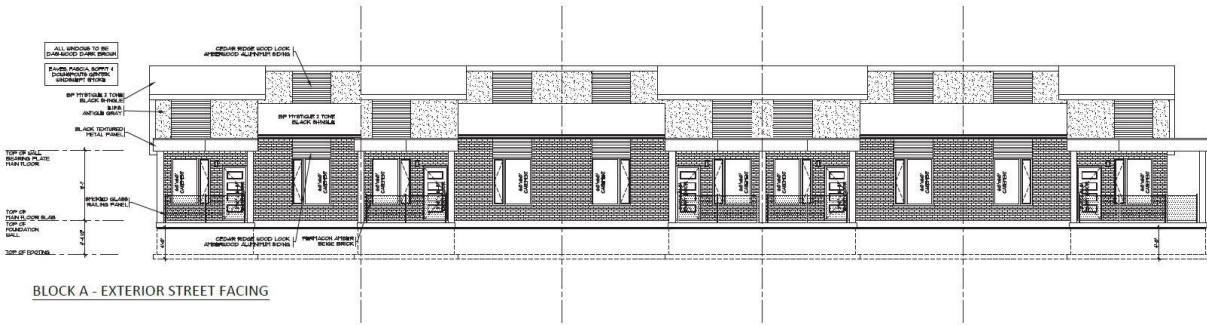
Subject Property: 2015 Shore Road
Applicant: SIFTON PROPERTIES LIMITED
File Number: H-9251
Created By: Larry Mottram
Date: 4/5/2021
Scale: 1:4000

Legend

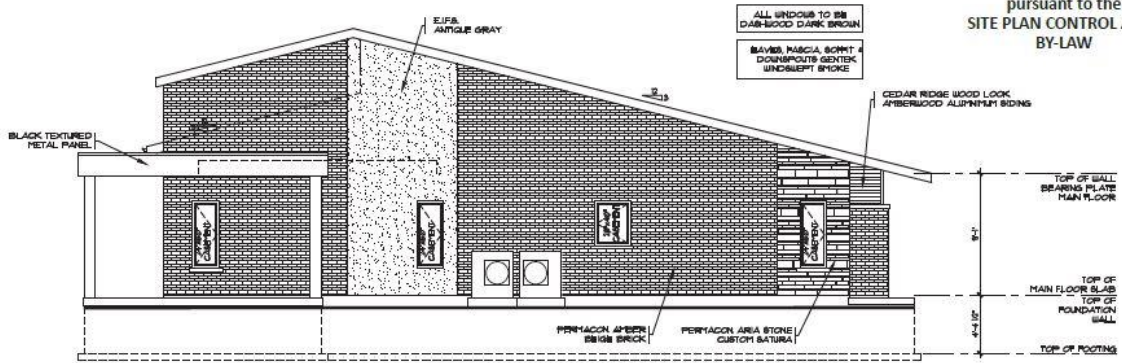
-  Subject Property
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers



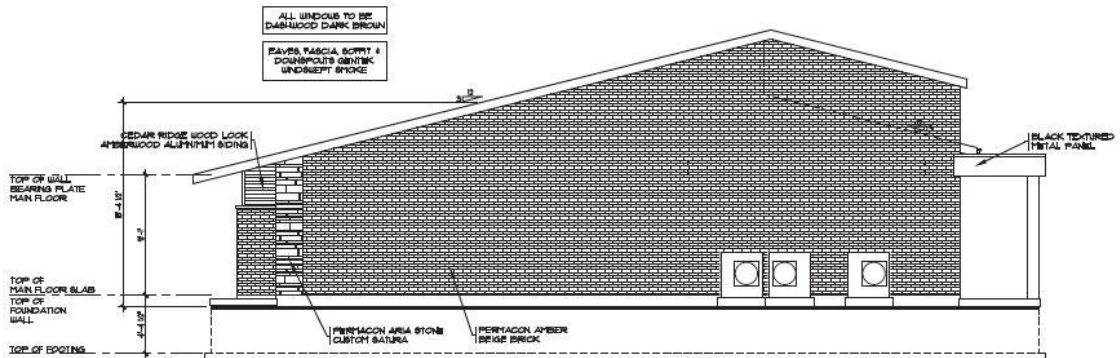
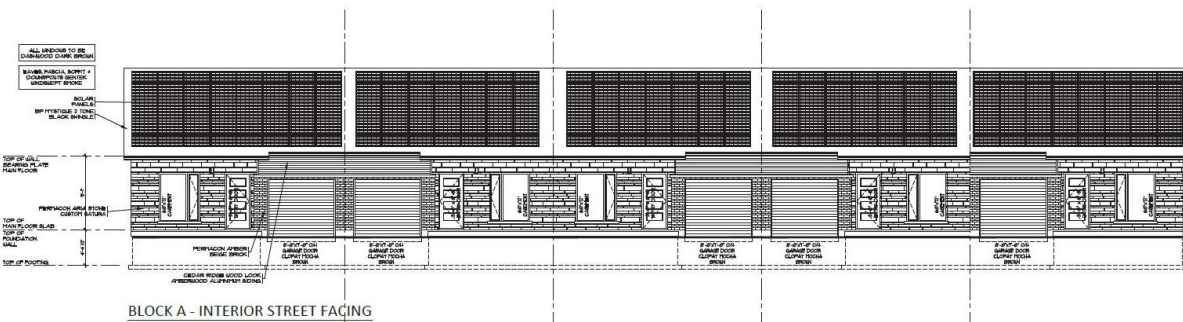
2.2.2 Building Elevations (Units 1 - 5)



APPROVED
CITY OF LONDON
Development Services
March 29, 2021
pursuant to the
SITE PLAN CONTROL AREA
BY-LAW



BUILDING A PUBLIC FACING SIDE ELEVATION - UNIT 1



BUILDING A SIDE ELEVATION - UNIT 5

2.3 Planning History

On January 8, 2016, the Approval Authority for the City of London approved a Draft Plan of Subdivision for approximately 30 hectares of land bounded by Oxford Street West, Westdel Bourne, Shore Road, and Kains Road. These lands are part of a long-term development plan by Sifton Properties Limited for the creation of a new community known as “West Five”. The development strategy is based on a vision of a sustainable, mixed-use community consisting of a range of office, retail, residential and public uses; and incorporating models of “smart” community design and significant renewable energy technologies and initiatives.

In conjunction with the draft plan of subdivision, Municipal Council adopted Official Plan and Zoning By-law amendments for the West Five lands, including a specific-area policy to guide development of the community vision, mix of land uses, building forms, scale, and density. Urban design guidelines were also prepared and approved by Council through the adoption of a holding provision in the Zoning By-law.

The purpose and effect of this zoning change is to remove the holding provisions from the zoning on a portion of lands fronting the south side of Shore Road, west of Riverbend Road. An application for site plan approval has been submitted by Sifton Properties Limited for a 20-unit residential townhouse development (File No. SPA20-062).

2.4 Community Engagement (see more detail in Appendix B)

There were no responses received to the Notice of Application.

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 Conclusions

4.1 Have the conditions for removal of the holding (h & h-206) provision been met?

Section 36(1) of the Planning Act allows municipalities to place holding provisions on properties to ensure that certain requirements have been addressed to the satisfaction of Council, prior to development. Through the Zoning By-law amendment and Draft Plan of Subdivision application process, two holding provisions were added to the subject site to ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development, and that future development is in keeping with the design principles and concepts identified in the West Five Urban Design Guidelines. The holding provisions, and confirmation as to how each requirement has been satisfied, are noted below:

The purpose of the holding (“h”) provision in the zoning by-law is as follows:

“Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development.”

Permitted Interim Uses: Model homes are permitted in accordance with Section 4.5(2) of the By-law.

The subject lands are part of the West Five - Phase 2 subdivision which was registered as Plan 33M-743 on April 19, 2018 for which a Subdivision Agreement has been executed between Sifton Properties Limited and the City of London (Instrument No. ER1167633). Sifton has also posted security as required by City policy and the Development Agreement for the proposed 20-unit residential townhouse development. The Development Agreement is expected to be executed very shortly. Therefore, the condition has been met for removal of the “h” provision.

The purpose of the holding (“h-206”) provision in the zoning by-law is as follows:

“Purpose: To ensure that urban design objectives established through the subdivision review process are being met, a site plan shall be approved and a development agreement shall be entered into which ensures that future development of the lands is in keeping with the design principles and concepts identified in the West Five Urban Design Guidelines, and subject to further refinement through the subdivision Design Studies and/or Site Plan Approval process, to the satisfaction of the City of London prior to the removal of the h-206 symbol.”

Permitted Interim Uses: Existing uses

The general intent of the West Five Urban Design Guidelines is to:

- promote architectural and urban design excellence, sustainability, innovation, longevity, and creative expression with visionary design and high-quality materials and places;
- promote harmonious fit and compatibility, emphasizing relationships between buildings, streets and open space;
- create a safe, comfortable, accessible, vibrant, and attractive public realm and pedestrian environment all year round focusing on reducing the use of the car; and,
- ensure high-quality living and working conditions, including access to public space for all building occupants.

The subject development plans and drawings have been reviewed and are generally in keeping with these design principles and with the City’s Placemaking Guidelines. The design provides for a strong south facing, east-west building orientation. The roof pitch maximizes exposure to natural sunlight in order to capture solar energy all year round. At the same time, it provides for strong building orientation to Shore Road by incorporating doors, windows, porches, and interlocking paving stone walkways from each individual unit to the City sidewalk. It also minimizes through wrap-around covered porches and the use of architectural detail the appearance of blank side walls along the westerly interface with a future multi-use public pathway. The building facades incorporate a variety of materials which adds to the visual interest including a combination of stone and brick veneer, amberwood aluminum siding, glass casement windows, and the use of high-energy efficiency components such as exterior insulation and finishing systems (EIFS) and roof mounted solar panels.

Vehicular ingress and egress will be from an internal driveway which provides shared private access from Riverbend Road and will eventually connect to Linkway Boulevard. Units will have their driveways and garages accessed internally and there will be no individual driveway access directly to Shore Road. This is consistent with the streetscape further to the east of Riverbend Road where a similar style and orientation of solar energy townhouses have been developed by Sifton.

As part of the site plan review process, the plans and building elevations were reviewed for compliance with the West Five Urban Design Guidelines by Development Services - Urban Design staff. The plans have now been accepted and a Development Agreement

is being finalized, and securities have been received. Therefore, the condition has been met for removal of the “h-206” provision.

Conclusion

The requirements for two holding provisions on the subject lands have been addressed through the site plan approval process. Removal of these holding provisions will allow the issuance of building permits for the proposed 20-unit townhouse development. In the opinion of Staff, the holding zone requirements have been satisfied and it is appropriate to proceed to lift the holding symbols from the zoning map.

Prepared by: **Larry Mottram, MCIP, RPP**
Senior Planner, Development Services

Recommended by: **Paul Yeoman, RPP, PLE**
Director, Development Services

Submitted by: **George Kotsifas, P. Eng.**
Managing Director, Development and Compliance
Services and Chief Building Official

Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Bruce Page, Manager, Development Planning
Mike Pease, Manager, Development Planning

April 19, 2021
GK/PY/LM/lm

Appendix A

Bill No. (Number to be inserted by
Clerk's Office)
2021

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to
remove holding provisions from the
zoning for lands located at 2015 Shore
Road.

WHEREAS Sifton Properties Limited has applied to remove the holding provisions from the zoning on lands located at 2015 Shore Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said lands;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 2015 Shore Road, as shown on the attached map, to remove the h and h-206 holding provisions so that the zoning of the lands as a Residential R6 Special Provision/Residential R7 Special Provision (R6-5(42)/R7(22)•D115•H30) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

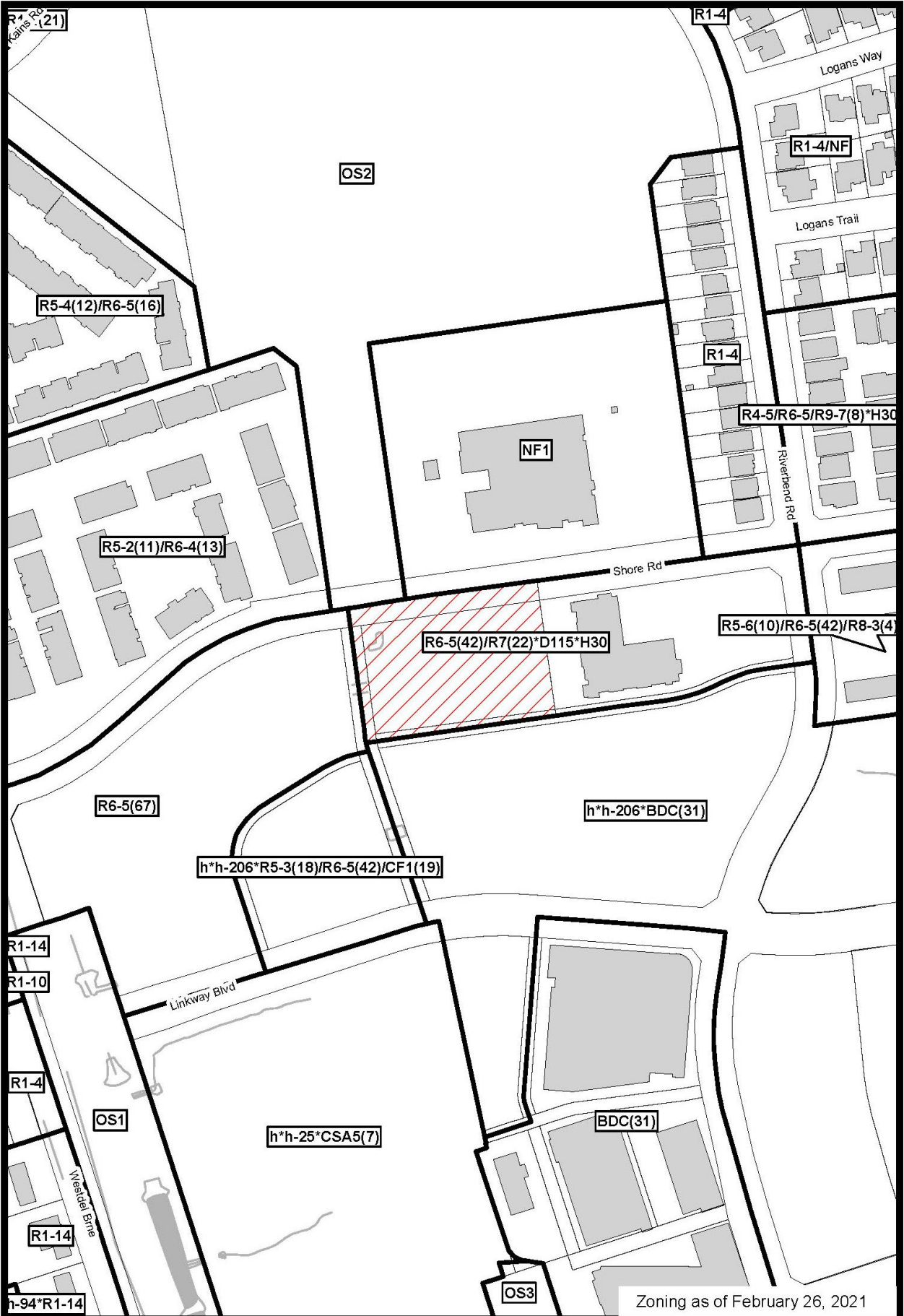
PASSED in Open Council on May 4, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – May 4, 2021
Second Reading – May 4, 2021
Third Reading – May 4, 2021

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: H-9251

Planner: LM

Date Prepared: 2021/04/07

Technician: rc

By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.525 50 75 100
Meters



Appendix B – Public Engagement

Community Engagement

Public liaison: Notice of the application was published in the *Public Notices and Bidding Opportunities* section of The Londoner on August 27, 2020.

Responses: No replies

Nature of Liaison: 2015 Shore Road, south side between Westdel Bourne and Riverbend Road – City Council intends to consider removing the Holding (h and h-206) Provisions from the zoning of the subject lands to allow development of 20 townhouse dwelling units permitted under the Residential R6 Special Provision/Residential R7 Special Provision (R6-5(42)/R7(22)• D115•H30) Zone. The purpose of the h provision is to ensure the orderly development of lands and the adequate provision of municipal services. The h symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development. The h-206 symbol is intended to ensure that urban design objectives established through the subdivision review process are being met, a site plan shall be approved and a development agreement shall be entered into which ensures that future development is in keeping with the design principles and concepts identified in the West Five Urban Design Guidelines, and subject to further refinement through the subdivision Design Studies and/or Site Plan Approval process, to the satisfaction of the City of London. Council will consider removing the holding provision as it applies to these lands no earlier than September 29, 2020.

Response to Notice of Application and Publication in “The Londoner”

Telephone:
None

Written:
None

Significant Agency/Departmental Comments:

None

Appendix C – Relevant Background

Existing Zoning Map



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) **LEGEND FOR ZONING BY-LAW Z-1**

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "h" - HOLDING SYMBOL "d" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON
PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING
BY-LAW NO. Z-1
SCHEDULE A**



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:
H-9251 LM

MAP PREPARED:
2021/04/08 rc

1:2,000
0 10 20 40 60 80 Meters

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Application By: Auburn Developments Inc.
3924-4138 Colonel Talbot Road
Heathwoods Subdivision – Phase 2 – Special Provisions

Meeting on: April 26, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Auburn Developments Inc. for the subdivision of land over situated on the east side of Colonel Talbot Road, north of Lambeth Walk, municipally known as 3924-4128 Colonel Talbot Road;

- (a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Auburn Developments Inc. for the Heathwoods Subdivision, Phase 2 (39T-12503) attached as Appendix “A”, **BE APPROVED**;
- (b) the Applicant **BE ADVISED** that Development Finance has summarized the claims and revenues attached as Appendix “B”;
- (c) the financing for this project **BE APPROVED** as set out in the Source of Financing Report attached as Appendix “C”;
- (d) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

Executive Summary

Seeking approval of Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and Auburn Developments inc. for the Heathwoods Subdivision, Phase 2 (39T-12503-2).

Linkage to the Corporate Strategic Plan

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

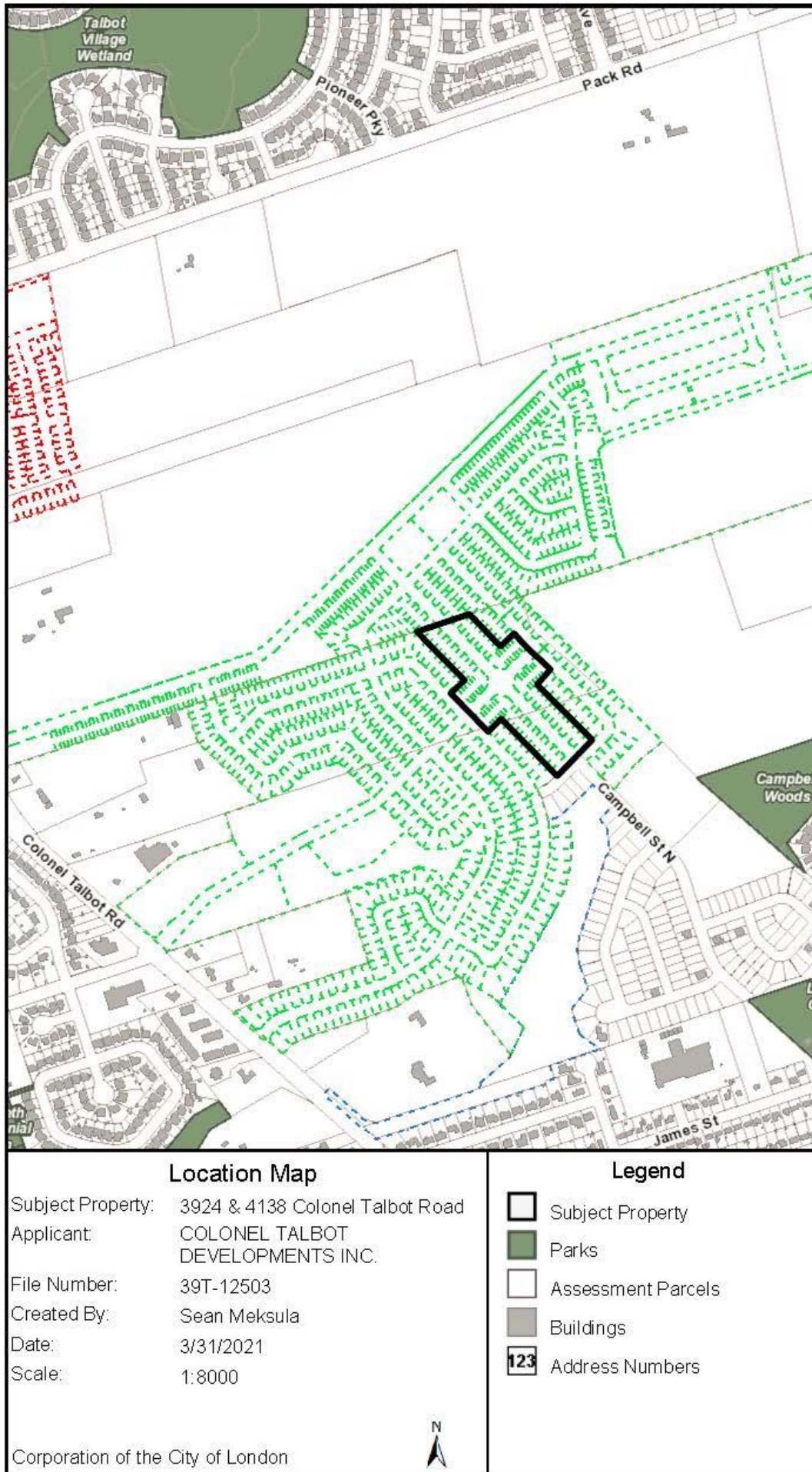
Analysis

1.0 Background Information

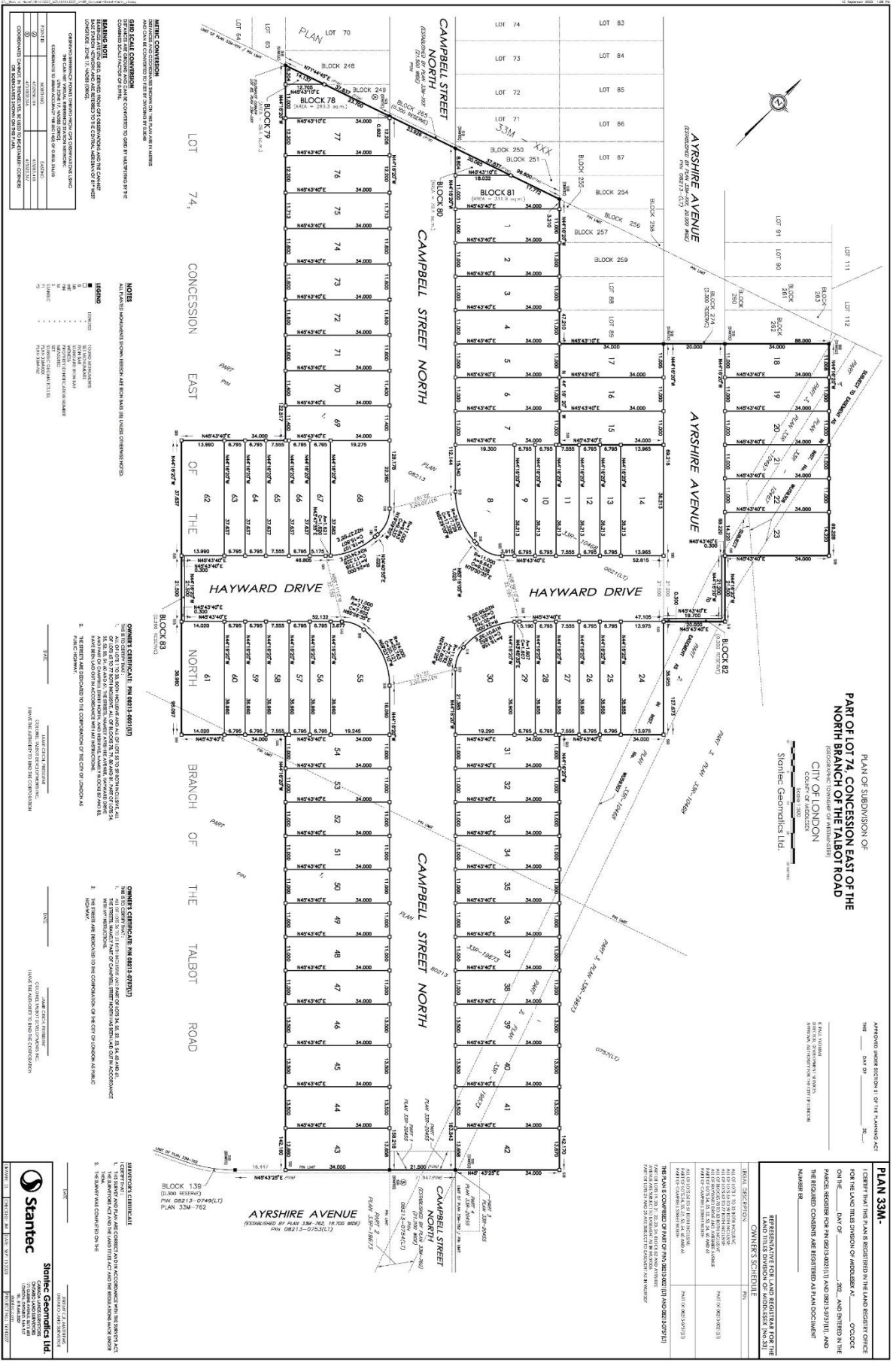
1.1 Property Description

The subject lands are located in the southwest quadrant of the City and are included in the Lambeth Planning Area. The overall subdivision (39T-12503) is comprised of 64.7 hectares of land located east of Colonel Talbot Road and North of Lambeth Walk. Phase 2 of this development is comprised of forty-eight (48) single family residents and twenty (20) street townhouse dwellings.

1.2 Location Map



1.3 Heathwoods Subdivision Phase



GENERAL NOTES

1. THIS PLAN IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR CONSTRUCTION.
2. THE CITY OF LONDON HAS REVIEWED THIS PLAN AND HAS GRANTED APPROVAL FOR THE CONVEYANCE OF THE LAND DESCRIBED HEREIN.
3. THE CITY OF LONDON HAS REVIEWED THIS PLAN AND HAS GRANTED APPROVAL FOR THE CONVEYANCE OF THE LAND DESCRIBED HEREIN.
4. THE CITY OF LONDON HAS REVIEWED THIS PLAN AND HAS GRANTED APPROVAL FOR THE CONVEYANCE OF THE LAND DESCRIBED HEREIN.
5. THE CITY OF LONDON HAS REVIEWED THIS PLAN AND HAS GRANTED APPROVAL FOR THE CONVEYANCE OF THE LAND DESCRIBED HEREIN.
6. THE CITY OF LONDON HAS REVIEWED THIS PLAN AND HAS GRANTED APPROVAL FOR THE CONVEYANCE OF THE LAND DESCRIBED HEREIN.
7. THE CITY OF LONDON HAS REVIEWED THIS PLAN AND HAS GRANTED APPROVAL FOR THE CONVEYANCE OF THE LAND DESCRIBED HEREIN.
8. THE CITY OF LONDON HAS REVIEWED THIS PLAN AND HAS GRANTED APPROVAL FOR THE CONVEYANCE OF THE LAND DESCRIBED HEREIN.
9. THE CITY OF LONDON HAS REVIEWED THIS PLAN AND HAS GRANTED APPROVAL FOR THE CONVEYANCE OF THE LAND DESCRIBED HEREIN.
10. THE CITY OF LONDON HAS REVIEWED THIS PLAN AND HAS GRANTED APPROVAL FOR THE CONVEYANCE OF THE LAND DESCRIBED HEREIN.

OWNER'S CERTIFICATE, IN REGS 3(1) AND 3(2)

I, the undersigned, being the owner of the land described in this plan, hereby certify that the information given in this plan is true and correct and that the land is free from all encumbrances and is available for the purposes stated in this plan.

SIGNED: _____

DATE: _____

OWNER'S CERTIFICATE, IN REGS 3(1) AND 3(2)

I, the undersigned, being the owner of the land described in this plan, hereby certify that the information given in this plan is true and correct and that the land is free from all encumbrances and is available for the purposes stated in this plan.

SIGNED: _____

DATE: _____

OWNER'S CERTIFICATE, IN REGS 3(1) AND 3(2)

I, the undersigned, being the owner of the land described in this plan, hereby certify that the information given in this plan is true and correct and that the land is free from all encumbrances and is available for the purposes stated in this plan.

SIGNED: _____

DATE: _____

OWNER'S CERTIFICATE, IN REGS 3(1) AND 3(2)

I, the undersigned, being the owner of the land described in this plan, hereby certify that the information given in this plan is true and correct and that the land is free from all encumbrances and is available for the purposes stated in this plan.

SIGNED: _____

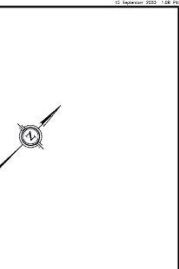
DATE: _____

OWNER'S CERTIFICATE, IN REGS 3(1) AND 3(2)

I, the undersigned, being the owner of the land described in this plan, hereby certify that the information given in this plan is true and correct and that the land is free from all encumbrances and is available for the purposes stated in this plan.

SIGNED: _____

DATE: _____



PLAN OF SUBDIVISION OF
**PART OF LOT 74, CONCESSION EAST OF THE
 NORTH BRANCH OF THE TABBOT ROAD**
 (REGS 3(1) AND 3(2) OF THE SUBDIVISION ACT)
 CITY OF LONDON
 (REGS 3(1) AND 3(2) OF THE SUBDIVISION ACT)

APPROVED UNDER SECTION 31 OF THE PLANNING ACT
 THIS _____ DAY OF _____ 20____

FOR THE CITY OF LONDON

 CHIEF OFFICER OF THE CITY OF LONDON

APPROVED UNDER SECTION 31 OF THE PLANNING ACT
 THIS _____ DAY OF _____ 20____

FOR THE CITY OF LONDON

 CHIEF OFFICER OF THE CITY OF LONDON

APPROVED UNDER SECTION 31 OF THE PLANNING ACT
 THIS _____ DAY OF _____ 20____

FOR THE CITY OF LONDON

 CHIEF OFFICER OF THE CITY OF LONDON

APPROVED UNDER SECTION 31 OF THE PLANNING ACT
 THIS _____ DAY OF _____ 20____

FOR THE CITY OF LONDON

 CHIEF OFFICER OF THE CITY OF LONDON

Stantec
 1000 SHEPPARD AVENUE EAST
 SUITE 1000
 SCARBOROUGH, ONTARIO M1B 3Y2
 CANADA
 TEL: 416-223-3111
 FAX: 416-223-3112
 WWW.STANTEC.COM

Stantec
 1000 SHEPPARD AVENUE EAST
 SUITE 1000
 SCARBOROUGH, ONTARIO M1B 3Y2
 CANADA
 TEL: 416-223-3111
 FAX: 416-223-3112
 WWW.STANTEC.COM

Stantec
 1000 SHEPPARD AVENUE EAST
 SUITE 1000
 SCARBOROUGH, ONTARIO M1B 3Y2
 CANADA
 TEL: 416-223-3111
 FAX: 416-223-3112
 WWW.STANTEC.COM

Stantec
 1000 SHEPPARD AVENUE EAST
 SUITE 1000
 SCARBOROUGH, ONTARIO M1B 3Y2
 CANADA
 TEL: 416-223-3111
 FAX: 416-223-3112
 WWW.STANTEC.COM

2.0 Discussion and Considerations

2.1 Development Proposal

Phase 2 of the plan of subdivision will consist of 54 single detached lots (Lots 1 to 33, Lots 36 to 51, Lots 55 to 59, Lots 62 to 77, 88 and 89), part of Lots 34, 35, 52, 53, 54, 60 and 61, Blocks 78 to 81, Blocks 257, 259, 260 and 262 served by the extension of Campbell Street North, Ayrshire Avenue and a new *enter street type* (Hayward Drive).

The recommended special provisions for the proposed Phase 2 Subdivision Agreement are found at Appendix A of this report. The Development Services Division has reviewed these special provisions with the Owner who is in agreement with them.

This report has been prepared in consultation with the City's Solicitors Office.

3.0 Financial Impact/Considerations

3.1 Financial Securities

Through the completion of the works associated with this application fees, development charges and taxes will be collected. Outside of the DC eligible items outlined in the attached Source of Financing (Appendix B), there are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

The key issues and considerations have been reviewed and addressed through the existing draft plan process and subdivision agreement conditions.

Conclusion

Development Services staff are satisfied with the proposed special provisions for the Heathwoods Subdivision – Phase 2, and recommend that they be approved; and, that the Mayor and the City Clerk be authorized to execute the Subdivision Agreement, any amending agreements and all documents required to fulfil its conditions.

Prepared by: Sean Meksula, MCIP, RPP
Senior Planner, Development Services

Recommended by: Paul Yeoman, RPP, PLE
Director, Development Services

Submitted by: George Kotsifas, P. Eng.
Managing Director, Development and Compliance
Services and Chief Building Official

Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Bruce Page, Manager, Development Planning
Peter Kavcic, Manager, Development Engineer

April 19, 2021
GK/PY/SM/jar

Appendix A – Special Provisions

5. STANDARD OF WORK

Add the following new Special Provisions:

1. The Owner shall provide minimum side yard setbacks as specified by the City for buildings which are adjacent to rear yard catch basin leads which are not covered by an easement on Lots in this Plan.

The Owner shall register against the title of Lots which incorporate rear yard catchbasins, which includes Lots 8, 30, 55, 61, 62 and 68 in this Plan and all other affected Lots shown on the accepted plans and drawings, and shall include this information in the Agreement of Purchase and Sale or Lease for the transfer of each of the affected Lots, a covenant by the purchaser or transferee to observe and comply with the minimum building setbacks and associated underside of footing (U.S.F.) elevations, by not constructing any structure within the setback areas, and not disturbing the catchbasin and catchbasin lead located in the setback areas. This protects these catchbasins and catchbasin leads from damage or adverse effects during and after construction. The minimum building setbacks from these works and associated underside of footing (U.S.F.) elevations have been established as indicated on the subdivision lot grading plan, attached hereto as **Schedule "I"** and on the servicing drawings accepted by the City Engineer.

15. PROPOSED SCHOOL SITES

2. **Remove** Subsections 15.3 to 15.8 as there are no school blocks in this Plan.

~~15.3 The Owner shall set aside an area or areas (being Block(s) _____) as a site or sites for school purposes to be held subject to the rights and requirements of any School Board having jurisdiction in the area.~~

~~15.4 The School Boards shall have the right, expiring three (3) years from the later of the date on which servicing of the relevant site is completed to the satisfaction of the City or the date on which seventy percent (70%) of the Lots in the subdivision have had building permits issued, to purchase the site and may exercise the right by giving notice to the Owner and the City as provided elsewhere in this Agreement and the transaction of purchase and sale shall be completed no later than two (2) years from the date of giving notice.~~

~~15.5 The School Boards may waive the right to purchase by giving notice to the Owner and the City as provided elsewhere in this Agreement.~~

~~15.6 Where all School Boards have waived the right to purchase, the City shall then have the right for a period of two (2) years from the date on which the right to purchase by the School Board has expired or has been waived as the case may be, to purchase the site for municipal purposes and may exercise the right by giving notice to the Owner as provided elsewhere in this Agreement and the transaction of purchase and sale shall be completed no later than sixty (60) days from the date of giving notice.~~

~~15.7 The Owner agrees that the school blocks shall be:~~

- ~~(a) graded to a one percent (1%) grade or grades satisfactory to the City, the timing for undertaking the said works shall be established by the City prior to the registration of the Plan; and~~
- ~~(b) top-soiled and seeded to the satisfaction of the City, the timing for undertaking the said works to be established prior to assumption of the subdivision by the City.~~

~~15.8 Where the Owner has been required to improve the site by grading, top-soil and seeding, the responsibility of the Owner for the maintenance of the site shall cease upon completion by the Owner of its obligations under this Agreement.~~

24.1 STANDARD REQUIREMENTS

Add the following Special Provisions:

3. It is hereby acknowledged that W3 – Lambeth Farms Inc. and Colonel Talbot Developments Inc. have entered into a separate mutual binding agreement between the two parties, dated November 5th, 2020 which describes the works to be undertaken by each party including but not limited to the installation of services, utilities etc., as described in the agreement and outlines the agreed to financial compensation and responsibilities of each party.

It is further acknowledged that Colonel Talbot Development Inc. and W3 - Lambeth Farms Inc. have mutually granted access over their respective lands as necessary to perform the works as agreed to under said agreement. The private agreement between Colonel Talbot Development Inc. and W3 - Lambeth Farms Inc. does not in any way alter or limit the Owner's obligations under this subdivision agreement.

4. Upon acceptance of this Agreement, W3 – Lambeth Farms Inc., acting as the Owner's Agent, shall separately provide a third party Letter of Credit to satisfy the required CASH portion of securities described in Schedule "E" of the subdivision agreement, in accordance with the City's Subdivision and Development Agreement Security Policy. The security shall be provided for the purposes described in this agreement, which include ensuring the completion of all servicing for this Plan and constructing Campbell Street North, Ayrshire Avenue and Hayward Avenue within the Plan and fronting the Ayrshire Lots and Blocks as required to obtain Conditional Approval. Prior to registration, the Owner shall post the BALANCE portion and any remaining security required by the City under this agreement as per the City's policies on securities and assumption. Securities posted by W3 – Lambeth Farms Inc. on the Owner's behalf shall not be released until sufficient securities are posted by the Owner at registration, to the satisfaction of the City.
5. Should the plan of subdivision to the north (W3 Subdivision Phase 1) not develop in conjunction with this Plan, additional temporary turning circles, automatic flushing devices and an emergency access are required prior to Conditional Approval, the Owner may be required to provide additional securities, the Subdivision Agreement and the engineering drawings may need to be amended, to the satisfaction of the City.
6. The Owner shall not develop in excess of 80 units in this Plan of Subdivision until a second access and a looped watermain are available, to the satisfaction of the City.
7. Prior to assumption and in conjunction with the Final Lot Grading Certificate, the Owner shall make any amendments to the Plan required to adjust property boundaries consistent with as-built conditions (e.g. Part-Lot Control or Consent) as confirmed by an Ontario Land Surveyor for Lots 8 to 14, 24 to 30, 55 to 61 and 62 to 68, all inclusive, all at no cost to the City.
8. The Owner shall install servicing on streets in this plan of subdivision fronting proposed street townhouse blocks as per the accepted engineering drawings, all to the satisfaction of the City, at no cost to the City.
9. Prior to Final Approval, the Owner shall make all necessary arrangements with any required owner(s) to have any existing easement(s) in this plan quit claimed to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services at no cost to the City.

Following the removal of any existing private services from the said easement and the appropriate municipal services and/or private services are installed and operational, the Owner shall make all necessary arrangements to have any

section(s) of easement(s) in this plan, quit claimed to the satisfaction of the City, at no cost to the City.

10. The Owner shall make arrangements with the owner of lands to the north to combine Blocks 78, 79, 80, 81, 257, 259, 260 and 262 of this Plan, in conjunction with lands to the north in Plan 39T-17503 (W3 – Lambeth Farms Inc.) to create a developable Lot/Block, all to the satisfaction of the City.
11. The Owner shall hold Blocks 78, 79, 80 and 81, 257, 259, 260, 262 out of development until adjacent lands to the north (W3 Subdivision Phase 1) develop in the future, to the satisfaction of the City.
12. Prior to assumption of this subdivision in whole or in part by the City, and as a condition of such assumption, the Owner shall pay to the City Treasurer the following amounts as set out or as calculated by the City, or portions thereof as the City may from time to time determine:
 - (i) For the removal of the temporary turning circle on Hayward Drive outside this Plan, an amount of \$5,000.
 - (ii) Removal of automatic flushing devices/blowoffs in future, an amount of \$5,000 each flusher for a total amount of \$10,000
13. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make all necessary arrangements with the owner of Plan 33M-762 to make adjustments to the existing works and services on Campbell Street North in Plan 33M-762 adjacent to this plan to accommodate the proposed works and services on this street in this Plan (e.g. private services, street light poles, etc.) in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City Engineer and at no cost to the City. Such arrangements shall include, but not be limited to, providing sufficient notice, co-ordination and clarification with adjacent land owners as to what each parties consulting engineer will be required to be certified for the City for the purposes of assumption, all to the satisfaction of the City.

24.2 CLAIMS

Remove Subsection 24.2 (c) and **replace** with the following:

- (c) The Owner may, upon approval of this Agreement and completion of the works, make application to Development Finance for payment of the sum alleged to be owing, and as confirmed by the City Engineer (or designate) and the City Treasurer (or designate). Payment will be made pursuant to any policy established by Council to govern the administration of the said Development Charge Reserve Fund.

The anticipated reimbursements from the Development Charge Reserve Funds are:

- (i) for the construction of oversized sanitary sewers in conjunction with this Plan, subsidized at an estimated cost of which is \$20,123, excluding HST;
- (ii) for the construction of oversized storm sewers in conjunction with this Plan, subsidized at an estimated cost of which is \$233,369, excluding HST;

24.6 EROSION AND SEDIMENT CONTROL

Add the following new Special Provisions:

15. All temporary erosion and sediment control measures, installed in conjunction with this Plan shall be decommissioned and/or removed when warranted or upon placement of Granular 'B' as per accepted engineering drawings, all to the satisfaction of the City Engineer and at no cost to the City.

24.7 GRADING REQUIREMENTS

Add the following new Special Provisions:

16. The Owner shall maintain positive drainage in this Plan as per the accepted engineering drawings, all to the satisfaction of the City.
17. The Owner shall include in the Agreement of Purchase and Sale for the transfer of Lots 24 to 30 and Lots 55 to 61 in this Plan, all inclusive, as an overland flow route is located between the said Lots, a covenant by the purchaser or transferee to observe and comply with the following:
 - i) The purchaser or transferee shall not alter or adversely affect the said overland flow route on the said Lots as shown on the accepted lot grading and servicing drawings for this subdivision.

The Owner further acknowledges that no landscaping, vehicular access, parking access, works or other features shall interfere with the above-noted overland flow route, grading or drainage.

18. The Owner shall maintain the existing overland flow route on Lots 24 to 30 and Lots 55 to 61, all inclusive as per the accepted engineering drawings, to the satisfaction of the City Engineer.
19. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall remove and relocate any existing earth stockpile generally located in this Plan, all to the satisfaction of the City and at no cost to the City.
20. Prior to the issuance of any Certificate of Conditional Approval, in order to develop this site, the Owner shall make arrangements with the adjacent property owners to the north, east and west to regrade a portion of the property abutting this Plan, in conjunction with grading and servicing of this subdivision, to the specifications of the City, at no cost to the City.

24.8 STORM WATER MANAGEMENT

Add the following new Special Provisions:

21. Prior to assumption, the Owner shall operate, monitor and maintain the stormwater works associated with this Plan. The Owner shall ensure that any removal and disposal of sediment is to an approved site in accordance with the Ministry of the Environment and the Ministry of Natural Resources.
22. The Owner shall implement SWM 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 City.

24.9 SANITARY AND STORM SEWERS

23. **Remove** Subsection 24.9 (b) and **replace** with the following:

- (b) The Owner shall construct the storm sewers to service the Lots and Blocks in this Plan, which is located in the Dingman Creek Subwatershed, and connect them to the City's existing storm sewer system being the 1350 mm diameter storm sewer on Campbell Street North and outletting to the North Lambeth Regional Stormwater Management Facility P9 in accordance with the accepted engineering drawings, to the satisfaction of the City.

24. **Remove** Subsection 24.9 (j) and **replace** with the following:

- (j) The Owner shall construct the sanitary sewers to service the Lots and Blocks in this Plan and connect them to the City's existing sanitary sewage system being the 300mm sanitary sewer located on Campbell Street that connects to the existing 750mm trunk sanitary sewer on Campbell Street (GMIS SS15A) in accordance with the accepted engineering drawings, to the satisfaction of the City.

Add the following new Special Provisions:

26. The Owner shall connect any existing field tiles into the proposed storm sewer system as per the accepted engineering drawings, to the satisfaction of the City.
27. The Owner shall install servicing on streets in this plan of subdivision fronting proposed street townhouse blocks as per the accepted engineering drawings, all to the satisfaction of the City, at no cost to the City.

24.10 WATER SERVICING

Add the following new Special Provisions:

28. Prior to the issuance of any Certificates of Conditional Approval, and in accordance with City standards, or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water service to this draft Plan of Subdivision:
 - i) Construct watermains to serve this Plan and connect them to the existing low-level municipal system, namely the existing 200 mm diameter watermain on Campbell Street North, the future 200mm diameter watermain on Campbell Street North and the future 200mm diameter watermain on Ayrshire Avenue;
 - ii) If the subject Plan develops in advance of the subdivision to the North of this Plan (39T-17503), the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of watermain situated on private lands outside this Plan and shall provide satisfactory easements, as necessary, all to the specifications of the City;
 - iii) Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units; and
 - iv) Have their consulting engineer prepare a Certificate of Completion of Works to confirm to the City that the watermain connection(s) to the 200 mm diameter watermains on Campbell Street North and the 200mm diameter watermain on Ayrshire Avenue has been constructed, is operational, and is complete.
29. If the Owner requests the City to assume Hayward Drive, east and west limits, with the automatic flushing device still in operation, all as shown on this Plan of Subdivision, prior to its extension to the east and west, the Owner shall pay to the City at the time of the assumption of this subdivision by the City the amount estimated by the City at the time, to be the cost of removing the automatic flushing device and properly abandoning the discharge pipe from the automatic flushing device to the storm/sanitary sewer system at the east and west limits of Hayward Drive and restoring adjacent lands, all to the specifications of the City. The estimated cost for doing the above-noted work on this street is \$5,000 per automatic flushing device, a total amount of \$10,000 for which amount sufficient security is to be provided in accordance with Condition 24.1 (___). The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.
30. Should the plan of subdivision to the north (W3 Subdivision Phase 1) not develop at the time of the issuance of a Certificate of Conditional Approval, the Owner shall provide automatic flushing devices at the north limit of Campbell Street North and Ayrshire Avenue. Sufficient security is to be provided in the amount of \$5,000 per automatic flushing device, all to the satisfaction of the City.

Should automatic flushing devices be located at the north limits of Campbell Street North and Ayrshire Avenue, if the Owner requests the City to assume Campbell Street North and Ayrshire Avenue, with the automatic flushing device still in operation, all as shown on this Plan of Subdivision, prior to its extension to the north, the Owner shall pay to the City at the time of the assumption of this subdivision by the City the amount estimated by the City at the time, to be the cost of removing the automatic flushing device and properly abandoning the discharge pipe from the automatic flushing device to the storm/sanitary sewer system at the east and west limits of Hayward Avenue and restoring adjacent

lands, all to the specifications of the City. The estimated cost for doing the above-noted work on this street is \$5,000 per automatic flushing device, a total amount of \$10,000 for which amount sufficient security is to be provided. The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.

24.11 ROADWORKS

31. **Remove** Subsection 24.11 (p) and **replace** with the following:

- (p) Where traffic calming measures are required within this Plan:
 - (i) The Owner shall erect advisory signs at all street entrances to this Plan for the purpose of informing the public of the traffic calming measures implemented within this Plan prior to the issuance of any Certificate of Conditional Approval in this Plan.
 - (ii) Where a roundabout is located, the Owner shall install the roundabout as a traffic control device, including the diverter islands, or provide temporary measures, to the satisfaction of the City prior to the issuance of a Certificate of Conditional Approval for that section of road.
 - (iii) The Owner shall register against the title of all Lots and Blocks on Campbell Street North and Hayward Drive in this Plan, and shall include in the Agreement of Purchase and Sale or Lease for the transfer of each of the said Lots and Blocks, a covenant by the purchaser or transferee stating the said owner shall locate the driveways to the said Lots and Blocks away from the traffic calming measures on the said streets, including the roundabout, and splitter islands to be installed as traffic control devices, to the satisfaction of the City Engineer.

32. **Remove** Subsection 24.11 (q) and **replace** with the following:

- (q) The Owner shall direct all construction traffic including all trades related traffic associated with installation of services and construction of dwelling units in this Plan to access the site from Colonel Talbot Road via Royal Magnolia Avenue or as designated by the City.

Add the following new Special Provisions:

33. The Owner shall construct a temporary turning circle at the west limit of Hayward Avenue, to the satisfaction of the City Engineer and at no cost to the City.

If the Owner requests the City to assume Hayward Drive, all as shown on this Plan of Subdivision, prior to its extension to the west, the Owner shall pay to the city at the time of the assumption of this subdivision by the City the amount estimated by the City at the time, to be the cost of removing the temporary turning circle at the west limit of Hayward Drive and completing the curb and gutter, asphalt pavement, Granular 'A', Granular 'B', sodding of the boulevard, 1.5metre concrete sidewalks on both sides, and restoring adjacent lands, including the relocation of any driveways, all to the specifications of the City. The estimated cost, including legal fees for releasing easements and/or transferring blocks, and doing the above-noted work on this street is \$5,000 for which amount sufficient security is to be provided in accordance with Condition 24.1 (___). The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.

When the lands abutting this Plan of Subdivision develop and the temporary turning circle is removed, the City will quit claim the easements which were used for temporary turning circle purposes which are no longer required at no cost to the City.

34. Should the plan of subdivision to the north (W3 Subdivision Phase 1) not develop at the time of the issuance of a Certificate of Conditional Approval, the Owner

shall construct a temporary turning circle at the north limit of Campbell Street North, and grant the appropriate easement, to the satisfaction of the City Engineer and at no cost to the City.

If the Owner requests the City to assume Campbell Street North, all as shown on this Plan of Subdivision, prior to its extension to the north, the Owner shall pay to the city at the time of the assumption of this subdivision by the City the amount estimated by the City at the time, to be the cost of removing the temporary turning circle at the north limit of Campbell Street North and completing the curb and gutter, asphalt pavement, Granular 'A', Granular 'B', sodding of the boulevard, 1.5metre concrete sidewalks on both sides, and restoring adjacent lands, including the relocation of any driveways, all to the specifications of the City. The estimated cost, including legal fees for releasing easements and/or transferring blocks, and doing the above-noted work on this street is \$20,000 for which amount sufficient security is to be provided. The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.

When the lands abutting this Plan of Subdivision develop and the temporary turning circle is removed, the City will quit claim the easements which were used for temporary turning circle purposes which are no longer required at no cost to the City.

35. Should the plan of subdivision to the north (W3 Subdivision Phase 1) not develop at the time of the issuance of a Certificate of Conditional Approval, the Owner shall construct a temporary turning circle at the north limit of Ayrshire Avenue, and grant the appropriate easement, to the satisfaction of the City Engineer and at no cost to the City.

If the Owner requests the City to assume Ayrshire Avenue, all as shown on this Plan of Subdivision, prior to its extension to the north, the Owner shall pay to the city at the time of the assumption of this subdivision by the City the amount estimated by the City at the time, to be the cost of removing the temporary turning circle at the north limit of Ayrshire Avenue and completing the curb and gutter, asphalt pavement, Granular 'A', Granular 'B', sodding of the boulevard, 1.5metre concrete sidewalks on both sides, and restoring adjacent lands, including the relocation of any driveways, all to the specifications of the City. The estimated cost, including legal fees for releasing easements and/or transferring blocks, and doing the above-noted work on this street is \$20,000 for which amount sufficient security is to be provided. The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.

When the lands abutting this Plan of Subdivision develop and the temporary turning circle is removed, the City will quit claim the easements which were used for temporary turning circle purposes which are no longer required at no cost to the City.

36. Barricades are to be maintained at the east and west limits of Hayward Drive until adjacent lands develop in the future or as otherwise directed by the City. At the time of assumption of this Plan or as otherwise directed by the City, the Owner shall remove the barricades and any temporary turning circles, restore the boulevards and complete the construction of the roadworks within the limits of both temporary turning circles, to the specifications of the City, all at no cost to the City.

The Owner shall advise all purchasers of land within this subdivision that any traffic to and from this subdivision will not be permitted to pass the barricade(s) until the removal of the barricade(s) is authorized by the City.

37. Prior to the issuance of any Certificate of Conditional Approval, or as otherwise directed by the City Engineer, the Owner shall construct a roundabout, including splitter islands, at the intersection of Campbell Street North and Hayward Drive, including permanent signage and pavement markings, or provide alternative measures as determined by the City, to the satisfaction of the City Engineer, at no cost to the City.

24.xx PLANNING

38. The Owner shall, within two years of registration of any phase of development, prepare and deliver to all homeowners adjacent to any open space, an education package which explains the stewardship of the natural area, the value of existing tree cover, and the protection and utilization of the grading and drainage pattern of these lots. The educational package shall be prepared to the satisfaction of the City.

24.xx BELL CANADA

Add the following new Special Provisions:

40. The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
41. The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

SCHEDULE "C"

This is Schedule "C" to the Subdivision Agreement dated this _____ day of _____, 2021, between The Corporation of the City of London and Colonel Talbot Developments Inc. to which it is attached and forms a part.

SPECIAL WORKS AND SERVICES

Roadways

- Hayward Drive and Campbell Street North shall have a minimum road pavement width (excluding gutters) of 9.5 metres with a minimum road allowance of 21.5 metres.

- Ayrshire Avenue shall have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 20.0 metres.

Sidewalks

A 1.5 metre sidewalk shall be constructed on both sides of all streets in this plan as per the accepted engineering drawings.

Pedestrian Walkways

There are no pedestrian walkways in this Plan.

SCHEDULE "D"

This is Schedule "D" to the Subdivision Agreement dated this _____ day of _____, 2021, between The Corporation of the City of London and Colonel Talbot Developments Inc. to which it is attached and forms a part.

Prior to the Approval Authority granting final approval of this Plan, the Owner shall transfer to the City, all external lands as prescribed herein. Furthermore, within thirty (30) days of registration of the Plan, the Owner shall further transfer all lands within this Plan to the City.

LANDS TO BE CONVEYED TO THE CITY OF LONDON:

0.3 metre (one foot) reserves:	Blocks 82 and 83
Road Widening (Dedicated on face of plan):	NIL
Walkways:	NIL
5% Parkland Dedication:	Nil or deferred to other phases within the plan of subdivision.
Dedication of land for Parks in excess of 5%:	NIL
Stormwater Management:	NIL

LANDS TO BE SET ASIDE FOR SCHOOL SITE:

School Site:	NIL
--------------	-----

LANDS TO BE HELD IN TRUST BY THE CITY:

Temporary access:	NIL
-------------------	-----

SCHEDULE "E"

This is Schedule "E" to the Subdivision Agreement dated this _____ day of _____, 2021, between The Corporation of the City of London and Colonel Talbot Developments Inc. to which it is attached and forms a part.

The Owner shall supply the total value of security to the City is as follows:

CASH PORTION:	\$ 321,800
BALANCE PORTION:	<u>\$1,823,533</u>
TOTAL SECURITY REQUIRED	\$2,145,332

The Cash Portion shall be deposited with the City Treasurer prior to the execution of this agreement.

The Balance Portion shall be deposited with the City Treasurer prior to the City issuing any Certificate of Conditional Approval or the first building permit for any of the lots and blocks in this plan of subdivision.

The Owner shall supply the security to the City in accordance with the City's By-Law No. CPOL-13-114 and policy adopted by the City Council on April 4, 2017 and any amendments.

In accordance with Section 9 Initial Construction of Services and Building Permits, the City may limit the issuance of building permits until the security requirements have been satisfied.

The above-noted security includes a statutory holdback calculated in accordance with the Provincial legislation, namely the CONSTRUCTION LIEN ACT, R.S.O. 1990.

SCHEDULE "F"

This is Schedule "F" to the Subdivision Agreement dated this _____ day of _____, 2021, between The Corporation of the City of London and Colonel Talbot Developments Inc. to which it is attached and forms a part.

Prior to the Approval Authority granting final approval of this Plan, the Owner shall transfer to the City, all external easements as prescribed herein. Furthermore, within thirty (30) days of registration of the Plan, the Owner shall further transfer all easements within this Plan to the City.

Multi-Purpose Easements:

- (a) Multi-purpose easements shall be deeded to the City in conjunction with this Plan, over lands external to this Plan, on an alignment and of sufficient width acceptable to the City Engineer as follows:
 - (i) Servicing stubs at east limit of Hayward Drive
 - (ii) Servicing stubs at south limit of Ayrshire Avenue

- (b) Temporary turning circle easements shall be deeded to the City in conjunction with this Plan over lands outside this Plan west limit of Hayward Drive.

Appendix B – Claims and Revenues

Estimated Costs and Revenues

Estimated DC Claim Costs	Estimated Cost (excludes HST)
Claims for Owner led construction from CSRF	
- Sanitary Sewer Oversizing.(DC19WW1001)	\$20,123
- Storm Sewer Oversizing.(DC19MS1001)	\$233,369
Total	\$253,492
Estimated DC Revenues (January 1, 2021 to December 31, 2021 Rates)	Estimated Revenue
CSRF TOTAL	\$2,766,798

- 1 Estimated DC Claim Costs are for Owner led construction projects and do not include City led projects required to accommodate growth.
- 2 Estimated DC Revenues are calculated using current DC rates. The City employs a "citywide" approach to cost recovery for all eligible growth services, therefore the Estimated DC Claim Costs and Revenues in the table above are not directly comparable.
- 3 The Oversizing Subsidy costs are based on estimates from the accepted engineering drawings and the current DC By-law. Final claim payments will be approved based on constructed quantities in conjunction with the DC By-law.

Approved by:

Date

Paul Yeoman
Director, Development Finance

Appendix C – Source of Financing

#21059

April 26, 2021
(39T-12503-2)

Chair and Members
Planning and Environment Committee

RE: Subdivision Special Provisions - Heathwoods Phase 2 Subdivision
Colonel Talbot Developments Inc.
Capital Project ES514519-Wastewater Internal Oversizing (2520577)
Capital Project ES542919-Storm Sewer Internal Oversizing (2520578)

Finance and Corporate Services Report on the Sources of Financing:

Finance and Corporate Services confirms that the cost of this purchase can be accommodated within the financing available for it in the Capital Budget, and that, subject to the approval of the Managing Director, Development and Compliance and Chief Building Official, the detailed source of financing is:

Estimated Expenditures	Approved Budget	Committed To Date	This Submission	Balance for Future Work
ES514519-Wastewater Internal Oversizing				
Engineering	200,000	0	0	200,000
Construction	866,453	8,629	20,477	837,347
Total ES514519	1,066,453	8,629	20,477	1,037,347
ES542919-Storm Sewer Internal Oversizing				
Engineering	200,000	0	0	200,000
Construction	7,577,079	1,504,948	237,476	5,834,655
Total ES542919	7,777,079	1,504,948	237,476	6,034,655
Total Expenditures	\$8,843,532	\$1,513,577	\$257,953	\$7,072,002
Sources of Financing				
ES514519-Wastewater Internal Oversizing				
Drawdown from City Services - Wastewater Reserve Fund (Development Charges) (Note 1)	1,066,453	8,629	20,477	1,037,347
Total ES514519	1,066,453	8,629	20,477	1,037,347
ES542919-Storm Sewer Internal Oversizing				
Drawdown from City Services - Stormwater Reserve Fund (Development Charges) (Note 1)	7,777,079	1,504,948	237,476	6,034,655
Total ES542919	7,777,079	1,504,948	237,476	6,034,655
Total Financing	\$8,843,532	\$1,513,577	\$257,953	\$7,072,002
Financial Note				
	ES514519	ES542919	Total	
Contract Price	\$20,123	\$233,369	\$253,492	
Add: HST @13%	2,616	30,338	32,954	
Total Contract Price Including Taxes	22,739	263,707	286,446	
Less: HST Rebate	-2,262	-26,231	-28,493	
Net Contract Price	\$20,477	\$237,476	\$257,953	

Note 1: Development Charges have been utilized in accordance with the underlying legislation and the approved 2019 Development Charges Background Study and the 2021 Development Charges Background Study Update.

Kyle Murray
Director, Financial Planning & Business Support
ms

Environmental and Ecological Planning Advisory Committee

Report

The 3rd Meeting of the Environmental and Ecological Planning Advisory Committee
April 15, 2021

2021 Meeting - Virtual Meeting during the COVID-19 Emergency

Please check the City website for current details of COVID-19 service impacts.

Meetings can be viewed via live-streaming on YouTube and the City website

Attendance PRESENT: S. Levin (Chair), E. Arellano, I. Arturo, L. Banks, A. Bilson Darko, A. Boyer, S. Esan, P. Ferguson, L. Grieves, S. Hall, S. Heuchan, J. Khan, B. Krichker, B. Samuels, S. Sivakumar, R. Trudeau and I. Whiteside and H. Lysynski (Committee Clerk)
 ABSENT: A. Cleaver and I. Mohamed, K. Moser and M. Wallace
 ALSO PRESENT: G. Barrett, C. Creighton, M. Fabro, J. MacKay, B. Page, C. Saunders and E. Williamson

The meeting was called to order at 5:02 PM

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

2.1 2nd Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the 2nd Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on March 18, 2021, was received.

2.2 Municipal Council Resolution - 1st Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the Municipal Council resolution adopted at its meeting held on March 23, 2021, with respect to the 1st Report of the Environmental and Ecological Planning Advisory Committee, was received.

3. Sub-Committees and Working Groups

3.1 3095 Bostwick Road

That the 3095 Bostwick Road Working Group comments, appended to the Environmental and Ecological Planning Advisory Committee Agenda, BE FORWARDED to the Civic Administration for consideration.

4. Items for Discussion

4.1 Bryon Gravel Pit - Bank Swallows

That it BE NOTED that a general discussion was held with respect to the bank swallows in the Byron Gravel Pit and the future land use plans of the Byron Gravel Pit; it being noted that the Environmental and Ecological

Planning Advisory Committee reviewed and received communications from B. Samuels and Dr. L. Grieves, with respect to this matter.

4.2 Environmentally Significant Areas Management

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee (EEPAC) held a general discussion with respect to managing Environmentally Significant Areas; it being noted that the EEPAC reviewed and received a communication from S. Levin, with respect to this matter.

4.3 Notice of Application - 415 Oxford Street West

That it BE NOTED that the Notice of Planning Application, dated April 1, 2021, from J. Hall, Planner II, with respect to Official Plan Amendments for the property located at 415 Oxford Street West, was received.

4.4 Notice of Application - Encouraging the Growth of Food in Urban Areas - City-wide

That it BE NOTED that the Notice of Planning Application for Official Plan and Zoning By-law Amendments, dated March 31, 2021, from C. Parker, Senior Planner, relating to encouraging the growth of food in urban areas, was received.

4.5 Invasive Species Management Update and Funding Plan

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee held a general discussion with respect to the City of London Invasive Species Management Update and Funding Plan; it being noted that the EEPAC reviewed and received a staff report dated March 30, 2021, by S. Stafford, Managing Director - Parks and Recreation, with respect to this matter.

4.6 Addition of a Pathway within buffer/ESA - 1697, 1738 & 1742 Hamilton Road and 1990 Commissioners Road East

That, the Civic Administration BE REQUESTED to consult with the Environmental and Ecological Planning Advisory Committee (EEPAC) on the location of the proposed pathway from the storm pond to White's Bridge; it being noted that the EEPAC reviewed and received mapping from S. Levin, with respect to this matter.

5. Adjournment

The meeting adjourned at 6:23 PM.



City of London Map

Notes

Thames Village



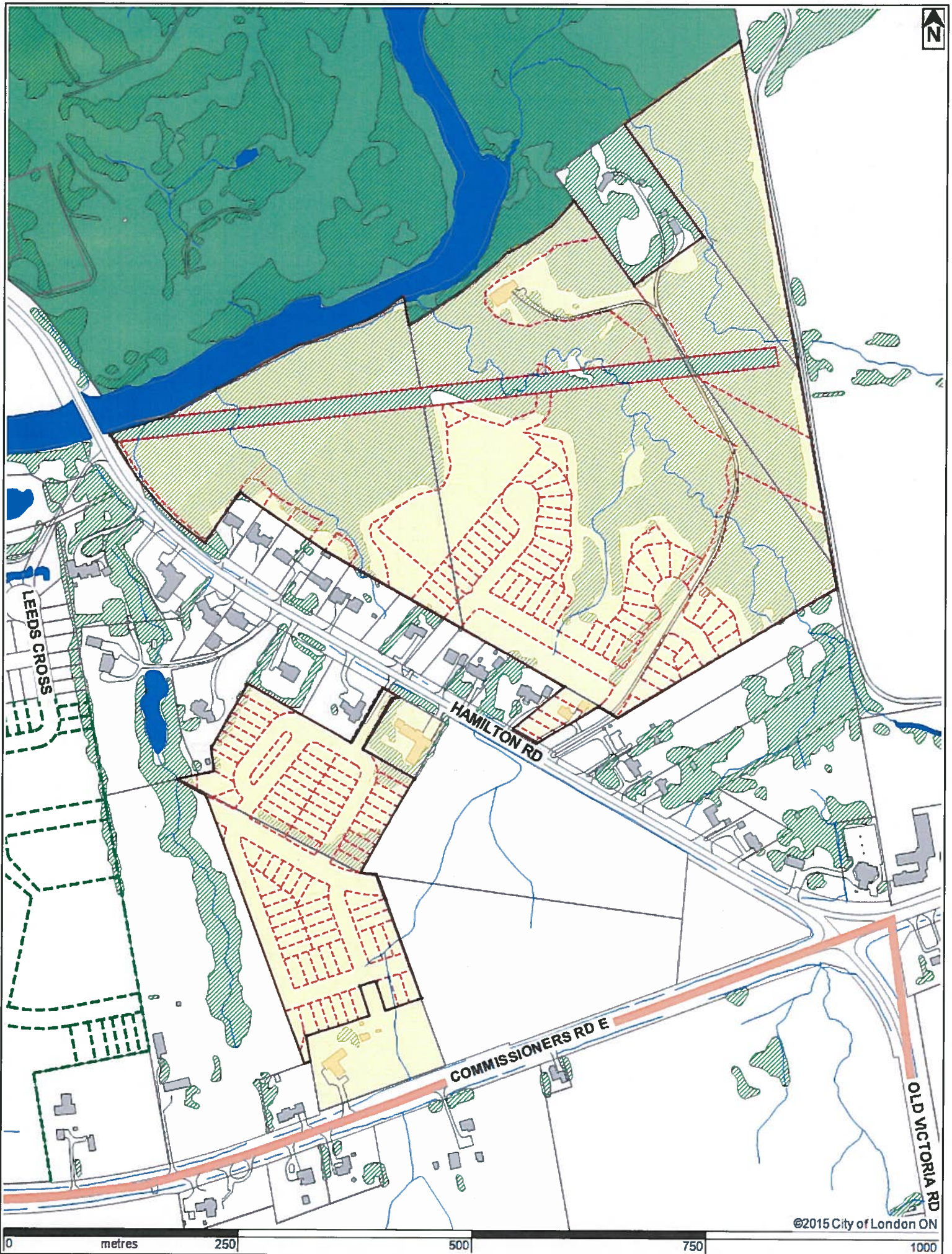
How does a pathway get in the buffer, an ESA AND cross a watercourse without being in an EIS?

0.3 0 0.13 0.3 Kilometers

NAD_1983_UTM_Zone_17N
© City of London

This map is a user generated static output from city of london site and is for reference only.

THIS MAP IS NOT TO BE USED FOR NAVIGATION








©2015 City of London ON

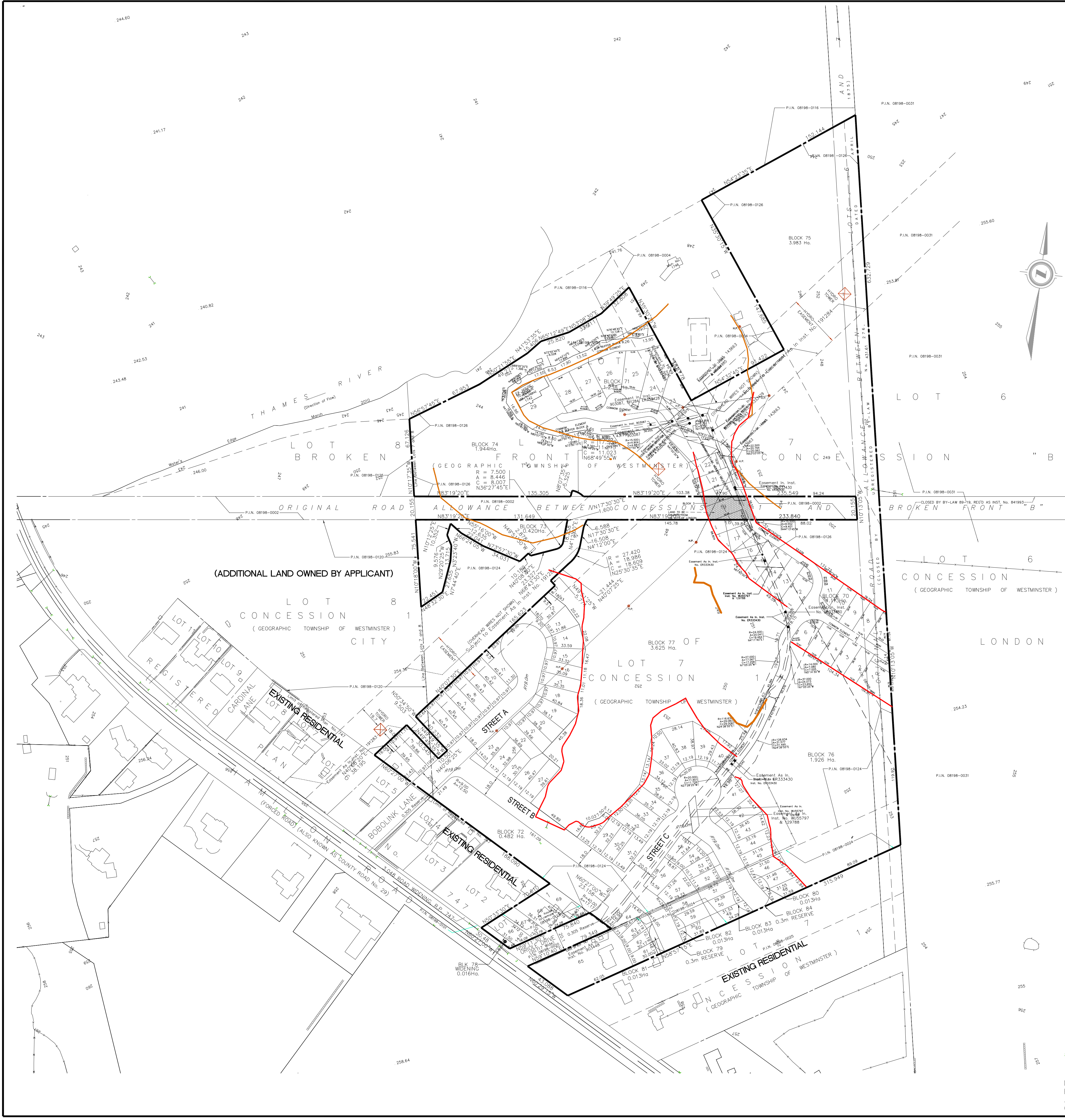
LOCATION MAP

Subject Site: 1691, 1738 and 1742 Hamilton Road
 File Number: 39T-13502/OZ-8147
 Created By: LM
 Date: 2015-01-21
 Scale: 1:5000

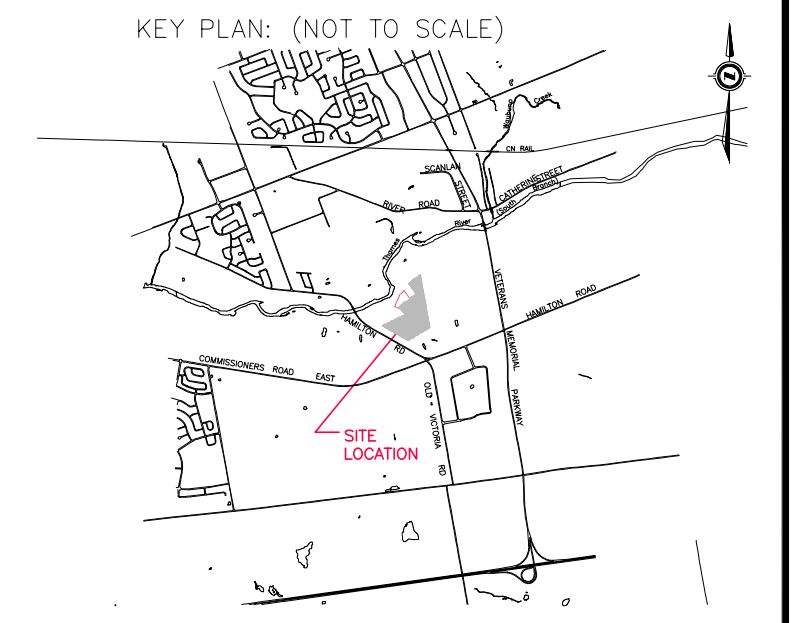
LEGEND

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





File No. _____
 Subject to the conditions, if any, set forth in our letter dated ____ day of _____, 201____, this draft plan is approved under Section 51 of the *Planning Act* this ____ day of _____, 201____.



DRAFT PLAN OF SUBDIVISION
 OLD VICTORIA SUBDIVISION
LEGAL DESCRIPTION
 PART OF LOTS 7 AND 8, CONCESSION 1
 PART OF LOT 7, BROKEN FRONT CONCESSION "B"
 PART OF THE ROAD ALLOWANCE BETWEEN LOT 6 & 7, CONCESSION 1
 PART OF THE ROAD ALLOWANCE BETWEEN LOT 6 & 7, BROKEN FRONT CONCESSION "B"
 (CLOSED BY UNREGISTERED BY-LAW 276, DATED APRIL, 1875)
 AND ALL OF LOT 1, REGISTERED PLAN No. 747
 (GEOGRAPHIC TOWNSHIP OF WESTMINSTER)
 IN THE
 CITY OF LONDON
 COUNTY OF MIDDLESEX

OWNERS CERTIFICATE
 I, DON DE JONG, AM AUTHORIZED TO MAKE A SUBMISSION OF THIS DRAFT PLAN AS THE AGENT FOR THE OWNERS:
 HAROLD BIGGS, GERALD ERIC TOPHOLME
 STEPHEN AYLMER CLINE, LOREL ELIZABETH CLINE
 CHARLES ANDERSON CLINE,

DON DE JONG _____ DATE _____
 THAMES VILLAGE JOINT VENTURE CORPORATION

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED, AS SHOWN ON THIS PLAN, AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

JUAN D. ZAPATA _____ DATE _____
 ONTARIO LAND SURVEYOR
 ARCHIBALD, GRAY & MCKAY

REQUIREMENTS OF SECTION 51(17) OF THE PLANNING ACT
 (A) SEE PLAN (E) SEE PLAN (I) FINE GRAN SANDS & SILTS
 (B) SEE PLAN (F) SEE PLAN (J) SEE PLAN
 (C) SEE PLAN (G) SEE PLAN (K) FULL MUNICIPAL SERVICES
 (D) SEE PLAN (H) MUNICIPAL WATER (L) SEE PLAN

SCHEDULE OF LAND USE

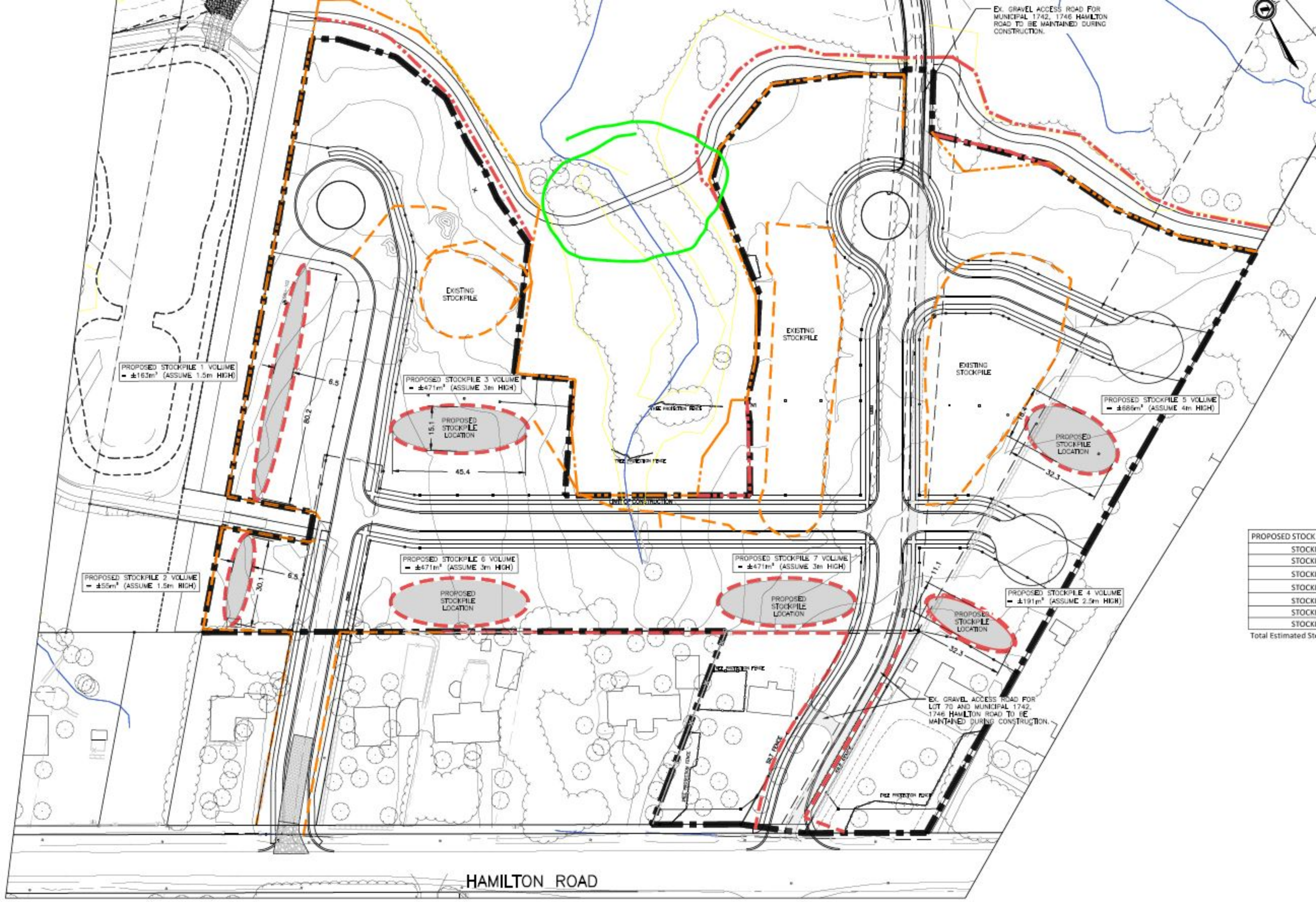
LAND USE	AREA (IN Ha)	% PERCENTAGE
SINGLE FAMILY RESIDENTIAL - LOW DENSITY LOTS 1 TO 69	3.196	16.51%
LOW DENSITY RESIDENTIAL (VLC) BLK 70 - 71	2.351	12.15%
MEDIUM DENSITY RESIDENTIAL BLOCK 72	0.482	2.49%
OPEN SPACE BLOCKS 73 - 77	11.898	61.48%
ROAD WIDENING BLOCK 78	0.016	0.08%
0.3m RESERVE BLOCKS 79 - 80	0.002	0.01%
TEMPORARY TURNING CIRCLE BLOCKS 81 - 84	0.052	0.27%
ROAD ALLOWANCES STREET A TO C	1.356	7.01%
TOTAL AREA	19.353	100%

DRAFT PLAN OF SUBDIVISION - TRV SUBMISSION MARCH 17, 2017
OLD VICTORIA EAST SUBDIVISION
 1738, 1742, 1752, 1756 HAMILTON ROAD

THAMES VILLAGE JOINT VENTURE
 609 WILLIAM ST. SUITE 200
 LONDON, ON N6B 3G1
 519-657-5989 info@tridangroup.com

DRAWN BY:
 PLANFILE No.: OVE SUBDIVISION
 DISK No.:
 SCALE: 0 15 60 1:1500
 DATE: APRIL 27, 2017 PROJECT No.: OVE DP

NOTE: BOUNDARY DIMENSIONS, UNDERLYING LOT FABRIC, EASEMENT DETAIL, EXISTING SURFACE FEATURE DETAILS AND MISCELLANEOUS DIMENSIONS AND NOTES WERE ADDED TO THIS PLAN BY ARCHIBALD GRAY & MCKAY LTD ON MARCH 17, 2017, AGM FILE WT-146-3 (WT1711DP1.DWG)



EX. GRAVEL ACCESS ROAD FOR MUNICIPAL 1742, 1746 HAMILTON ROAD TO BE MAINTAINED DURING CONSTRUCTION.

PROPOSED STOCKPILE 1 VOLUME
= ±163m³ (ASSUME 1.5m HIGH)

PROPOSED STOCKPILE 3 VOLUME
= ±471m³ (ASSUME 3m HIGH)

PROPOSED STOCKPILE 5 VOLUME
= ±688m³ (ASSUME 4m HIGH)

PROPOSED STOCKPILE 2 VOLUME
= ±55m³ (ASSUME 1.5m HIGH)

PROPOSED STOCKPILE 6 VOLUME
= ±471m³ (ASSUME 3m HIGH)

PROPOSED STOCKPILE 7 VOLUME
= ±471m³ (ASSUME 3m HIGH)

PROPOSED STOCKPILE 4 VOLUME
= ±191m³ (ASSUME 2.9m HIGH)

PROPOSED STOCKPILE 1
PROPOSED STOCKPILE 2
PROPOSED STOCKPILE 3
PROPOSED STOCKPILE 4
PROPOSED STOCKPILE 5
PROPOSED STOCKPILE 6
PROPOSED STOCKPILE 7
Total Estimated Stockpile Volume

HAMILTON ROAD

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: Gregg Barrett, ACIP
Director, City Planning and City Planner
Subject: 2773070 Ontario Inc.
526 Oxford Street East
Public Participation Meeting on April 26, 2021

Recommendation

That, on the recommendation of the Director, City Planning and City Planner the following actions be taken with respect to the application of 2773070 Ontario Inc. and the City of London relating to the property located at 526 Oxford Street East:

- a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 4, 2021 to amend the Official Plan for the City of London (1989) to **ADD** a policy to Section 10.1.3 – “Policies for Specific Areas” to allow the site to develop with a personal service establishment with a maximum floor area of 140m².
- b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on May 4, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** a Residential R3/Office Conversion (R3-1/OC5) Zone, **TO** a Residential R3/ Office Conversion Special Provision (R3-1/OC5 (*) Zone.

Executive Summary

Summary of Request

The purpose and effect of this Official Plan and Zoning By-law change is to permit a personal service establishment within an existing two storey converted office building with a minimum of 4 parking spaces.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action will be to permit the additional use of a personal services establishment (hair salon) in the existing converted office building on the first floor (approx. 140m² floor area).

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020 which promotes an appropriate range and mix of uses in a settlement area.
2. The recommended use conforms to the in-force policies of The London Plan including but not limited to, Our City, Key Directions, and City Building, and will facilitate the development of a mix use building in the Urban Corridor Place Type.
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to, Chapter 10 – Policies for Specific Areas, which allows Council to apply specific policies where the change in land use is site specific and located in an area where Council wishes to maintain the existing land use designation while allowing for a site-specific use: and
4. The recommended Zoning By-law Amendment implements an appropriate use and intensity for the site which is compatible with the surrounding area.

Analysis

1.0 Background Information

1.1 Property Description

The property is located on the northwest corner of Oxford Street East and William Street. An existing two storey converted office use exists on the property. Converted office uses exist to the east, west and south, to the north is a residential use with 3 units.

526 Oxford Street Front View

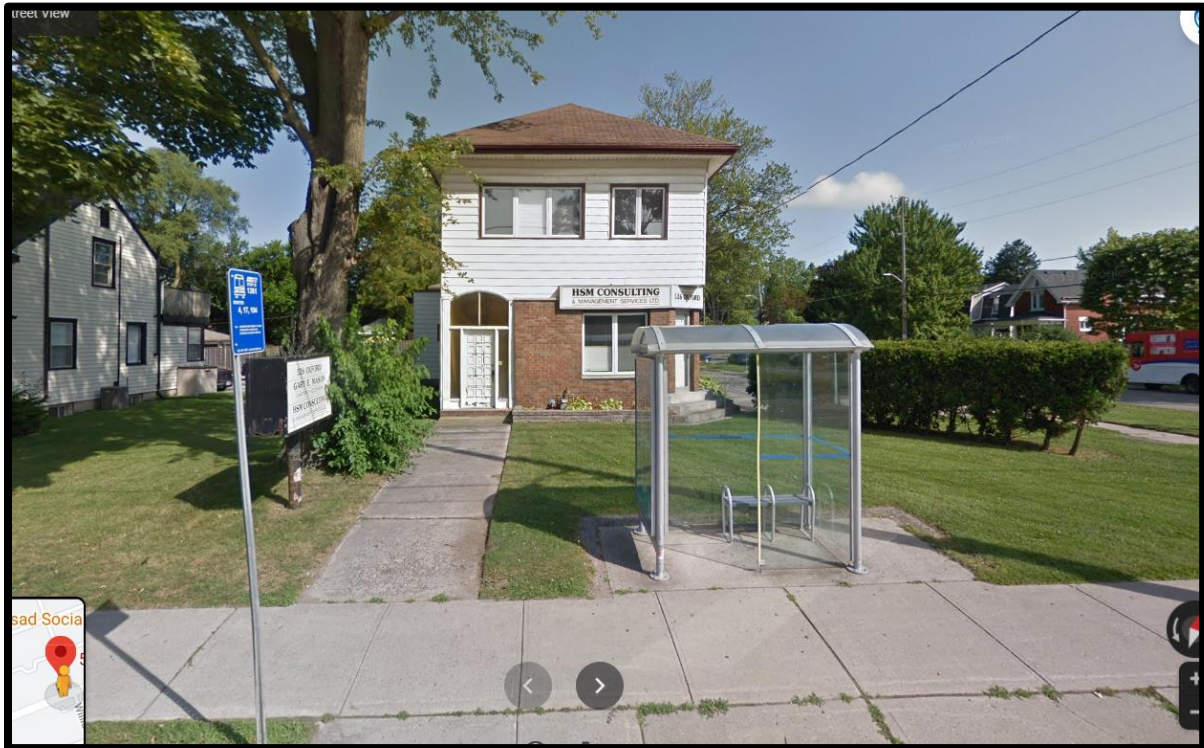


Figure 1: 526 Oxford Street East front view from Oxford Street East

526 Oxford Street East, East Side View



Figure 2: 526 Oxford Street East, east side and rear yard as viewed from William Street

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

- Official Plan Designation – Multi Family Medium Density Residential, St. George/Grosvenor Specific Area policy that permits converted office uses.
- The London Plan Place Type – Urban Corridor
- Existing Zoning – Residential R3/ Office Conversion (R3-1/OC5) Zone

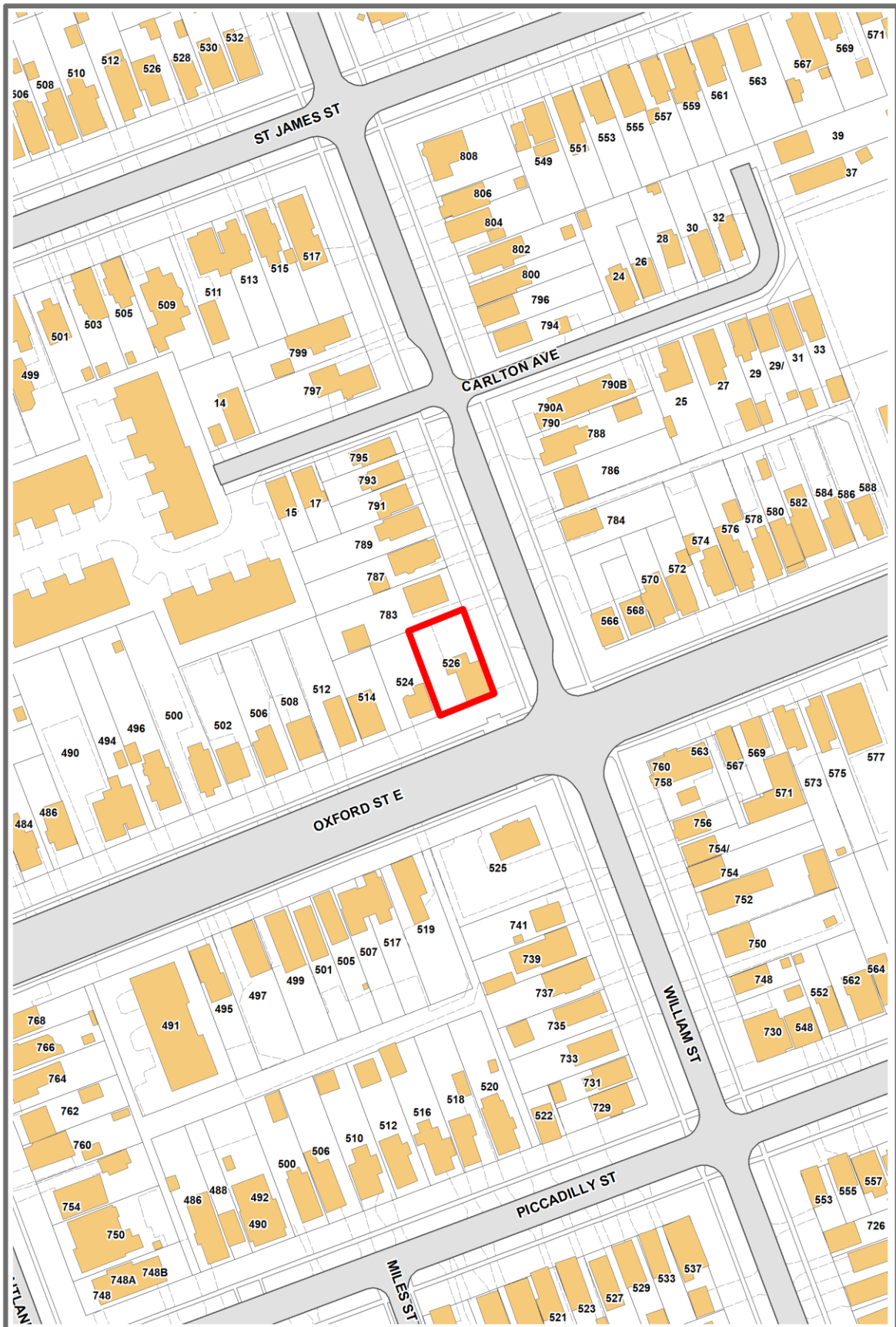
1.3 Site Characteristics

- Current Land Use – Converted Office (approx. 242m² total floor area)
- Frontage – 19.8m
- Depth – 30.4m
- Area – 0.6ha
- Shape – Rectangle

1.4 Surrounding Land Uses

- North – 3 unit converted dwelling.
- East – converted office
- South – converted office
- West – converted office

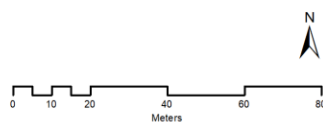
1.6 Location Map



LOCATION MAP

Subject Site: 526 Oxford St E
 File Number: OZ-9303
 Planner: Craig Smith
 Date: 02/03/2021

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



Legend

- Subject Site
- Buildings
- Parks
- Driveways/ParkingLots

2.0 Description of Proposal

2.1 Development Proposal

The proposed development is to permit a personal service establishment (hair salon) use on the first floor (approx. 140m²) and a medical/dental office (approx. 103m²) use on the second floor of the existing converted office building. The site currently exists with 4 parking space in the rear yard. Oxford Street East and William Street both have 40m road allowances and as such there are two additional parking spaces located within the boulevard on the east side of the building south of the driveway. A commercial boulevard parking agreement exists for the two space in the City's boulevard.

The applicant does not plan on expanding the existing building and requires the zoning by-law amendment to permit the personal service use. Personal service uses are not permitted in the Office Conversion (OC5) Zone.

Existing Conditions



Figure 3: Existing conditions as provided by applicant.

3.0 Relevant Background

3.1 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) 2020, provides policy direction on matters of provincial interest related to land use planning and development. All decisions affecting land use planning matters shall be “consistent with” the policies of the PPS. The PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs (1.1).

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). *The London Plan* policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. *The London Plan* policies under appeal are included in this report for informative purposes indicating the intent of City Council but are not determinative for the purposes of this planning application. The subject site is located within the Urban Corridor Place Type.

1989 Official Plan

The subject lands are designated Multi Family Medium Density Residential, St. George/Grosvenor Neighbourhood, Office Conversion, Specific Policy area in the 1989 Official Plan, which applies to lands primarily planned for existing converted dwellings and converted office uses.

4.0 Key Issues and Considerations

4.1 Use

Provincial Policy Statement, 2020

The PPS states that healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other land uses to meet long term needs (1.1.1.b). The proposed additional personal service establishment (hair salon) use in conjunction with the existing permitted office uses represent an expanded range of local office and service uses for the nearby residents and the surrounding community.

The PPS also requires municipalities to provide opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses (1.3.1.b). The requested amendment for the personal service establishment (hair salon) use in conjunction with the existing permitted office uses contributes to a mix of local small-scale employment options.

The London Plan

The vision for the Urban Corridor Place Type provides key elements for corridor uses which include a range of residential, retail, service, office, cultural, recreational, and institutional uses. Where there is a mix of uses within an individual building, retail and service uses will be encouraged to front the street at grade (830_ and 837).

The building will feature a mix of office, medical/dental office and personal service uses. The personal service use is to be located on the main floor fronting onto Oxford Street East. The proposed personal service use provides for a service for the community and provides for an appropriate level of intensity on this site.

1989 Official Plan

The subject lands are designated Multi Family Medium Density Residential, St. George/Grosvenor Specific Area policy that permits converted office uses. The existing 1989 Official Plan designation permits the conversion of existing residential dwellings to a larger range of office uses including medical/dental offices. The proposed amendment will allow for a personal service establishment in the existing converted office use. No new floor area is proposed. The proposed use is compatible with the existing uses and will not create any new adverse impacts on the abutting uses.

4.2 Location

Provincial Policy Statement, 2020

The PPS directs that settlement areas shall be the focus of growth and development, and that their vitality and regeneration shall be promoted (1.1.3). The site is well located within an existing neighbourhood in a settlement area to support an expanded range of uses.

The London Plan

A key direction of The London Plan is to build a mixed-use, compact city that provides a mix of “stores, restaurants, clean industry, live-work arrangements and services in ways that respect the character of neighbourhoods” (59_6).

The proposed use will utilize the existing main floor area of the existing converted office use. The proposed use will maintain the existing character of the property.

1989 Official Plan

The St. George/Grosvenor Specific Area permits converted office use on the north side of Oxford Street East from Thames River to Adelaide Street North. The converted office use is located on the northwest corner of Oxford Street East and William Street one block west of Adelaide Street North. The proposed use to maintain the converted office use at this location is appropriate.

4.3 Intensity

Provincial Policy Statement, 2020

Land use patterns within settlement areas are to be based on densities and a mix of land uses which efficiently use land and resources (1.1.3.2.a). The proposed amendment is for a fully serviced site that efficiently utilizes the available and existing infrastructure.

The London Plan

Section 840_1* states that development within Corridors will be sensitive to adjacent land uses and employ such methods as transitioning building heights or providing sufficient buffers to ensure compatibility.

The proposed personal service use will utilize the existing converted office use on the main floor. The building has existed as a converted office from the early 1980's. No new floor space or height is proposed and the building will maintain its existing compatibility with the abutting neighbourhood to the north.

1989 Official Plan

The policies for the St. George/Grosvenor Specific Area are to permit the conversion of existing residential buildings along Oxford Street East from the Thames River to Adelaide Street North. The proposed amendment is to permit the continued use of the building as a converted office building with a personal services establishment on the main floor. The personal service establishment can be accommodated on this site and is appropriate.

4.4 Form

Provincial Policy Statement, 2020

The PPS encourages a sense of place by promoting well-designed built form and by conserving features that help define character (1.7.1.e). The built form will be of an

appropriate scale and height that is sympathetic and compatible within the context of the residential neighbourhood.

The London Plan

Section 841_ of the London Plan states the objectives for form of development on Urban Corridors. The existing building is two storeys, it is located along the front and exterior lot lines. The building is pedestrian oriented with vehicular access on the side street. The form of the building meets the intent of the London Plan and is compatible with the surrounding land uses.

1989 Official Plan

The site is currently developed with an existing converted office use. This use is consistent with the existing development to the east, west and south along Oxford Street East. There are no proposed changes to the existing form of development. The development is pedestrian oriented and meets the policies for the St. George/Grosvenor Specific Area.

4.5 Parking.

Existing Boulevard Parking Agreement

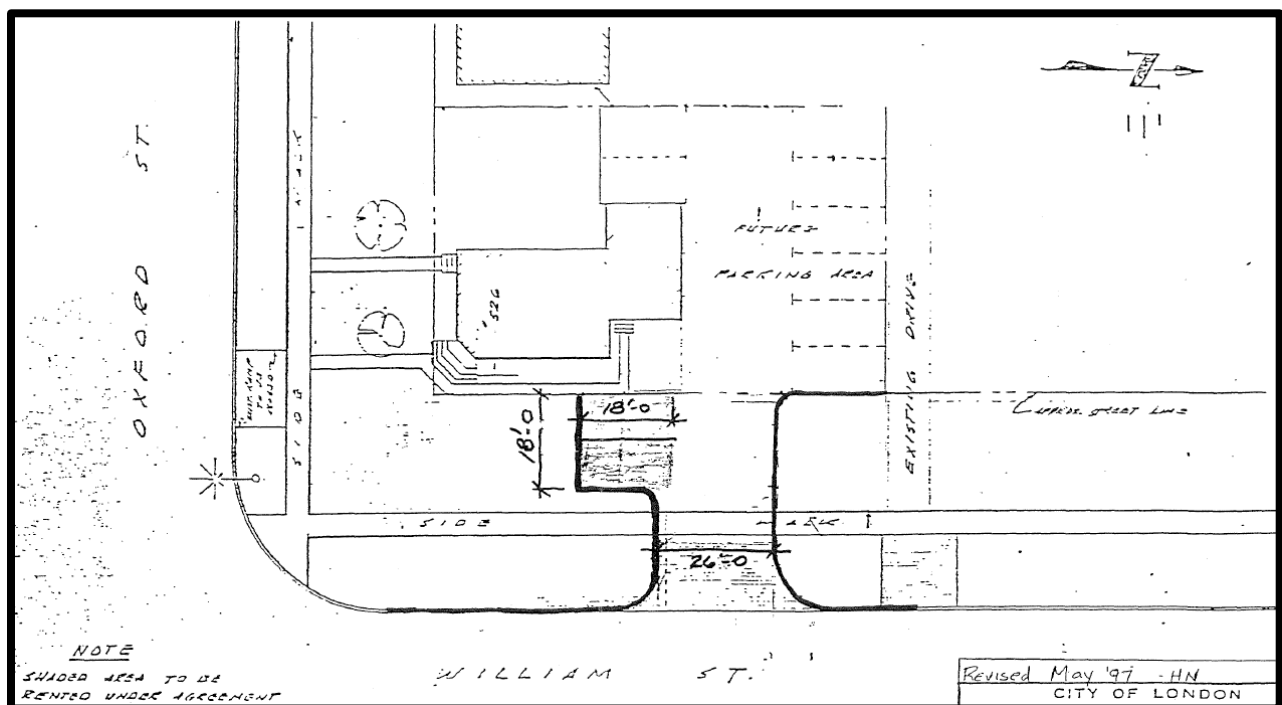


Figure 4: Site plan for exiting boulevard parking agreement

Existing Location of Conforming Parking Spaces



Figure 5- conforming parking spaces

Section 4.19 8) of the Zoning By-law Z.-1 states: *Addition to existing use, where a building or structure has insufficient parking spaces on the date of passing of this By-Law to conform to the requirements herein, this By-Law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition or a change of use provided, however, that any additional parking spaces required by this By-Law for such addition or change of use are provided in accordance with all provisions hereof respecting parking spaces and parking areas.*

The property currently has 4 parking spaces on the property and 2 parking spaces in the boulevard. The by-law requires that only the difference in the required parking for the office use and the required parking for the personal service use be provided. The permitted use of Office Medical/Dental requires 1 parking space per 15m² of gross floor area and Personal Service uses requires 1 parking space per 10m² of gross floor area. The proposal is to convert the 139m² main floor space to personal services. A medical/dental office would require 9 parking spaces, the proposed personal services establishment requires 14 parking space for a deficiency of 5 parking spaces.

The paved area located north of the driveway and on the south side of the driveway closest to the sidewalk in the City's boulevard are nonconforming parking spaces. Parking in these spaces is not permitted. The applicant is aware that these spaces do not conform to the by-law and parking is not permitted in these spaces. The proposed Zoning By-law recognizes the existing 4 parking spaces contained wholly on the property. The existing Boulevard Parking Agreement allows for two spaces on the south side of the driveway in the City's boulevard. The applicant is advised that they should seek a revision to the existing boulevard parking agreement to address these deficiencies.

The property is located on an Urban Corridor and Section 841_7 of the London Plan encourages on street parking along corridors. There is on street parking available on William Street. There is a transit stop located on Oxford Street East in front of the building and the property is located one block west of the intersection of Oxford Street

East (Urban Throughfare) and Adelaide Street North (Civic Boulevard). The site currently functions with a parking deficit and the proposed use will not impact the existing condition. The reduced parking will encourage alternate forms of transportation along the urban corridor.

4.6 Chapter 10 – “Policies for Specific Areas”.

Chapter 10 allows Council to consider policies for specific areas where one or more of the four evaluation criteria apply, and the underlying designation is intended to be maintained. It is appropriate to consider the request on a site-specific basis and to maintain the underlying designation and compatibility with the existing office conversion uses along Oxford Street East, between the Thames River and Adelaide Street.

Evaluation Criteria

i) The change in land use is site specific, is appropriate given the mix of uses in the area and cannot be accommodated within other land use designations without having a negative impact on the surrounding area.

There is a mix of converted small-scale, medical/dental and office uses along the Oxford Street East Urban Corridor. The proposed use is appropriate for the site with frontage on Oxford Street East and William Street. The proposal is a site-specific request and is considered to be the most appropriate approach to allow for the development while minimizing any negative impacts for the surrounding area and adjacent neighbourhood.

ii) The change in land use is site specific and is located in an area where Council wishes to maintain existing land use designations, while allowing for a site-specific use.

The use of a specific policy allows for the proposed development on a site-specific basis and is a targeted approach rather than allowing a broader range of uses and varying intensities associated with a change to the underlying designation. The residential neighbourhood to the north of the subject site is stable and maintaining the underlying special policy area designation of the subject site ensures that the specific proposal is developed, or other convert office uses only are permitted.

iv) The policy is required to restrict the range of permitted uses, or to restrict the scale and density of development normally allowed in a particular designation, in order to protect other uses in an area from negative impacts associated with excessive noise, traffic, loss of privacy or servicing constraints.

The specific policy will allow only for the proposed personal service use and medical/dental office development at 526 Oxford Street East. The proposal represents an appropriate scale, fit, and form with the surrounding abutting uses. The proposed interior alteration will create no new negative impacts .

4.7 Planning Impact Analysis

As part of the consideration for a site-specific policy through Chapter 10, a Planning Impact Analysis is required, as follows:

- a) compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area.

The converted office building exists. The proposed amendment to allow for a personal service establishment on the main floor does not change any of the existing conditions. There are features in place including fencing and landscaping that provide sufficient separation and buffering to minimize any impacts on existing or future uses.

- b) the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use.

The proposed development has requested relief from certain zoning regulations for total number of parking spaces and parking area setback. The special provisions requested are minor in nature and recognize the existing conditions. The site is large enough to accommodate the proposed use and conforms to all other requirements for the building area, landscaping, height, and setbacks.

- c) the supply of vacant land in the area which is already designated and/or zoned for the proposed use.

The lands located at the corner Adelaide Street North and Oxford Street East permit the personal service use. Personal service uses are not contemplated in the 1989 Official Plan St. George/ Grosvenor Specific Area designation but are permitted in the Urban Corridor Place Type in the London Plan.

- d) the proximity of any proposal for medium or high-density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services.

Not applicable

- e) the need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 - Housing.

No residential use is proposed at this time.

- f) the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses.

The built form exists. No new impacts will be created by the change of use on the abutting properties.

- g) the extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area.

Landscaping exists on the site in the front, interior side, and exterior side yards and will be maintained. No additional landscaping is proposed at this time.

- h) the location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties.

The site is currently accessed off of William Street. No negative impacts to traffic, pedestrian or vehicle safety, and surrounding properties currently exist from the access from William Street.

- i) the exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area.

The proposed built form is compatible with the surrounding neighbourhood at two storeys in height. The proposed development is of an appropriate scale to transition to the adjacent neighbourhood and will also have a complementary form to the future land uses in the area.

- j) the potential impact of the development on surrounding natural features and heritage resources.

There are no natural features and/or heritage resources that would be impacted by the development.

- k) constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development.

Not applicable.

- l) compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law; and

The proposed change of use to the existing conditions will not require site plan approval. The existing parking condition conforms to Section 1.3 of the Zoning By-law Z.1 as non-conforming use. A boulevard parking agreement exists permitting 2 parking spaces in the boulevard and there is a sign permit for the location of the sign on the Oxford Street East boulevard.

- m) Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis.

The proposed use will continue to use the site as existing. There is a wood fence that separates the parking area from the residential use to the north. No new adverse impacts will result from the proposed change of use.

- n) Impacts of the proposed change on the transportation system, including transit.

The proposed use will not impact the existing transportation system. The proposed personal service establishment at this location will encourage the use of the transit system.

4.7 Zoning

The recommended amendment is for a Residential R3/Office Conversion Special Provision (R3-1/OC5 (*) Zone which will allow for a 140m² proposed personal service use on the main floor. The Residential R3/ Office Conversion zone permits a large range of residential uses, office uses or a mix of residential and office. Special provisions will permit the conversion of the main floor only for personal service use. A special provision is required to recognize the existing setback to the parking area of 0.0m.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement 2020, which promotes healthy, livable and safe communities by accommodating an appropriate range and mix of uses. The office, medical/dental office, personal service establishment conform to the key direction of The London Plan that supports a mix of uses that are pedestrian oriented along the Urban Corridor Place type, and with the specific policies of the 1989 Official Plan. The recommended zone facilitates increased usability of the subject site by accommodating the additional use and intensity that is appropriate for the site and compatible with the surrounding area.

**Prepared and
Submitted by:
Recommended by:**

**Craig Smith
Senior Planner, Sustainability and Resiliency
Gregg Barrett
Director, City Planning and City Planner**

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2021

By-law No. C.P.-1284-
A by-law to amend the Official Plan for
the City of London, 1989 relating to 526
Oxford Street East.

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Amendment No. # to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. The Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c. P.13*.

PASSED in Open Council on May 4, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – May 4, 2021
Second Reading – May 4, 2021
Third Reading – May 4, 2021

AMENDMENT NO.
to the
OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. The purpose of this Amendment is to add a policy in Section 10.1.3 of the Official Plan for the City of London to permit personal service use.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 526 Oxford Street East in the City of London.

C. BASIS OF THE AMENDMENT

The site-specific amendment allows for a mixed-use building with medical/dental office and personal services uses, while retaining the underlying Multi Family Medium Density Residential designation. The change in land use is appropriate for the site and compatible with the surrounding neighbourhood.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

1. Section 10.1.3 – Policies for Specific Areas of the Official Plan for the City of London is amended by adding the following:

526 Oxford Street East

A personal service establishment is permitted with a maximum 140m² floor area:

Location Map for Official Plan



Appendix B

Bill No. (number to be inserted by Clerk's Office)
2021

By-law No. Z.-1-21_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 526 Oxford Street East.

WHEREAS 2773070 Ontario Inc has applied to rezone an area of land located at 526 Oxford Street East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

THEREFORE, the Municipal Council of The Corporation of the City of London enacts as follows:

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 526 Oxford Street East, as shown on the attached map, from a Residential R3/Office (R3-1/OC5) Zone to a Residential R3/ Office Conversion Special Provision (R3-1/OC5(*)) Zone.
- 2) Section Number 17.4 of the Office Conversion Zone is amended by adding the following Special Provision:

OC5() 526 Oxford Street East

- a) Additional Permitted Use
 - i) Personal Service Establishment.
- b) Regulations
 - i) Number of parking spaces for all permitted uses (Minimum) 4
 - ii) Parking Area Setback from required road allowance (Minimum) 0.0m
 - iii) Gross floor area for Personal Service Establishment use (Maximum) 140m²

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

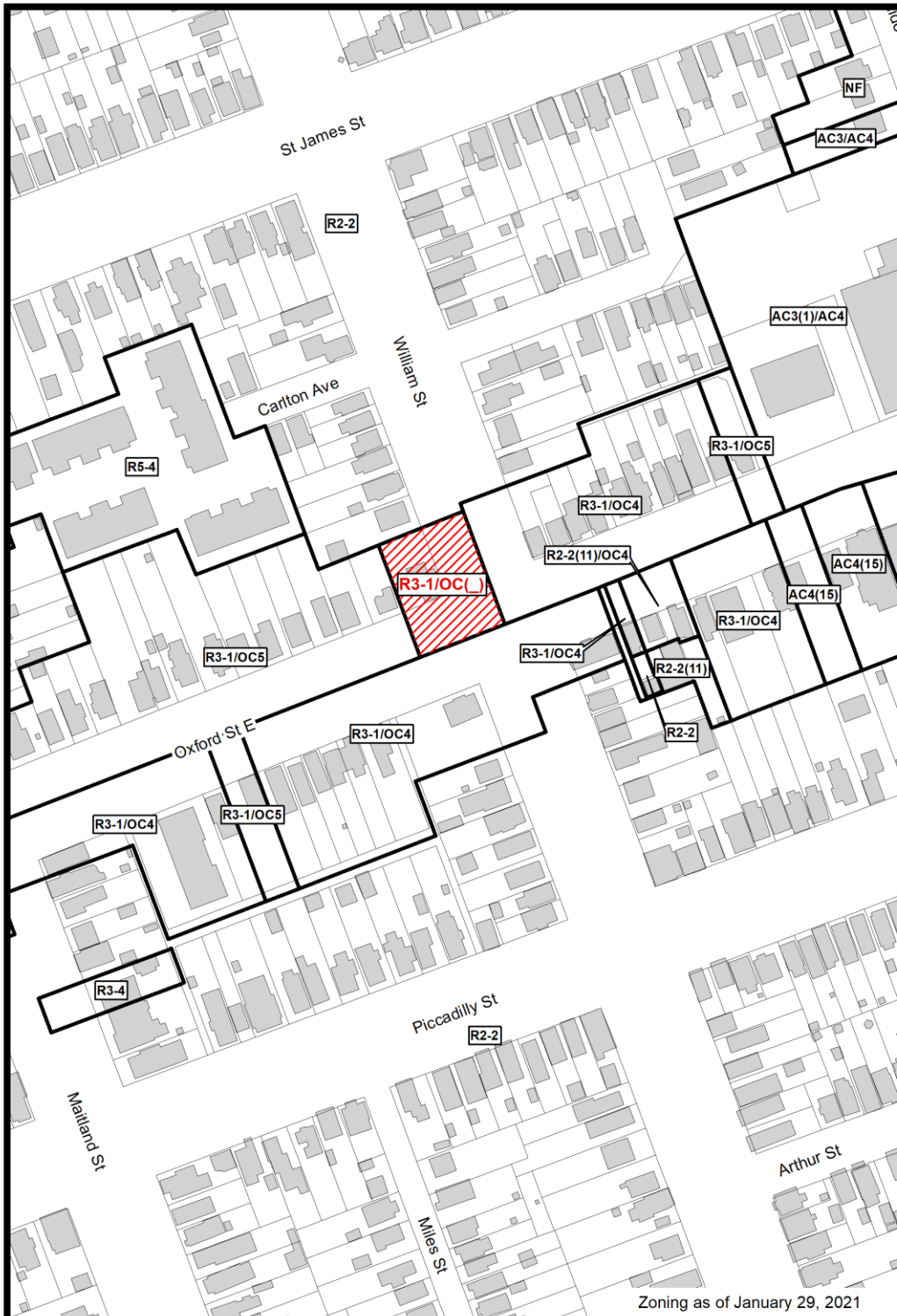
PASSED in Open Council on May 4, 2021.

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading – May 4, 2021
Second Reading – May 4, 2021
Third Reading – May 4, 2021

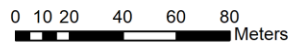
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: OZ-9303
 Planner: CS
 Date Prepared: 2021/03/02
 Technician: MB
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,000



Appendix C – Public Engagement

Community Engagement

Public liaison: On February 4, 2021, Notice of Application was sent to 130 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 4, 2021. A “Planning Application” sign was also posted on the site.

0 replies were received

Nature of Liaison: Possible amendment to the 1989 Official Plan **FROM** Multi Family Medium Density Residential **TO** Multi-family, Medium Density Residential with a specific area policy to allow a personal service establishment with a maximum 140m² floor area. The intent is to align the 1989 Official Plan policies with The London Plan policies that apply to the site. Possible change to Zoning By-law Z.-1 **FROM** a Residential R3/Office Conversion (R3-1/OC5) Zone **TO** a Residential R3/Office Conversion Special Provision (R3-1/OC5 (*)) Zone to permit the conversion of 140m² of existing office use to personal service use with a minimum of 4 parking spaces for all permitted uses and all other zoning requirements as existing

Agency/Departmental Comments

April 2, 2020 Development Services – Engineering

No comments

London Hydro – February 4, 2021

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

Appendix E – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2014

Provincial Policy Statement, 2020

- 1.1.1.b – appropriate range and mix of uses
- 1.1.3 – regenerate settlement areas
- 1.1.3.2.a – land use and densities which efficiently use resources
- 1.3.1.b – diversified economic base
- 1.7.1.e – opportunities for a diversified economic base

The London Plan

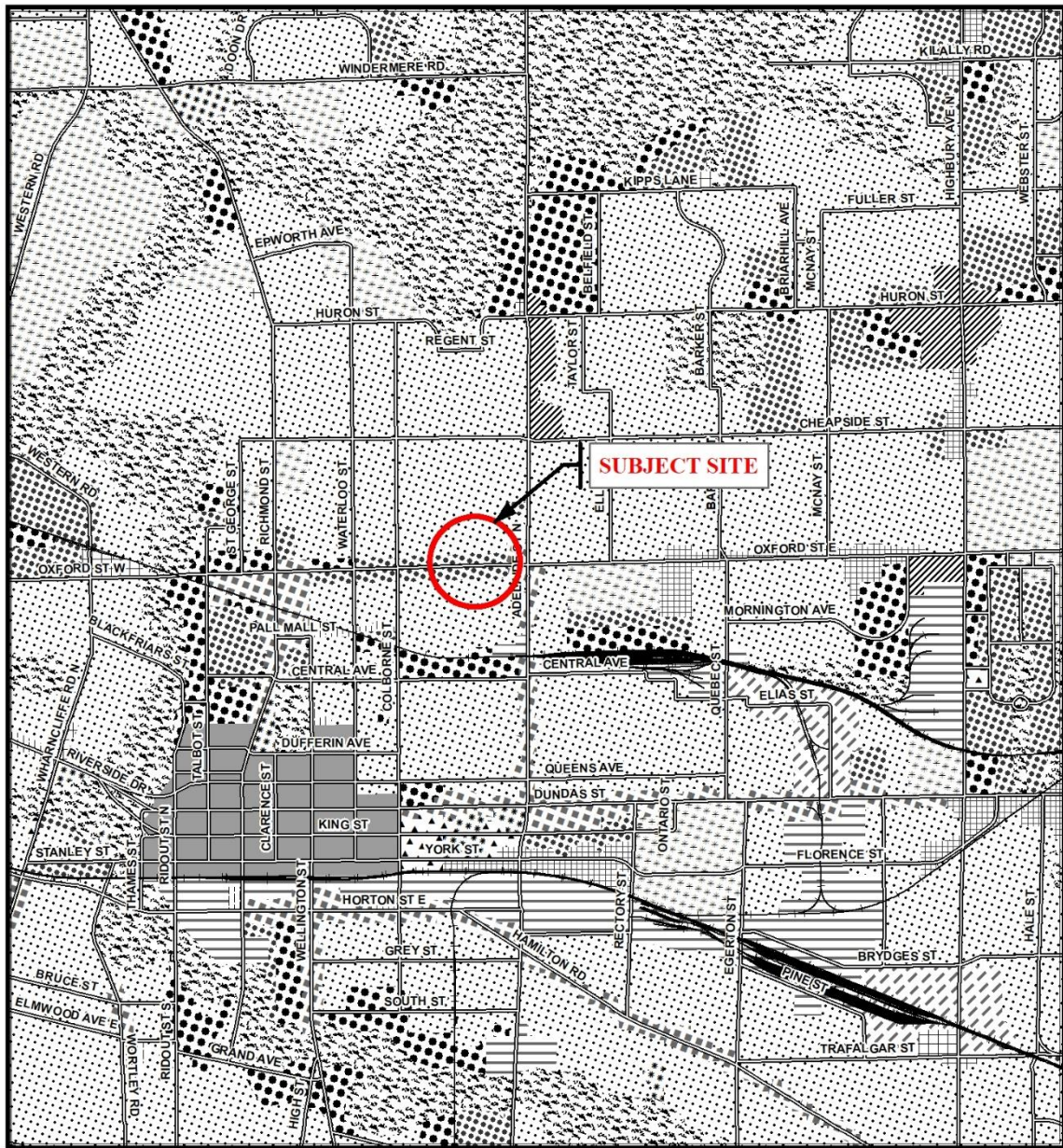
- 59_6 – build a mixed-use compact city
- 209_ Urban Corridors
- 212_ General Use, Intensity and Form Policies for Rapid Transit and Urban Corridors
- 220_ Planning and Development Applications
- 1578* – evaluation of Zoning Amendments
- 1795* - glossary of terms

1989 Official Plan

- 3.3 – Multi Family Medium Density Residential
- 3.5.3 iii) – St. George/ Grosvenor Neighbourhood, Office Conversions
- 3.7 – Planning Impact Analysis
- Chapter 10 – Policies for Specific Areas

Z.-1 Zoning By-law

- Section 2- Definitions
- Section 3 – Zones and Symbols
- Section 4 – General Provisions
- Section 19 – Office Conversion (OC) Zone



Legend

- | | | |
|---|--|-------------------------|
| Downtown | Multi-Family, Medium Density Residential | Office Business Park |
| Wonderland Road Community Enterprise Corridor | Low Density Residential | General Industrial |
| Enclosed Regional Commercial Node | Office Area | Light Industrial |
| New Format Regional Commercial Node | Office/Residential | Commercial Industrial |
| Community Commercial Node | Regional Facility | Transitional Industrial |
| Neighbourhood Commercial Node | Community Facility | Rural Settlement |
| Main Street Commercial Corridor | Open Space | Environmental Review |
| Auto-Oriented Commercial Corridor | Urban Reserve - Community Growth | Agriculture |
| Multi-Family, High Density Residential | Urban Reserve - Industrial Growth | Urban Growth Boundary |

CITY OF LONDON

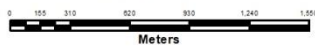
Planning Services /
Development Services

OFFICIAL PLAN SCHEDULE A
- LANDUSE -

PREPARED BY: Graphics and Information Services



Scale 1:30,000

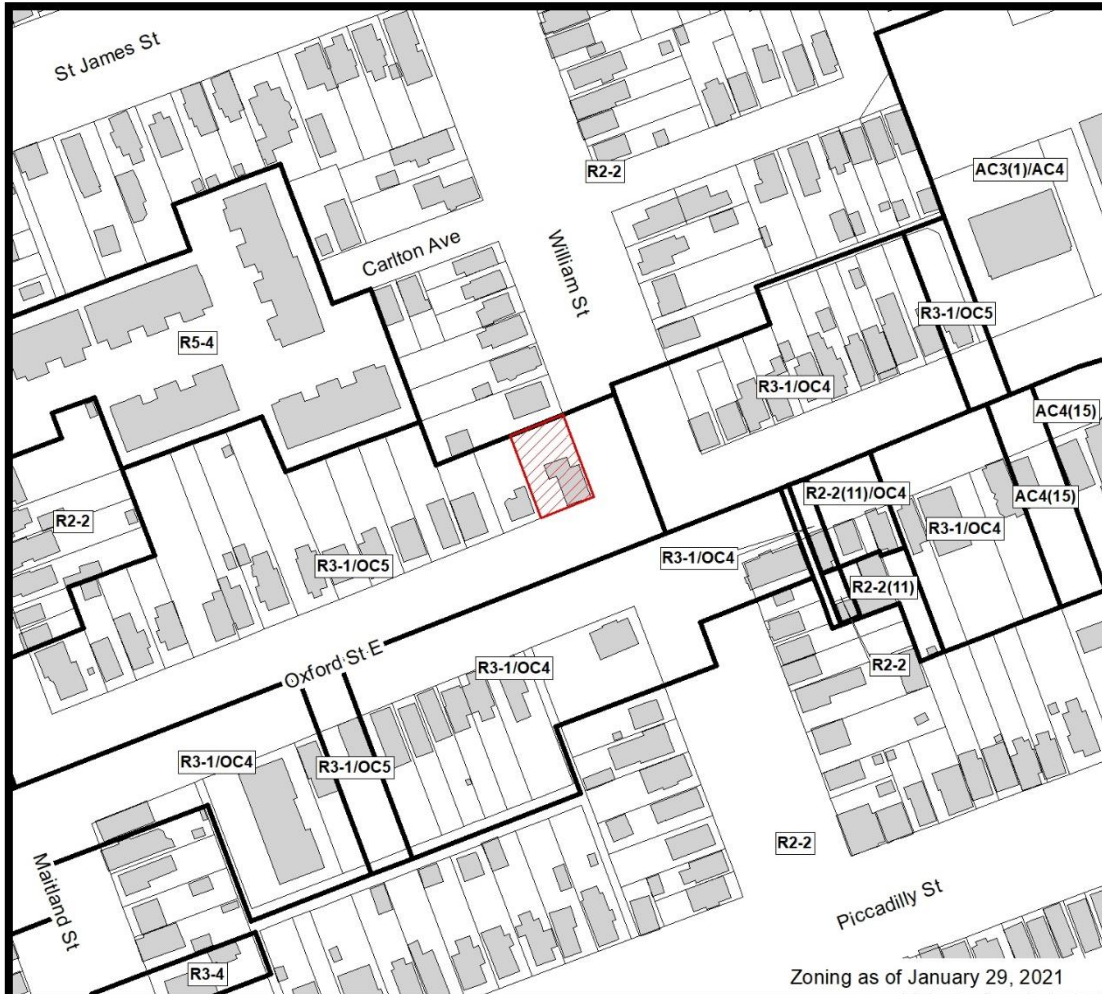


FILE NUMBER: OZ-9303

PLANNER: CS

TECHNICIAN: MB

DATE: 2021/03/02



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R3-1/OC5

1) **LEGEND FOR ZONING BY-LAW Z-1**

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "h" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING
BY-LAW NO. Z.-1
SCHEDULE A**



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:

OZ-9303

CS

MAP PREPARED:

2021/03/02

MB

1:2,000

0 10 20 40 60 80

Meters

PUBLIC PARTICIPATION MEETING COMMENTS

3.2 PUBLIC PARTICIPATION MEETING – 526 Oxford Street East (OZ-9303)

- Councillor Squire: I see Terra Nichols, you have a report. Sorry? Oh. Is there a staff report for this? Sorry, Ms. Nichols, I see you on the screen, I don't know why. You're on mute now. You're on mute. I can't hear you because you are on mute.
- Terra Nichols, Applicant: Hello.
- Councillor Squire: Are you with the applicant?
- Terra Nichols, Applicant: I am the applicant and then.
- Councillor Squire: Okay, that's fine. I was just trying to determine who you were, and I saw you on the screen, I wasn't trying to put you on the spot. Mr. Campbell, we'll come to you in a second, I want to see if there's a staff presentation.
- Terra Nichols, Applicant: Okay. No problem. Yep. Matt should be on soon.
- Councillor Squire: Staff? Okay. Thank you very much. Any technical questions only from the Committee? Councillor Hopkins.
- Councillor Hopkins: Yeah, thank you. I do have a technical question for Mr. Smith and I appreciate the update here in the presentation. The boulevard parking, I'm not exactly sure how that works. If you can sort of further explain that, when I look at the map I see there's additional parking because of that wide boulevard but is, when we, if this is approved to move forward would it be up to the applicant to proceed with the boulevard parking and is this how it is going to look like? I would just like further understanding of the extra parking that may be required.
- Craig Smith, Senior Planner: Thank you.
- Councillor Squire: Go ahead Mr. Smith.
- Craig Smith, Senior Planner: Thank you Councillor. Through you, Chair, as shown on the map that I had put in with the presentation, yes, as noted, there's the two blue spaces are the actual two spaces that are permitted right now with boulevard parking agreement with the City of London. The balance of the lands are non-conforming spaces so the request, and we're satisfied that the existing parking conditions, excluding the non-conforming conditions that are there, can accommodate parking, can accommodate the use as parking can be fronted on William Street and also alternate forms of transportation can be taken to the site but what we are suggesting is that the applicant would go and apply for boulevard parking to see if they can create more spaces in the boulevard if that's appropriate, but, if not, like I had indicated, the existing situation is, is sufficient to accommodate the proposed use.
- Councillor Squire: Thank you. Mayor Holder?
- Mayor Holder: Thanks very much Chair. I'm somewhat familiar with that area of boulevard parking insofar as our family business is at Waterloo and Oxford, just down the street, but I thought that was, if I recall, for the boulevard parking that we applied for as well, which, by the way, is a bit misleading it just means the

right from the center of the road to the property line controlled or owned by the City and you can rent that, which we did but ours was a thirty foot so I'm just trying to understand how one gets to go from thirty to forty, is that just a function of, is that a geographic designation or is it just depending on how the space is configured?

- Councillor Squire: Mr. Smith?
- Craig Smith, Senior Planner: Through you Chair, the reference to the forty meter road allowance is the actual distance from one side of the property line across the street to the other side of the property line. In the old neighbourhood, the Old North neighbourhood, was laid out with these incredibly large, at the time I think it was as the military liked it, was these wide boulevards and the boulevard is actually forty meters wide from one property line across the street to the other property line. I was referring to the size of the actual parking spaces in the boulevards themselves.
- Mayor Holder: And I understood that last point to be the case. Thank you very much for that clarity though. It isn't a function of the size of the property itself, not the, not necessarily that in one spot it's thirty, in one it's forty just by geography.
- Craig Smith, Senior Planner: Yes, that's correct. Thank you.
- Mayor Holder: Okay. That's helpful. Thank you very much Mr. Chair.
- Councillor Squire: Any other technical questions? There being none then we are going to the public and I will let the applicant speak first and Mr. Campbell, I wonder, you heard a little bit of talk about parking, so it would be wise probably to address the issue of what your client's plans are with regards to boulevard parking that has to be applied for. That would be helpful.
- Matt Campbell, Zelinka Priamo Ltd.: Sure. Thanks very much for Mr. Chair. My name is Matt Campbell and I'm with Zelinka Priamo, here on behalf of the applicant, Terra Nichols. I'm in agreement with everything that Mr. Smith has said. We have reviewed the draft by-law and are certainly in agreement with that. Certainly would encourage Planning Committee to endorse the proposal. I think we can all agree that this is a valuable and desired use along this portion of Oxford Street and I can tell you we are going to be coming in with more applications for similar type uses in the immediate area very soon. It's consistent with the direction that Council has set forward in The London Plan and we're very excited for these types of uses to be coming on board on this section of Oxford Street. In regards to the boulevard parking, what I can say is that this is an existing situation that has existed for quite some time. When my client, Terra Nichols, purchased the property, the boulevard parking was already existing. At this time there's no plans to change that, the parking situation functions well for the site and as Mr. Smith pointed out, completely sufficient for the operation of both the existing building and the building as it's proposed to be used so we don't have any concerns about the boulevard parking right now and if my client wants to take further steps and look at a different parking configuration, perhaps she may do that in the future. I don't believe that there's any proposals to do that at this time. I don't believe I have anything more to add to the discussion other than the questions that have already been asked and the information provided either by Mr. Smith. I will ask if my client Terra has anything else to add for the Committee's consideration. Now is your opportunity Terra to address the Committee and provide any other information that they wish to hear or about the use.
- Terra Nichols, Applicant: Okay. Can you hear me?

- Councillor Squire: We can hear you, but we can't see you. We could see you before, now we are just hearing you which is sufficient. That's fine.
- Terra Nichols, Applicant: Okay. I'm not sure what happened there.
- Councillor Squire: Don't worry.
- Terra Nichols, Applicant: We purchased this building six to eight months ago. My husband does Botox and filler so under medical is kind of what our real estate agent, I guess, did. We had a commercial agent, he knew we had a hair salon as well. We're a small business, we've been open three years, with Covid this has been a tough year in general but we did go through the right measures when we bought the building, we just trusted our agent and I guess should have called the City. It was our first commercial buy and we learned our lesson but it's a small business, it's our family business, we're just excited to get up and going again and we're renting a temporary location which isn't in the best neighbourhood so we're excited to move so this is a very stressful time of year with Covid and everything else but we are going to take great care of that building, you know, we've already repainted the parking lot, working on the gardens, we painted the building. We're going to be great tenants. We're just hoping that we can, you know, move forward with both of our businesses not just my husband's and that's what we had bought the business for. Hopefully you guys can allow this to go through and we will be great commercial property owners.
- Councillor Squire: Thank you very much. You're very lucky, you are proposing a development in Ward 6 which, as most of my colleagues know is the best Ward in the City of London bar none so that's a really good start overall.
- Mayor Holder: It's certainly one of 14 Chair.
- Councillor Squire: Alright. Alright. So with that we'll see if there's anybody else from the public that wants to address the Committee. Is there anyone? There doesn't appear to be anyone so I'll ask for public participation once, twice, three times. Motion to close the public participation meeting.



London
CANADA

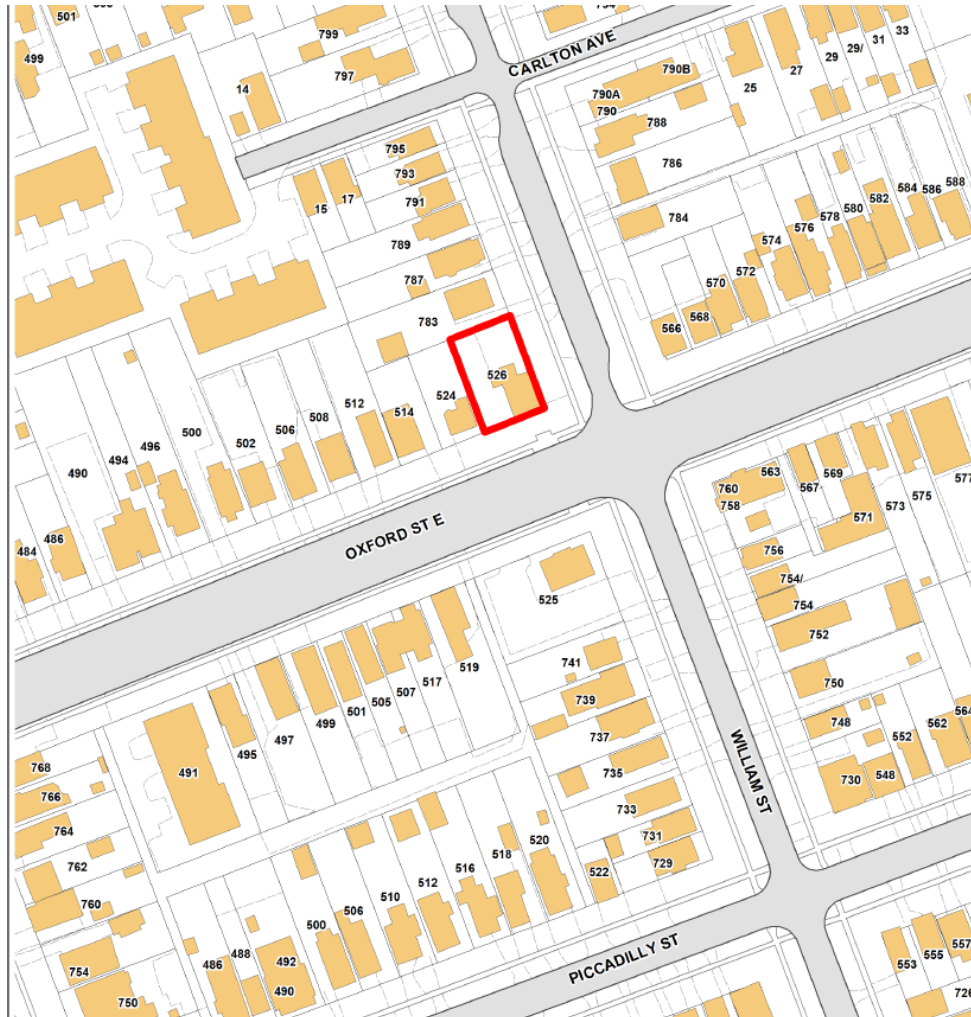
526 Oxford Street East



OZ- 9303

526 Oxford Street East

Location Map



Existing Building





Purpose of Amendment

The purpose and effect of the recommended action will be to permit the additional use of a personal services establishment (hair salon) in the existing converted office building on the first floor (approx. 140m² floor area).

Required Amendments

1. to amend the Official Plan for the City of London (1989) to **ADD** a policy to Section 10.1.3 – “Policies for Specific Areas” to allow the site to develop with a personal service establishment with a maximum floor area of 140m².
2. to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** a Residential R3/Office Conversion (R3-1/OC5) Zone, **TO** a Residential R3/ Office Conversion Special Provision (R3-1/OC5 (*) Zone.

Parking





Conclusion

The amendments meet the intent of Section 2.1 of the PPS, the 1989 Official Plan and The London Plan.

The amendment to the zoning by-law will permit the personal service establishment with existing conforming parking

The proposed amendments represent good planning and are an appropriate use of the lands.

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Richmond Hyland Centre Inc. c/o Westdell Development
Corporation
1701-1737 Richmond Street
Public Participation Meeting

Date: April 26, 2021

Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application of Richmond Hyland Centre Inc. c/o Westdell Development Corporation relating to the property located at 1701-1737 Richmond Street the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 4, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London, to change the zoning of the subject property **FROM** an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone **TO** an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(_)) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone.

Executive Summary

Summary of Request

The owner has requested to rezone the subject site add Food Store as a permitted use and to permit a maximum gross floor area of 17,950 square metres and a minimum parking supply of 550 spaces for all permitted uses.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to add Food Store to the list of permitted uses. Special provisions would recognize the existing gross floor area of 17,950 square metres, inclusive of patios, and permit a minimum parking supply of 550 spaces for all permitted uses. The existing range of permitted uses and special provisions would continue to apply to the site.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment;
2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Transit Village Place Type and Key Directions;
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Enclosed Regional Commercial Node designation.

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 Previous Reports Related to this Matter

None.

1.2 Planning History

The site has been subject to previous planning approvals through Minor Variance and Site Plan applications. In 2002, a Minor Variance application (A.127/02) was submitted to permit: two outdoor storage containers in connection with the user at 1737 Richmond Street - Michaels Arts and Crafts; and a total of 700 parking spaces, whereas 707 parking spaces were required. This Minor Variance was refused by the Committee of Adjustment on September 16, 2002.

In 2019, a Site Plan application was submitted (SPA19-017) to amend the existing Development Agreement to facilitate the development of three new office/commercial buildings on site. Construction of one of these buildings is complete, while the other two are currently under construction.

A Minor Variance application was also submitted in 2019 (A.042/19) to permit: a lot coverage of 35.2%, whereas a maximum of 30% is permitted; a gross floor area of 17,056 square metres, whereas 15,704 square metres (existing) is the maximum permitted; 641 parking spaces, whereas 700 parking spaces are required; 45 bicycle parking spaces, whereas 57 bicycle parking spaces are required; a drive-through facility for a coffee shop with 8 stacking spaces, whereas 15 stacking spaces are required; and a drive-through facility for a fast-food restaurant with 11 stacking spaces, whereas 12 stacking spaces are required. This Minor Variance was approved by the Committee of Adjustment on May 13, 2019.

Most recently, a Minor Variance application was submitted in 2020 (A.034/20) to permit: a lot coverage of 36%, whereas a maximum lot coverage of 35.2% is permitted, a height of 15.0 metres, whereas a maximum height of 12.0 metres is permitted; a gross floor area of 17,337 square metres, whereas a maximum gross floor area of 17,056 square metres is permitted; and 630 parking spaces, whereas 641 parking spaces are the minimum number of parking spaces required. This Minor Variance was approved by the Committee of Adjustment on July 16, 2020.

1.3 Property Description

The subject site is located in the Sunningdale Planning District at the north west corner of Richmond Street and Fanshawe Park Road West. The subject site has an area of approximately 4.6 hectares with frontages along Richmond Street, Fanshawe Park Road West, and North Centre Road. The subject site is developed with an existing shopping centre comprised of five buildings, one of which is newly constructed and partially occupied. Two additional buildings are currently under construction.

1.4 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Enclosed Regional Commercial Node
- The London Plan Place Type – Transit Village Place Type
- Existing Zoning – Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone

1.5 Site Characteristics

- Current Land Use – Shopping centre
- Frontage – 155.91 metres (511.5 feet)
- Depth – 262.59 metres (861.5 feet)
- Area – 4.6 hectares (11.37 acres)
- Shape – Irregular

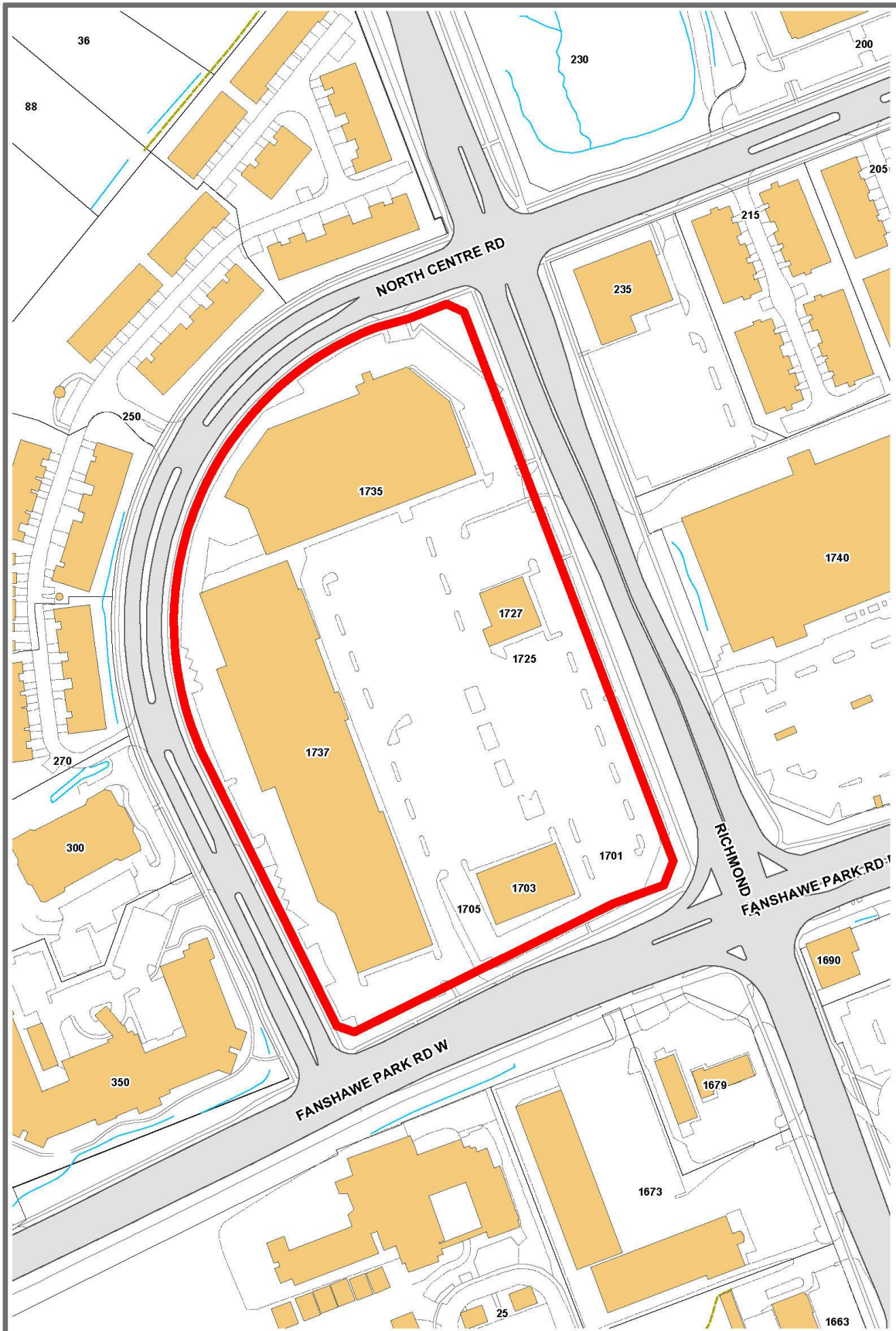
1.6 Surrounding Land Uses

- North – Townhouses
- East – Commercial
- South – Commercial
- West – Retirement home and townhouses



Figure 1: Subject site (view from corner of Richmond St and Fanshawe Park Rd W)

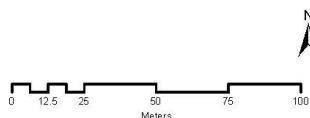
1.7 Location Map



LOCATION MAP

Subject Site: 1701-1737 Richmond Street
 File Number: Z-9291
 Planner: Catherine Maton
 Date: 22/03/2021

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



Scale 1:2000

Legend

-  Subject Site
-  Buildings
-  Submitted Under Review Subdivisions
-  Driveways/Parking Lots

2.0 Discussion and Considerations

2.1 Development Proposal

The owner is proposing to add Food Store to the range of permitted uses on site and to recognize existing site conditions related to gross floor area and parking. No new development or expansions to the existing buildings are proposed, as the Food Store use is proposed to be located within existing gross floor area.

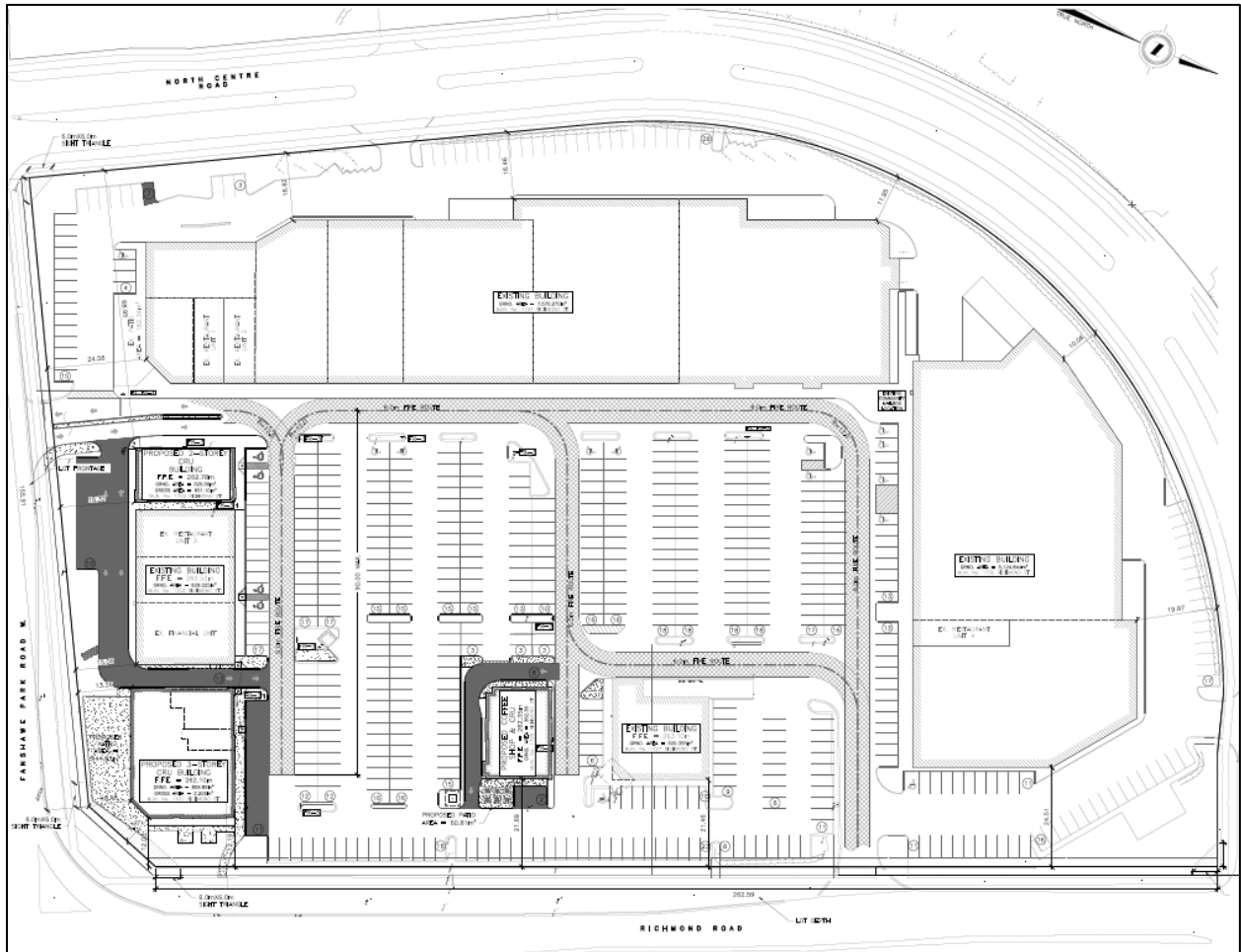


Figure 2: Site concept plan

2.2 Requested Amendment

The applicant has requested to change the zoning on the subject site from an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone to an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(_)) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone. Special provisions would permit the proposed Food Store use and permit a maximum gross floor area of 17,950 square metres and a minimum parking supply of 550 spaces for all permitted uses. The existing range of permitted uses and special provisions prohibiting grocery store and supermarket uses, and regulating office uses, would continue to apply to the site.

The applicant had originally requested an increased maximum gross floor area of 17,337 square metres, a reduced parking supply of 630 spaces, and a reduced setback of 1.5 metres between existing parking and the ultimate road allowance. However, through the review of the application, it was realized that existing patio spaces were not captured in the original request and that there are existing parking spaces located in the City's road allowance. While these parking spaces are captured in an executed Boulevard Parking Agreement, they cannot contribute to the legal parking provided on site. It was further determined that the reduced setback between existing parking spaces and the road allowance is not required, as existing parking spaces located wholly on-site post-dedication are already deemed to comply under Section 4.14 of

Zoning By-law Z.-1. The application was amended accordingly.

2.3 Community Engagement (see more detail in Appendix B)

Two written responses were received from two interested parties, which will be addressed later in this report. No concerns were raised.

2.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. The PPS directs settlement areas to be the focus of growth and development, further stating that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (1.1.3).

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The London Plan provides Key Directions (54_) that must be considered to help the City effectively achieve its vision. These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies of the plan and will guide planning and development over the next 20 years. Relevant Key Directions are outlined below.

The London Plan provides direction to build a mixed-use compact city by:

- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward. (Key Direction #5, Directions 2 and 4).

The site is in the Transit Village Place Type, as identified on *Map 1 – Place Types. A broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational, and other related uses are contemplated in the Transit Village Place Type (811_1).

1989 Official Plan

The site is designated Enclosed Regional Commercial Node in accordance with Schedule ‘A’ of the 1989 Official Plan. The Enclosed Regional Commercial Node designation permits all types of large and small-scale retail outlets, including food stores (4.3.5.3). The subject site is also subject to a specific area policy in Chapter 10 of the 1989 Official Plan, which applies to the former Associated Shopping Area Commercial designation and regulates office uses while also prohibiting supermarkets and grocery stores.

3.0 Financial Impact/Considerations

There are no direct municipal financial expenditures associated with this application.

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: Use, Intensity, and Form

Provincial Policy Statement, 2020

The PPS promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1e)).

Settlement areas are directed to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation and are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

The policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (1.1.3.3). Policy 1.6.7.4 of the PPS encourages land use patterns, densities and a mix of uses that reduces the length and number of vehicle trips and support current and future use of transit and active transportation. Lastly, the PPS encourages long-term economic prosperity to be supported by promoting opportunities for economic development and community investment-readiness (1.7.1 a)).

The requested amendment facilitates the introduction of a complementary land use to the existing shopping centre development. The proposed Food Store would occupy existing floor area within the existing buildings on site, making use of existing underutilized building stock. The proposed Food Store would contribute to a range of uses and services available to the public and surrounding residential neighbourhoods. In addition, the requested parking reduction facilitates a transit-oriented development by encouraging alternative modes of transportation, reducing the number and length of vehicle trips to and from the site.

The London Plan

The vision of the Transit Village Place Type is to become exceptionally designed, high-density mixed-use urban neighbourhoods connected by rapid transit to other Transit Villages and to the Downtown. They will be occupied by extensive retail and commercial services and will allow for substantial office spaces, resulting in complete communities (806_). Second only to the Downtown in terms of the mix of uses and intensity of development that is permitted, Transit Villages are major mixed-use destinations with centrally located rapid transit stations and are intended to support the rapid transit system by providing a higher density of people living, working, and shopping in close proximity to high-quality transit service (807_ and 808_).

The Transit Village Place Type contemplates a broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational, and other related uses (811_1). Buildings will be a minimum of either two storeys or eight metres

in height and will not exceed 15 storeys in height (*813_1). Increased building heights, up to 22 storeys, may be considered through Type 2 Bonus Zoning (*813_1). The Form policies of the Transit Village Place Type direct buildings and the public realm to be pedestrian, cycling and transit-supportive through building orientation, location of entrances, clearly marked pedestrian pathways, widened sidewalks, cycling infrastructure, and general site layout that reinforces pedestrian safety and easy navigation (814_3).

The proposed Food Store use is a contemplated use in the Transit Village Place Type and complements the existing range of commercial and office uses, contributing to a complete community. No changes to the Intensity or Form are proposed, as the requested special provisions serve only to recognize the existing gross floor area and legal parking on site. Active uses at grade, including restaurants with patio spaces, as well as the new building currently under construction at the corner of Richmond Street and Fanshawe Park Road West, contribute to a pedestrian-oriented development.

1989 Official Plan

Enclosed Regional Commercial Nodes are intended to provide for a wide range of commercial uses and are to be developed to promote the integration of uses, encourage multi-purpose shopping trips, minimize the interface between commercial and residential development and reduce the disruption to traffic flow on adjacent streets (4.3.5.1).

A broad range of large and small-scale retail outlets are contemplated, including: department stores; retail warehouses, building supply, and home improvement and furnishings stores; specialized retail outlets and supermarkets and food stores; convenience commercial uses; personal services; restaurants; commercial recreation establishments; financial institutions and services; a limited range of automotive services; service-oriented office uses; community facilities, such as libraries or day care centres; and professional and medical/dental offices. (4.3.5.3).

Enclosed Regional Commercial Nodes are encouraged to develop with an enclosed shopping centre focus, with free-standing structures encouraged along the street edge (4.3.5.4). Commercial development within the Node shall normally range from 50,000 square metres to 120,000 square metres (4.3.5.5). Zoning of individual Nodes will normally be restricted to the existing zoned gross floor area and any expansions require a Zoning By-law Amendment (4.3.5.5).

Minor expansions to existing commercial nodes and/or intensification of existing development may be permitted, provided that the intent of the policies are not compromised (4.3.10). In addition, the following conditions must be met:

- i) the proposed expansion or enlargement does not significantly affect the scale, location, form or function or the expanded node;
- ii) the implementing zoning by-law and site plan address the size and nature of specific uses and the impacts relating to noise, vibration, emissions, lighting, parking and traffic generation resulting from the expansion; and,
- iii) the neighbouring uses are protected where necessary by provisions for landscaping, buffering or screening, as well as measures to reduce impacts which may be provided through site plan control and zoning provisions.

The proposed Food Store use is a contemplated use in the Enclosed Regional Commercial Node. By definition in Zoning By-law Z.-1, this use is restricted to a maximum gross floor area of 2,000 square metres. The requested increase in aggregate gross floor area for all uses and buildings on site would only recognize the existing gross floor area, inclusive of patio space. No new development is proposed at this time. The requested parking reduction facilitates a transit-oriented development and encourages patrons of the shopping centre to utilize alternative modes of transportation. The site is not contiguous to neighbouring uses, as it is separated by North Centre Road from the townhouses to the north and retirement facility to the west. However, landscaping and buffering currently exists on site to provide screening and has demonstrated compatibility over time.

In addition to the policies of the Enclosed Regional Commercial Node, the site is subject to a Specific Area Policy in Chapter 10 of the 1989 Official Plan. Policy 10.1.3 xxxii), which applies to the Northwest Quadrant of Richmond Street and Fanshawe Park Road, states the following:

In the Associated Shopping Area Commercial designation in the northwest quadrant of Richmond Street and Fanshawe Park Road, in addition to the permitted Associated Shopping Area Commercial uses listed under section 4.5.2., all types of office uses may be permitted. Notwithstanding section 4.5.4., offices may be located in multi-use buildings or purpose-designed buildings at a greater scale and height than would normally be permitted in areas designated Associated Shopping Area Commercial. All such multi-use buildings and purpose-designed buildings constructed at such greater scale or height shall not, taken as a whole, exceed a maximum gross floor area of 4,645 square metres (50,000 square feet) or exceed a maximum height of 16 metres (52.5 feet). Furthermore, notwithstanding Section 4.5.2 i), supermarkets and grocery stores shall not be permitted uses in the area designated Associated Shopping Area Commercial.

Staff acknowledge that the above noted policy references the Associated Shopping Area Commercial designation, a designation which no longer exists in the 1989 Official Plan. However, staff have given regard for this policy given its intent to apply to the subject lands. The specific policies related to office uses are currently implemented through the existing Associated Shopping Area Commercial Special Provision (ASA3(1)) Zone, which applies to the southerly portion of the site. No change to this special provision is requested and it would continue to apply to the site.

In addition, Policy 10.1.3 xxxii) prohibits Supermarkets and Grocery Stores which are also prohibited by the current zoning. These uses are specifically defined in the Zoning By-law and are differentiated from the definition of Food Stores. In other words, because they are separately defined, Supermarkets and Grocery Stores cannot be interpreted to be a Food Store. No changes to the special provisions prohibiting Supermarkets and Grocery Stores are proposed; the prohibitions would continue to apply to the site. Policy 10.1.3 xxxii) is silent on Food Store uses, which by definition in the Zoning By-law are a smaller scale use, and are specifically permitted in the Enclosed Regional Commercial Node designation. Given the foregoing, staff is satisfied the intent of this policy is maintained and that Food Stores continue to be a contemplated use.

Draft Masonville Secondary Plan

The subject site is located in the Masonville Secondary Plan study area. To date, staff have held a variety of engagement activities and have prepared the First Draft of the Masonville Secondary Plan. At the time of preparation of this report, the Public Participation Meeting to discuss the First Draft is scheduled for March 29, 2021.

4.2 Issue and Consideration #5: Parking

In addition to the special provisions permitting the proposed Food Store use and maximum gross floor area of 17,950 square metres, the owner has requested a parking reduction to permit 550 spaces for all permitted uses. Currently, there are 622 functional parking spaces available on site. However, approximately 72 of these spaces encroach into the City's road allowance and are captured through an executed Boulevard Parking Agreement. While this agreement allows for the continued use of these spaces in the interim, their long-term availability is not guaranteed due to planned future improvements to Richmond Street and Fanshawe Park Road West. As such, these spaces cannot be recognized as legal parking spaces to satisfy the Zoning By-law requirement, therefore the requested reduction is required.

Staff have no concerns with the requested parking reduction given the site's location in a Transit Village. The intent of the Transit Villages is to transform to higher intensity, mixed-use, transit-oriented communities. As such, long-term reliance on surface parking

is not envisioned and the requested parking reduction would facilitate a more transit-oriented development and encourage alternative modes of transportation.

In accordance with Section 4.19.4c) of Zoning By-law Z.-1, a minimum setback of 3 metres is required between parking spaces and the ultimate road allowance in commercial zones. The applicant had originally requested a reduced 1.5 metre setback to accommodate the location of existing parking spaces post-dedication of the road widening. In consultation with Site Plan staff, it was determined this special provision is not required as existing parking spaces are already recognized by Section 4.14 of Zoning By-law Z.-1, which deems setbacks to existing parking spaces reduced by road widening dedication to comply. While the existing parking spaces are recognized by this provision, any new parking spaces in the future would be required to meet the minimum 3 metre setback to facilitate a more pleasant pedestrian experience and an improved gateway into the city.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and Transit Village Place Type. Further, the recommended amendment is in conformity with the in-force policies of the 1989 Official Plan, including but not limited to the Enclosed Regional Commercial Node designation and Chapter 10 Specific Area Policies. The recommended amendment will facilitate the introduction of a new use that is complementary to the existing uses on site and will serve the surrounding neighbourhoods, while also recognizing existing site conditions until such time as comprehensive redevelopment occurs.

Prepared by: Catherine Maton, MCIP, RPP
Senior Planner, Development Services

Recommended by: Paul Yeoman, RPP, PLE
Director, Development Services

Submitted by: George Kotsifas, P. Eng
Managing Director, Development & Compliance Services
and Chief Building Official

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2021

By-law No. Z.-1-21_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 1701-
1737 Richmond Street.

WHEREAS Richmond Hyland Centre Inc. c/o Westdell Development Corporation has applied to rezone an area of land located at 1701-1737 Richmond Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1701-1737 Richmond Street, as shown on the attached map comprising part of Key Map No. A102, from an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone to an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(_)) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone.
- 2) Section Number 24.4a) of the Associated Shopping Area Commercial (ASA1) Zone is amended by repealing and replacing the following Special Provision:

ASA1(5) 1701-1737 Richmond Street

a) Prohibited Use:

- i) Grocery stores

b) Additional Permitted Use:

- i) Food Store

c) Regulations:

- i) Gross Floor Area (Maximum) 17,950 sq.m (193,212.19 sq.ft), inclusive of patios
- ii) Parking (Minimum) 550 spaces for all permitted uses

- 3) Section Number 24.4b) of the Associated Shopping Area Commercial (ASA2) Zone is amended by repealing and replacing the following Special Provision:

ASA2(3) 1701-1737 Richmond Street

a) Prohibited Use:

- i) Supermarkets

b) Additional Permitted Use:

- i) Food Store

c) Regulations:

- | | | |
|-----|---|---|
| i) | Gross Floor Area for Supermarkets (Maximum) | Not Applicable |
| i) | Gross Floor Area (Maximum) | 17,950 sq.m (193,212.19 sq.ft), inclusive of patios |
| ii) | Parking (Minimum) | 550 spaces for all permitted uses |

- 4) Section Number 24.4c) of the Associated Shopping Area Commercial (ASA3) Zone is amended by repealing and replacing the following Special Provision:

ASA3(1) 1701-1737 Richmond Street

a) Additional Permitted Use:

- i) Food Store

b) Regulations:

- i) In addition to the permitted uses of the ASA3 Zone, offices are a permitted use subject to a maximum gross floor area of 4,645 square metres (50,000 square feet) for all office uses and a maximum height of 16 metres (52.5 feet) for office buildings.
- ii) The application of the maximum gross floor area requirements of office use shall be to the ASA3(1) Zone and not to the individual properties contained within the zone. Gross floor area shall be allocated in proportion to the lot size as it relates to the total area zoned.
- | | | |
|------|----------------------------|---|
| iii) | Gross Floor Area (Maximum) | 17,950 sq.m (193,212.19 sq.ft), inclusive of patios |
| iv) | Parking (Minimum) | 550 spaces for all permitted uses |

- 5) Section Number 24.4c) of the Associated Shopping Area Commercial (ASA3) Zone is amended by adding the following Special Provision:

ASA3(_) 1701-1737 Richmond Street

b) Additional Permitted Use:

- i) Food Store

c) Regulations

- | | | |
|-----|----------------------------|---|
| i) | Gross Floor Area (Maximum) | 17,950 sq.m (193,212.19 sq.ft), inclusive of patios |
| ii) | Parking (Minimum) | 550 spaces for all permitted uses |

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

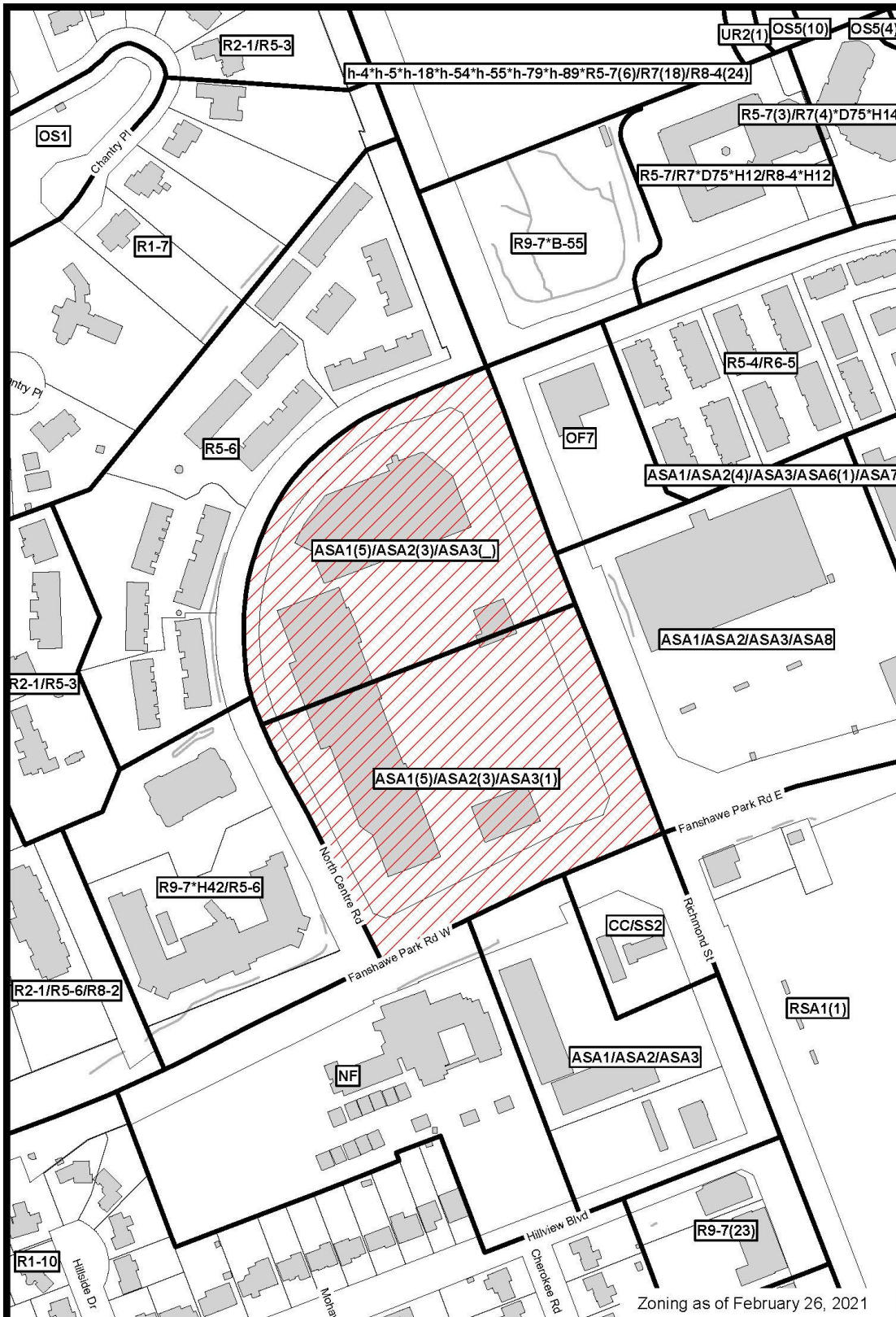
PASSED in Open Council on May 4, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – May 4, 2021
Second Reading – May 4, 2021
Third Reading – May 4, 2021

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



Zoning as of February 26, 2021

File Number: Z-9291
 Planner: CM
 Date Prepared: 2021/03/22
 Technician: rc
 By-Law No: Z.-1-

SUBJECT SITE 

1:3,000

0 15 30 60 90 120 Meters



Appendix B – Public Engagement

Community Engagement

Public liaison: On December 22, 2020, Notice of Application was sent to 134 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 24, 2020. A “Planning Application” sign was also posted on the site.

Two replies from two interested parties were received.

Nature of Liaison: The purpose and effect of this zoning change is to permit a food store. Possible change to Zoning By-law Z.-1 **FROM** an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone **TO** an Associated Shopping Area Commercial Special Provision (ASA1(_)/ASA2(_)/ASA3(_)) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(_)/ASA2(_)/ASA3(_)) Zone to permit a food store. Special provisions would permit: the proposed food store as an additional permitted use; an increased maximum gross floor area of 17,362 square metres, whereas 17,337 square metres is the maximum; a reduced minimum parking supply of 630 spaces, whereas a minimum of 632 spaces is required; and to permit parking to be located 1.5 metres from the ultimate road allowance, whereas a minimum of 3 metres is required. The existing special provisions would continue to apply to the site.

Public liaison: On March 31, 2021, Notice of Revised Application and Notice of Public Meeting was sent to 134 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on April 1, 2021.

Nature of Liaison: The purpose and effect of this zoning change is to permit a food store. Possible change to Zoning By-law Z.-1 **FROM** an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone **TO** an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(_)) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone to permit a Food Store. Special provisions would permit: the proposed Food Store as an additional permitted use; an increased maximum gross floor area of 17,950 square metres, whereas 17,337 square metres is the maximum; and a minimum parking supply of 550 spaces for all permitted uses. The existing special provisions and range of permitted uses would continue to apply to the site.

Responses: A summary of the various comments received include the following:

Concern for:

No concerns were raised by interested parties. The interested parties who provided responses requested clarification and status updates on the requested amendment.

Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone	Written
	Piper Kearney
	Harry Froussios Zelinka Priamo Ltd. 318 Wellington Road London, ON N6C 4P4

From: Piper Kearney
Sent: Saturday, December 26, 2020 12:40 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] Hi

Hi Catherine,

My name is Piper Kearney, and I live close to Masonville Mall. I was wondering if I could get more information on 1701-1737 Richmond Street (File number Z-9291).

Thank you,

Piper

From: Harry Froussios
Sent: Monday, January 4, 2021 4:38 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] 1701-1737 Richmond St (Z-9291)

Hi Catherine,

Could you please provide the following information (if available) for the proposed food store:

- Floor area of food store
- Tenant (if disclosed)
- Location (existing or new space)
- Planning justification report in support of ZBA

Thank you for your assistance. If you have any questions, please do not hesitate to contact me.

Regards
Harry

Harry Froussios, BA, MCIP, RPP
Senior Associate

ZELINKA PRIAMO LTD.
A Professional Planning Practice
318 Wellington Road
London, ON N6C 4P4

Agency/Departmental Comments

January 4, 2021: London Hydro

Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. A blanket easement will be required. **Note:** Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

January 15, 2021: Upper Thames River Conservation Authority

Dear Ms. Maton:

Re: Application to Amend the Zoning By-law - File No. Z-9291
Applicant: Richmond Hyland Centre Inc. c/o Westdell Development Corporation

1701 to 1737 Richmond Street, London, ON

The Upper Thames River Conservation Authority (UTRCA) has reviewed this proposal as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 157/06. The proposal has also been reviewed through our role as a public body under the *Planning Act* as per our Conservation Authority Board approved policies contained in *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. Finally, UTRCA has provided advisory comments related to policy applicability and to assist with implementation of the *Thames Sydenham Source Protection Plan* under the *Clean Water Act*.

CONSERVATION AUTHORITIES ACT

The subject lands **are not** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*.

DRINKING WATER SOURCE PROTECTION: Clean Water Act

The subject lands have been reviewed to determine whether or not they fall within a vulnerable area (Wellhead Protection Area, Highly Vulnerable Aquifer, and Significant Groundwater Recharge Areas). Upon review, we can advise that the subject lands **are not** within a vulnerable area. For policies, mapping and further information pertaining to drinking water source protection, please refer to the approved Source Protection Plan at: <https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

RECOMMENDATION

As indicated, the subject lands are not regulated by the UTRCA and a Section 28 permit application will not be required. The UTRCA has no objections to this application.

January 18, 2021: Stormwater Engineering

SWED staff have no additional SWM related comment to this zoning amendment.

March 12, 2021: Transportation

Based on the information provided and our discussion today related to the items outlined in your email below Transportation supports the reduction as outlined. With the understanding that the gross floor area is not actually increasing beyond the previous applications and that the further reduction is a result of parking that is technically in the City ROW with an agreement, and some patio space that was already installed, which has now come to our attention.

March 29, 2021: Sewers Engineering

SED has no objection for this proposal as a commercial intensification and as indicated in Z-9291- Notice of Planning Application.

March 31, 2021: CN Rail

Thank you for circulating CN the proposed project mentioned in subject. This is to confirm that we have reviewed the information and site location. CN Rail does not have any comments or objections to this application.

April 13, 2021: Parks Planning and Design

The City of London's Parks Planning & Design (PP&D) Section would like to flag that the attached OP/Zoning application is within the Draft Masonville Secondary Plan. That Draft Secondary Plan identifies a need for parkland within this development parcel. The PP&D Section would be interested in discussing opportunities, with the land owner, to incorporate parkland into future development applications that supports the intent of the Draft Secondary Plan (and as required by Planning Act and City of London By-law CP-9).

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2020

1.1
1.1.1 e)
1.1.3
1.1.3.2
1.1.3.3
1.6.7.4
1.7.1

The London Plan

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)

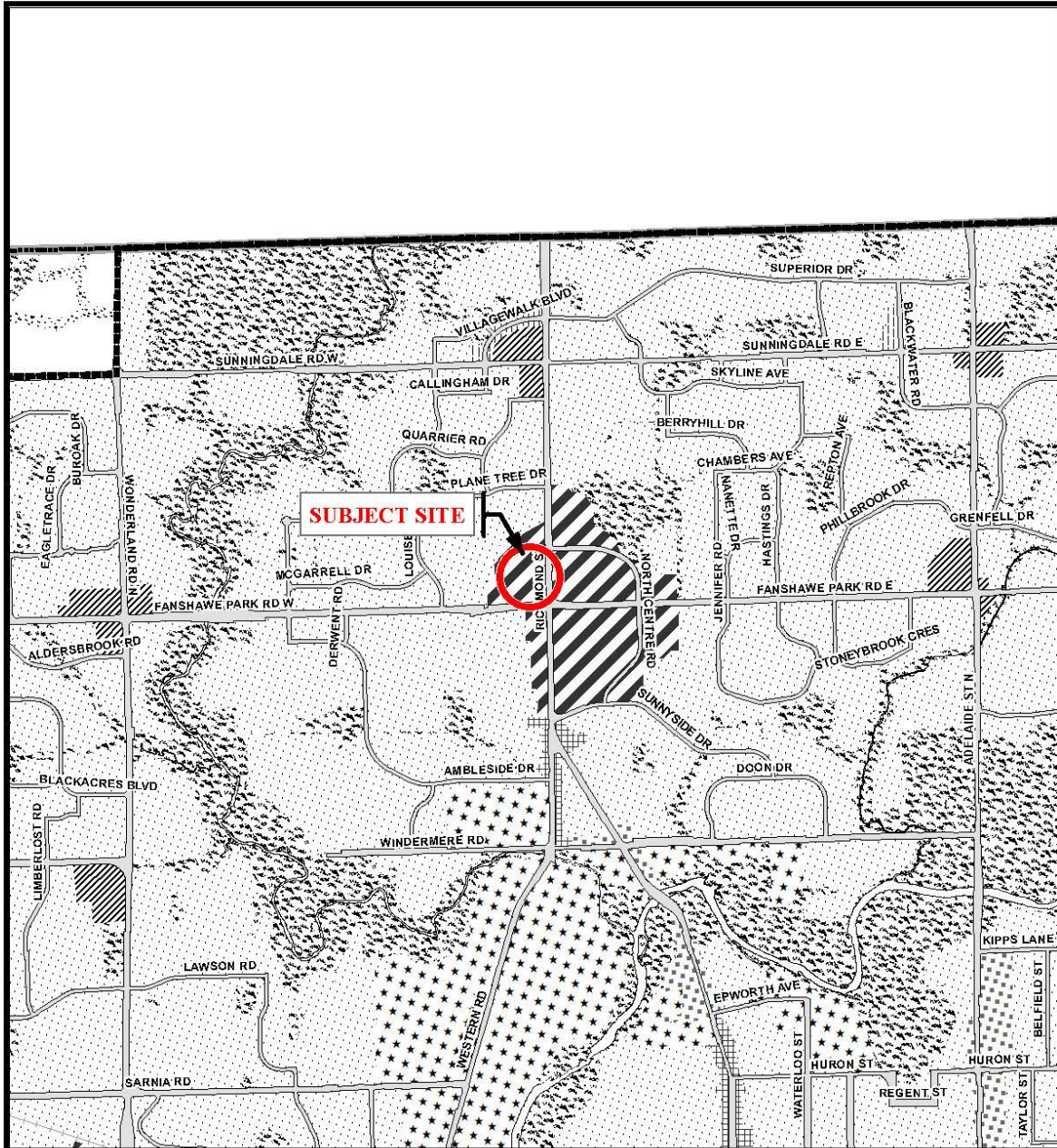
*Map 1
54_
806_
807_
808_
811_1
*813_1
814_3

Official Plan (1989)

4.3.5.1
4.3.5.3
4.3.5.4
4.3.5.5
4.3.5.10
10.1.3xxxii)

Appendix D – Relevant Background

Additional Maps



Legend

Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street	Institutional	
Neighbourhood	Green Space	

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

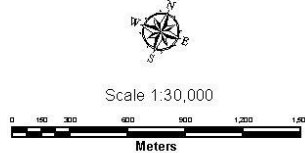
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

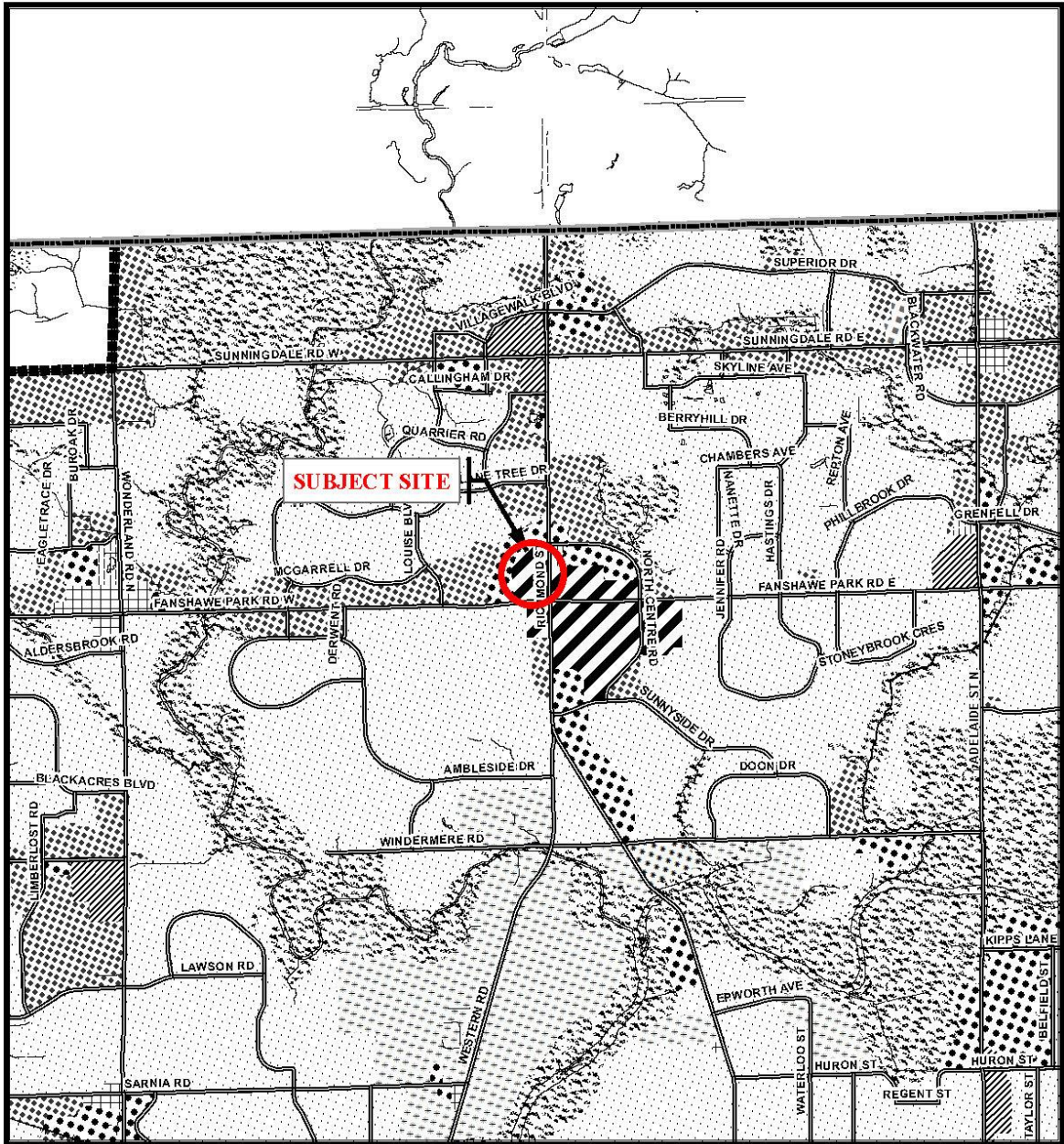
Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



File Number: Z-9291
Planner: CM
Technician: RC
Date: March 22, 2021



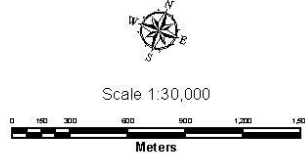
Legend

- | | |
|--|-----------------------------------|
| Downtown | Office Business Park |
| Enclosed Regional Commercial Node | General Industrial |
| New Format Regional Commercial Node | Light Industrial |
| Community Commercial Node | Regional Facility |
| Neighbourhood Commercial Node | Community Facility |
| Main Street Commercial Corridor | Open Space |
| Auto-Oriented Commercial Corridor | Urban Reserve - Community Growth |
| Multi-Family, High Density Residential | Urban Reserve - Industrial Growth |
| Multi-Family, Medium Density Residential | Rural Settlement |
| Low Density Residential | Environmental Review |
| Office Area | Agriculture |
| Office/Residential | Urban Growth Boundary |
| | Enterprise |

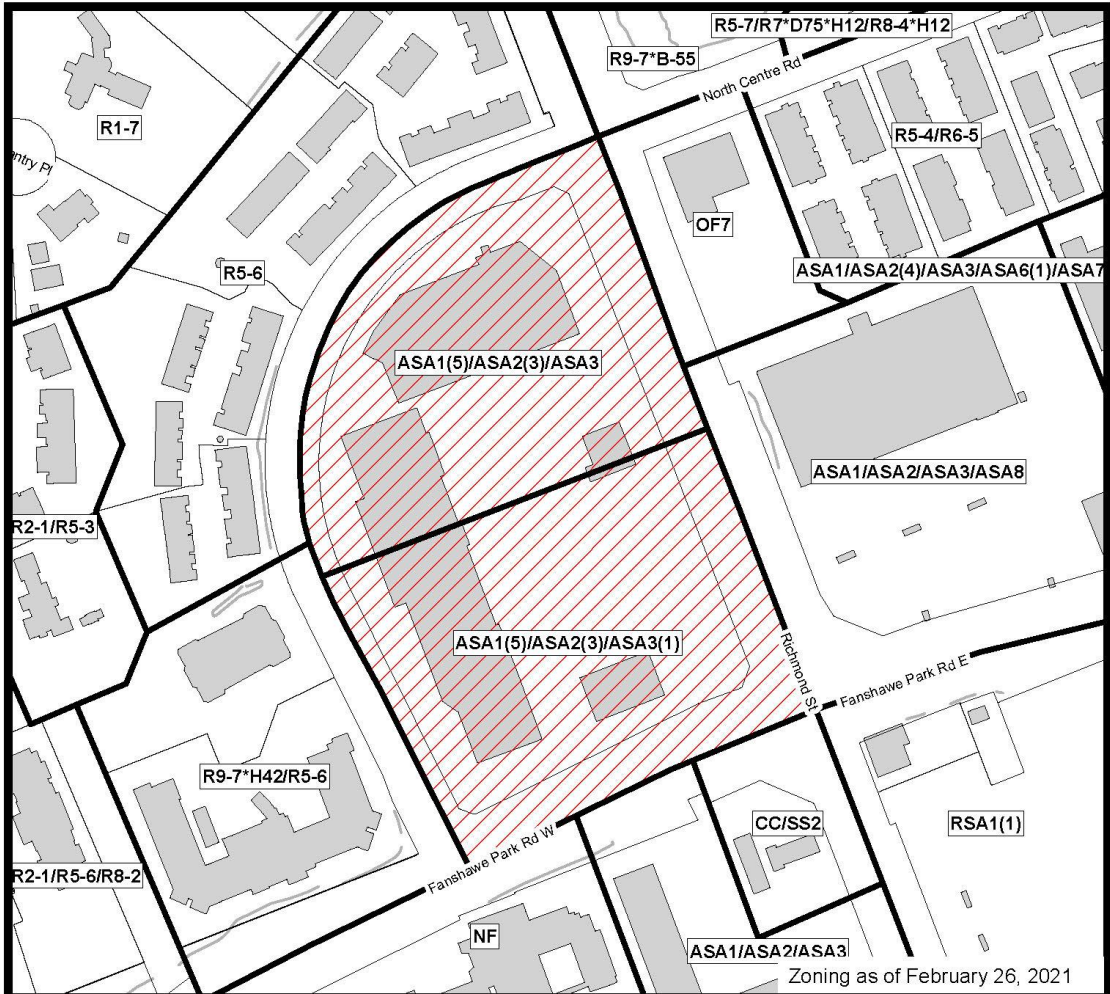
CITY OF LONDON
Department of
Planning and Development

OFFICIAL PLAN SCHEDULE A
 - LANDUSE -

PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9291
 PLANNER: CM
 TECHNICIAN: RC
 DATE: 2021/03/22



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) **LEGEND FOR ZONING BY-LAW Z-1**

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "h" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING
BY-LAW NO. Z-1
SCHEDULE A**



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:

Z-9291

CM

MAP PREPARED:

2021/03/22

rc

1:3,000

0 15 30 60 90 120

Meters

PUBLIC PARTICIPATION MEETING COMMENTS

3.3 PUBLIC PARTICIPATION MEETING – 1701-1737 Richmond Street (Z-9291)

- Councillor Squire: The application? Go ahead. I wonder if you could, sorry, I don't mean to interrupt, could you speak up a little bit, you're very faint right now.
- Catherine Saunders, City Clerk: Yes, that is better.
- Councillor Squire: Thank you very much. Any technical questions from the Committee? Mayor Holder.
- Mayor Holder: Thanks very much Chair. Through you to staff I've been looking at the report that's been provided and I acknowledge the building that is currently going up on that corner now and I want to confirm just because there's been a reference to Michael's retail and this food store as so I just want to clarify in my mind exactly what is going where, for example, where that food store will precisely be located is in that new development structure or will it be in the current and is there going to be some mix and move. Can you just help me with that please a little bit.
- Councillor Squire: Go ahead staff.
- Catherine Maton, Senior Planner: Through you Mr. Chair, staff is unaware at this time where the proposed food store is going to be located, perhaps the applicant will be able to address this question and provide a little more detail on where onsite the food store will be.
- Councillor Squire: That's great. I saw the applicant online a second ago or the applicant's agent. Perhaps we could get that question answered now. I think knowing where something is going to be located is technical. Highly technical.
- Mayor Holder: Highly.
- Councillor Squire: If he's not on right now Mr. Mayor would you be prepared to just revisit that with him when he comes on?
- Mayor Holder: Absolutely.
- Councillor Squire: Thank you.
- Mayor Holder: Thank you.
- Councillor Squire: Any other technical questions?
- Laverne Kirkness, Strik Baldinelli Moniz: Mr. Chair I, I, sorry I can't, I guess my camera, I can't turn my camera on but I am here.
- Councillor Squire: Okay. Did you hear the Mayor's question?
- Laverne Kirkness, Strik Baldinelli Moniz: I can say to the Mayor that we, we don't have a precise location for the food store at this point. It's not going in the new buildings that are under construction, they're already leased out. This was more of a longer-term endeavour and if we were going to look at any specific site, it could be kind of the National Sports because that's not, that's kind of a tenant that's not, maybe that's going to be replaced. We don't really have it nailed down at this point, it's kind of a longer-term investment for us.

- Mayor Holder: So to be clear from a technical standpoint, Chair, we're not talking about adding buildings beyond what are existing on the current site?
- Laverne Kirkness, Strik Baldinelli Moniz: That's correct Sir.
- Mayor Holder: That's helpful. Thank you very much. That's helpful.
- Councillor Squire: Thank you. Any further technical questions? There being none we will go to the public; we'll start with the applicant. Do you have anything you wish to say Mr. Kirkness?
- Laverne Kirkness, Strik Baldinelli Moniz: Yes Mr. Chair and thank you and members of the public. Catherine has done a bang up job on the report and it's certainly in line with what we applied for and we agree with it and we hope the Planning Committee does too so thank you very much.
- Councillor Squire: Thank you very much Mr. Kirkness. Anybody further from the public that I, it doesn't appear so so I'll just ask for public input once, twice. No input so we'll make a motion to close the public participation meeting.