

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES and CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: SIFTON PROPERTIES LIMITED 1603 HAMILTON ROAD PUBLIC PARTICIPATION MEETING ON SEPTEMBER 10, 2013 @ 4:30 P.M.

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Sifton Properties Limited relating to the lands located at 1603 Hamilton Road:

- (a) the Approval Authority **BE ADVISED** of the issues, if any, raised at the public meeting with respect to revisions to the draft approved plan of subdivision as submitted by Sifton Properties Limited relating to the lands located at 1603 Hamilton Road, legally described as Part of Lots 8, 9 and 10, Concession 1 and Part of Lots 8 and 9 Broken Front Concession “B” and part of the Road Allowance between Concession 1 and Broken Front Concession “B” (Geographic Township of Westminster) in the City of London, County of Middlesex;
- (b) the Approval Authority **BE ADVISED** that Municipal Council supports revisions to the draft approved plan of subdivision as submitted by Sifton Properties Limited, prepared by Robert D. Stirling, Ontario Land Surveyor (Drawing No. D4099-DP.dwg, dated May 14, 2013), as red line revised, which shows 152 single family lots, 1 multi-family, high density residential block, 4 multi-family, medium density residential blocks, 2 multi-family, low density residential blocks, 1 commercial/office mixed use block, 7 park blocks, 9 buffer/ open space/ restoration blocks, 2 stormwater pond blocks, and 7 reserve, easement and road widening blocks, served by a primary collector road extending north from Commissioners Road East, and four internal local streets, **SUBJECT TO** the conditions contained in the attached Appendix “39T-09502-1”;
- (c) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on September 17, 2013 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 (h•h-100•R1-4) Zone, a Residential R1 (R1-10) Zone, a Holding Residential R6 Special Provision (h•h-100•R6-2(11)) Zone, a Holding Residential R6 Special Provision (h•h-100•R6-2(12)) Zone, a Holding Residential R5/R6/R8 Special Provision (h•h-71•h-100•R5-6(8)/R6-5(31)/R8-2(4)) Zone, an Open Space Special Provision (OS1(3)) Zone, a Holding Open Space (h-2•OS4) Zone, an Open Space (OS5) Zone, and an Open Space Special Provision (OS5(3)) Zone **TO** a Holding Residential R1 (h•h-100•R1-4) Zone, a Holding Residential R6 Special Provision (h•h-100•R6-2(11)) Zone, a Holding Residential R6 Special Provision (h•h-100•h- •R6-2(11)) Zone, an Open Space Special Provision (OS1(3)) Zone, an Open Space (OS5) Zone, and an Open Space Special Provision (OS5(3)) Zone; together with a holding provision that an Environmental Impact Study (EIS) to address the potential impacts of the access laneway within Block 153 be required to the satisfaction of the City and the UTRCA.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

May 28, 2013 – Planning and Environment Committee – Subdivision Agreement – Old Victoria No. 2 SWM Facility - Sifton Properties Limited (File No. 39T-09502)

June 8, 2011 – Planning and Environment Committee – Application by Sifton Properties Limited re: 1603 Hamilton Road & 1844 Commissioners Road East (File No. 39T-09502/OZ-7692)

March 28, 2011 – Built and Natural Environment Committee – Application by Sifton Properties Limited re: 1603 Hamilton Road & 1844 Commissioners Road East (File No. 39T-09502/OZ-7692)

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the recommended action is to revise the draft approved plan of subdivision and zoning, including a number of technical amendments required primarily as a result of the reconfiguration of the stormwater management pond subsequent to the City completing detailed design of the pond and associated outlets.

RATIONALE

1. The recommended revisions to the Victoria Ridge draft plan of subdivision are considered appropriate, subject to the attached draft plan conditions which have been updated to reflect current municipal standards and requirements.
2. The draft plan revisions for the most part affect lots and blocks impacted by the final design of the stormwater management facility. Other parts of the draft plan requiring adjustments based on more detailed design studies and engineering work are also being incorporated; however, the overall subdivision design and street pattern is not changing.
3. The corresponding zoning amendments to the adjusted lots and blocks within the revised draft plan are considered appropriate. A holding provision is recommended be applied to the zoning over Block 153 to address specific design issues and environmental impacts related to the access, to the satisfaction of the City and the UTRCA.

BACKGROUND

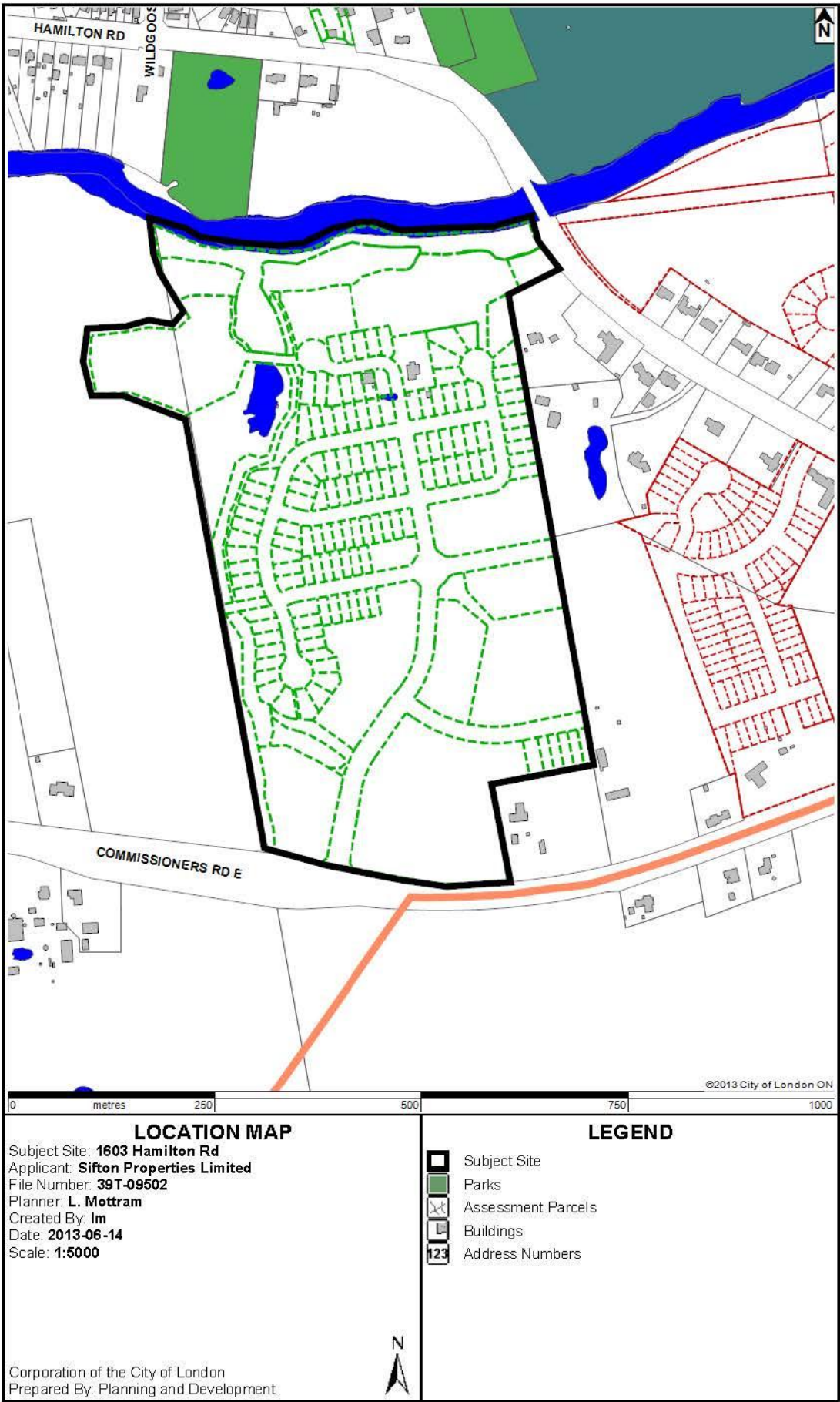
Date Application Accepted: May 16, 2013	Agent: n/a
<p><b>REQUESTED ACTION:</b></p> <p>Consideration of a revised draft plan of subdivision consisting of 152 single family lots, 1 multi-family, high density residential block, 4 multi-family, medium density residential blocks, 2 multi-family, low density residential blocks, 1 commercial/office mixed use block, 7 park blocks, 9 buffer/ open space/ restoration blocks, 2 stormwater pond blocks, and 7 reserve, easement and road widening blocks, served by a primary collector road extending north from Commissioners Rd. East, and four internal local streets.</p> <p>Amendments to the zoning by-law to address minor technical changes to lots/blocks as a result of detailed engineering and stormwater management facility design. Rezoning lands in the centre of the subdivision to be relotted to allow for single family dwellings, including a remnant woodlot originally intended to be kept as a small park and which cannot be retained due to City grading and servicing standards. Rezoning lands west of the tributary to implement the buffer areas as identified by the EIS addendum. The requested zoning is summarized as follows:</p> <p><b>FROM</b> Holding Residential R6 Special Provision (h•h-100•R6-2(11)) <b>TO</b> Open Space (OS5(3))</p> <p><b>FROM</b> Holding Residential R6 Special Provision (h•h-100•R6-2(11)) <b>TO</b> Open Space (OS5)</p> <p><b>FROM</b> Holding Residential R6 Special Provision (h•h-100•R6-2(12)) <b>TO</b> Holding Residential R1 Special Provision (h•h-100•R1-4)</p> <p><b>FROM</b> Holding Residential R1 Special Provision (h•h-100•R1-4) <b>TO</b> Open Space (OS1(3))</p> <p><b>FROM</b> Holding Residential R5/R6/R8 Special Provision (h•h-71•h-100•R5-6(8)/R6-5(31)/R8-2(4)) <b>TO</b> Holding Residential R1 Special Provision (h•h-100•R1-4)</p> <p><b>FROM</b> Open Space OS1 Special Provision (OS1(3)) <b>TO</b> Holding Residential R1 Special Provision (h•h-100•R1-4)</p> <p><b>FROM</b> Residential R1 (R1-10) <b>TO</b> Holding Residential R1 Special Provision (h•h-100•R1-4)</p> <p><b>FROM</b> Open Space OS5 <b>TO</b> Open Space OS1 Special Provision (OS1(3))</p> <p><b>FROM</b> Holding Open Space (h-2•OS4) <b>TO</b> Holding Residential R6 Special Provision (h•h-100•R6-2(11))</p>	

<b>SITE CHARACTERISTICS:</b>
<ul style="list-style-type: none"><li>• <b>Current Land Use</b> – Agricultural and Rural Residential</li><li>• <b>Frontage</b> – Approximately 290 metres (950 ft.) on Commissioners Rd. East; and 60 metres (200 ft.) on Hamilton Road.</li><li>• <b>Depth</b> – Average depth of 800 metres (2,625 ft.) between Commissioners Rd. E. and the Thames River</li><li>• <b>Area</b> – 29.7 hectares (73 acres)</li><li>• <b>Shape &amp; Topography</b> – Irregular shape and undulating topography, with a general downward slope moving towards the Thames River on the north and dropping off towards tributary ravines on lands to the east and west of the subdivision.</li></ul>

Agenda Item #	Page #

**File No: 39T-09502**  
**Planner: L. Mottram**

Location Map



<b>SURROUNDING LAND USES:</b>
<ul style="list-style-type: none"><li>• <b>North</b> – Thames River</li><li>• <b>South</b> – agriculture and hydro corridor</li><li>• <b>East</b> – residential and agriculture</li><li>• <b>West</b> – woodland, meadowland and wetland</li></ul>

<b>OFFICIAL PLAN DESIGNATIONS:</b> (refer to map on page 6)
Low Density Residential, Multi-family, Medium Density Residential, Multi-family, High Density Residential, and Open Space
<b>EXISTING ZONING:</b> (refer to map on page 7)
Holding Residential R1 (h•h-100•R1-4), Residential R1 (R1-10), Holding Residential R6 Special Provision (h•h-100•R6-2(11)), Holding Residential R6 Special Provision (h•h-100•R6-2(12)), Holding Residential R5/R6/R8 Special Provision (h•h-71•h-100•R5-6(8)/R6-5(31)/R8-2(4)), Open Space Special Provision (OS1(3)), Holding Open Space (h-2•OS4), Open Space (OS5), and Open Space Special Provision (OS5(3))

<b>PLANNING HISTORY</b>
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On January 19, 2012, the City of London Approval Authority granted approval to the draft plan of subdivision submitted by Sifton Properties Limited, as red-line amended, consisting of 133 single family lots, 1 multi-family, high density residential block, 4 multi-family, medium density residential blocks, 2 multi-family, low density residential blocks, 1 commercial/office mixed use block, 7 park blocks, 7 open space blocks, 1 stormwater management facility block, and 9 reserve, easement and road widening blocks, served by a primary collector road extending north from Commissioners Rd. East, and four internal local streets.

The Built and Natural Environment Committee held a public participation meeting to consider the draft plan of subdivision application, recommended red line changes, and recommended conditions of draft plan approval on March 28, 2011. At its session held April 4, 2011, Municipal Council passed a resolution to advise the Approval Authority that it supported the Approval Authority issuing draft approval for the proposed plan of subdivision. Council also supported approval being given based on a five (5) year lapse date for reasons as follows:

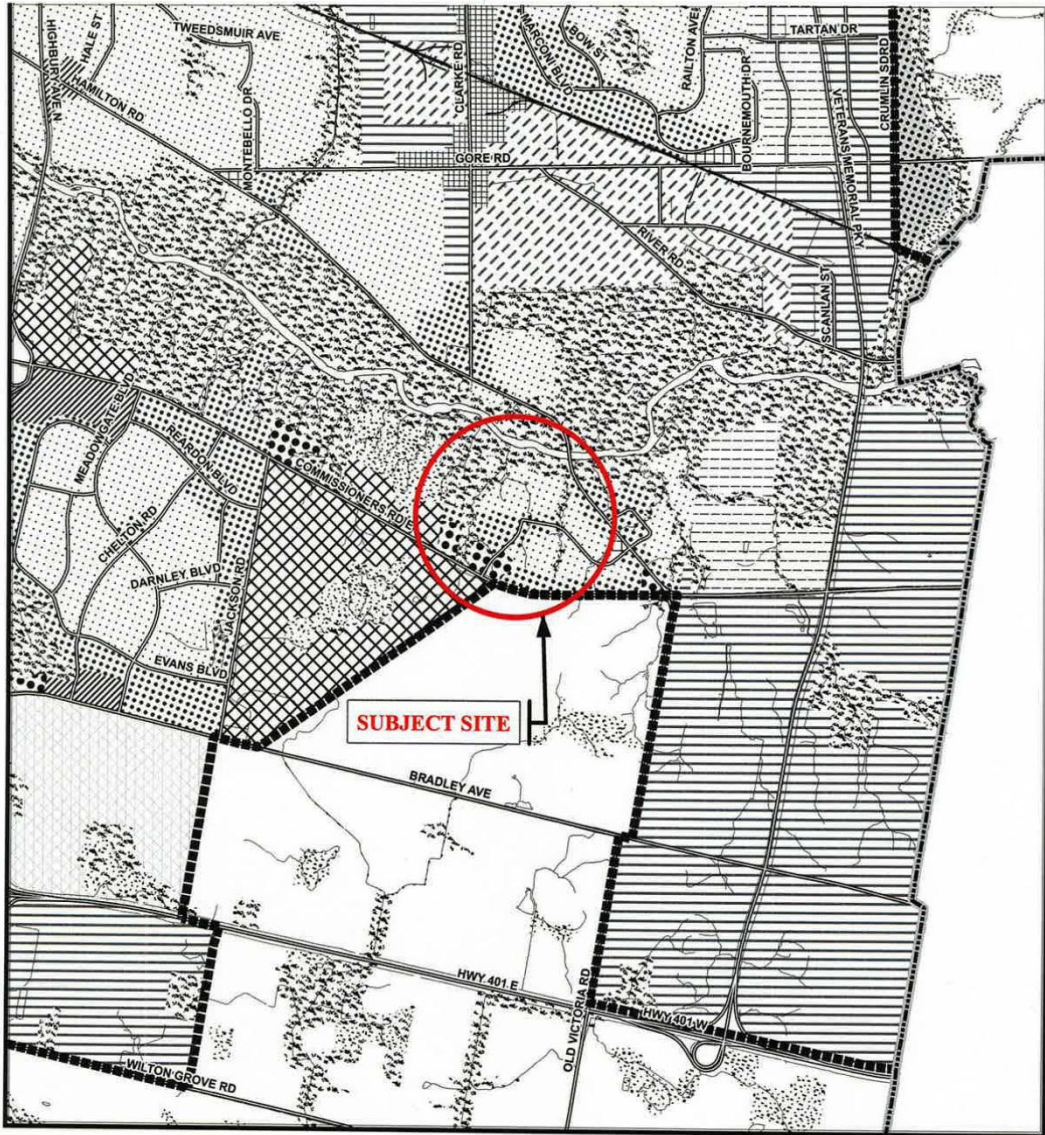
- all municipal Class Environmental Assessments were completed;
- the Area Plan was completed and adopted by Council;
- with the exception of the stormwater management facility, all water and sanitary services were in place to accommodate the plan; and
- the file was being processed when the City was transitioning between an Urban Works Reserve Fund process to a Development Charges process.

Council also directed the Civic Administration to proceed with completing the functional and detailed design of the Stormwater Management Facility (Old Victoria SWM Facility No. 2) and the Environmental Impact Statement required for the SWM outlet to allow for a 2012 construction date, subject to a source of funding report to cover the cost (approximately \$250,000) being approved by Council. The appointment of consultants to carry out the detailed design and the financing for the project was approved by Council at its session held on July 24, 2012.



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Official Plan Map



**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

**CITY OF LONDON**  
Department of  
Planning and Development  
**OFFICIAL PLAN SCHEDULE A**  
- LANDUSE -

PREPARED BY: Graphics and Information Services

Scale 1:30,000

0 100 200 400 600 800 1,200 1,600  
Meters

**FILE NUMBER:** 39T-09502, OZ-7692  
**PLANNER:** LM  
**TECHNICIAN:** DT  
**DATE:** August 6, 2013

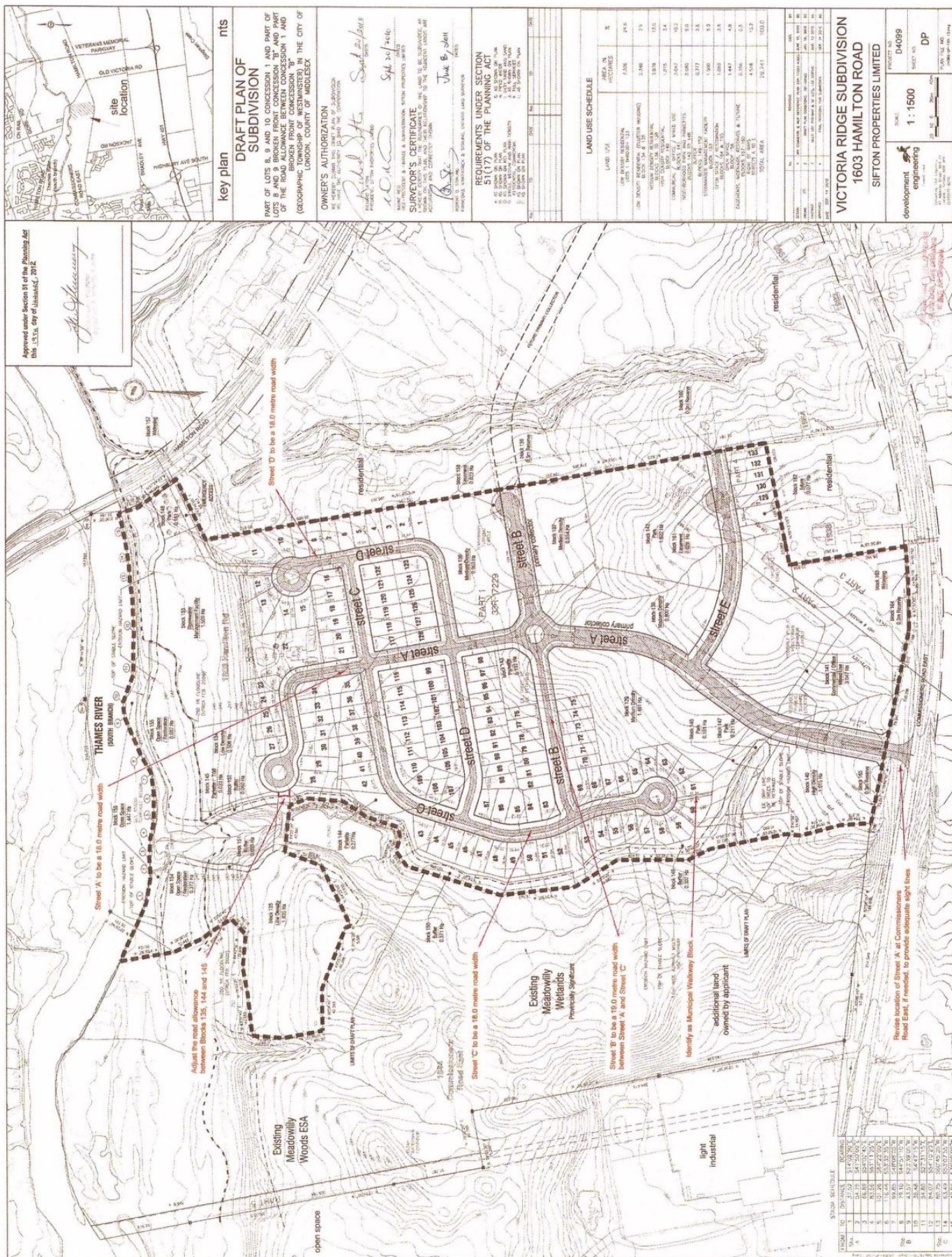






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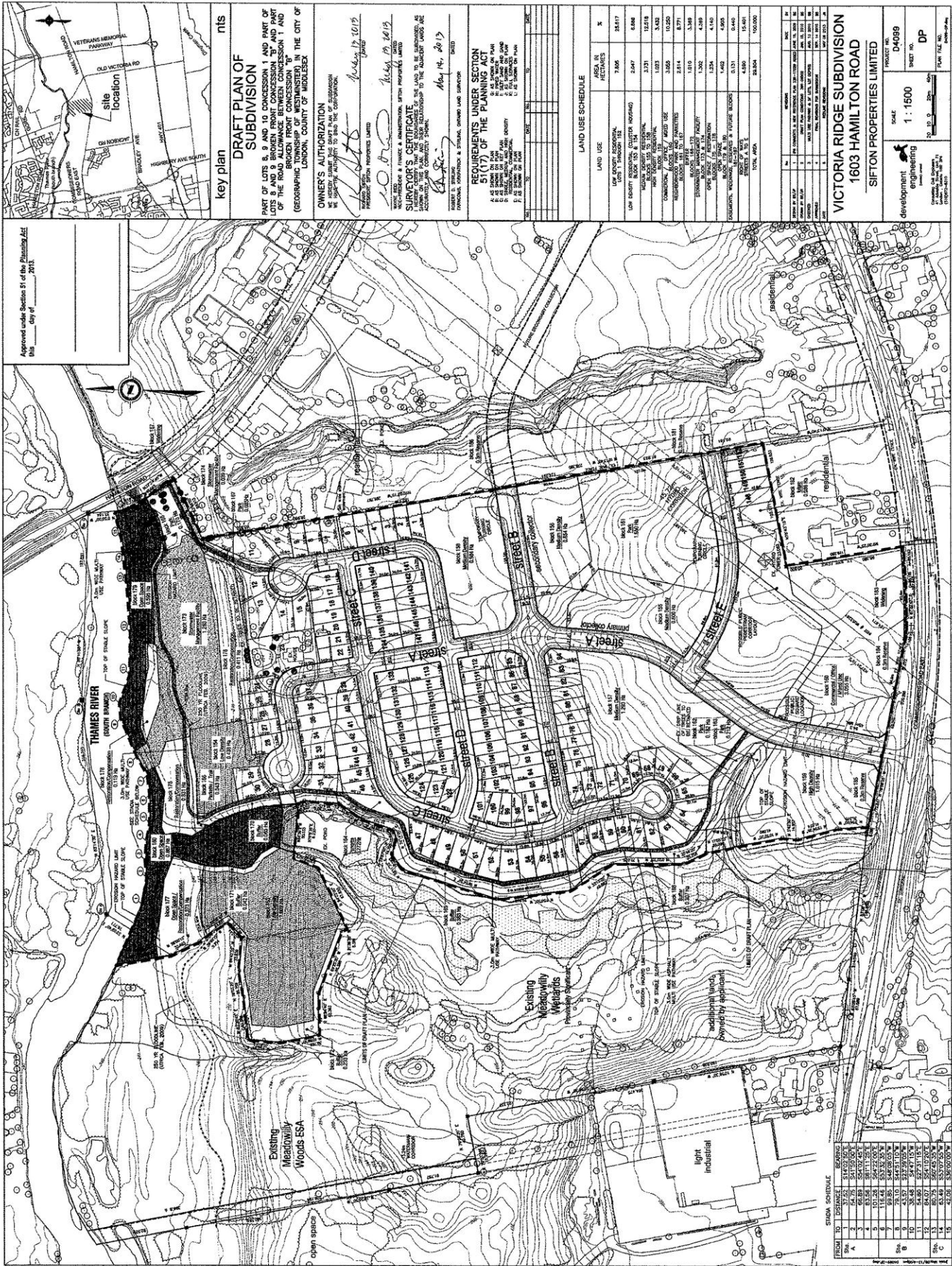
## Draft Approved Plan





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Proposed Revised Plan



The functional and detailed design was subsequently completed which resulted in changes to the SWM block on the draft approved plan. It was acknowledged that further red-line revisions would be necessary to reflect the final design and configuration of the SWM pond and outlet, as well as other lots and blocks within the draft plan impacted by these changes. Sifton Properties Limited and the City of London entered into an agreement on June 13, 2013 which facilitated the City’s acquisition of the lands for the proposed SWM facility and outlet (described as Parts 4 and 5 on reference plan 33R-18572). Old Victoria SWM Facility No. 2 is currently under construction.

SIGNIFICANT DEPARMENT/AGENCY COMMENTS

Upper Thames River Conservation Authority (UTRCA)

CONSERVATION AUTHORITIES ACT

The subject lands are regulated by the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the *Conservation Authorities Act*. The Regulation Limit is comprised of riverine flooding and erosion hazards as well as wetland features and the surrounding area of interference. The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

RECOMMENDATION

The applicant wishes to rezone the proposed access lane/crossing to Block 153 from h-2 & OS4 to h/h-100/R6-2 which would eliminate the need for the geotechnical and environmental impact studies that the UTRCA has requested for the proposed crossing since this application was first circulated. The current h-2 zoning provisions include that an EIS is to be completed and is consistent with condition 116 of the Draft Plan Approval. The OS4 zone denotes the hazard lands on this block which include a slope hazard and a wetland. As has been conveyed over the course of the planning process for this development, the UTRCA does not have sufficient information to confirm whether a permit could be issued for the proposed crossing. An EIS and geotechnical study prepared to the Authority’s satisfaction are required in order to determine whether the UTRCA will be in a position to issue the necessary Section 28 approvals for the crossing. As such the UTRCA objects to the revised zoning being proposed for Block 153 as shown on the schedule titled *Victoria Ridge 1603 Hamilton Road, Sifton Properties Proposed Zoning Amendments* prepared by Development Engineering dated April 26, 2013. We recommend that the entire access road/crossing be zoned h-2 and OS4.

<b>PUBLIC LIAISON:</b>	On June 14, 2013, a Notice of <u>Revised</u> Draft Plan of Subdivision and Notice of Possible Zoning By-law Amendment was sent to 22 surrounding property owners. Notice was published in the “Londoner” on June 27, 2013.	1 reply received
<b>Nature of Liaison:</b> see “Requested Action” section.		
<b>Responses:</b> One inquiry was received requesting further clarification, and confirmation that the revised draft plan of subdivision does not encroach further into the Meadowlily Woods ESA and wetland.		

ANALYSIS

Draft Plan Revisions

Sifton’s Victoria Ridge subdivision was draft plan approved in January 2012, and since then it has advanced to the detailed design and engineering stage of the process. The City also completed the functional and detailed design for the stormwater management facility and outlet to the Thames River (Old Victoria SWM Facility No. 2), and construction of this facility is now underway. The draft approved plan is proposed to be red-line revised to reflect changes made to the size and configuration of some lots and blocks within the draft plan as it progressed through the detailed design studies and finalized plans for the SWM facility. The following provides an overview of the proposed revised plan highlights:

- **Reconfiguration of the stormwater management facility (Blocks 173 & 174), parks (Blocks 165 & 167), and restoration/compensation areas (Blocks 175 & 176) as a result of the final detailed design of the stormwater management pond.**

A permanent SWM Wet-Pond facility has been included in the overall development plan for the proposed Victoria Ridge subdivision. Block 173 (formerly 153) has been designated for the future SWM facility located directly north of the subdivision and outletting to the Thames River. The SWM facility is a quality and extended detention storage (erosion control) pond only and quantity requirements are not required due to the proximity to the Thames River.

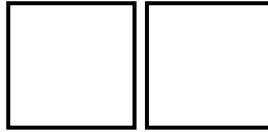
In the draft approved plan the area of the SWM block (Block 153) is shown as 1.5 hectares. However, the actual area requirement for the SWM facility and outlet was reduced in size to approximately 1.26 hectares as shown on the proposed revised plan (Block 173). The SWM block configuration reflects the survey boundaries shown on a reference plan (Parts 4 & 5 Plan 33R-18572) which was prepared and deposited in April 2013 for the purposes of the land transaction. As the lands have now been acquired by the City, Block 173 will be removed from the final plan of subdivision to be registered.

The small park block fronting the west side of Hamilton Road in the draft approved plan (Block 148) has been revised slightly as shown on the proposed revised plan (Block 165). The park block was impacted by the SWM block reconfiguration as well as by the incorporation of a SWM Access/Servicing block to Hamilton Road (Block 174) in the proposed revised plan. The purpose of this park is to provide passive recreation and to preserve existing trees in this area.

The 12 metre wide access between Lots 11 and 12 on the draft approved plan (originally forming part of the SWM Block 153) has been revised. It is now shown as a park block (Block 167), and has been realigned and the angle shifted to enable it to function more efficiently as a multi-purpose emergency and maintenance access, sanitary trunk sewer, and watermain services corridor connection to Hamilton Road. As well, it provides another access for the subdivision to the Thames Valley trail system, via the park block (Block 165).

A restoration/compensation block (Block 175) has been revised and a new restoration/compensation block (Block 176) has been created as a result of the reconfiguration/reduction of the SWM block area and outlet to the Thames River. The new restoration block is approximately 0.41 hectares in area and consists of a row of existing trees and a treed slope located immediately south of the SWM facility. These areas will be re-naturalized and remain as open space. As a condition of draft plan approval restoration plans must be prepared by a registered landscape architect with the assistance of a restoration ecologist (Condition No. 94). Within one (1) year of registration of this Plan, the Owner shall construct the restoration/compensation area





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**Planner: L. Mottram**

within Blocks 175, 176, 177, and 178 of this Plan, in accordance with the approved detail plans and to the satisfaction of the City (Condition No. 97).

- **Replacing the small parkette in the centre of the subdivision with single family lots due to the viability of retaining the small woodlot and meeting engineering standards for grading.**

In the draft approved plan, a small parkette is shown in the middle portion of the subdivision, at the northwest corner of Street 'A' and Street 'B' (Block 143). It is an area of approximately 0.2 hectares containing a tree and shrub thicket. It was identified in the Old Victoria Area Plan as a potential tree preservation zone to be retained as open space and dedicated as public parkland. However, detailed information with respect to subdivision servicing, grading, and tree preservation has now been submitted and reviewed. There is concern given its size, and the extensive re-grading that will occur on the surrounding development lands, that this will significantly impact the viability of retaining the small woodlot. In place of the small parkette block, the proposed revised plan shows four single detached residential lots (Lots 85, 86, 87, and 88) continuing the residential lot pattern along Street 'B'.

- **Adjusting the limits of the multi-family, low density residential block (Block 153) and incorporating a buffer block (Block 172)**

The draft approved plan shows a 1.83 hectare multi-family block (Block 135) in the northwest portion of the subdivision intended for low density residential cluster housing. On the proposed revised plan this block (identified as Block 153) has been reduced in area to 1.609 hectares and has been reconfigured to more accurately reflect the development limits based on the updated EIS Addendum report recommendations. An open space buffer (Block 172) has also been incorporated around much of the perimeter edge of Block 153 at the interface with the Meadowlily Woods ESA.

The existing vegetated area within the development limits of Block 153 is 0.653 hectares. The area that will be restored as compensation for the 0.653 ha of land will be approximately 1.317 hectares of agricultural lands along the floodplain of the Thames River, and a partially treed slope immediately south of the stormwater management facility location. The restoration/ compensation areas are identified on the proposed revised plan as Block 177 (0.373 ha), Block 175 (0.331 ha), Block 178 (0.119 ha), an additional restoration area included within block 179 (0.083 ha), and Block 176 (0.411 ha). This provides a slightly greater than a 2:1 ratio for compensation.

The Addendum report prepared by AECOM includes a full description, rationale and approach to the compensation/restoration area for the development of Block 153. Environmental and Parks Planning staff have reviewed the report and advised that they are satisfied with the document and with the approach that has been proposed for the restoration plan to be implemented through the detailed design with the submission of the engineering drawings.

- **Revising the number of single detached lots**

The draft approved plan shows 133 single detached lots and the proposed revised plan shows 152 lots. The increase is partly attributed to the small park block in the middle portion of the subdivision which was replaced with single detached lots. The medium density block (Block 157) to the south, directly opposite these lots, is also proposed to be revised to include four single detached lots (Lots 81, 82, 83 and 84) in order to complete the lotting pattern along the streetscape. The remaining lands continue to be suitably sized for multi-family, medium density residential development as intended

The cul-del-sac bulb at the end of Street 'A' has shifted slightly to the south providing an opportunity for two new single detached lots (Lots 29 and 30) at the end of the cul-de-

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sac, along with a reconfigured Low Density cluster housing block (Block 154 formerly Block 134).

• **Adjusting lot frontages and road widths**

Lots frontages have been adjusted affecting a number of single detached lots in the current draft plan, particularly lots with frontages in the 14 to 15 metres range along Street 'C' and Street 'D'. Many of these lots have been reduced to 12-13 metres frontage, which has further contributed to the increase in total lot yield.

Road widths of Streets 'A', 'B', 'C', and 'D' have all been adjusted in the proposed revised plan to widen the road allowances in accordance with the red-line revisions imposed at the time of draft plan approval by the City of London Approval Authority. The proposed revised plan has been further red-lined to include specific technical standards such as tapers, minimum curb line distances around bends and cul-de-sacs, and street line radii.

**Recommended Zoning**

The recommended zoning changes are summarized as follows:

**Block 173** – This is the reconfigured stormwater management facility block. The area comprising the outlet to the Thames River requires a zoning amendment **FROM** Open Space OS5 **TO** Open Space OS1 Special Provision (OS1(3)) to be consistent with the zoning of the remaining SWM block lands.

**Block 167 and Lots 11 & 12** – Comprising a portion of the area of the realigned emergency/maintenance access block (Block 167) and the adjusted lot lines affecting Lots 11 and 12, the zoning change is **FROM** Holding Residential R1 Special Provision (h•h-100•R1-4) **TO** Open Space (OS1(3)).

**Lots 13, 14, 15, and Lot 23** – To allow a slight westward shift of the rear of the lots at the end of Street "D", adjacent to the lot retained for the existing heritage farmhouse, the zoning change is **FROM** Residential R1 (R1-10) **TO** Holding Residential R1 Special Provision (h•h-100•R1-4).

**Block 154 and Lots 29 & 30** – The two new single detached lots at the end of the cul-de-sac of Street 'A' are to be rezoned **FROM** Holding Residential R6 Special Provision (h•h-100•R6-2(12)) **TO** Holding Residential R1 Special Provision (h•h-100•R1-4) consistent with other lots in the draft plan. These lots have resulted in some reduction in lot frontage and access to the low density cluster housing block (Block 154). The zoning on the remaining area within Block 154 is recommended to be rezoned to a Holding Residential R6 Special Provision (h•h-100•R6-2(11)) Zone, which contains a special provision to allow for minimum lot frontage of 12 metres.

**Lots 85, 86, 87, & 88** – These lots are recommended to replace the area of a small parkette in the centre of the subdivision due to concerns for the viability of retaining the small woodlot and meeting engineering standards for grading. The zoning change is **FROM** Open Space OS1 Special Provision (OS1(3)) **TO** Holding Residential R1 Special Provision (h•h-100•R1-4) to permit single detached dwelling lots.

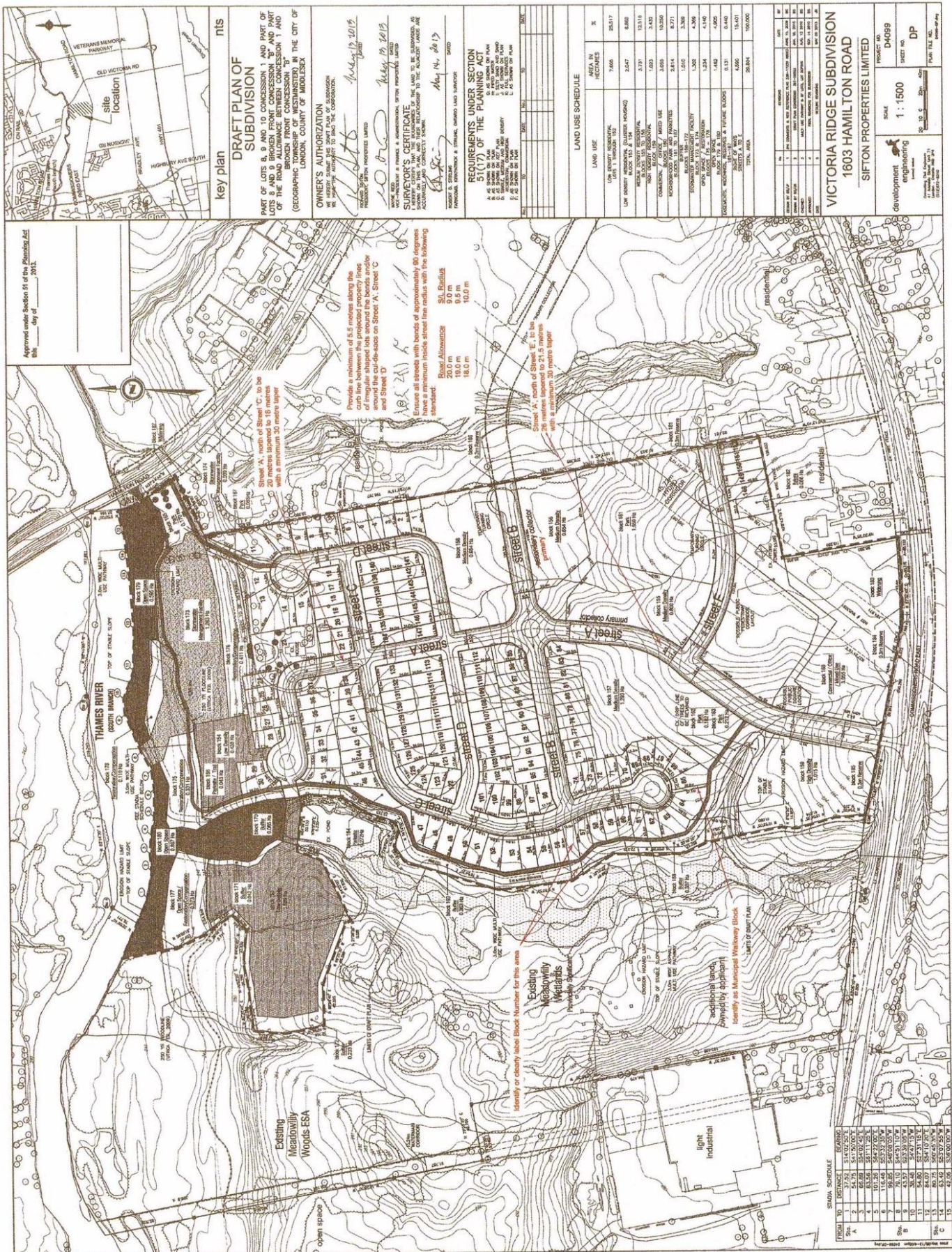
**Lots 81, 82, 83, & 84** – The area of these lots previously formed part of the adjacent medium density block (Block 157). The zoning change is **FROM** Holding Residential R5/R6/R8 Special Provision (h•h-71•h-100•R5-6(8)/R6-5(31)/R8-2(4)) **TO** Holding Residential R1 Special Provision (h•h-100•R1-4) representing a continuation of the single detached lot pattern and zoning along Street 'B'.





**File No: 39T-09502**  
**Planner: L. Mottram**

## Recommended Red-line Revisions





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**Block 172** – This block is intended to form an open space buffer between Block 153 and the adjacent ESA lands, and it implements the recommendations in the EIS Addendum report. The rezoning that is required to incorporate the buffer block is **FROM** Holding Residential R6 Special Provision (h•h-100•R6-2(11)) **TO** Open Space (OS5(3)).

**Block 153** – The lands within this block are currently zoned Holding Residential R6 Special Provision (h•h-100•R6-2(11)) to permit low density residential cluster housing. This block represents a reduction in area from approximately 1.835 hectares in the current draft-approved plan to 1.609 hectares as part of the applicant’s proposed draft plan revisions to incorporate the recommended open space buffer.

Zoning revisions have been requested within the Block 153 at the access to the cul-de-sac at the end of Street ‘A’. There is an existing access road which requires upgrading in order to meet current site development standards for access and servicing of any future residential development within Block 153. Immediately south of the existing access is a small mill pond associated with the larger Meadowlily Woods ESA and wetland complex and ravine hazard lands to the north.

In response to the circulation of the notice of revised draft plan and zoning, the UTRCA indicated concern that an EIS and geotechnical study prepared to the Authority’s satisfaction be required in order to determine whether the UTRCA will be in a position to issue the necessary Section 28 approvals for the crossing. As such, the UTRCA objects to the zoning revisions being proposed for Block 153.

In response to the Conservation Authority concern, there currently is a condition of draft plan approval requiring an Environmental Impact Study to address the potential impacts of the access lane to the satisfaction of the City and the UTRCA, as follows:

- 116. *In conjunction with the Design Studies submission, the Owner shall provide detailed design information for the site works and alterations for the proposed crossing/laneway between the cul-de-sac (at the end of Street ‘A’) and Block 135. Once the details of the proposed works have been identified, an Environmental Impact Study (EIS) to address the potential impacts of the laneway will be required to the satisfaction of the City and the UTRCA.*

This same condition is incorporated in the revised conditions of draft plan approval (Condition No. 105) contained in the attached Appendix “39T-09502-1”. A new condition (Condition No. 86) has been added to the conditions which also addresses this specific issue, and reads as follows:

- 86. *The Owner shall hold Block 153 out of development until such time as the completion of an Environmental Impact Study, to the satisfaction of the City and the Upper Thames River Conservation Authority.*

As a further measure, Development Services staff would recommend a holding provision corresponding with the intent of the draft plan conditions also be applied to the zoning over Block 153. The holding provision would be site specific and read as follows:

- h- Purpose: To ensure that development will not have negative impacts on abutting natural heritage features, an Environmental Impact Study (EIS) to address the potential impacts of the access laneway will be required to the satisfaction of the City and the UTRCA, prior to removal of the “h-\_\_” symbol.

Permitted Interim Uses: Existing Uses

The consultants retained by Sifton Properties Limited have prepared detailed engineering and design plans for the crossing as part of their Design Studies submissions. Once the EIS is completed the detailed design will be finalized, incorporating the recommendations



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**Planner: L. Mottram**

from the EIS. Siftons indicated that they are amenable to a holding provision on Block 153 as a caveat to development until the EIS and detailed design can be completed and accepted. This should satisfy draft plan conditions and permit the development of the remainder of the subdivision which is unaffected by the crossing.

As can be seen on the zoning map (Pg.7), the area of Block 153 is currently zoned Holding Residential R6 Special Provision (h•h-100•R6-2(11)). The specific zone changes to incorporate the draft plan adjustments around the access involve rezoning **FROM** Holding Residential R6 Special Provision (h•h-100•R6-2(11)) **TO** Open Space (OS5(3)); **FROM** Holding Open Space (h-2•OS4) **TO** Holding Residential R6 Special Provision (h•h-100•R6-2(11)); and **FROM** Holding Residential R6 Special Provision (h•h-100•R6-2(11)) **TO** Open Space (OS5).

With the draft plan conditions and the holding provision in place, Development Services staff are satisfied the recommended adjustments to the draft plan block and zoning are appropriate. Block 153 is expected to be registered as part of a future subdivision phase. Site development plans, including final access design, will have been reviewed at a detailed level, prior to removing the holding provision and proceeding with final registration of the block.

### **Provincial Policy Statement**

The recommended red-line revised draft plan and corresponding zoning adjustments are consistent with the PPS, as summarized as follows:

1.    **Building Strong Communities**

The subject lands are located within the Urban Growth Boundary. The recommended zoning continues to meet objectives of creating healthy, liveable, safe, and sustainable communities by promoting efficient development patterns, and accommodating an appropriate range and mix of residential, employment, recreational and open space uses to meet long-term needs.

2.    **Wise Use and Management of Resources**

Environmental Impact Studies have been prepared as part of the planning process and recommendations for protecting natural heritage features have been implemented in the preparation of this draft plan of subdivision, including specific measures to enhance significant natural heritage resources through re-naturalization and restoration/ compensation programs. There are no identified concerns for protection of agricultural, mineral aggregates, or cultural heritage and archaeological resources.

3.    **Protecting Public Health and Safety**

Provisions have been made for completion of a scoped EIS to address natural hazard concerns associated with an access to a development block adjacent a wetland and ravine. Measures to prohibit development have been put in place, through zoning and conditions of draft plan approval, until the natural hazards and natural heritage impacts have been addressed. There are no known human-made hazards.

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CONCLUSION

Based on our review, the recommended draft plan revisions for the Victoria Ridge subdivision are considered appropriate and represent sound planning, subject to the attached draft plan conditions which have been updated. The revised draft plan requires adjustments to lots and blocks within the draft plan impacted by the final design of the SWM facility; however, the overall subdivision design and street pattern is not changing.

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

August 29, 2013  
GK/TG/BH/LM/lm  
"Attach."

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

<u>Telephone</u>	<u>Written</u>
Gary Smith Friends of Meadowlily Community Association	None

Bibliography

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by Sifton Properties Limited, dated March 14, 2013

Red-line Revised Draft Plan of Subdivision prepared by Development Engineering (London) Ltd., dated May 8, 2013

Reference Documents:

*City of London Official Plan*, June 19, 1989, as amended

*City of London, Zoning By-law No. Z.-1*, May 21, 1991, as amended

Ontario Ministry of Municipal Affairs and Housing, *Planning Act*, R.S.O. 1990, CHAPTER P. 13, as amended

Ontario Ministry of Municipal Affairs and Housing, *Provincial Policy Statement*, March 1, 2005

City of London Development Services – Application for Approval of Draft Plan of Subdivision, Official Plan and Zoning by-law Amendments - File No. 39T-09502 / OZ-7692 – Sifton Properties Limited – 1603 Hamilton Road and 1844 Commissioners Road East

Correspondence: (located in City of London File No. 39T-09502/OZ-7692 unless otherwise stated)

Various hard copy and e-mail correspondences

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**File No: 39T-09502**  
**Planner: L. Mottram**

Bill No. (number to be inserted by Clerk's Office)  
2013

By-law No. Z.-1-\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to  
rezone lands located at 1603 Hamilton  
Road.

WHEREAS Sifton Properties Limited has applied to rezone lands located at 1603  
Hamilton Road, 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 1603 Hamilton Road, as shown on the attached map, from a Holding Residential R1 (h•h-100•R1-4) Zone, a Residential R1 (R1-10) Zone, a Holding Residential R6 Special Provision (h•h-100•R6-2(11)) Zone, a Holding Residential R6 Special Provision (h•h-100•R6-2(12)) Zone, a Holding Residential R5/R6/R8 Special Provision (h•h-71•h-100•R5-6(8)/R6-5(31)/R8-2(4)) Zone, an Open Space Special Provision (OS1(3)) Zone, a Holding Open Space (h-2•OS4) Zone, an Open Space (OS5) Zone and an Open Space Special Provision (OS5(3)) Zone to a Holding Residential R1 (h•h-100•R1-4) Zone, a Holding Residential R6 Special Provision (h•h-100•R6-2(11)) Zone, a Holding Residential R6 Special Provision (h•h-100•h-     •R6-2(11)) Zone, an Open Space Special Provision (OS1(3)) Zone, an Open Space (OS5) Zone, and an Open Space Special Provision (OS5(3)) Zone.
- 2. Section 3.8(2) of the Holding Zone Provisions to By-law No. Z.-1 is amended by adding the following holding provision:
  - )   h-       Purpose: To ensure that development will not have negative impacts on abutting natural heritage features, an Environmental Impact Study (EIS) to address the potential impacts of the access laneway will be required to the satisfaction of the City and the UTRCA, prior to removal of the "h-\_\_" symbol.

Permitted Interim Uses: Existing 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.



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**File No: 39T-09502**  
**Planner: L. Mottram**

This By-law shall come into force and be deemed to come into force in accordance with subsection 34(21) of the *Planning Act, R.S.O. 1990, c. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said subsection.

PASSED in Open Council on September 17, 2013.

Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading    - September 17, 2013  
Second Reading – September 17, 2013  
Third Reading    - September 17, 2013

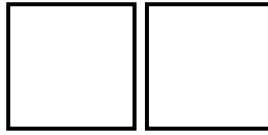


APPENDIX 39T- 09502-1

(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-09502 ARE AS FOLLOWS:

NO.	CONDITIONS
<b>Standard</b>	
1.	This draft approval applies to the draft plan, <b>as red line amended</b> , submitted by Sifton Properties Limited, prepared by Robert D. Stirling, Ontario Land Surveyor (Drawing No. D4099-DP.dwg, dated May 14, 2013), which shows 152 single family lots, 1 multi-family, high density residential block, 4 multi-family, medium density residential blocks, 2 multi-family, low density residential blocks, 1 commercial/office mixed use block, 7 park blocks, 9 buffer/ open space/ restoration blocks, 2 stormwater pond blocks, and 7 reserve, easement and road widening blocks, served by a primary collector road extending north from Commissioners Road East, and four internal local streets.
2.	This draft approval and these conditions replace the conditions of draft approval granted on January 19, 2012 for plan 39T-09502 as it applies to lands located south of the south branch of the Thames River, west of Hamilton Road, and north of Commissioners Road East; legally described as Part of Lots 8, 9, 10 Concession 1 and Part of Lots 8 and 9 Broken Front Concession “B” and Part of the Road Allowance between Concession 1 and Broken Front Concession “B” (Geographic Township of Westminster) in the City of London, and as described in Condition No. 1.
3.	This draft plan approval applies until January 19, 2017, 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.
4.	The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.
5.	The Owner shall request that streets be named to the satisfaction of the City.
6.	The Owner shall request that the municipal addresses be assigned to the satisfaction of the City.
7.	Prior to final approval, the Owner shall submit to the Approval Authority a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
8.	Prior to final approval, the Owner shall take all necessary steps to ensure that the zoning is in effect for this proposed subdivision.
9.	The subdivision agreement between the Owner and the City shall be registered against the lands to which it applies. Prior to final approval the Owner shall pay in full all municipal financial obligations/encumbrances on the said lands, including property taxes and local improvement charges.
10.	Phasing of this subdivision (if any) shall be to the satisfaction of the City.
11.	Prior to the submission of engineering drawings, the City shall be satisfied that sufficient sewage treatment and conveyance capacity is available to service the subdivision.
12.	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 in writing how



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**Planner: L. Mottram**

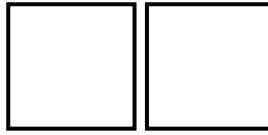
each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.

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

## **SEWERS & WATERMAINS**

### **Sanitary:**

14. In conjunction with the Design Studies submission, the Owner shall have his professional engineer prepare and submit the following sanitary servicing design information:
  - i) Provide a sanitary drainage area plan, including the sanitary sewer routing and the external areas to be serviced, to the satisfaction of the City;
  - ii) Propose a suitable routing for the trunk 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) Provide a hydrogeological report which includes an analysis of the water table of the lands within the subdivision with respect to the depth of the local sanitary sewers and an evaluation of additional measures, if any, which need to be undertaken in order to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407.
15. 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 750 mm (30") diameter sanitary sewer located on Hamilton Road;
  - ii) Construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the City;
  - iii) Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the 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
  - iv) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.
16. The Owner shall throughout the duration of construction within this plan undertake measures within this draft plan to control and prevent any inflow and infiltration and silt from being introduced to the sanitary sewer system during and after construction, satisfactory to the City, at no cost to the City, including but not limited to the following:
  - i) Not allowing any weeping tile connections into the sanitary sewers within this Plan;
  - ii) Permitting the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer;
  - iii) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and
  - iv) Implementing any additional measures recommended through the Design Studies stage.



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17. 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)

18. In conjunction with the Design Studies submission, the Owner shall have his professional 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) Developing an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject lands in accordance with City of London and Ministry of the Environment standards and requirements, all to the satisfaction of the City. This plan is to include measures to be used during all phases of construction, to the satisfaction of City Engineer;
  - iv) 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; and
  - v) Ensuring retained lands outside of this plan of subdivision are included in any Design Studies with respect to drainage areas and servicing.
19. In conjunction with engineering drawings submission, the Owner shall ensure the proposed grading and maintenance/emergency access road design will match the grading of the proposed Stormwater Management Facility being built by the City, to the satisfaction of the City.
20. The Storm/Drainage and SWM Servicing Functional Report or 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 South Thames Subwatershed Study and any addendums/amendments;
  - ii) The Old Victoria Area Plan Storm Drainage and Stormwater Management Servicing Works Municipal Class EA (2009) and with the agreed 25% reduction of the SWM block.
  - iii) The approved Functional STM Servicing and SWM plans for the subject lands or any updated Functional Stormwater Management Plan;
  - iv) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
  - v) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
  - vi) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and
  - vii) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.

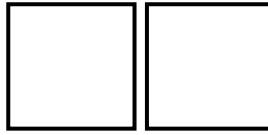
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21. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of stormwater management (SWM) and stormwater services for this draft plan of subdivision:
  - i) Construct storm sewers to serve this plan, located within the South Thames Subwatershed, and connect them to the proposed Regional Stormwater Management (SWM) Facility being constructed by the City on adjacent lands, and outletting to the Thames River.
  - ii) Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan;
  - iii) Grade and drain the boundaries of Lots/Blocks in this plan to blend in with the abutting SWM Facility, at no cost to the City;
  - iv) 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
  - v) Address forthwith any deficiencies of the stormwater works and/or monitoring program.
  
22. In conjunction with the engineering drawings submission, the Owner's professional geotechnical engineer shall provide a geotechnical report to adequately address all geotechnical issues including erosion, maintenance and structural setbacks related to slope stability, all to the satisfaction of the City and the Upper Thames River Conservation Authority (UTRCA). The Owner shall implement all recommendations in the geotechnical report, to the satisfaction of the City and the UTRCA.
  
23. Prior to the issuance of any Certificates of Conditional Approval for any lot in this plan, the Owner shall complete the following:
  - i) For lots and blocks in this plan or as otherwise approved by the City Engineer, all storm/drainage and SWM related works to serve this plan must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
  - ii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City.
  
24. The Owner acknowledges that the City, in accordance with the City's current Growth Management Implementation Strategy (GMIS), is constructing the proposed Regional SWM Facility for this plan in accordance with the preferred option of the accepted Old Victoria Area Plan Drainage Storm Drainage and SWM Municipal Class EA. The Owner shall cooperate with the City, as necessary, to complete the project, including providing access to the lands and easements, as necessary.
  
25. 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.
  
26. 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 the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area and identify any abandoned wells in this plan, assess the impact on water balance and any fill required in the plan, to the satisfaction of the City. If necessary, the report is to also address any contamination impacts that may be anticipated or experienced as a result of the said construction as well as provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.

Prior to the issuance of any Certificate of Conditional Approval, the Owner's professional engineer shall certify that any remedial or other works as recommended in the above





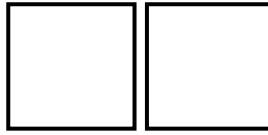
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accepted hydro geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City.

27. The Owner shall provide a security in the amount of \$60,000 for this Plan to ensure that the Erosion and Sediment Control Plan (ESCP) be executed in accordance with the City approval procedure and criteria. In the event of failure to properly implement and maintain the require ESCP, the ESCP security will be used by the City to undertake all necessary clean-up work, all to the satisfaction of the City.

#### Watermains

28. In conjunction with the Design Studies submission, the Owner shall have his professional engineer prepare and submit the following water servicing design information, all to the satisfaction of the City Engineer:
  - i) A water servicing report which addresses the following:
    - a) Identify external water servicing requirements;
    - b) Confirm capacity requirements are met;
    - c) Identify need to the construction of external works;
    - d) Identify the effect of development on existing water infrastructure – identify potential conflicts;
    - e) Water system area plan(s)
    - f) Water network analysis/hydraulic calculations for subdivision report;
    - g) Phasing report;
    - h) Oversizing of watermain, if necessary and any cost sharing agreements.
    - i) Water quality
  - ii) Design calculations which demonstrate there is adequate water turnover to address water quality requirements for the watermain system or recommend the use of the following:
    - a) valving to shut off future connections which will not be used in the near term; and/or
    - b) automatic flushing devices to maintain water quality, with it being noted that the water flushed by the device is to be measured (by a water meter in a meter pit) and the cost of water charged to the Owner; and/or
    - c) make suitable arrangements with Water Operations for the maintenance of the system in the interim.
  - iii) Have its professional consulting engineer identify which areas of the plan are to be serviced by the southeast hydraulic grade line zone and which areas are to be served by the low level zone.
29. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the accepted recommendations of the water servicing report to address the water quality requirements for the watermain system, to the satisfaction of the City Engineer, at no cost to the City.
30. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water services for this draft plan of subdivision:
  - i) Construct watermains to serve this Plan and connect them to the existing municipal system, namely, the existing 600 mm (24") diameter watermain on Commissioners Road East and the 250 mm (10") diameter watermain on Hamilton Road; and
  - 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.

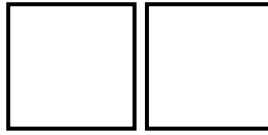


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## **STREETS, TRANSPORTATION & SURVEYS**

### Roadworks

31. The Owner shall construct cul-de-sacs on Street 'A', Street 'C' and Street 'D' in accordance with City of London Standard DWG. SR-5.0. The Owner shall provide a raised circular centre island (R=8.0m) within the cul-de-sacs or as otherwise directed by the City Engineer.
32. In conjunction with the engineering drawings submission, the Owner shall ensure the layout of the roads and rights-of-way in this plan are in accordance with City standards, unless otherwise accepted by the City 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.
33. In conjunction with the submission of detailed design drawings, the Owner shall have his consulting engineer provide a proposed layout of the tapers for streets in this plan that change right-of-way widths with minimum 30 metre tapers (eg. from 20.0 metre to 19.0 metre road width), all to the satisfaction of the City Engineer. The roads shall be tapered equally aligned based on the alignment of the road centrelines.
34. 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 and/or around the cul-de-sacs on Street 'A', Street 'C' and Street 'D'.
35. In conjunction with the engineering drawings submission, the Owner shall have its professional consulting engineer confirm that all streets in the subdivision have centreline radii which conforms to the City of London Standard "Minimum Centreline Radii of Curvature of Roads in Subdivisions:"
36. The Owner shall have it's professional engineer design and construct the roadworks in accordance with the following road widths:
  - i) Street 'A' from gateway to Street 'E' to the satisfaction of the City.
  - ii) Street 'A' (from Street 'E' to Street 'B') and Street 'B' (from Street 'A' to east limit of plan) are to have a minimum road pavement with (excluding gutters) of 9.5 metres (31.2') with a minimum road allowance of 21.5 metres (70').
  - iii) Street 'A' (north of Street 'B' to Street 'C') and Street 'E' are to have a minimum road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20 metres (66').
  - iv) Street 'E', at Street 'A', is to have a minimum road pavement width (excluding gutters) of 10.0 metres with a minimum road allowance of 21.5 metres (70") for a minimum length of 30 metres to the standard local road right of way width of 20.0 metres, to the satisfaction of the City.
  - v) Street 'B' (between Street 'A' and Street 'C') is to have a minimum road pavement width (excluding gutters) of 7.0 metres (23') with a minimum road allowance of 19 metres (62').
  - vi) Street 'C', Street 'D' and Street 'A' (north of Street 'C') are to have a minimum road pavement width (excluding gutters) of 6.0 metres (19.7') with a minimum road allowance of 18 metres (60').
  - vii) The Owner shall construct a gateway treatment, with no center island, 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 primary collector road right of way width of 26.0 metres, to the satisfaction of the City.



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37. The Owner shall construct Street 'A' and Street 'B' to secondary collector road standards.

#### Sidewalks/Bikeways

38. The Owner shall construct a 1.5 metre (5') sidewalk on both sides of the following streets:
  - i) Street 'A' – from Commissioners Road East to Street 'B'
  - ii) Street 'B' – east of Street 'A' to east limit of plan
39. The Owner shall construct a 1.5 (5') sidewalk on one side of the following streets:
  - i) Street 'A' – east boulevard from Street 'B' to cul-de-sac bulb
  - ii) Street 'E' – south boulevard
  - iii) Street 'C' – west and north boulevard
  - iv) Street 'D' – south and east boulevard from Street 'A' to cul-de-sac bulb
  - v) Street 'B' – south boulevard between Street 'C' and Street 'A'
40. The Owner shall construct a walkway between Lots 64 and 65 in accordance with City standards, to the satisfaction of the City, at no cost to the City.

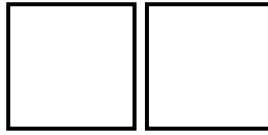
#### Street Lights

41. The Owner shall install street lighting on all streets in this plan to the satisfaction of the City, at no cost to the City.

#### Boundary Road Works

42. In conjunction with Design Studies submission, the Owner shall verify the adequacy of the decision sight distance on Commissioners Road East at Street 'A' to the satisfaction of the City. If sight lines are not adequate, Street 'A' is to be relocated and/or roadwork undertaken to establish adequate decision sight distance, all at no cost to the City.
43. In conjunction with the Design Studies submission, the Owner shall verify the adequacy of the decision sight distance on Hamilton Road at the temporary access road to the satisfaction of the City. If sight lines are not adequate, this access is to be relocated and/or road work undertaken to establish adequate decision sight distance, all at no cost to the City.
44. The Owner shall be required to make minor boulevard improvements on Commissioners Road East and Hamilton Road adjacent to this Plan, to the specifications of the City and at no cost to the City, consisting of clean-up, grading and sodding as necessary.
45. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install street lighting at the intersection of Commissioners Road East and Street 'A' to adequately illuminate the intersection, to the specifications of the City at no cost to the City.
46. In conjunction with the engineering drawings submission, the Owner shall have it's professional consulting engineer submit design criteria for the left turn and right turn lanes on Commissioners Road East at Street 'A' for review and acceptance by the City.
47. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall construct a left turn and right turn lane on Commissioners Road East at Street 'A' with sufficient storage and taper to accommodate the traffic demand anticipated as a result of full build out of the Old Victoria Planning Area, to the satisfaction of the City, at no cost to the City.

#### Road Widening



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48. The Owner shall dedicate sufficient land to widen Commissioners Road East and Hamilton Road to 18.0 metres (59.06') from the centreline of the original road allowance.
49. The Owner shall dedicate 6.0 m x 6.0 m "daylighting triangles" at the intersection of Street 'A' and Commissioners Road East in accordance with the Z-1 Zoning By-law, Section 4.24.

#### Vehicular Access

50. No vehicular access will be permitted to Blocks 165, 174 and 179 from Hamilton Road (except gated emergency access on Block 174) and Blocks 159 and 160 from Commissioners Road East unless a Transportation Impact Study is completed and accepted by the City at site plan submission stage. All vehicular access is to be via the internal subdivision streets.

#### Traffic Calming

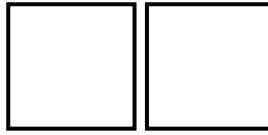
51. In conjunction with the engineering drawings submission, the Owner shall have it's professional engineer design the proposed traffic calming measures along Street 'A', Street 'B' and at the intersection of Street 'A' and Street 'B', including traffic calming circle, parking bays, curb extensions and other measures, to the satisfaction of the City.
52. The Owner shall install a roundabout at the intersection of Street 'A' and Street 'B', including all necessary sidewalks in accordance with City standards, to the satisfaction of the City. The Owner shall locate the driveways for abutting lots in accordance with the Design Specifications and Requirements Manual.
53. The Owner shall install curb extensions along Street 'A' from Commissioners Road East to Street 'B' to the satisfaction of the City with parking bay removed for utilities (fire hydrants), for transit stop locations as defined by the London Transit Commission and for future development block accesses. Reduced curb radii on the inbound approach to all local road intersecting Street 'A' shall also be installed.
54. The Owner shall install curb extensions along Street 'B' from Street 'A' to the easterly limit of the plan of subdivision to the satisfaction of the City with the parking bay removed for utilities (fire hydrants), for transit stop locations as defined by the London Transit Commission and for future development block accesses.

#### Construction Access/Temporary/Emergency/Maintenance Access Roads

55. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Commissioners Road East or other routes as designated by the City.
56. Development of the subdivision shall be limited to a maximum of 80 units until such time as a second public access is available for the site, to the satisfaction of the City. Prior to development of more than 80 units, the Owner shall make the necessary arrangements with adjacent property owners, or make modifications to the draft plan of subdivision, to provide an emergency access to this subdivision should the plan be registered in phases.

The Owner shall ensure any emergency access required is satisfactory to the City with respect to all technical aspects, including adequacy of sight lines, provision of channelization, adequacy of road geometries and structural design.

57. The Owner shall construct a maintenance/emergency access to Hamilton Road in a location satisfactory to the City and provide any necessary easements, at no cost to the City.



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58. 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.
59. The Owner shall construct a temporary turning facility for vehicles at the following location(s), to the specifications of the City:
  - i) Street 'B' – east limit
  - ii) Street 'E' – east limit

Temporary turning circles for vehicles shall be provided to the City as required by the City, complete with any associated easements. When the temporary turning circles(s) are no longer needed, the City will quit claim the easements which are no longer required, at no cost to the City.

### **GENERAL CONDITIONS**

60. 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.
61. 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.
62. 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.
63. In the event that relotting of the Plan is undertaken, the Owner shall relocate and construct services to standard location, all to the specifications and satisfaction of the City.
64. 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.
65. In the event the draft plan develops in phases, upon registration of any phase of this subdivision, the Owner shall provide land and/or easements along the routing of services which are necessary to service upstream lands outside of this draft plan to the limit of the Plan.
66. The Owner shall have the common property line of Commissioners Road East and Hamilton Road 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 Hamilton Road are the existing centreline of road elevations 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 existing road grades, all to the satisfaction of the City.

67. 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.

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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.

68. 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.
69. 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.
70. Should any deposits of organic materials or refuse be 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.

71. 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. The City may require a copy of the report should there be City property adjacent to the contamination. Should the site be free of contamination, the geotechnical engineer shall provide certification to this effect to the City.
72. 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



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Completion of Works upon completion, in accordance with the plans accepted by the City Engineer.

73. 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.
74. 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".
75. 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.)
76. 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.
77. 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.
78. 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.
79. 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.
80. In conjunction with registration of the plan, the Owner shall provide to the appropriate authorities such easements as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City.
81. 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.
82. 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.
83. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
84. The Owner shall submit confirmation that they have complied with any requirements of Hydro One Networks Inc.

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85. The Owner shall make all necessary arrangements with the abutting property owners to regrade on the abutting properties, where necessary, to accommodate the grading and servicing of this plan to City standards, to the satisfaction of the City.
86. The Owner shall hold Block 153 out of development until such time as the completion of an Environmental Impact Study, to the satisfaction of the City and the Upper Thames River Conservation Authority.
87. The Owner shall hold Block 182 out of development for future access and servicing of lands to the south, to the satisfaction of the City, at no cost to the City.
88. The Owner shall provide private services for the existing house on Lot 23, to the satisfaction of the City, at no cost to the City.

### **PLANNING**

89. In conjunction with any Design Studies submission which includes Block 160, the Owner shall submit a conceptual design of a future public square together with pedestrian linkages to get access to the public square to the satisfaction of the City. The accepted conceptual plan will be incorporated into any site plan application for Block 160.
90. Prior to final approval, the Owner shall apply to the City to change the description of the Heritage Designation as it currently applies to the property known municipally as 1603 Hamilton Road.
91. The Owner shall convey to the City of London lands for park purposes at a rate of 1 hectare per 300 residential dwelling units. Parkland dedication for lands designated and zoned for commercial will be taken at a rate of 2% of the block area. The lands required to be dedicated for parkland purposes are identified on the draft plan as red-line amended as Blocks 161, 162, 163, 164, 165, 166, and 167.
92. The Owner shall grade, service and seed Park Blocks 161, 162, 164, 165, 166 and 167 to the satisfaction of the City within 1 year of registration of the plan of subdivision.
93. In conjunction with the Design Studies submission, the Owner shall provide park concept plans for park Block 161, a pathway concept for Blocks 162, 164, 165, 166, 167, 168, and 175 and a restoration concept for Block 175. These are to be prepared by a registered landscape architect. The consultant shall pre-consult with Parks Planning and Design to determine the appropriate budget and amenities to be included in the park. In addition, the applicant shall submit with the standard engineering servicing drawings submission, full design and construction plans to the satisfaction of the City.
94. In conjunction with the Engineering Drawings submission, the Owner shall submit a detailed park, pathway and restoration plan for the entire site, including Blocks 161, 162, 164, 165, 166, 167, 168, and 175, and a restoration plan for Blocks 176, 177, and 178. The detailed plans shall be prepared by a registered landscape architect with the assistance of a restoration ecologist to the satisfaction of the City.
95. Within one (1) year of registration of the Plan, the Owner shall construct and maintain (up to assumption) the recreational pathway within Blocks 162, 164, 165, 166, 167, 168, and 175 of this Plan, in accordance with the approved detailed plans to the satisfaction of the City.
96. Within one (1) year of registration of this Plan the Owner shall install the required neighbourhood park amenities within Block 161 of this Plan, in accordance with the approved detail plans and to the satisfaction of the City.
97. Within one (1) year of registration of this Plan, the Owner shall construct the restoration/compensation area within Blocks 175, 176, 177, and 178 of this Plan, in accordance with the approved detail plans and to the satisfaction of the City.
98. In conjunction with the Design Studies submission, the Owner shall provide a tree

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preservation report for the entire subdivision. The tree preservation report will focus on the preservation of specimen trees of good quality and will be completed to the satisfaction of City as part of the Design Study Review process. The recommendations of the approved tree preservation report shall be included in the engineering drawings submission and conditions in the subdivision agreement.

99. The Owner shall construct 1.5 metre 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 private lots and blocks adjacent to existing and/or future Park and Open Space Blocks, and SWM Facilities. Fencing shall be completed within 1 year of registration of the plan.
100. The Owner shall make a cash-in-lieu payment to the City to provide for the planting of street trees.
101. Within one year of registration of the plan, the Owner shall prepare and deliver to all homeowners adjacent to the open space, an education package which explains the stewardship of natural area, the value of existing tree cover, and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of the City.
102. In conjunction with the Design Studies submission, the Owner shall prepare and submit calculations to establish a compensation rate acceptable to the City for the restoration of open space lands in exchange for developable lands within Block 153. The final delineation of Block 153 shall be confirmed prior to preparation of the Subdivision Agreement based on the approved compensation rate, and any adjustments made as a result shall require a change to the draft plan. If the compensation area is substantially different than anticipated, the City will initiate a Zoning By-law Amendment to reflect the revised compensation plan.
103. The Owner, in consultation with the LTC, shall indicate on the approved engineering drawings the possible 'Future Transit Stop Areas'. The Owner shall install signage as the streets are constructed, indicating "Possible Future Transit Stop Area" in the approximate stop locations. The exact stop locations shall be field located as the adjacent sites are built, at which time the developer shall install a 1.5 metre wide concrete pad between the curb and the boulevard at the finalized stop locations.
104. 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.
105. In conjunction with the Design Studies submission, the Owner shall provide detailed design information for the site works and alterations for the proposed crossing/laneway between the cul-de-sac (at the end of Street 'A') and Block 153. Once the details of the proposed works have been identified, an Environmental Impact Study (EIS) to address the potential impacts of the laneway will be required to the satisfaction of the City and the UTRCA.
106. The Owner shall implement the recommendations of the Victoria Ridge Plan of Subdivision Environmental Impact Study dated June 24, 2009 as amended by subsequent addendums, to the satisfaction of the City.



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